

**PUBLIC NOTICE**

**AGENDA**

**LOCKHART CITY COUNCIL**

**TUESDAY, JANUARY 5, 2016**

**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.

**DISCUSSION ONLY**

- A. Discuss minutes of the City Council meeting of December 15, 2015. *5-14*
- B. Discuss Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund. *15-26*
- C. Discuss Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards. *27-36*
- D. Discuss recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly. *37-43*
- E. Discuss the City Manager's recommended step pay plan increases estimated at \$144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016. *44-57*
- F. Discuss Ordinance 2016-03 repealing un-codified Ordinance 2014-20 in its entirety and adopting this Ordinance regarding the City Personnel Policy Manual removing Performance or Merit Pay for Police and Fire Personnel and adopting a step pay plan for Police and Fire Departments under Civil Service with adjustments as approved by the City Council during the Fiscal Year 2015-2016 budget of the City of Lockhart. *58-62*
- G. Discuss formal request from the Lockhart Economic Development Corporation (LEDC) for the City Council to consider under Texas Local Government Code, Sec. 253.012 conveying Lots 12-A and 12-B in Block 1, Replat of Lot 12, of the Lockhart Industrial Park II (approx. 2.5 acres) to LEDC with a requirement that LEDC use the property to primarily promote a public purpose by benefiting economic development within the City or be subject to reversion back to the City, instructing the City Manager to work with the City Attorney to prepare the necessary conveyance legal documents that shall include the reversion language, and appointing the Mayor to sign all final legal documents. *63-67*

**WORK SESSION (Discussion only) continued...**

- H. Discuss Ordinance 2016-02 amending the Lockhart Code of Ordinances, Chapter 32, Article II, Caption "Eugene Clark Library" to create a quiet zone in the interest of a public purpose. 68-71
- I. Discussion regarding \$200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners' Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street. 72-75
- J. Discussion regarding City Manager's proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer. 76-79
- K. Discussion regarding a proposed 5-year contract with the Hill Country Cook-Off Association for use of City Park for its annual event to be held each 2<sup>nd</sup> weekend in October beginning in 2016. 80-84
- L. Discussion after update report by City Manager regarding 2015 Certificates of Obligation projects. 85-86
- M. Discussion regarding City cell phones for Mayor and Council. 87

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

- 1. **CALL TO ORDER**  
Mayor Lew White
- 2. **INVOCATION, PLEDGE OF ALLEGIANCE**  
Invocation - Ministerial Alliance.  
Pledge of Allegiance to the United States and Texas flags.
- 3. **CITIZENS/VISITORS COMMENTS**  
(The purpose of this item is to allow citizens an opportunity to address the City Council on issues that are not on the agenda. No discussion can be carried out on the citizen/visitor comment.)
- 4. **CONSENT AGENDA**
  - A. Approve minutes of the City Council meeting of December 15, 2015. 5-14
  - B. Approve Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund. 15-26
  - C. Approve Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards. 27-36
  - D. Approve recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly. 37-43

**CONSENT AGENDA continued...**

- E. Approve the City Manager's recommended step pay plan increases estimated at \$144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016. 44-57
- F. Approve Ordinance 2016-03 repealing un-codified Ordinance 2014-20 in its entirety and adopting this Ordinance regarding the City Personnel Policy Manual removing Performance or Merit Pay for Police and Fire Personnel and adopting a step pay plan for Police and Fire Departments under Civil Service with adjustments as approved by the City Council during the Fiscal Year 2015-2016 budget of the City of Lockhart. 58-62
- G. Approve formal request from the Lockhart Economic Development Corporation (LEDC) for the City Council to consider under Texas Local Government Code, Sec. 253.012 conveying Lots 12-A and 12-B in Block 1, Replat of Lot 12, of the Lockhart Industrial Park II (approx. 2.5 acres) to LEDC with a requirement that LEDC use the property to primarily promote a public purpose by benefiting economic development within the City or be subject o reversion back to the City, instructing the City Manager to work with the City Attorney to prepare the necessary conveyance legal documents that shall include the reversion language, and appointing the Mayor to sign all final legal documents. 63-67
- H. Approve Ordinance 2016-02 amending the Lockhart Code of Ordinances, Chapter 32, Article II, Caption "Eugene Clark Library" to create a quiet zone in the interest of a public purpose. 68-71

**5. DISCUSSION/ACTION ITEMS**

- A. Discussion and/or action regarding \$200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners' Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street. 72-75
- B. Discussion and/or action regarding City Manager's proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer. 76-79
- C. Discussion and/or action regarding a proposed 5-year contract with the Hill Country Cook-Off Association for use of City Park for its annual event to be held each 2<sup>nd</sup> weekend in October beginning in 2016. 80-84
- D. Discussion and/or action after update report by City Manager regarding 2015 Certificates of Obligation projects. 85-86
- E. Discussion and/or action regarding City cell phones for Mayor and Council. 87
- F. Discussion and/or action regarding appointments to various boards, commissions or committees. 88-97

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

- Update- US 183 widening project.
- Update- Police Officer training regarding new firearm laws.

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

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

**8. ADJOURNMENT**

*\*\* Items of Community Interest includes: 1) expressions of thanks, congratulations or 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 discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

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

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

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

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

  
Connie Constancio, TRMC, City Secretary

**LOCKHART CITY COUNCIL  
REGULAR MEETING**

**DECEMBER 15, 2015**

**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  
Dan Gibson, City Planner  
Shane Mondin, Building Official

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

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

**Work Session 6:30 p.m.**

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

**DISCUSSION ONLY**

**A. DISCUSS MINUTES OF THE CITY COUNCIL MEETING OF DECEMBER 1, 2015.**

Mayor White requested corrections. There were none.

**B. DISCUSS SITE PLAN FOR THE REMOVAL OF TWO PROTECTED TREES TO BUILD A NEW COMMERCIAL BUILDING AT 700 SOUTH COLORADO STREET. [TABLED DECEMBER 1, 2015]**

Mr. Mondin stated that the Council tabled this agenda item on December 1, 2015 to allow a site plan to be submitted providing the location of the two protected trees and the seven replacement trees. Advance Auto Parts is requesting approval to remove two protected pecan trees to build a 6,800 square foot building and associated parking lot and driveways. There was discussion about the site plan.

**C. DISCUSS ORDINANCE 2015-29 REPEALING UNCODIFIED ORDINANCE 08-03 IN ITS ENTIRETY AND ADOPTING THIS ORDINANCE ESTABLISHING THE PAYMENT OF A MONETARY RECRUITMENT INCENTIVE FOR NEW POLICE OFFICER HIRES AND SETTING FORTH CRITERIA FOR THE INCENTIVE.**

Mr. Rodgers stated that the Police Department currently has three patrol officer vacancies, two are out on possible extended injury leave and, two others have expressed intentions about leaving which would create two more vacancies. The City of Austin is down about 200 officers and several surrounding cities are down 30-50% for patrol officers. A test was held on November 7, 2015 for certified applicants of which three applicants applied. Of the three applicants, two withdrew accepting police officer positions with other entities and the 3<sup>rd</sup> applicant did not pass the Chief's interview. Ordinance 08-03 was passed in 2008 to provide a hiring incentive to increase recruitment. The incentive was used for a short time during 2008-2009 and was no longer used once the City began offering to sponsor non-certified cadets through a police academy. Per Ordinance 08-03, the City Manager may reinstate the incentive as needed. Proposed

Ordinance 2015-29 raises the hiring incentive from \$2,000 to \$3,000. Employees will be required to sign an agreement to repay the incentive if leaving before two years after hire. The incentive would be paid out in two payments: \$2,000 at the time of hire and \$1,000 after successful completion of the departmental field training program. There was discussion.

**D. DISCUSS RESOLUTION 2015-15 REGARDING THE INVESTMENT POLICY FOR THE CITY OF LOCKHART, TEXAS.**

Mr. Hinson stated that the Investment Policy has no changes from the previous year because there were no legislative changes in the investment policy laws that required amendments.

**E. DISCUSS ORDINANCE 2015-30 AMENDING THE LOCKHART CODE OF ORDINANCES, CHAPTER 58, "UTILITIES", ARTICLE II. "DEPOSIT RATES, CHARGES, COLLECTION PROCEDURES, ETC.," DIVISION 2., "ELECTRIC RATES COMPUTATION" BY ADDING SECTION 58-78, "DISTRIBUTIVE GENERATION CREDIT" WHICH PROVIDES FOR THE CALCULATION OF SUCH CREDIT.**

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

**F. DISCUSS CITY MANAGER'S RECOMMENDATION TO USE STEINBOMER-BRAMWELL-VRAZEL ARCHITECTS FOR DESIGN SERVICES OF A COMMUNITY PARK BUILDING, EXPANSION OF FIRE DEPARTMENT BUILDING AT 1914 WEST SAN ANTONIO STREET, AND AN ELEVATOR, RESTROOM, AND ACCESS IMPROVEMENTS AT CITY HALL AND FIRE STATION #1, AND IF A NEGOTIATED AGREEMENT WITH THIS FIRM CANNOT BE OBTAINED, THE CITY MANAGER WILL THEN BEGIN NEGOTIATIONS WITH THE SECOND BEST RANKED FIRM GIGNAC.**

Mr. Rodgers stated that Requests for Qualifications (RFQ) were publicized in compliance with State law for professional design services of City public facility improvements as approved by Council in the 2015 Certificates of Obligation. Five companies submitted RFQ responses. Proposals were ranked according to the RFQ criteria and scoring was completed. Steinbomer-Bramwell-Vrazel of Austin scored the highest with GIGNAC ranking second.

Mr. Rodgers stated that the public facility projects are as follows:

- 1) Construction of a small multipurpose community building in City Park.
- 2) Installation of a passenger elevator at City Hall and remodeling of restroom facilities (upstairs and downstairs) at 308 West San Antonio Street.
- 3) Installation of 2<sup>nd</sup> floor access (possible elevator) and remodeling at Fire Station at 201 West Market Street.
- 4) Construction of addition to existing fire truck storage building located at 1914 West San Antonio that will eventually be for sleeping quarters, meeting room, restroom facilities, and office.

There was discussion.

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

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

Mayor White requested Ms. LaFleur to address the Council:

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

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

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

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

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

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

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

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

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

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

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

Gene Galbreath, President of the Southwest Museum of Clocks and Watches provided information about how their organization promotes tourism to Lockhart. Mr. Galbreath stated that the organization is requesting hotel occupancy tax funds in the amount of \$9,460 or an equivalent of percentage of the available funding.

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**I. DISCUSS ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2016.**

After brief discussion, Mayor White announced that the Council would take action about the distributions during the regular meeting.

**J. DISCUSSION REGARDING CITY COUNCIL'S DECISION ABOUT HOW THE UNDISTRIBUTED AMOUNT OF \$1,514.43 REMAINING IN THE HOTEL OCCUPANCY TAX FUND WILL BE UTILIZED.**

Mr. Hinson stated that there is \$1,514.43 undistributed funds remaining in the Hotel Occupancy Tax due to the budget limitations contained in the contract with the Caldwell County Hispanic Chamber of Commerce. He stated that the Council could do one of the following about the funds:

- Roll over the undistributed funds to next year and distribute according to the fiscal year 2016 distribution percentages;
- Retain it in the fund balance;
- Distribute this calendar year to an eligible entities (except Hispanic Chamber because they are not eligible); or,
- The City can spend that amount on qualified expenses.

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

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

**K. DISCUSS APPOINTMENT TO THE CAPITAL AREA PLANNING COUNCIL OF GOVERNMENTS (CAPCOG) CLEAN AIR COALITION COMMITTEE.**

Mayor White stated that he currently serves on the Committee yet offered the position to another Councilmember. There was brief discussion.

**REGULAR MEETING**

**ITEM 1. CALL TO ORDER.**

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

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

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

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

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

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



**ITEM 4-A. HOLD A PUBLIC HEARING ON APPLICATION ZC-15-06 BY JEREMY MCCORD FOR A ZONING CHANGE FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT FOR LOT 6, BLOCK 1, SOUTH ADDITION, CONSISTING OF 0.55 ACRE LOCATED AT 1100 SOUTH COMMERCE STREET.**

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

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

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

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

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

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

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

Mayor White requested additional citizens to address the Council in regards to the zoning change. There were none. He closed the public hearing at 8:15 p.m.

**ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2015-27 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS LOT 6, BLOCK 1, SOUTH ADDITION, CONSISTING OF 0.55 ACRE LOCATED AT 1100 SOUTH COMMERCE STREET, FROM RMD RESIDENTIAL MEDIUM DENSITY DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.**

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

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

There was discussion about the zoning change notification process.

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

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

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

Mayor White requested citizens in favor of or against the zoning change to address the Council. There were none. He closed the public hearing at 8:25 p.m.

**ITEM 4-D. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2015-28 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 0.527 ACRE IN THE BYRD LOCKHART SURVEY, ABSTRACT NUMBER 17, LOCATED AT 730 SOUTH COLORADO STREET (US 183), FROM CLB COMMERCIAL LIGHT BUSINESS DISTRICT TO CMB COMMERCIAL MEDIUM BUSINESS DISTRICT.**

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2015-28 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 0.527 acre in the Byrd Lockhart Survey, Abstract Number 17, located at 730 South Colorado Street (US 183), from CLB Commercial Light Business District to CMB Commercial Medium Business District. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

**ITEM 5. CONSENT AGENDA.**

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

The following are the consent agenda items that were approved:

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

**ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING VERBAL REQUEST AT LAST COUNCIL MEETING FROM MS. KEI LAFLEUR TO APPEAL THE DECISION OF THE LOCKHART LIBRARY ADVISORY BOARD NOT TO ALLOW THE PLACEMENT OF A PORTRAIT OF HER SON CORPORAL JASON K. LAFLEUR IN THE DR. EUGENE CLARK LIBRARY; THE BOARD SUGGESTED SHE APPROACH THE VFW AND/OR THE AMERICAN LEGION FOR POSSIBLE PLACEMENT.**

Councilmember Castillo made a motion to table the item until the Library Advisory Board identifies rules and regulations about displaying portraits in the Library that is recommended to be presented to Council at the meeting on January 5, 2016. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

**ITEM 6-B. DISCUSSION AND/OR ACTION TO CONSIDER A REQUEST BY SOUTHWEST MUSEUM OF CLOCKS AND WATCHES FOR HOTEL OCCUPANCY FUNDS IN 2016.**

Mayor White announced that the presentation was made during the work session.

**ITEM 6-C. DISCUSSION AND/OR ACTION REGARDING ALLOCATION OF HOTEL OCCUPANCY TAXES TO ENTITIES REQUESTING DISTRIBUTIONS FOR 2016.**

Mayor Pro-Tem Sanchez made a motion that the hotel occupancy funds be placed in an escrow account to save for a future convention center and not to allocate to the requesting entities. The motion failed for the lack of a second vote.

There was discussion.

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

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

**ITEM 6-D. DISCUSSION AND/OR ACTION FOR CITY COUNCIL TO DECIDE HOW THE UNDISTRIBUTED AMOUNT OF \$1,514.43 REMAINING IN THE HOTEL OCCUPANCY TAX FUND WILL BE UTILIZED.**

Councilmember Michelson made a motion to leave the \$1,514.43 in the fund balance with availability for the TML Conference in the future. Mayor Pro-Tem Sanchez seconded. There was discussion.

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

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

**ITEM 6-E. DISCUSSION AND/OR ACTION REGARDING APPOINTMENT TO THE CAPITAL AREA PLANNING COUNCIL OF GOVERNMENTS (CAPCOG) CLEAN AIR COALITION COMMITTEE.**

Councilmember Castillo made a motion to nominate Mayor White to the CAPCOG Clean Air Coalition Committee. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

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

Mayor White requested appointments to various boards, commissions or committees.

Councilmember Hilburn made a motion to nominate Nic Erwin as alternate to the Zoning Board of Adjustment. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

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

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

Councilmember Westmoreland congratulated all involved in the successful Dickens' Christmas event. Happy Holidays to all.

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

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

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

Councilmember Castillo thanked Library and volunteers for the successful Dickens' Christmas event. He thanked Warren Lay and Joe Leal for their dedication to the City of Lockhart and both Diane Delgado and Janie Wright for retiring from the Lockhart Independent School District. He wished everyone a safe and Happy Holidays and Happy New Year. He thanked staff for their hard work.

Councilmember Michelson congratulated the Library and Library Board for the successful Dickens' Christmas event. He congratulated the Gaslight-Baker Theatre for a successful "Tuna Christmas" show. He wished everyone a Happy Holidays and a Happy New Year. He requested an update about economic development and about Pure Casting at an upcoming meeting. Mr. Rodgers recommended a meeting in February. He thanked the citizens for their patience during the Highway 183 renovation.

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

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

**ITEM 9. ADJOURNMENT.**

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

PASSED and APPROVED this the 5<sup>th</sup> day of January 2016.

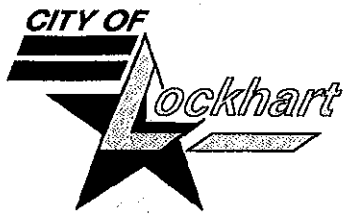
**CITY OF LOCKHART**

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

ATTEST:

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

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**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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Date: January 5, 2016</b>			
Department: Municipal Court		Initials	Date
Department Head: Townsend	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	12-24-2015
Agenda Coordinator/Contact (include phone #): Bonnie Townsend, 376-9469			
<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>			
Discussion and/or action to consider Ordinance 2016-01 authorizing the Lockhart Municipal Court to employ one or more Juvenile Case Managers and establishing a Juvenile Case Manager fee and fund.			
<b>FINANCIAL SUMMARY</b>			
X 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			
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b> N/A			
<b>SUMMARY OF ITEM</b>			
Article 45.056 of the Code of Criminal Procedure authorizes a municipality to employ a Juvenile Case Manager (JCM) and Article 102.0174 of the Code of Criminal Procedure (CCP) provides for an additional Court Cost of up to \$5.00 to support funding for the JCM position. With new legislation being passed each session regarding juveniles, these cases are becoming increasingly complex in nature and require the court to monitor cases to their completion. The JCM provides services in juvenile cases consistent with the court's statutory powers and reports information/recommendations to the judge in making decisions in the best interest of the child. The court's juvenile caseload is increasing and an existing Deputy Clerk could be appointed as the part-time JCM as their primary position while still performing regular clerical duties.			
<b>STAFF RECOMMENDATION</b>			
Staff recommends that Council approve Ordinance 2016-01, authorizing the court to employ a Juvenile Case Manager and establishing a Juvenile Case Manager fee and fund to offset costs.			
List of Supporting Documents: Juvenile Case Manager Proposal Art. 45.056 Code of Criminal Procedure Art. 102.0174 Code of Criminal Procedure Ordinance 2016-01		Other Departments, Boards, Commissions or Agencies:	



**Lockhart Municipal Court**  
**1914 West San Antonio Street**  
**Lockhart, Texas 78644**  
**Phone (512) 376-9469 Fax (512) 620-0150**

**SUBJECT: PROPOSAL TO CREATE A JUVENILE CASE MANAGER FUND BY ORDINANCE**

## **BACKGROUND**

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

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

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

## **FUNDING**

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

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

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

## **REQUIREMENTS**

The city council will need to pass a resolution adopting ethical and training standards for JCMs employed by the city.



Additionally, the council will need to enact an ordinance authorizing the JCM position and the collecting of the JCM fee by the municipal court.

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

#### PROPOSAL

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

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

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

#### Attachments:

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

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

Ordinance 2016-01

Art. 45.056 CCP JUVENILE CASE MANAGERS

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

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

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

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

(B) may provide:

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

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

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

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

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

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

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

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

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

(2) may provide:

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

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

(d) Pursuant to Article 102.0174, the court or governing body may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the juvenile case manager fund.

Without reference to the amendment of this subsection, this subsection was repealed by Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.

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

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

(1) a code of ethics, and for the enforcement of the code of ethics;

(2) appropriate educational preservice and in-service training standards for juvenile case managers; and

(3) training in:

(A) the role of the juvenile case manager;

(B) case planning and management;

(C) applicable procedural and substantive law;

(D) courtroom proceedings and presentation;

(E) services to at-risk youth under Subchapter D, Chapter 264, Family Code;

(F) local programs and services for juveniles and methods by which juveniles may access those programs and services; and

(G) detecting and preventing abuse, exploitation, and neglect of juveniles.

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

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

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

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

(1) the child's home environment;

(2) the child's developmental, psychological, and educational status;

(3) the child's previous interaction with the justice system; and

(4) any sanctions available to the court that would be in the best interest of the child.

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

(1) a part-time judge; or

(2) a county judge of a county court that has one or more appointed full-time magistrates under

Section 54.1172, Government Code.

Added by Acts 2001, 77th Leg., ch. 1514, Sec. 9, eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 283, Sec. 33, eff. Sept. 1, 2003.

Amended by:

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

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

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

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

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

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

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

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

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

Acts 2015, 84th Leg., R.S., Ch. 935 (H.B. 2398), Sec. 4, eff. September 1, 2015.

**Code of Criminal Procedure, Article 102.0174. COURT COSTS; JUVENILE CASE MANAGER FUND.**

- (a) In this article, "fund" means a juvenile case manager fund.
- (b) The governing body of a municipality by ordinance may create a juvenile case manager fund and may require a defendant convicted of a fine-only misdemeanor offense in a municipal court to pay a juvenile case manager fee not to exceed \$5 as a cost of court if the municipality employs a juvenile case manager. A municipality that does not employ a juvenile case manager may not collect a fee under this subsection.
- (c) The commissioners court of a county by order may create a juvenile case manager fund and may require a defendant convicted of a fine-only misdemeanor offense in a justice court, county court, or county court at law to pay a juvenile case manager fee not to exceed \$5 as a cost of court if the court employs a juvenile case manager. A justice court, county court, or county court at law that does not employ a juvenile case manager may not collect a fee under this subsection.
- (d) The ordinance or order must authorize the judge or justice to waive the fee required by Subsection (b) or (c) in a case of financial hardship.
- (e) In this article, a defendant is considered convicted if:
- (1) a sentence is imposed on the defendant;
  - (2) the defendant receives deferred disposition, including deferred proceedings under Article 45.052 or 45.053; or
  - (3) the defendant receives deferred adjudication in county court.
- (f) The clerks of the respective courts shall collect the costs and pay them to the county or municipal treasurer, as applicable, or to any other official who discharges the duties commonly delegated to the county or municipal treasurer for deposit in the fund.
- (g) A fund created under this section may be used only to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager employed under Article 45.056. The fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager.
- (h) A fund must be administered by or under the direction of the commissioners court or under the direction of the governing body of the municipality.

Enacted by Acts 2005, 79th Leg., ch. 949 (H.B. 1575), sec. 35, eff. Sept. 1, 2005. Amended by Acts 2011, 82nd Leg., ch. 868 (S.B. 61), sec. 3, eff. June 17, 2011. Amended by Acts 2011, 82nd Leg., ch. 1098, (S.B. 1489), sec. 8, eff. Sept. 1, 2011.

**ORDINANCE NO. 2016-01**

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

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

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

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

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

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

1. The Lockhart Municipal Court is authorized to employ one or more full-time or part-time juvenile case managers to provide services in cases involving juvenile offenders before the Court, consistent with the Court's statutory powers and pursuant to Texas Code of Criminal Procedure, Article 45.056.
2. A Juvenile Case Manager Fee (the "Fee") is created pursuant to Articles 102.0174 and 45.056 of the Texas Code of Criminal Procedure. The Fee shall be in the amount of Five Dollars (\$5.00).
3. Except as otherwise herein provided, a defendant who is convicted of a fine-only misdemeanor offense in the Lockhart Municipal Court will pay the Fee as a cost of court. A person is considered convicted of an offense if:
  - (a) A judgment, sentence, or both are imposed on the person;
  - (b) The person is placed on deferred disposition; or
  - (c) The court defers final disposition or imposition of the judgment and sentence.
4. The Lockhart Municipal Judge and/or Associated Judge may waive the Fee in a case of financial hardship on the part of a convicted defendant.
5. All Fees will be collected by the Municipal Court Administrator and will be deposited into a Juvenile Case Manager Fund (the "Fund") established by the City. The Fund will be administered by the Lockhart City Manager under the direction of the Lockhart City Council.

6. The Fund may be used only to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager who is employed by the Lockhart Municipal Court pursuant to Article 45.056(a) of the Texas Code of Criminal Procedure. If there is money in the Fund after those costs are paid, such money may only be expended as provided in Texas Code of Criminal Procedure, Article 102.0174. The Fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager.

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

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

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

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

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

CITY OF LOCKHART, TEXAS

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning  
City Attorney

## COURT COSTS

For conviction of offenses committed on or after September 1, 2015

OFFENSE/DESCRIPTION	State CF	State JSF	State IDF	State JRF	State TPDF	State STF	Local TFC	Local CS	Total
<b>Municipal Ordinance</b>									
• Parking (authorized by Section 542.202 or Chapter 682, Transportation Code)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	1
• Pedestrian	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
• Other city ordinances not categorized above	40.00	6.00	2.00	4.00	2.00	N/A	N/A	N/A	54.00
<b>State Law</b>									
✕ Transportation Code, Rules of the Road (Chapters 541-600)									
• Parking and Pedestrian (in school crossing zone)	N/A	N/A	N/A	N/A	N/A	30.00	3.00	25.00	58.00
• Parking and Pedestrian (outside school crossing zone)	N/A	N/A	N/A	N/A	N/A	30.00	3.00	N/A	33.00
• Passing a School Bus (Section 545.066)	40.00	6.00	2.00	4.00	2.00	30.00	3.00	25.00	112.00 <sup>*2</sup>
• Other Rules of the Road offense in a school crossing zone	40.00	6.00	2.00	4.00	2.00	30.00	3.00	25.00	112.00 <sup>*2</sup>
• Other Rules of the Road offense outside a school crossing zone	40.00	6.00	2.00	4.00	2.00	30.00	3.00	N/A	87.00 <sup>*2</sup>
✕ Parking and Pedestrian Offense (not under the Rules of the Road)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
✕ Education Code									
• Parent Contributing to Nonattendance (Section 25.093)	40.00	6.00	2.00	4.00	2.00	N/A	N/A	20.00	74.00
✕ All other fine-only misdemeanors not mentioned above	40.00	6.00	2.00	4.00	2.00	N/A	N/A	N/A	54.00 <sup>*2</sup>

For the purpose of assessing, imposing, and collecting most court costs and fees, a person is considered to have been convicted if, pursuant to Section 133.101 of the Local Government Code or the specific statute authorizing the court cost, either: a judgment, sentence or both are imposed on the person; or the person receives a DSC, deferred disposition, or some other deferral (see Articles 45.051-45.053 of the Code of Criminal Procedure). In contrast, this expanded definition of conviction does not appear in the statute establishing the Juror Reimbursement Fee.

**\*1 Additional Child Safety Fund costs:**

- \$2-\$5 court cost for cities with population greater than 850,000 that have adopted appropriate ordinance, regulation, or order (mandatory).
- Up to \$5 court cost for cities with population less than 850,000 that have adopted appropriate ordinance, regulation, or order (optional).

**\*2 MVP:** Add 10¢ court cost on all moving violations. Moving violations are found in Title 37, Section 15.89(b) of the Texas Administrative Code. Note that some moving violations are in codes other than the Transportation Code. Because passing a school bus is a moving violation, the 10¢ has already been calculated into the total.



Abbreviation	Name of Cost/Fee	Legal Reference	Applies To	Portion Remitted, Retained
CF	Consolidated Fee	Section 133.102, Local Government Code	All but parking and pedestrian offenses	90% State, 10% City If timely remitted on quarterly report
JSF	Judicial Support Fee	Section 133.105, Local Government Code	All but parking and pedestrian offenses	90% State, 10% City If timely remitted on quarterly report <ul style="list-style-type: none"> <li>Portion retained by city must be used to promote the efficient operation of the court and the investigation, prosecution, and enforcement of offenses within the court's jurisdiction.</li> </ul>
IDF	Indigent Defense Fund	Section 133.107, Local Government Code	All but parking and pedestrian offenses	90% State, 10% City If timely remitted on quarterly report
JRF	Juror Reimbursement Fee	Article 102.0045, Code of Criminal Procedure	All but parking and pedestrian offenses	90% State, 10% City If timely remitted on quarterly report
TPDF	Tuancency Prevention and Diversion Fund	Article 102.015, Code of Criminal Procedure	All but parking and pedestrian offenses	50% State, 50% City <ul style="list-style-type: none"> <li>If city is operating, establishing, or attempting to establish a JCM program; otherwise 100% to State</li> <li>Remitted on quarterly report</li> <li>Must be used to operate or establish a JCM program</li> </ul>
STF	State Traffic Fine	Section 542.4031, Transportation Code	Rules of the Road offenses (Chapters 541-600, Transportation Code)	95% State, 5% City If timely remitted on quarterly report
TFC	Local Traffic Fee	Section 542.403, Transportation Code	Rules of the Road offenses (Chapters 541-600, Transportation Code)	100% City
CS	Child Safety Fund	Article 102.014, Code of Criminal Procedure	Rules of the Road offenses occurring in a school crossing zone; passing a school bus; parent contributing to nonattendance; some city ordinance parking violations	100% City <ul style="list-style-type: none"> <li>Must be deposited in municipal child safety trust fund in municipalities with population greater than 850,000</li> <li>For others, shall first fund school crossing guard program with excess expended for programs designed to enhance public safety and security</li> </ul>
MVF	Moving Violation Fee	Article 102.022, Code of Criminal Procedure	Moving violations (Title 37, Section 15.89(b) of the Texas Administrative Code)	90% State, 10% City If timely remitted on quarterly report

**FEES (add the following whenever they apply):**

× The following fees are collected upon conviction for services performed by a peace officer (Article 102.011 of the Code of Criminal Procedure and Section 133.104 of the Local Government Code):

- \$5 arrest fee for issuing a written notice to appear in court following the defendant's violation of a traffic law, municipal ordinance, penal law, or for making an arrest without a warrant; when service is performed by a peace officer employed by the State, 20% is sent to the State on the quarterly report.
- \$50 warrant fee for executing or processing an issued arrest warrant, *capias*, or *capias pro fine*; when service is performed by a peace officer employed by the State, 20% is sent to the State on the quarterly report; when service is performed by another agency, that agency can request the amount of the fee.
- \$5 for serving a subpoena.
- \$5 for summoning a jury.
- \$35 for serving any other writ (includes summons for a defendant or a child's parent).
- Other costs: costs for peace officer's time testifying off duty or mileage for certain transports.

× Fees created by city ordinance

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

× Jury Fees

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

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

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

× Contractual enforcement options:

- **OmniBase Fee:** \$30 for failure to appear or failure to satisfy a judgment for any fine-only offense if city has contracted with the Department of Public Safety to deny renewal of driver's licenses; 66% is sent to the State on the quarterly report; 33% is retained by the city out of which OmniBase is paid (Sections 706.006 and 706.007 of the Transportation Code).
- **Scofflaw Fee:** \$20 optional fee for failure to appear or satisfy a judgment on an outstanding warrant for violation of a traffic law if the city has contracted with the Department of Motor Vehicles to deny renewal of vehicle registration; entire fee goes to the county tax-assessor (Section 702.003 of the Transportation Code).
- **Third Party Collection Fee:** 30% of the unpaid fines, fees, costs, restitution, or forfeited bonds if the city has a contract with a third party collections agency and the amount is more than 60 days past due or more than 60 days have elapsed since the defendant's failure to appear (Article 103.0031 of the Code of Criminal Procedure).



**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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<b>Council Meeting Date: January 5, 2016</b>			
Department: Municipal Court		Initials	Date
Department Head: Townsend	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager		
Agenda Coordinator/Contact (include phone #): Bonnie Townsend, 376-9469			
<b>ACTION REQUESTED:</b> ORDINANCE <input checked="" 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   OTHER			
<b>CAPTION</b>			
Discussion and/or action to consider Resolution 2016-01 adopting ethical and training standards for Juvenile Case Managers employed by the City, and providing for the implementation and review of the standards.			
<b>FINANCIAL SUMMARY</b>			
X 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			
<b>FISCAL YEAR:</b>	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S): N/A</b>			
<b>SUMMARY OF ITEM</b>			
Article 45.056 of the Code of Criminal Procedure mandates that the governing body employing a Juvenile Case Manager (JCM) shall adopt reasonable rules that provide a code of ethics and appropriate educational preservice and in-service training standards. To ensure that a JCM is trained properly and is aware of what is expected the ethical rules and training standards will be reviewed annually with the JCM appointed to the court.			
<b>STAFF RECOMMENDATION</b>			
Staff recommends that Council approve Resolution 2016-01, providing ethical and training standards for Juvenile Case Managers employed by the City and providing for implementation and review.			
List of Supporting Documents: Juvenile Case Manager Proposal Article 45.056 Code of Criminal Procedure Resolution 2016-01 with Exhibits A & B		Other Departments, Boards, Commissions or Agencies:	





**Lockhart Municipal Court**  
**1914 West San Antonio Street**  
**Lockhart, Texas 78644**  
**Phone (512) 376-9469 Fax (512) 620-0150**

**SUBJECT: PROPOSAL TO CREATE A JUVENILE CASE MANAGER FUND BY ORDINANCE**

## **BACKGROUND**

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

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

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

## **FUNDING**

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

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

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

## **REQUIREMENTS**

The city council will need to pass a resolution adopting ethical and training standards for JCMs employed by the city.

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Additionally, the council will need to enact an ordinance authorizing the JCM position and the collecting of the JCM fee by the municipal court.

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

#### PROPOSAL

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

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

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

#### Attachments:

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

Resolution 2016-01 with Exhibits "A & B"

Art. 45.056 CCP JUVENILE CASE MANAGERS

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

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

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

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

(B) may provide:

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

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

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

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

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

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

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

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

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

(2) may provide:

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

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

(d) Pursuant to Article 102.0174, the court or governing body may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the juvenile case manager fund.

Without reference to the amendment of this subsection, this subsection was repealed by Acts 2011, 82nd Leg., R.S., Ch. 1098 (S.B. 1489), Sec. 16, eff. September 1, 2011.

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

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

(1) a code of ethics, and for the enforcement of the code of ethics;

(2) appropriate educational preservice and in-service training standards for juvenile case managers; and

(3) training in:

(A) the role of the juvenile case manager;

(B) case planning and management;

(C) applicable procedural and substantive law;

(D) courtroom proceedings and presentation;

(E) services to at-risk youth under Subchapter D, Chapter 264, Family Code;

(F) local programs and services for juveniles and methods by which juveniles may access those programs and services; and

(G) detecting and preventing abuse, exploitation, and neglect of juveniles.

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

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

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

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

(1) the child's home environment;

(2) the child's developmental, psychological, and educational status;

(3) the child's previous interaction with the justice system; and

(4) any sanctions available to the court that would be in the best interest of the child.

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

(1) a part-time judge; or

(2) a county judge of a county court that has one or more appointed full-time magistrates under

Section 54.1172, Government Code.

Added by Acts 2001, 77th Leg., ch. 1514, Sec. 9, eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 283, Sec. 33, eff. Sept. 1, 2003.

Amended by:

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

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

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

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

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

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

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

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

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

Acts 2015, 84th Leg., R.S., Ch. 935 (H.B. 2398), Sec. 4, eff. September 1, 2015.



**RESOLUTION NO. 2016-01**

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

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

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

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

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

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

1. The Juvenile Case Manager Code of Ethics, attached as Exhibit "A", is adopted as the ethical standard to which the City's juvenile case managers are held.
2. The Pre-Employment, Pre-service and In-service Training Standards of the Juvenile Case Manager, attached as Exhibit "B", are adopted to provide for proper training standards of juvenile case managers. The training standards include, but are not limited to, training in the role of the juvenile case manager, case planning and management, applicable procedural and substantive law, courtroom proceedings and presentation, services to at-risk youth, local programs for juveniles, and the detection and prevention of abuse, exploitation, and neglect of juveniles, as set forth in the attached Exhibit.
3. The Code and Standards adopted herein will be implemented by the court administrator of the Lockhart Municipal Court.
4. An annual review of the Lockhart juvenile case managers will be conducted to ensure the proper implementation of the Codes and Standards adopted herein. The review will be a part of each juvenile case manager's annual performance evaluation, conducted in accordance with the City of Lockhart Employee Policies and Procedures, and the Lockhart Municipal Court Policies and Procedures.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF LOCKHART**

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning, City Attorney

**LOCKHART MUNICIPAL COURT**

**CODE OF ETHICS**  
**JUVENILE CASE MANAGER**

**PREAMBLE:**

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

**STANDARDS:**

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

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

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

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

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

**ENFORCEMENT:**

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

**LOCKHART MUNICIPAL COURT**

**JUVENILE CASE MANAGER**  
**TRAINING STANDARDS**

**Pre-Employment Experience and Training Requirements:**

A Juvenile Case Manager applicant will possess the following:

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

**Definitions:**

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

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

**Pre-Service Training Requirements:**

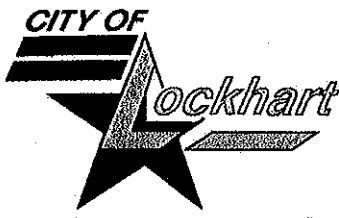
Within one (1) year from the date of hire, and prior to the commencement of duties as a juvenile case manager, the Juvenile Case Manager must obtain a minimum of twenty-four (24) hours of education and training that covers any or all of the following areas:

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

**In-Service Training Requirements:**

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

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



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> January 5, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	<i>12.31.2015</i>
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 checked="" 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 recommended fuels bid award to Schmidt & Sons, Inc. of Lockhart with a profit margin of 4 cents for gasoline and 5 cents for diesel over the Oil Price Information Services (OPIS) price from Austin, Texas, RACK, posted weekly			
<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			
<b>FISCAL YEAR:</b>	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S): FY 15-16 Budget</b>			
<b>SUMMARY OF ITEM</b>			
Fuel bids were sought in compliance with State Law. The City uses about 40,000 gallons of gasoline and 26,000 gallons of diesel per year. Bids were received from Johnson Oil of Gonzales, Texas, and Schmidt & Sons, Inc., of Lockhart. The attached synopsis shows the overall better bid was submitted by Schmidt & Sons, Inc, of Lockhart. Local companies are also allowed an additional 5% consideration in their bid submittals. Besides being a local company, Schmidt & Sons have a long history of timely deliveries when the fuel is needed by the City. The company also provides 24 hour emergency fuel supplies from their facility on Patton Road when the City fuel systems are down due to maintenance or repairs.			
<b>STAFF RECOMMENDATION</b>			
City Manager and Public Works Director both recommend approval of the bids submitted by Schmidt & Sons, Inc., of Lockhart for fuel supplies			
List of Supporting Documents: Bid information and Bid Synopsis		Other Departments, Boards, Commissions or Agencies:	

**CITY OF LOCKHART  
PUBLIC BID FOR FUELS**

The City of Lockhart is accepting annual supply bids for approximately 40,000 gallons of unleaded plus gasoline and 26,000 gallons of Nol. 2 dyed diesel fuel. A minimum of two-thousand five hundred (2,500) gallons would be ordered at any given time. The price of fuels may increase or decrease based on the weekly *average* Oil Price Information Service (OPIS) price published each Thursday from the Austin, Texas, Rack. The amount designated as the supplier's profit margin per gallon must include delivery and must remain the same during the term of the contract. The contract term will be from one year from the date of approval by the City Council. Bid award may be separate for each fuel. Required forms for bid submittal are available from the Public Works Office at 705 Wichita Street during normal business hours.

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

The City of Lockhart reserves the right to reject any and all fuel bids.

## Fuel Bids Synopsis

Company and Bid Analysis	Margin	Surcharge	Extension
<b>Johnson Oil</b>			
Gasoline	40,000 \$ 0.032		\$ 1,280.00
Average Loads per year	20	\$ 7.50	\$ 150.00
Diesel	26000 \$ 0.057		\$ 1,482.00
Average Loads	13	\$ 7.50	\$ 97.50
		Total	\$ 3,009.50
<b>Schmidt &amp; Sons</b>			
Gasoline	40,000 \$ 0.040		\$ 1,600.00
Average Loads per year	20		
Diesel	26000 \$ 0.050		\$ 1,300.00
Average Loads	13		
		Toal	\$ 2,900.00

Schmidt & Sons has best overall bid.

Schmidt & Sons is also a local company provides timely fuel delivery and provides fuel services when City's pumps are down for servcie or maintenance.

**City of Lockhart  
2015-16 Fuel Bids**

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

<u>Company Name</u>	<u>Time of Receipt</u>	<u>Date</u>
Schmidt & Son Inc	9:34A	12-17-2015
Johnson Oil Company	1:20pm	12-18-2015
Schmidt		
Johnson		



**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

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

**Bid**

2,500 gallon Min. Delivery

<u>Fuel Type</u>	<u>Profit Margin Per Gallon</u>
SPEC UNL Unleaded Plus	\$0.04 per gal. over OPIS Austin
No. 2 Dyed Diesel	\$0.05 per gal. over OPIS Austin

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

Schmidt & Son's  
Supplier Firm (Printed)  
Henry Schmidt  
Printed name and title  
Signature  
Date 12/10/15

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

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

\_\_\_\_\_  
Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

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

**Bid**

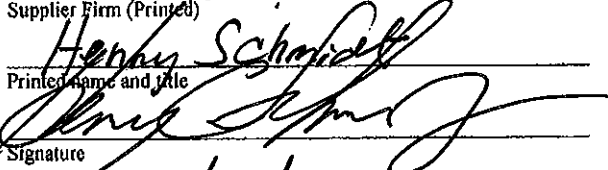
2,500 gallon Min. Delivery

	<u>Fuel Type</u>	<u>Profit Margin Per Gallon</u>
SPEC UNL	Unleaded Plus	\$0. <u>04</u> per gal. over OPIS <u>Austin</u>
	No. 2 Dyed Diesel	\$0. <u>05</u> per gal. over OPIS <u>Austin</u>

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

Schmidt & Son's  
Supplier Firm (Printed)

Henry Schmidt  
Printed name and title

  
Signature

12/10/15  
Date

**CITY OF LOCKHART  
PUBLIC WORKS DEPARTMENT**

**Annual Fuel Bid Package**

Unleaded Plus Gasoline  
No. 2 Dyed Diesel

**Bid Opening Information:**

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

**Bid**

2,500 gallon Min. Delivery

<u>Fuel Type</u>	<u>Profit Margin Per Gallon</u>
Unleaded Plus	\$0.032 per gal. over OPIS
No. 2 Dyed Diesel	\$0.057 per gal. over OPIS

*\* Bid is Less All TAXES + Fees*  
*XX \$ 7.50 Delivery - JOHNSON OIL COMPANY FUEL SURCHARGE*  
All deliveries to be made to 705 Wichita Street during normal business hours unless otherwise specified. During the term of the contract, fuel price may increase or decrease based on the weekly Oil Price Information Service (OPIS) Price from Austin, TX, RACK. The amount designated by the supplier's profit margin per gallon will remain constant for the term of the contract which is for one year from the date of award by the Lockhart City Council.

JOHNSON OIL COMPANY  
Supplier Firm (Printed)  
DON ARCENEAUX, Commercial Sale Rep.  
Printed name and title  
Don Arceneaux  
Signature  
12/18/2015  
Date



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> January 5, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	12-24-2015	
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 City Manager's recommended step pay plan increases estimated at \$144,909 for the Police and Fire Departments to help attract new hires and retain employees to be effective last payroll period in February, 2016				
<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				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b> Reducing expenses and savings in other departments and within the Police and Fire Departments by \$144,909 to cover estimated costs of adjustments				
<b>SUMMARY OF ITEM</b>				
The Step Pay Plan for police and fire departments needs to be increased to help attract new employees and to help retain employees. We are losing officers to Buda, San Marcos, and other cities. The proposed adjustments will raise starting wages by \$1 per hour and also adjust and extend the pay steps. The tenure steps in the current Step Pay Plan have not been adjusted since Civil Service was passed by voters almost 10 years ago. The Step Pay Plans have been COLA adjusted over the past four years when granted by Council.				
<b>STAFF RECOMMENDATION</b>				
City Manager, Police Chief Lummus, and Fire Chief Gorman, all respectfully request approval.				
List of Supporting Documents: Proposed Step Pay Plan Adjustments; associated estimated costs and funding plan; estimated FY 16-17 costs		Other Departments, Boards, Commissions or Agencies:		

City of Lockhart

City Manager Recommended Step Pay Adjustments



Police and Fire Departments

Jan. 5, 2016

(Effective 1<sup>st</sup> Payroll Check in March, 2016)

TO REPORT AN EMERGENCY

**Police Officer Salary Comparison**  
**Entry Level Officer**  
*(As of 12/11/15)*

	<b>Hourly Rate</b>	<b>Est Annual</b>
<b>Buda</b>	\$22.88	\$47,596
<b>Kyle</b>	\$21.32	\$44,338
<b>San Marcos</b>	\$24.04	\$50,000
<b>Lockhart</b>	\$19.97	\$41,538

Now

**Lockhart**      \$20.97      \$43,618 Proposed with \$3,000 hiring incentive and two year commitment for licensed certified officers.





**Fire Fighter Salary Comparison**  
**Entry Level Fire Fighter**  
*(As of 12/29/15)*

	<b>Hourly Rate</b>	<b>Est Annual</b>	
<b>Buda</b>	\$14.40	\$43,056	2756/156
<b>Kyle</b>	\$13.57	\$38,457	2756/52
<b>San Marcos</b>	\$16.12	\$44,440	based on 2,756 hrs/ys
<b>Lockhart</b>	\$11.93	\$35,814	2756/164 - Now
<b>Lockhart</b>	\$12.93	\$38,816	Proposed at 2756 regular hours and 164 overtime hours



CITY OF LOCKHART FIRE DEPT- PROPOSED STEP PAY PLAN  
1ST PAYROLL IN MARCH, 2016

CURRENT STEP PAY PLAN

10/01/2014

Tenure Yrs	0								
Tenure Yrs	0	1 to 3	4+						
Fire Fighter/EMT	\$ 11.93	\$ 12.20	\$ 12.76						
Tenure Yrs	1	2 to 3	4+						
Fire Engineer	\$ 13.04	\$ 13.30	\$ 13.87						
Tenure Yrs	2	3 to 6	7+						
Captain	\$ 15.26	\$ 15.80	\$ 16.36						
Tenure Yrs	2	3 to 6	7+						
Fire Marshall	\$ 22.37	\$ 22.94	\$ 23.48						

PROPOSED STEP PAY PLAN

\$1 PER HOUR  
\$2 PER HOUR FIRE MARSHALL

Tenure	0	2	4	6	8	10+
Fire Fighter/EMT	\$ 12.93	\$ 13.20	\$ 13.76	\$ 14.17	\$ 14.60	\$ 15.04
# of Positions	9					
Extra Costs this FY	\$ 17,363					

3%

Tenure	1	2	4	6	8+
Fire Engineer	\$ 14.04	\$ 14.30	\$ 14.87	\$ 15.35	\$ 15.85
# of Positions	2				1
Extra Costs this FY	\$ 3,858			\$ 3,824	

3.25%

Tenure	2	4	6+
Captain	\$ 16.26	\$ 16.80	\$ 17.36
# of Officers	1	2	
Extra Costs this FY	\$ 1,929	\$ 3,858	

3.50%

Tenure	2	6	8+
Fire Marshall	\$ 24.37	\$ 24.94	\$ 25.48
# of Officers	1		
Extra Costs this FY	\$ 2,912		

6%

	# Positions	Est Cost FY 15-16	Est Cost FY 16-17
	9	\$ 17,363	\$ 23,440
	3	\$ 7,683	\$ 10,371
	3	\$ 5,788	\$ 7,813
	1	\$ 2,912	\$ 3,786
Totals	16	\$ 33,745	\$ 45,410
OT Extra		\$ 16,872	\$ 22,705
Benefits		\$ 8,099	\$ 10,898
Total		\$ 58,716	\$ 79,014

**CONSIDERATION BY COUNCIL JAN 5 2016**

**Police and Fire Departments**

**Estimated Costs for Proposed Step Pay Plan Adjustment**

<b>Police Dept</b>	\$ 86,193
<b>Fire Dept</b>	\$ 58,716
<b>Estimated Total Wages and Benefits</b>	<b>\$ 144,909</b>

**Estimated Budget Savings To Cover Proposed Increases**

<b>Police Dept</b>	
Wage savings from unfilled positions/vacancies	\$ 50,000
Fuel, Uniforms, Health Insurance	\$ 6,000
<b>Fire Dept</b>	
Wage savings from unfilled positions/vacancies	\$ 10,000
Fuel, Uniforms, Health Insurance	\$ 3,000
<b>Sub-total Police and Fire</b>	<b>\$ 69,000</b>

**Other Savings**

Fuel Savings from Gen Fund Departments (9 months)	\$ 18,000
Building Inspections Asst Bldg Official (104) (3 months)	\$ 12,000
Planning Vacancy (3 months)	\$ 10,000
Streets (433) (\$80,000 remaining)	\$ 12,501
Planning Dept Mapping (299) Defer until FY 16-17	\$ 14,000
Health Insurance Savings from Vacancies	\$ 9,408

<b>Subtotal Other Savings</b>	<b>\$ 75,909</b>
<b>Total Estimated Savings</b>	<b>\$ 144,909</b>

50

## MEMORANDUM

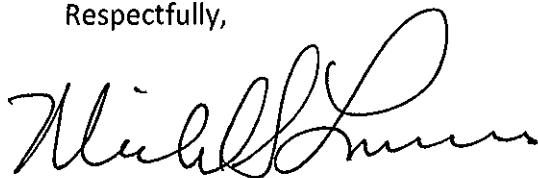
**TO:** Vance Rodgers, City Manager  
**FROM:** Michael Lummus, Chief of Police  
**SUBJECT:** Police Pay Increase Proposal  
**DATE:** December 17, 2015

Sir:

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

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

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Lummus". The signature is fluid and cursive, with a large initial "M" and "L".

Michael Lummus

Chief of Police

Dear Mr. Rodgers,

12/28/2015

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

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

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

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

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

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

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

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

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

Regards, *Fire Chief Joseph H. Gorman*

**CITY OF LOCKHART  
EMPLOYEE RAISE 4 YEAR HISTORY**

<b>Effective Date</b>	<b>Amount</b>
10/01/2015	No Increase
10/01/2014	4% across the board
10/01/2013	2.5% across the board
10/01/2012	3% across the board

Avrg last 4 years is 1.7%

<b>Fire Department Step Pay Plan</b> <b>Civil Service Personnel</b> <b>Rate Per Hour</b> <b>*Effective October 1, 2014</b>			
<b>Tenure</b>			
<b>Fire Fighter/EMT</b> Per Hour	<b>0</b>	<b>1 to 3</b>	<b>4+</b>
	\$ 11.93	\$ 12.20	\$ 12.76
<b>Tenure</b>			
<b>Fire Engineer</b> Per Hour	<b>1</b>	<b>2 to 3</b>	<b>4+</b>
	\$ 13.04	\$ 13.30	\$ 13.87
<b>Tenure</b>			
<b>Captain</b> Per Hour	<b>2</b>	<b>3 to 6</b>	<b>7+</b>
	\$ 15.26	\$ 15.80	\$ 16.36
<b>Tenure</b>			
<b>Fire Marshal</b> Per Hour	<b>2</b>	<b>3 to 6</b>	<b>7+</b>
	\$ 22.37	\$ 22.94	\$ 23.48

# EXHIBIT "A"

54

**Police Department  
Civil Service Personnel  
Rate Per Hour  
Effective October 1, 2014**

<b>Tenure</b>				
<b>Police Cadet</b> Per Hour	<b>0</b>			
	\$ 16.00			
<b>Tenure</b>				
<b>Police Officer</b> Per Hour	<b>0</b>	<b>1</b>	<b>2</b>	<b>4+</b>
	\$ 19.97	\$ 20.52	\$ 21.07	\$ 21.63
<b>Tenure</b>				
<b>Sergeant</b> Per Hour	<b>2</b>	<b>4+</b>		
	\$ 24.96	\$ 25.51		
<b>Tenure</b>				
<b>Lieutenant</b> Per Hour	<b>4+</b>			
	\$ 28.56			
<b>Tenure</b>				
<b>Captain</b> Per Hour	<b>4+</b>			
	\$ 30.77			

**EXHIBIT "B"**

55



*All Employees*  
*@ June 23, 2015*

Fund	COLA %		COLA Base		COLA Part-time		COLA Overtime		COLA Total		FICA Medicare		Total Insurance Premium		Worker's Comp.		Total COLA Payroll	
	%		Payroll		Payroll		Payroll		Payroll		Medicare		Premium		Comp.		Payroll	
General Fund - Non Civil Service	1%		23,792		1,109		128		25,029		1,916		93		397		30,326	
General Fund - Civil Service	1%		17,379		0		1,122		18,501		1,415		72		398		22,623	
Electric Fund	1%		6,943		0		160		7,103		543		28		105		8,637	
Water Fund	1%		1,935		0		1		1,936		148		8		42		2,368	
Waste Water Fund	1%		1,818		0		35		1,853		142		7		37		2,263	
Solid Waste Fund	1%		924		0		0		924		70		3		57		1,166	
Sub-total - Non-Civil Service Employees	1%		35,412		1,109		324		36,845		2,819		139		638		44,760	
Sub-total - Civil Service Employees	1%		17,379		0		1,122		18,501		1,415		72		398		22,623	
<b>Total</b>	1%		52,791		1,109		1,446		55,346		4,234		211		1,036		67,383	
General Fund - Non Civil Service	2%		47,576		2,219		255		50,050		3,828		188		791		60,638	
General Fund - Civil Service	2%		34,769		0		2,245		37,014		2,831		145		797		45,262	
Electric Fund	2%		13,882		0		320		14,202		1,086		55		210		17,270	
Water Fund	2%		3,869		0		2		3,871		296		15		84		4,734	
Waste Water Fund	2%		3,635		0		71		3,706		284		14		74		4,526	
Solid Waste Fund	2%		1,850		0		0		1,850		142		7		113		2,335	
Sub-total - Regular Employees	2%		70,812		2,219		648		73,679		5,636		279		1,272		89,503	
Sub-total - Civil Service Employees	2%		34,769		0		2,245		37,014		2,831		145		797		45,262	
<b>Total</b>	2%		105,581		2,219		2,893		110,693		8,467		424		2,069		134,765	
General Fund - Non Civil Service	3%		71,368		3,325		383		75,076		5,744		280		1,189		90,965	
General Fund - Civil Service	3%		52,152		0		3,367		55,519		4,247		217		1,196		67,891	
Electric Fund	3%		20,826		0		480		21,306		1,630		83		315		25,910	
Water Fund	3%		5,805		0		3		5,808		444		23		126		7,103	
Waste Water Fund	3%		5,452		0		106		5,558		425		22		111		6,788	
Solid Waste Fund	3%		2,773		0		0		2,773		212		10		170		3,500	
Sub-total - Regular Employees	3%		106,224		3,325		972		110,521		8,455		418		1,911		134,266	
Sub-total - Civil Service Employees	3%		52,152		0		3,367		55,519		4,247		217		1,196		67,891	
<b>Total</b>	3%		158,376		3,325		4,339		166,040		12,702		635		3,107		202,157	

56





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

**Council Meeting Date: December 15, 2015**

Department: City Manager	Initials	Date
Department Head: Vance Rodgers	Asst. City Manager	
Dept. Signature:	City Manager	

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

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

**CAPTION**

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

**FINANCIAL SUMMARY**

<input checked="" 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
<b>FISCAL YEAR:</b>	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		
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00		

**FUND(S):**

**SUMMARY OF ITEM**

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

**STAFF RECOMMENDATION**

Staff recommends approval of Ordinance 2015-29.

List of Supporting Documents: Ordinance 08-03, Employee Acknowledgement Form	Other Departments, Boards, Commissions or Agencies:
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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 Date: January 5, 2016</b>			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	12-30-15

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

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

**CAPTION**

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

**FINANCIAL SUMMARY**

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

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

**FUND(S):**

**SUMMARY OF ITEM**

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

**STAFF RECOMMENDATION**

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

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

Other Departments, Boards, Commissions or Agencies:

**ORDINANCE NO. 2016-03**

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

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

WHEREAS, certain sections address pay issues; and

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

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

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

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

- I. That the matters and facts set forth in the preamble are hereby found to be true.
- II. That the following Step Pay Plans for the Fire Department (Exhibit "A") and Police Department (Exhibit "B") are expressly incorporated by reference and adopted for classified members of the Lockhart Fire Department and Lockhart Police Department.
- III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.
- IV. Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

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

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

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

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

CITY OF LOCKHART

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Peter Gruning, City Attorney

<b>Fire Department Step Pay Plan</b> <b>Civil Service Personnel</b> <b>Rate Per Hour</b> <i>*Effective February 13, 2016</i>						
<b>Tenure</b>						
<b>Firefighter/EMT</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>10+</b>
<b>Per Hour</b>	\$12.93	\$13.20	\$13.76	\$14.17	\$14.60	\$15.04
<b>Tenure</b>						
<b>Fire Engineer</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>8+</b>	
<b>Per Hour</b>	\$14.04	\$14.30	\$14.87	\$15.35	\$15.85	
<b>Tenure</b>						
<b>Captain</b>	<b>2</b>	<b>4</b>	<b>6+</b>			
<b>Per Hour</b>	\$16.29	\$16.80	\$17.36			
<b>Tenure</b>						
<b>Fire Marshal</b>	<b>2</b>	<b>6</b>	<b>8+</b>			
<b>Per Hour</b>	\$24.37	\$24.94	\$25.48			

# EXHIBIT "A"

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**Police Department  
Civil Service Personnel  
Rate Per Hour  
Effective February 13, 2016**

<u>Tenure</u>								
<b>Police Cadet</b> Per Hour	<b>0</b>							
	16.00							
<u>Tenure</u>								
<b>Police Officer</b> Per Hour	<b>0</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>10</b>	<b>12+</b>
	\$20.97	\$21.52	\$22.07	\$22.63	\$23.31	\$24.01	\$24.73	\$25.47
<u>Tenure</u>								
<b>Sergeant</b> Per Hour	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>10+</b>			
	\$25.96	\$26.51	\$27.37	\$28.26	\$29.18			
<u>Tenure</u>								
<b>Lieutenant</b> Per Hour	<b>4</b>	<b>6</b>	<b>8+</b>					
	\$29.56	\$30.59	\$31.67					
<u>Tenure</u>								
<b>Captain</b> Per Hour	<b>4</b>	<b>6+</b>						
	\$31.77	\$33.68						

# EXHIBIT "B"



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> January 5, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	12-29-2015

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

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

**CAPTION**

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

**FINANCIAL SUMMARY**

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

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

**FUND(S):**

**SUMMARY OF ITEM**

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

**STAFF RECOMMENDATION**

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

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

Other Departments, Boards, Commissions or Agencies:

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**Lockhart Economic Development Corporation**

P O Box 239  
Lockhart, Texas 78644  
512-398-3461

January 4, 2016

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

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

Dear Mayor White:

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

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

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

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

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

Sincerely,

Fermin T. Islas  
Chairperson  
Lockhart Economic Development Corporation

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Exhibit "A"

**LEGAL DESCRIPTION**

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being all of Lot 12 of the Amending Plat for Resubdivision Plat of Lockhart Industrial Park II Revision No. 2 as recorded in Plat Cabinet B Side 56 of the Plat Records of Caldwell County, Texas and being more particularly described as follows:

**BEGINNING** at a concrete monument found used for basis of bearing in the SE corner of the above mentioned Lot 12 and the SW corner of Lot 4 of the said Lockhart Industrial Park II and in the North line of East M.L.K. Jr. Industrial Boulevard for the SE corner this tract.

**THENCE** S 61 degrees 36 minutes 30 seconds W with the South line of the said Lot 12 and the North line of East M.L.K. Jr. Industrial Boulevard 248.13 feet to a capped 1 1/2" iron pin set in the SW corner of the said Lot 12 and the SE corner of Lot 11 of the said Lockhart Industrial Park II for the SW corner this tract.

**THENCE** N 10 degrees 54 minutes 09 seconds W with the West line of the said Lot 12 and the East line of the above mentioned Lot 11 and the East line of Lot 13 of the said Lockhart Industrial Park II 493.18 feet to a concrete monument found in the NW corner of the said Lot 12 and the SW corner of Lot 6 in Block 1 of the said Lockhart Industrial Park II as recorded in Plat Cabinet A Side 134 of the said Plat Records for the NW corner this tract.

**THENCE** N 78 degrees 43 minutes 07 seconds E with the North line of the said Lot 12 and the South line of the above mentioned Lot 6 233.89 feet to a concrete monument found in the NE corner of the said Lot 12 and the SE corner of the said Lot 6 and the West line of Lot 3 in Block 1 of the said Lockhart Industrial Park II as recorded in the said Plat Cabinet A Side 134 for the NE corner this tract.

**THENCE** S 11 degrees 16 minutes 53 seconds E with the East line of the said Lot 12 and the West line of the said Lot 3 and the West line of the above mentioned Lot 4 420.17 feet to the place of beginning containing 2.488 acres of land more or less.

**SURVEYORS NOTES:**

- 1) The Lot shown lies in Flood Zone "X." The City of Lockhart has adopted Zone "A" to be no special flood hazard, according to FEMA Panel #480095-0005-C dated January 27, 1991.
  - 2) Building setback lines will be 25' along all lots fronting an existing or proposed public street and 10' along the rear end sides of lots.
  - 3) A 4' wide public sidewalk shall be constructed along the street frontage of each lot before the Certificate of Occupancy is issued for any principal structure constructed thereon.
  - 4) A blanket type easement to Southwest Gas Co., recorded in Vol. 125 Pg. 453, Caldwell County Deed Records, could effect this tract.
  - 5) A blanket type easement to Texas Public Utilities, recorded in Vol. 112 Pg. 49, Caldwell County Deed Records, could effect this tract.
  - 6) Lots 12-A and 12-B are zoned IL.
  - 7) RECORD OWNER OF LAND: City of Lockhart, 308 W. San Antonio Street, Lockhart, TX 78644
  - 8) DESIGNER OF PLAT: Claude Hinklo Surveyors, PO Box 1027, Lockhart TX 78644 (512) 398-2000
- DATE OF PREPARATION: December 15, 2009  
SURVEYOR: Jerry L. Hinklo, R.P.L.S. #5459 PO Box 1027, Lockhart TX 78644 (512) 398-2000

**REPLAT OF LOT 12 in BLOCK 1 of  
the AMENDING PLAT for RESUBDIVISION PLAT of  
LOCKHART INDUSTRIAL PARK II REVISION NO. 2  
CITY of LOCKHART CALDWELL COUNTY, TEXAS**

STATE OF TEXAS  
COUNTY OF CALDWELL

We, the City of Lockhart, the undersigned owners of the land shown on this plat recorded in Plat B Side 56 of the Plat Records of Caldwell County, Texas and designated by Lot 12-A and 12-B in Block 1 of the REPLAT OF LOT 12 in BLOCK 1 of LOCKHART INDUSTRIAL PARK II REVISION NO. 2 in the City of Lockhart, Caldwell County, Texas do hereby dedicate to the use of the public forever, the streets and alleys shown hereon, and hereby reserve to the public all easements for the mutual use of all public utilities desiring to use the same that any public utility shall have the right to remove and keep removed all or any part of any goods or construction for maintenance or efficient use of its respective system in such easements, and further shall have full and uninterrupted access along such easements.

12/15/09  
DATE

*[Signature]*  
JAMES BERTRAM, MAYOR  
CITY OF LOCKHART  
308 W. SAN ANTONIO ST.  
LOCKHART, TX 78644

STATE OF TEXAS  
COUNTY OF CALDWELL

Before me, the undersigned authority, personally appeared JAMES BERTRAM, MAYOR of the CITY OF LOCKHART, TEXAS, known to me to be the person whose name is subscribed to the foregoing document and acknowledged to me that he executed the same for the purpose and considerations stated herein.

GIVEN under my hand and seal of office this 16 day of December, 2009.

*[Signature]*  
Notary Public in and for the State of Texas  
JERRY L. HINKLO, Notary Public  
308 W. SAN ANTONIO ST.  
LOCKHART, TEXAS 78644  
Data Notary Commission Expires

STATE OF TEXAS  
COUNTY OF CALDWELL

I, VANCE ROGERS, City Manager of the City of Lockhart, Caldwell County, Texas, do hereby certify that this plat was approved by the City of Lockhart, on the 17 day of December, 2009.

*[Signature]*  
Vance Rogers  
City of Lockhart, City Manager

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Jerry L. Hinklo, registered professional land surveyor, State of Texas, hereby certify that this plat is a true and correct representation of a survey made on the ground under my direct supervision and is true and correct to the best of my knowledge.

IN WITNESS WHEREOF, my hand and seal, this 17th day of December, 2009.

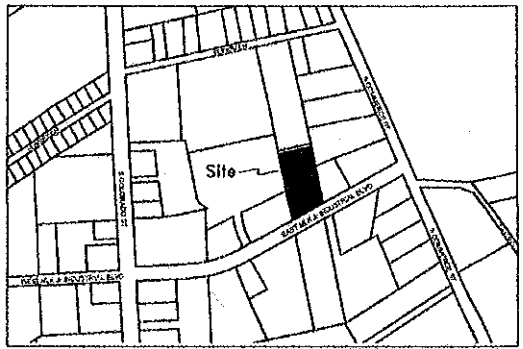
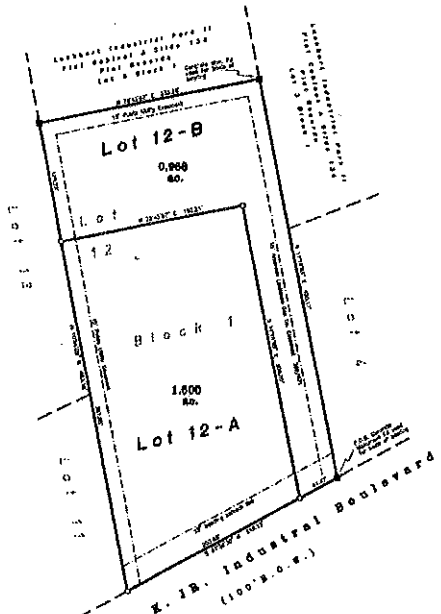


*[Signature]*  
Jerry L. Hinklo  
Registered Professional  
Land Surveyor #4432

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Nina S. Sells, County Clerk in and for Caldwell County, Texas do hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office this 20th day of December, 2009, at 1:25 PM, and duly registered as the 20th day of December, 2009, in the Plat Records of Caldwell County, Texas in Volume 12, at page 107.

*[Signature]*  
Nina S. Sells  
Nina S. Sells  
County Clerk  
Marilyn Allen, Deputy



**Claude Hinklo Surveyors**  
P. O. Box 1027  
Lockhart, Texas 78644  
(512) 398-2000

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# **Texas Local Government Code 253.012**

## **Conveyance to Economic Development Corporation by Certain Municipalities**

### **(a)**

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

### **(b)**

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

### **(c)**

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

### **(d)**

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

### **(e)**

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

#### **(1)**

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

#### **(2)**

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

**(f)**

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

Added by Acts 2009, 81st Leg., R.S., Ch. 1158, Sec. 1, eff. June 19, 2009.



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 checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
<b>Council Meeting Dates:</b> January 5, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>[Signature]</i> 12-24-2015
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>				
Discussion and/or action regarding Ordinance 2016-02 amending the Lockhart Code of Ordinances Chapter 32, Article II, Captioned "Eugene Clark Library" to create a quiet zone in the interest of a public purpose				
<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				
<b>FISCAL YEAR:</b>	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
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
The purpose of this ordinance is to help control unwanted noise in and around the library so that library patrons and those attending meetings can use and enjoy the library in quiet and peace. It will also help staff in performing their normal library duties because it will reduce the amount of time spent dealing with patrons and/or visitors creating noise which unreasonably interferes with persons properly using the library				
<b>STAFF RECOMMENDATION</b>				
City Manager, City Attorney and Director of Libraries respectfully recommend approval of the ordinance as presented				
List of Supporting Documents: Ordinance 16-02			Other Departments, Boards, Commissions or Agencies:	

**ORDINANCE NO. 2016-02**

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

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

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

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

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

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

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

**1.**

**Sec. 32-27. – Library quiet zone.**

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

(b) It is unlawful for any person to create any noise which unreasonably interferes with persons using the library, or which unreasonably disturbs or annoys persons in the library. "Unreasonably" means unreasonable to a reasonable person of normal sensibilities.

(c) The city shall place signs conspicuously on the library premises to give notice to the public that the library is designated as a quiet zone.

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

- (1) Sounds emitted to alert persons to an emergency;
- (2) Sounds emitted by an authorized emergency vehicle;
- (3) Sounds generated by a governmental entity in the performance of its governmental functions;
- (4) Public utility or emergency work;
- (5) City-approved parades, races, festivals, concerts, and other public entertainment;
- (6) Activities pre-empted by state or federal law;
- (7) City activities such as fireworks displays;
- (8) Maintenance of the library;
- (9) Lawful activities that constitute protected expression and/or protected assembly pursuant to the 1<sup>st</sup> Amendment of the U.S. Constitution. The rights of protected expression and assembly retain the responsibility to exercise such expression and/or assembly with regard to the rights and sensibilities of others, and within reasonable time and place limitations imposed by law.

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

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

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

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

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

**III. Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid or unenforceable, the

validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall be inoperative or fail by way of reason of unconstitutionality or invalidity of any other portion, provision, or regulation.

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

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

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

**PASSED, APPROVED, AND ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF LOCKHART, TEXAS**

\_\_\_\_\_  
LEW WHITE, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
Peter Gruning, City Attorney



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> January 5, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	12-28-2015
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 \$200,000 in federal funds through Capital Area Metropolitan Organization (CAMPO) allocated by Caldwell County Commissioners' Court for engineering, design, and surveying costs involved with the reconstruction of City Line Road between SH 142 and Clearfork Street.			
<b>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			
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S): \$ 200,000 STMP MM Federal Transportation Funds through CAMPO</b>			
<b>SUMMARY OF ITEM</b>			
Mayor White visited with Judge Schawe about this project. City Manager requested on behalf of the City Council that the Commissioners' Court consider allocating \$200,000 toward the engineering, design, and surveying costs associated with reconstruction of City Line Road between SH 142 and Clearfork. This allocation was graciously and unanimously approved by the Commissioners' Court at the Monday, December 28, 2015, meeting. There is a 20% match required for these STMP MM transportation funds through CAMPO. Match can be cash or toll road credits based on volumes which we will explore. These funds will help Lockhart to have a "shovel ready project" should additional funding become available to reconstruct City Line Road.			
<b>STAFF RECOMMENDATION</b>			
City Manager recommends sending the attached letter of appreciation signed by the Mayor and Councilmembers to the Commissioners' Court for their approval of the requested allocation by the City.			
List of Supporting Documents: Emails and Commissioners' Court Agenda		Other Departments, Boards, Commissions or Agencies:	



## Vance Rodgers

---

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

**Tracking:**

<b>Recipient</b>	<b>Read</b>
Judge Ken Schawe	
Alfredo Munoz	
Charles Scheler	
Lew White	Read: 12/23/2015 7:48 PM
'Michael Aulick'	

Judge Schawe and Commissioner Munoz:

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

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

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

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

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

Respectfully,

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

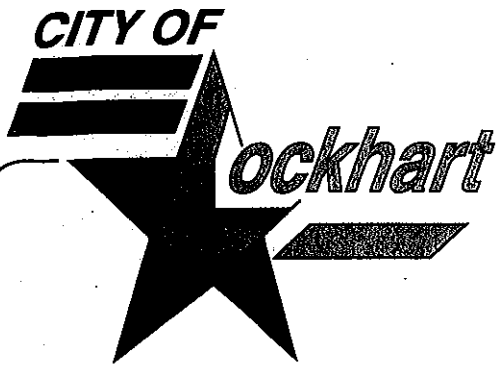
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Please note that any correspondence, such as e-mails or letters, sent to the City of Lockhart staff or public officials is public record and may be made available for Public/media review.

- B. Approve November 2015 Tax Collection Report.
- C. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #14938679 for the Unit Road Supervisor, Dwight Jeffrey, in the amount of \$50.00.
- D. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #18263303 for the County Clerk, Carol Holcomb, in the amount of \$350.00.
- E. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #15530866 for Court Clerk for Justice of the Peace #2, Shanna Conley, in the amount of \$50.00

**(ALL OTHER AGENDA ITEMS)**

- 2015.12.28.06 **Discussion/Action** to adopt the decrease in IRS 2016 standard mileage rates for business, medical and moving purposes. **Cost: TBD. None. Speaker: Debra French/Judge Schawe. Backup: 1**
- 2015.12.28.07 **Discussion/Action** regarding the burn ban for Caldwell County. **Cost: None. Speakers: Judge Schawe/Carine Chalfoun. Backup: None.**
- 2015.12.28.08 **Discussion/Action** to approve the appointment of Judge Schawe to the CAPCOG Clean Air Coalition Advisory Committee. **Cost: None. Speakers: Judge Schawe. Backup: None.**
- 2015.12.28.09 **Discussion/Action** to appoint an interim Constable for the vacancy in Precinct 3. **Cost: TBD. None. Speaker: Commissioner Madrigal. Backup: None.**
- 2015.12.28.10 **Discussion/Action** to authorize the County Judge to sign a Telephone Maintenance and Support Agreement with North American Communications Resource (NACR) . **Cost: TBD. None. Speaker: Judge Schawe. Backup: 1**
- 2015.12.28.11 **Discussion/Action** to select and approve projects including low water crossings in Caldwell County for allocated federal STP MM transportation funding and authorize the County Judge to submit the list of projects to the CAMPO Transportation Policy Board. **Cost: TBD. Speakers: Commissioner Munoz/Michael Aulick/Dwight Jeffrey. Backup: 1.**
- 2015.12.28.12 **Executive Session** pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease, or value of County-owned real property located at 100 E. Market Street. Possible action may follow in open court. **Speaker: Judge Schawe.**



(512) 398-3461 • FAX (512) 398-5103  
P.O. Box 239 • Lockhart, Texas 78644

January 5, 2016

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

Re: Appreciation for Support: STMP MM Transportation Funds

Dear Judge and Commissioners:

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

Again, thank you.

Sincerely,

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

\_\_\_\_\_  
Angie Gonzales-Sanchez  
Mayor Pro-tem

\_\_\_\_\_  
Brad Westmoreland  
Councilmember at Large

\_\_\_\_\_  
Juan Mendoza  
District 1

\_\_\_\_\_  
John Castillo  
District 2

\_\_\_\_\_  
Benny Hilburn  
District 3

\_\_\_\_\_  
Jeffry Michelson  
District 4

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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 checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable			
<b>Council Meeting Dates:</b> January 5, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	12-25-2015	
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 City Manager's proposed policy prohibiting City employees from carrying guns, concealed or otherwise, while on duty or in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer				
<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				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
Attached is a City Manager proposed policy that prohibits City employees from carrying guns, concealed or otherwise, while on duty or while in a City vehicle or private vehicle used for City business, unless the employee is a certified licensed peace officer				
<b>STAFF RECOMMENDATION</b>				
City Manager seeks comments from Council before policy is put in place				
List of Supporting Documents: Proposed Policy, City Attorney comments		Other Departments, Boards, Commissions or Agencies:		

**Policy: Prohibited Firearms in the Workplace**

**Issued by: City Manager**

**City of Lockhart**

**Effective Date: January 11, 2016**

**Purpose:**

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

**Policy:**

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

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

## Vance Rodgers

---

**From:** Peter Gruning <pgruning.attorney@gmail.com>  
**Sent:** Tuesday, December 29, 2015 9:28 AM  
**To:** Vance Rodgers  
**Subject:** RE: Status and Comments

Hi Vance,

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

Thanks, Peter

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

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**From:** Vance Rodgers [<mailto:vrodgers@lockhart-tx.org>]  
**Sent:** Monday, December 28, 2015 8:24 AM  
**To:** Peter Gruning  
**Subject:** Status and Comments

Hello Peter:

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

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

thanks

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



## Weapons at Work

1. Regarding the legality of a policy barring weapons at work, preventing possession of weapons while in company vehicles or on company business, or even restricting an employee from carrying a concealed weapon during work hours in his or her own car that is used for company business, the considerations below may be relevant.
2. The Constitutional protection afforded to U.S. citizens in the Second Amendment does not apply to disputes or controversies between private citizens, so a company would not be constrained under the U.S. Constitution from enforcing such a policy.
3. The Texas Constitution would also not apply in such a way.
4. There is no federal or Texas law that would prohibit a company from enforcing such a policy and insisting that employees follow it as a condition of employment.
5. A weapons policy should be specific enough to cover the general categories that include the usual implements of combat, mayhem, and personal violence (firearms; clubs; sharp and/or pointed objects; explosive or incendiary devices; and noxious, caustic, or toxic chemicals, for example), and may prohibit anything that the employer believes could be used by someone to inflict harm upon another.
6. The policy may also cover ordinary objects that are used as weapons against others.
7. In most cases, the property right of an owner or custodian of business premises to control who and what comes onto the property overrides the right of a person to carry a weapon onto the premises - that applies even to a holder of a "concealed carry" license.
8. A new Texas statute (Labor Code Section 52.061) allows CCL holders and those who legally possess firearms to have such firearms and ammunition inside their own locked vehicles parked on their employer's property, but that does not extend to vehicles parked somewhere else. The Texas Attorney General's Office has explained that statute in [Opinion No. GA-0972](#).
9. It would be best, from the standpoints of enforceability, public relations, and morale, to restrict the policy's coverage to the minimum extent needed for safety and other business considerations. However, if the employee violates a weapons law, even while off-duty, in such a way that it damages the company's reputation, goodwill, or business standing in the community, or causes his work to suffer (absences due to answering the charge), such a violation could legitimately be the basis for appropriate corrective action.

[Return to Businesses & Employers](#)

[Return to TWC Home](#)



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

**Council Meeting Dates:** January 5, 2016

Department: City Manager Initials Date

Department Head: Vance Rodgers Asst. City Manager

Dept. Signature: *[Signature]* City Manager *[Signature]* 12-30-2015

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

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

**CAPTION**

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

**FINANCIAL SUMMARY**

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

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

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

**SUMMARY OF ITEM**

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

**STAFF RECOMMENDATION**

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

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



## *Basic Outline*

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

### Basic Outline from Last Event:

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

### It is City's understanding that:

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

### HCCO will provide:

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



**\$ 13,000 In Cash & Prizes**  
**"11<sup>th</sup> Annual" Hill Country State Championship BBQ Cook-Off**  
**OCTOBER 9<sup>TH</sup> & 10<sup>TH</sup> 2015**  
**BBQ CAPITOL OF TEXAS \* LOCKHART, TEXAS**  
**LOCKHART CITY PARK**

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

**\$2,500 First Place Brisket**

Along with "BIG BERTHA" 8 FOOT Trophy

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

Cook's can set up on Thursday 8<sup>th</sup>, 2015 at 10:00am

Competition starts on Friday – RV's, Campers, Buses are welcomed.

No Power (Bring Generators) Limited water, Golf Cars Welcome

Entry Fees:

LSBS Sanctioned 3 Meats - \$200.00

(Includes: Brisket, (2) ½ Chicken, Pork Spare Ribs)

**ADDITIONAL ENTRIES**

Friday	Open Chili	(Not Sanctioned)	\$15.00
Friday	Fajitas "Open class"	(Not Sanctioned)	\$20.00
Friday	Cooks Choice	(Not sanctioned)	\$15.00
Sat.	Pulled Pork	(Sanctioned)	\$25.00
Sat.	Beans	(LSBS Sanctioned)	\$20.00

\* BEANS = Nothing Bigger than the Bean \*\*

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

	Brisket	Chicken	Pork Ribs	Pulled Pork	Fajitas	Beans
1 <sup>st</sup>	\$2,500.00	\$2,500.00	\$2,500.00	\$200.00	\$200.00	\$200.00
2 <sup>nd</sup>	\$500.00	\$500.00	\$500.00	\$100.00	\$100.00	\$100.00
3 <sup>rd</sup>	\$300.00	\$300.00	\$300.00	\$75.00	\$75.00	\$75.00
4 <sup>th</sup>	\$200.00	\$200.00	\$200.00	\$50.00	\$50.00	\$50.00
5 <sup>th</sup>	\$100.00	\$100.00	\$100.00	\$50.00	\$50.00	\$50.00

80% PAYBACK ON CHILI AND COOKS CHOICE: 1<sup>ST</sup> - 2<sup>ND</sup> PLACE

Trophies and Ribbons awarded to tenth place on all categories

\*Trophies will be given for Grand Champion and Reserved Grand Champion\*

Grand Champ Qualifies for the American Royal in Kansas City, Missouri

Grand Champ Qualifies to get their name in the drawing for the Jack Daniels

**Friday Turn-in's will be called Friday night.**

**Proceeds will benefit The Hill Country Cook-Off Association Community Projects.**

**CONTACT PERSON: RICHARD ANZALDUA 512-644-0881 or richanza@yahoo.com**

**For Apps & Rules go to [www.facebook.com/hcco san marcos](http://www.facebook.com/hcco_san_marcos)**

**LAST YEAR FLYER**



2015



Dear Sponsor/Supporter:

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

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

Thank You & God Bless,  
*Richard Anzaldua*

Richard Anzaldua  
HCCO Founder & CEO

**VIP Hours:**

Friday, October 9<sup>th</sup> 7:00pm – 10:00pm

Saturday, October 10<sup>th</sup> 11:00am – 4:00pm



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> January 5, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	12-25-2015
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 after update report by City Manager regarding 2015 Certificates of Obligation projects			
<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			
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>			
<b>SUMMARY OF ITEM</b>			
City Manager to provide update regarding 2015 Certificates of Obligation projects			
<b>STAFF RECOMMENDATION</b>			
N/A			
List of Supporting Documents: List of projects and status		Other Departments, Boards, Commissions or Agencies:	

**CITY OF LOCKHART**  
**2015 CO PROJECTS (Partial List)**  
**UPDATE**  
**JAN 5, 2016**

Project Names (Partial List)	Project Type	% of Design	Notes - Challenges
Mesquite-Braden-Vega-Wichita	Drainage	90%	Obtaining properties for detention ponds has been difficult. Hope to bid out in February, 2016. Some utility work to be done ahead of street and drainage contract. Will send notices to residents before construction starts.
Richland Drive	Drainage	98%	Obtaining drainage easements and detention pond was a challenge. Hope to bid out in February, 2016. Some utility work to be done ahead of street and drainage contract. Will send notices to residents before construction starts.
Century Oaks	Drainage	35%	Survey work complete
Ash-Comal	Drainage	35%	Survey work complete
Siren Early Warning System	Safety	60%	Poles set, radios ordered, and siren system ordered. Hope to have in place, tested, and operational by end of January. Public information to be provided in utility bills about system and newspaper article.
Wastewater Main - SH 130/SH 142	Wastewater	25%	Obtain permit from Union Pacific Railroad and TxDOT for easements to install lines
Water Main - SH 130/SH 142	Water	25%	Permits from TxDOT to bore SH 142 and from Union Pacific Railroad to bore under the tracks
Water Transmission Main East of FM 1322 westerly to FM 20 West	Water	25%	Obtaining properties information and identifying needed easements
Water Tower Near FM 2001 and SH 142	Water	20%	Obtaining properties information and identifying needed easements

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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> January 5, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	12-25-2015	
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 City cell phones for Mayor and Council				
<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				
<b>FISCAL YEAR:</b>	<b>PRIOR YEAR (CIP ONLY)</b>	<b>CURRENT YEAR</b>	<b>FUTURE YEARS</b>	<b>TOTALS</b>
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
<b>BALANCE</b>	\$0.00	\$0.00	\$0.00	\$0.00
<b>FUND(S):</b>				
<b>SUMMARY OF ITEM</b>				
Mayor White asked that this item be placed on the agenda for discussion and/action by the Council. The estimated annual costs for phone service, texting, and email service is estimated at \$6,300				
<b>STAFF RECOMMENDATION</b>				
N A				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		

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**LIST OF BOARD/COMMISSION VACANCIES**

*Updated: December 31, 2015*

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<b>Board Name</b>	<b>Reappointments/Vacancies</b>	<b>Council member</b>
Board of Adjustment	VACANT-(One Alternate position)	Any Councilmember
Board of Adjustment	VACANT-(Stephanie Ramirez verbal/e-mail resignation 08/5/2015)	Councilmember Castillo
Construction Board	VACANT-(Bobby Mendez removed 11/19/2013)	At-Large
Construction Board	VACANT-(John Lairsen resigned 12/22/2015-requests appointment to Historical Preservation Comm)	Councilmember Michelson
Historical Preservation Commission	VACANT-(Jeff Gibeaux resigned 12/17/2015)	Mayor White
Impact Fee Advisory Committee	VACANT / ETJ REPRESENTATIVE-(Kasi Miles moved inside city limits 10/9/2015)	Any Councilmember

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

<b>APPLICANT</b>	<b>BOARD REQUESTED</b>	<b>DATE RECEIVED</b>	<b>RESIDENCE DISTRICT</b>
Wayne Reeder	Planning & Zoning Commission (currently serves on Board of Adjustment yet Mr. Reeder requests to serve on P&Z instead)	February 4, 2015	District 4
John Lairsen NEW APPLICANT	Historical Preservation Commission	December 22, 2015	District 3
Ron Faulstich NEW APPLICANT	Historical Preservation Commission	December 31, 2015	District 3



CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

NAME: John A. Lairsen E-mail: Lairsen1@Gmail.com

ADDRESS: 701 Campbell Street HOME#: 512-618-0700

Lockhart, TX 78644 WORK#: 512-398-7446

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

EDUCATION (optional): TXSU

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

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

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

San Marcos CVB Board,

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Lew White

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

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

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

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

Former Board of Construction Adjustments and Appeals, resignation date 12/22/15

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

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

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

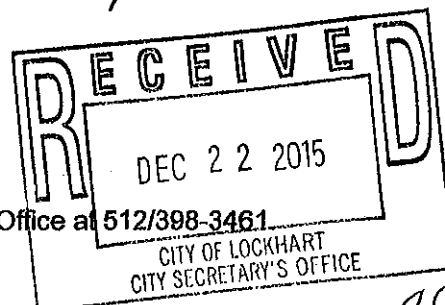
John A. Lairsen (Signature)

(Signature of Applicant)

12/22/15 (Date)

(Date)

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



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

**Connie Constancio**

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

*Lairsen's Resignation  
to Construction  
Board*

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

Sent from my iPhone

> On Dec 22, 2015, at 6:59 AM, Connie Constancio <[cconstancio@lockhart-tx.org](mailto:cconstancio@lockhart-tx.org)>  
> wrote:

>  
> Hi John,  
>  
> I appreciate your willing to serve on another board.  
>  
> I show that you are a current member of Construction Board. Unfortunately, you may  
> only serve on one board.  
>  
> Please let me know if you want to resign from Const Bd to be eligible to serve on  
> Historic Committee.  
>  
> Have a good day!

---

> From: John Lairsen [John.Lairsen@tangeroutlets.com]  
> Sent: Monday, December 21, 2015 10:33 AM  
> To: Connie Constancio  
> Cc: Lew White  
> Subject: Historical Preservation Commission

>  
> Hi Connie,  
>  
> Lew asked me to contact you regarding the Vacant At Large open position on the  
> Historical Preservation Commission. Lew has asked that I serve on this commission  
> and I have accepted. Please let me know what you need from me, I currently Chair the  
> Construction Board of Adjustments& Appeals so all applicable required public  
> service/training forms should be on file.  
> Thank you  
> John

CITY OF LOCKHART

ADVISORY BOARD/COMMISSION QUESTIONNAIRE/APPLICATION

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

ADDRESS: 121 Nuèces St. HOME#: \_\_\_\_\_

Lockhart TX 78644 WORK#: 512-398-5352

OCCUPATION: Printer CELL# 512-785-4331

EDUCATION (optional): USAF

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

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

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

ADDITIONAL PERTINENT INFORMATION/REFERENCES: owner of 2 Buildings with 1 my Business on the Lockhart Square. Both built in 1910. My home also built in 1890. My References Mayor White Mayor Sanders and numerous leaders in Lockhart

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS, COMMISSIONS, OR COMMITTEES: (Please limit your selection to no more than three. List in order of preference: 1,2,3)

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

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

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

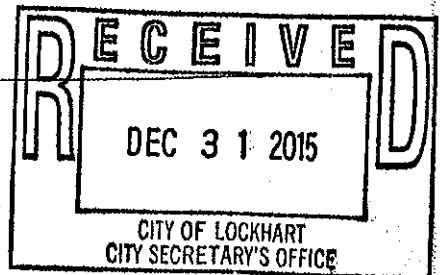
Do you receive any direct compensation or gain from the City of Lockhart? Yes [ ] No [X]

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

(Signature of Applicant) [Handwritten Signature]

12-31-15 (Date)

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



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

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**Connie Constancio**

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**From:** Dan Gibson  
**Sent:** Wednesday, December 16, 2015 1:19 PM  
**To:** Connie Constancio  
**Subject:** FW: Historical Preservation Commission meeting

F.Y.I.

*Gibeaux Resignation  
to Historical Pres. Comm.*

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

**Mayor:**

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

Sincerely,

Jeff W. Gibeaux, PE  
Principal

US Construction Consultants, LLC  
107 N. Main Street  
PO Box 68  
Lockhart, Texas 78644  
(512) 923-5961  
[uscctx.com](http://uscctx.com)

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

Good morning all,

Please confirm if you will be attending the LHPC meeting at 5:30 this afternoon. I will be contacting those I do not receive response from via phone beginning at 9:30am.

# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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><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 style="text-align: center;"><i>Section B101.4, Board Decision, is amended to read as follows:</i></p> <p>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 style="text-align: center;"><i>Section B101.2, Membership of Board, is amended to read as follows:</i></p> <p>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> CONSTRUCTION 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> ELECTRIC BOARD APPOINTMENTS</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 qualifications: (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-tem, one each. The two alternates shall also serve the term coinciding with the council position making the appointments. Vacancies shall be filled for an unexpired term in the manner in which the original appointments are required to be made. (Ordinance 06-08, adopted February 7, 2006)</p>

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

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

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

NOTES:  
ORDINANCE  
RE: ALL  
BOARD,  
COMMISSION  
APPOINTMENTS

# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board Board of Adjustment Construction Board Ec Dev. Revolving Loan Ec Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	John Himmekamp	01/17/12
		Mike Annas	01/17/12
		VACANT-Alternate	04/03/12
		Ralph Gerald	01/17/12
		W.R. Cline	01/17/12
		Alan Fielder, Vice-Chair	01/17/12
		Joe Colley, Chair	01/17/12
		VACANT- J. Gibaux resigned 12/17/15	
		Stephanie Riggins	01/17/12
		Albert Villalpando, Chair	01/17/12
Bill Faust	03/18/14		
District 1 – Juan Mendoza	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Larry Burrier	06/19/12
		Lori Rangel	05/01/12
		Aaron Snider	09/06/11
		Ryan Lozano	08/15/06
		Dyral Thomas	04/05/11
		Thomas Herrera	07/17/12
		Victor Corpus	06/04/13
		Shirley Williams	01/17/12
		Linda Thompson-Bennett	08/19/08
		Adam Rodriguez	12/04/12
District 2 – John Castillo	Airport Board Board of Adjustment Construction Board EcoDev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Reed Coats	01/17/12
		VACANT -(S. Ramirez resigned 8/5/2015)	
		Israel Zapien	01/17/12
		Dr. Philip Wales	10/16/07
		Fermín Islas, Chair	01/04/11
		James Briceño	05/03/11
		Richard Mendez, Chair	02/01/11
		Donnie Wilson	01/04/11
		James Torres	05/03/11
		Rob Ortiz, Alternate	05/06/08
Manuel Oliva	05/03/11		

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**COUNCIL MEMBER BOARD/COMMISSION APPOINTMENTS**

<p>District 3 – Benny Hilburn</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning &amp; Zoning</p>	<p>Ray Chandler Anne Clark, Vice-Chair Nic Irwin (Alternate) Jerry West, Vice-Chair Lew White, Chair Ken Doran Thomas Stephens Ronda Reagan Jean Clark Fox, Chair William Burnett Philip McBride, Vice-Chair</p>	<p>12/03/13 12/03/13 12/15/15 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13</p>
<p>District 4 - Jeffrey Michelson</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning &amp; Zoning</p>	<p>Mark Brown, Vice-Chair Wayne Reeder VACANT - J. Lارسن resigned 12/22/15 Mary Beth Nickels Morris Alexander James Paul Denny, Vice-Chair Kathy McCormick Donaly Brice Russell Wheeler Steve Visage</p>	<p>07/01/08 01/20/15  09/15/15 01/20/15 01/20/15 01/20/15 01/20/15 01/20/15 01/20/15 01/20/15</p>
<p>Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez</p>	<p>Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning &amp; Zoning</p>	<p>Andrew Reyes Laura Cline, Chair Walter Stephens, Alternate Irene Yanez Bernie Rangel Juan Alvarez, Jr. Jodi King Jeff Johnson Philip Ruiz, Chair</p>	<p>12/21/10 02/19/08 05/06/08 06/17/08 07/07/15 03/01/11 01/04/11 12/17/13 01/04/11</p>

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# COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

PAGE 5

Updated 12/31/2015

At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Revolving Loan Eco Dev. Corp. 1/2 Cent Sales Tax Historical Preservation Library Board Parks and Recreation Planning & Zoning	Jayson "Tex" Cordova Severo Castillo Gary Shafter Edward Strayer Frank Estrada Terrance Gahan Rebecca Lockhart Dennis Placke Christina Black	12/01/15 12/01/15 08/18/15 12/01/15 12/01/15 12/01/15 12/01/15 11/03/15 09/15/15
	Charter Review Commission	Alan Fielder, Chair Ray Sanders Bill Hernandez Vacant (2)	10/17/06 by Councilmember White 02/07/12 by Councilmember Gomez 11/06/06 by Councilmember Gomez
	Sign Review Committee	Gabe Medina Neto Madrigal Terry Black Kenneth Sneed Johnny Barron, Jr. Tim Clark	03/17/15 - Mayor Pro-Tem Sanchez 04/21/15 - Councilmember Mendoza 03/17/15 - Councilmember Hilburn 03/17/15 - Mayor White 03/17/15 - Councilmember Castillo 03/17/15 - Councilmember Michelson

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**CITY OF LOCKHART  
CITY COUNCIL GOALS: FEB 2015**

Priority	Councilmember	Goals
1	Gonzales-Sanchez, Angie	Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in neighborhoods
1	Hilburn, Benny	Continue to improve City infrastructure
1	Mendoza, Juan	Work with or Hire Retail Recruiting Agency to help attract more retail to Lockhart
1	Michelson, Jeffry	Improve streets all over town: curbs and overlays
1	Roland, Kenny	Drainage projects to give relief to residents
1	White, Lew	Drainage projects
1	Castillo, John	Improve streets and drainage
2	Gonzales-Sanchez, Angie	Economic Development: Recruit more businesses especially retail; 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
2	Hilburn, Benny	Continue to look for ways to attract businesses to Lockhart
2	Mendoza, Juan	Start strategizing a plan with LEDC on ways to sell Lockhart
2	Michelson, Jeffry	Continue to improve city parks
2	Roland, Kenny	Fix bad curbs causing drainage problems and street damages in existing neighborhoods
2	White, Lew	Partner with LEDC for land, utility extensions, and more economic development staffing
2	Castillo, John	Eco Dev: Look into purchasing more property to development another Industrial Park
3	Gonzales-Sanchez, Angie	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.
3	Hilburn, Benny	Improve City Park for better interest and usage by citizens
3	Mendoza, Juan	Work with City Engineer and Planning Dept for new sidewalks within District 1 and other Districts
3	Michelson, Jeffry	Improve Economic Development to draw more businesses to town
3	Roland, Kenny	Work on TxDOT to fix drainage on Blackjack
3	White, Lew	Park Improvements
3	Castillo, John	Research recruiting a 24-hour emergency clinic
4	Gonzales-Sanchez, Angie	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.
4	Hilburn, Benny	Continue to work on retaining City employees
4	Mendoza, Juan	Start to work with GBRA and finding funds to take part in the mid-basin water project
4	Michelson, Jeffry	Convention Center of some type
4	Roland, Kenny	More subdivision developemnt so more businesses will come to Lockhart
4	White, Lew	Streets
4	Castillo, John	Replace or upgrade park equipment
5	Gonzales-Sanchez, Angie	Employee: Possible additional Employee Holiday Time off-Alternating system. Possibly implementing a bad weather policy
5	Hilburn, Benny	Continue to look for ways to attract tourism
5	Mendoza, Juan	Updated Parks Equipment in all parks; plan fundraisers for more parks equipment
5	Michelson, Jeffry	City Hall: Refurbish
5	Roland, Kenny	Work with LEDC and Lockhart Industrial Foundation to get more land for big job employers
5	White, Lew	Branding and Way Finding Signage
5	Castillo, John	Expansion of Lockhart's extraterritorial jurisdiction

**DEBT  
SERVICE  
INFORMATION**

*Presented to Council  
on January 11, 2014*

001

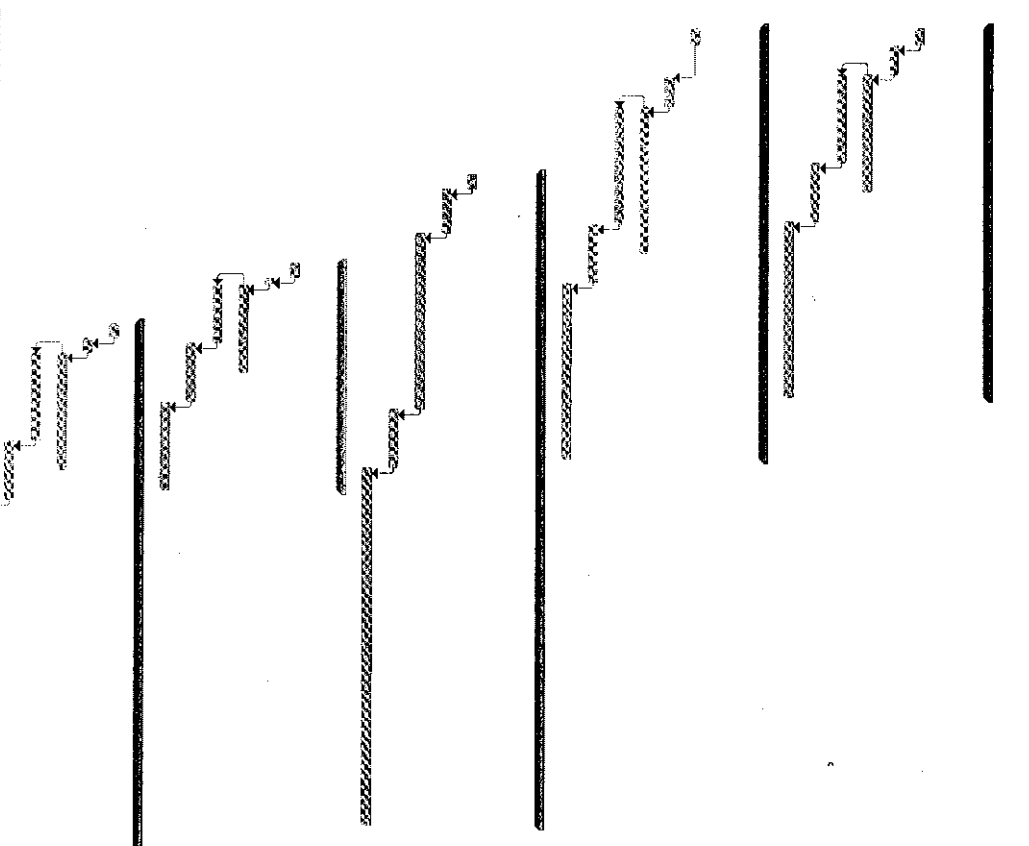
Description	Future Debt Payments as of 9/30/13													TOTAL DEBT								
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026		2027	2028	2029	2030	2031	2032	2033	
General Government																						
Hotel Tax Fund	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
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	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
Total Hotel Tax Fund P	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
LEDC	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
2009 GO Refunding	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Total LEDC Fund P & I	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
Drawings	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	100,000	100,000	100,000
2009 CO Refunding	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	100,000	100,000	100,000
Total Drawings Fund P	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	100,000	100,000	100,000
General Fund	89,548	90,822	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003
2009 GO Refunding	89,548	90,822	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003
Total General Fund P & I	89,548	90,822	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003	101,003
Debt Service Fund	339,695	335,085	333,210	331,080	328,872	327,883	326,575	324,615	321,955	318,842	315,325	311,520	307,210	302,210	296,978	291,173	284,840	278,440	271,994	265,527	259,038	252,527
2009 Tax & Rev CO's	339,695	335,085	333,210	331,080	328,872	327,883	326,575	324,615	321,955	318,842	315,325	311,520	307,210	302,210	296,978	291,173	284,840	278,440	271,994	265,527	259,038	252,527
2009 Tax & Rev CO's	48,325	48,880	50,451	48,815	47,175	50,535	48,880	46,846	44,990	42,846	40,535	38,080	35,535	32,846	30,173	27,494	24,815	22,140	19,465	16,790	14,115	11,440
2009 A Tax & Rev CO's	289,441	270,685	289,516	287,594	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880	287,880
Total Debt Service Fund	654,451	652,870	652,591	647,489	644,037	640,221	632,597	624,588	615,865	606,842	597,325	587,220	576,210	564,210	551,210	537,210	522,210	507,210	491,210	474,210	457,210	440,210
Total General Government	1,183,989	1,183,282	1,181,584	1,174,489	1,166,937	1,158,221	1,148,597	1,137,588	1,125,173	1,111,442	1,096,325	1,080,000	1,062,410	1,043,410	1,023,840	1,002,713	980,840	958,173	934,694	910,427	885,360	860,000
Electric Fund	40,242	40,391	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735
2009 CO Refunding	40,242	40,391	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735	38,735
2013 SIB Loan	71,151	71,151	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	71,151	71,152	71,151
Total Electric Fund P & I	111,394	111,482	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809	110,809
Water Fund	20,281	20,376	20,690	20,142	20,164	20,157	20,142	20,408	18,709	17,882	16,984	16,153	15,282	14,432	13,584	12,754	11,944	11,154	10,384	9,634	8,904	8,194
2009 Tax & Rev CO's	20,281	20,376	20,690	20,142	20,164	20,157	20,142	20,408	18,709	17,882	16,984	16,153	15,282	14,432	13,584	12,754	11,944	11,154	10,384	9,634	8,904	
2009 CO Refunding	407,807	408,702	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967	402,967
2009 CO Refunding	165,343	166,888	165,829	165,775	166,656	166,477	166,387	166,286	166,179	166,062	165,934	165,797	165,652	165,497	165,334	165,164	164,984	164,794	164,594	164,384	164,164	163,934
2013 SIB Loan	82,677	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678	82,678
Total Water Fund P & I	678,118	677,441	671,483	668,593	666,486	664,310	661,486	658,038	653,910	648,154	641,709	634,585	626,728	618,154	608,844	600,000	589,584	577,584	564,844	551,427	537,210	522,210

		City of Lockhart																				
		Future Debt Payments as of 9/30/13																				
Description	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	TOTAL DEBT	
2006 GO Rev CO's	183,367	183,770	181,148																			
2006 GO Refunding	25,387	25,439	25,481	25,452	25,434	25,407	25,002	25,890	25,748	26,232	26,006	26,388	26,728	26,536	27,208							548,283
2013 SIB Loan	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	77,102	989,128
Total Sewer Fund P & I	285,857	286,311	283,751	102,555	102,536	102,510	102,105	102,992	102,852	103,334	103,108	103,501	103,850	103,638	104,309							1,542,049
Airport Fund																						
2000 Airport	61,900	63,600																				125,500
Total Airport Fund P & I	61,900	63,600																				125,500
Total Proprietary Fund	1,135,288	1,138,834	1,086,078	442,283	443,183	441,972	446,410	445,852	424,308	420,013	426,319	429,285	431,740	428,799	435,330							22,213,555
Grand Total	2,319,286	2,322,127	2,257,662	1,128,768	1,128,220	1,128,193	1,138,007	1,133,440	1,202,044	1,210,835	1,207,644	1,218,165	1,221,550	1,218,777	1,228,770							9,717,998
Summary of all bond issues:																						
2006 Tax & Rev CO's	48,325	48,930	50,455	48,815	47,175	50,536	48,690	46,845														387,730
2006-A Tax & Rev CO's	288,722	281,070	287,008	287,736	288,054	287,980	287,454	291,538														2,310,538
2006 GO Refunding	1,120,984	1,123,425	1,124,771																			3,369,160
2000 Airport	61,900	63,600																				125,500
2009 GO Refunding	192,740	191,128	191,290	191,228	191,090	190,884	185,358	194,515	193,499	197,084	195,390	198,335	200,810	197,870	204,400							2,923,980
2009 Tax & Rev CO's	376,685	375,085	373,210	371,080	368,872	367,883	376,575	369,815	777,655	782,842	781,325	783,920	790,210	789,978	793,440							8,478,265
2013 SIB Loan	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	230,930	4,618,593
Total Debt	2,319,286	2,322,127	2,257,662	1,128,768	1,128,220	1,128,193	1,138,007	1,133,440	1,202,044	1,210,835	1,207,644	1,218,165	1,221,550	1,218,777	1,228,770							22,213,555

City of Lockhart  
2015 BOND PROGRAM

Cost	Notes/Task Name	Duration	Start	Finish
\$14,124,890.00	<b>TOTAL PROJECT COST</b>			
	Surveying Proposal	17 days	Fr 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	Fr 9/18/15
	Construction	180 days	Sat 9/19/15	Wed 3/16/16
	Surveying Proposal	17 days	Fr 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 9/22/15
	Bid Ad/NTP	60 days	Tue 9/22/15	Fr 11/20/15
	Construction	180 days	Sat 11/21/15	Wed 5/18/16
	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	Fr 5/22/16
	Construction	365 days	Sat 5/28/16	Sat 5/27/17
	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 1/22/16
	Bid Ad/NTP	60 days	Fr 1/22/16	Mon 3/22/16
	Construction	90 days	Tue 3/22/16	Sun 6/19/16
	Surveying Proposal	15 days	Sat 1/2/16	Sat 1/16/16
	Survey	15 days	Sun 1/17/16	Sun 1/31/16
	Acquisition	120 days	Mon 2/1/16	Mon 5/30/16
	Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16
	Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16

2015  
Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan/Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan/Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan



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City of Lockhart  
2015 BOND PROGRAM

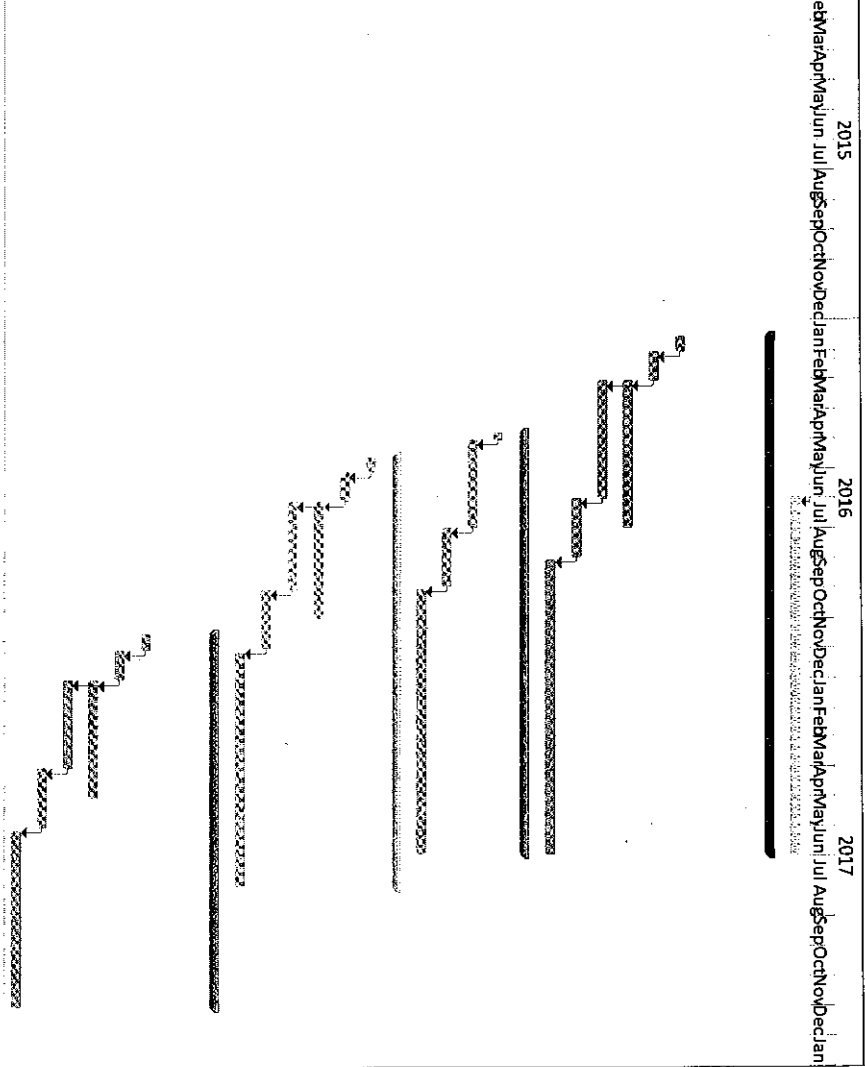
2015

2016

2017

Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan/Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan/Feb/Mar/Apr/May/Jun/Jul/Aug/Sep/Oct/Nov/Dec/Jan

Cost	Notes	Task Name	Duration	Start	Finish
		Construction	365 days	Thu 6/30/16	Thu 6/29/17
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16
		Survey	30 days	Tue 2/2/16	Wed 3/2/16
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16
		Construction	300 days	Fri 9/2/16	Wed 6/28/17
		Survey	7 days	Mon 4/25/16	Sun 5/1/16
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16
		Construction	270 days	Sun 10/2/16	Wed 6/28/17
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16
		Survey	30 days	Sat 6/4/16	Sun 7/3/16
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16
		Construction	240 days	Mon 12/5/16	Tue 8/1/17
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16
		Survey	30 days	Sat 12/3/16	Sun 1/1/17
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17
		Construction	180 days	Mon 6/5/17	Fri 12/1/17



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