

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, FEBRUARY 16, 2016

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

6:30 P.M.

WORK SESSION (No Action)

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

PRESENTATION ONLY

- A. Presentation of a proclamation declaring February 29 – March 4, 2016 as "Reading is Fundamental Week in Lockhart".
- B. Discussion after presentation by Guadalupe-Blanco River Authority (GBRA) representative Mr. Jim Murphy and possibly others regarding future water supplies for Central Texas including Lockhart and specifically the mid-basin project. *61-65*

DISCUSSION ONLY

- A. Discuss minutes of the City Council meeting of February 2, 2016. *5-10*
- B. Discuss proposal by Stericycle Environmental Solutions, to provide Household Hazardous Waste (HHW) Collection and Disposal Services to be held on May 14, 2016 at an estimated cost of \$19,350 and possibly additional HHW days during a 5-year period with dates to be determined in compliance with State and Federal laws.
- C. Discuss Resolution 2016-03 that designates portions of a building as the premises of a government court or offices utilized by the court, and rooms in which meetings subject to the Open Meetings Act are held, for purposes of firearms possession, including by a person who holds a license to carry a handgun. *11-23*
24-27
- D. Discuss discussions with the Caldwell County Judge and Commissioners Court about shared costs for the purchase of a new Emergency Medical Services ambulance that is needed. *28-37*
- E. Discuss agreement with Austin Wood Recycling to provide supervision, labor, equipment, trucks, and the tub grinder to grind up large tree trunks and log stockpiles, and to haul off the grindings for an amount not to exceed \$26,345. *38-40*
- F. Discuss schedule and authorize proceeding with the construction bid process for the 2015/2016 (PY) Texas Community Development Block Grant project that installs an 18" treated water transmission line funded by the Texas Department of Agriculture (TDA). *41-47*

WORK SESSION Continued...

- G. Discuss purchase from Wildfire Truck and Equipment, a slide in firefighting unit to be installed on an existing F-350 truck in the amount of \$18,768.80; this unit will be used for initial response to most fires. 48-60
- H. Discuss possible charter amendments, the associated costs, and appointing members to the Charter Review Commission. 66-108
- I. Discuss \$100 contribution to the Lockhart High School Key Club for the assistance to the Lockhart Downtown Revitalization Events Committee. 109-110

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 February 2, 2016. 5-10
- B. Approve proposal by Stericycle Environmental Solutions, to provide Household Hazardous Waste (HHW) Collection and Disposal Services to be held on May 14, 2016 at an estimated cost of \$19,350 and possibly additional HHW days during a 5-year period with dates to be determined in compliance with State and Federal laws.
- C. Approve Resolution 2016-03 that designates portions of a building as the premises of a government court or offices utilized by the court, and rooms in which meetings subject to the Open Meetings Act are held, for purposes of firearms possession, including by a person who holds a license to carry a handgun. 11-23
24-27
- D. Authorize discussions with the Caldwell County Judge and Commissioners Court about shared costs for the purchase of a new Emergency Medical Services ambulance that is needed. 28-37
- E. Approve agreement with Austin Wood Recycling to provide supervision, labor, equipment, trucks, and the tub grinder to grind up large tree trunks and log stockpiles, and to haul off the grindings for an amount not to exceed \$26,345. 38-40
- F. Approve schedule and authorize proceeding with the construction bid process for the 2015/2016 (PY) Texas Community Development Block Grant project that installs an 18" treated water transmission line funded by the Texas Department of Agriculture (TDA). 41-47
- G. Approve purchase from Wildfire Truck and Equipment, a slide in firefighting unit to be installed on an existing F-350 truck in the amount of \$18,768.80; this unit will be used for initial response to most fires. 48-60

5. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action after presentation by Guadalupe-Blanco River Authority (GBRA) representative Mr. Jim Murphy and possibly others regarding possible future water supplies for Central Texas including Lockhart and specifically the mid-basin project. 61-65
- B. Discussion and/or action regarding possible charter amendments, the associated costs, and appointing members to the Charter Review Commission. 66-108
- C. Discussion and/or action to consider approval of \$100 contribution to the Lockhart High School Key Club for the assistance to the Lockhart Downtown Revitalization Events Committee. 109-110
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 111-116

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

- Update- US 183 widening project, Hickory to Blackjack: east side drainage truck main complete; inlet tops, slotted drains, and curbing being installed; will start on west side within same limits next week; paving.
- Update: Public bids for the Wichita-Braden-Mesquite-Vega and Richland Drive Drainage Projects went out and a recommendation award of a contract is scheduled for Council meeting on March 2.
- Update: Hot Rods and Hatters downtown event, Saturday, Feb 6.
- Update: Assistant Building Official has been hired. Mr. Thomas Heap from Stephenville, Texas, with 20 plus building code experience years.
- Reminder: 5th Annual Sip and Stroll event, Saturday, April 2.
- Reminder: Annual Progressive Club Banquet, Saturday, Feb 20.

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 12th day of February 2016 at 3:46 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register


Connie Constancio, TRMC
City Secretary

**LOCKHART CITY COUNCIL
REGULAR MEETING**

FEBRUARY 2, 2016

6:30 P.M.

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

Council present:

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

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

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Dan Gibson, City Planner

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Michael Lummus, Police Chief

Citizens/Visitors Addressing the Council: Jennifer Douglas of Specialized Public Finance; and, Citizens Heidi Burton, Doug Phelan, Randy Frye and Mary Burrier.

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 JANUARY 19, 2016.

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

B. DISCUSS THE LOCKHART POLICE DEPARTMENT - 2015 RACIAL PROFILING REPORT.

Chief Lummus gave the Racial profiling report. There was discussion.

C. DISCUSS AGREEMENT WITH GERMER ELECTRONICS, LIC., CHRISTOPHER GERMER OF KYLE, TO PROVIDE MOBILE AND HAND RADIO REPAIRS, MAINTENANCE, REMOVALS, PROGRAMMING, AND INSTALLATIONS FOR THE CITY OF LOCKHART, AND ASSIGNING THE CITY MANAGER TO SIGN THE AGREEMENT IF APPROVED.

Mr. Rodgers stated that with the recent departure of a Captain in the Fire Department who had been assigned the Radio Coordinator position duties, a person is needed to provide mobile/hand radios and emergency vehicles' light bar repairs, maintenance, removals, programming, and installations for the City of Lockhart. Staff currently has to send programming and repairs to Austin or Hallettsville. Several alternatives and persons were considered, but Mr. Germer seems to have the best qualifications. He has done work for the County and other volunteer fire departments. Mr. Germer would report to the Fire Chief. The monthly fee of \$250 includes five hours of services per month. Any additional hours required will be at \$50 per hour. Mr. Germer must provide all testing equipment and normal maintenance materials. He also has general liability insurance to protect the City. Mr. Rodgers recommended approval. There was discussion.

D. DISCUSS RESOLUTION 2016-02 INCREASING THE EXISTING DRAINAGE UTILITY FEES TO PROVIDE STREET SWEEPING SERVICES TO IMPROVE RAIN RUN-OFF WATER QUALITY THAT ENDS UP IN AREA CREEKS AND EVENTUALLY IN LOCAL AQUIFERS, AND AT THE SAME TIME MAKE LOCKHART A CLEANER CITY; IT IS PROPOSED THAT THE RESIDENTIAL PER UNIT DRAINAGE FEE OF \$2.00 BE RAISED 50 CENTS AND THE NON-RESIDENTIAL PER UNIT DRAINAGE FEE OF \$4.00 BE RAISED \$1.25 PER MONTH.

Mr. Rodgers stated that curbed streets need to be swept so that drainage water can flow properly protecting asphalt surfaces, to help avoid standing water, and to help with the quality of the rain water run-off that eventually ends up in local creeks and eventually in local drinking water aquifers; it also greatly improves the appearance of the community. Lockhart has a street sweeper that is more than 10 years old and it is impossible to keep up with sweeping schedules because of repairs, downtime and the lack of dedicated personnel to stay on the sweeper; usually all such personnel are needed for street repairs and paving projects. It would take a full-time new employee to sweep all 100 miles of curbed streets once per month. A new sweeper with the needed capacity would cost about \$150,000 and would have a 10 year life. A cost analysis comparing outsourcing the service to in-house estimated costs was provided. Sweep Across Texas was the company that submitted the best quote of \$3,120 per month; this company provides sweeping services for many area cities and SH 130; references were very good. If approved, the old sweeper would be kept for special sweeping needs on an as needed basis. Mr. Rodgers stated that these fees have not been raised in 15 years and recommended approval. There was discussion.

E. DISCUSS AGREEMENT WITH SWEEP ACROSS TEXAS OF AUSTIN, TEXAS, TO PROVIDE MONTHLY SWEEPING SERVICES FOR UP TO 100 MILES OF CURBED STREETS FOR \$3,120 PER MONTH INCLUDING WORKERS' COMPENSATION AND GENERAL LIABILITY INSURANCE AND ALLOWING THE CITY MANAGER TO SIGN THE AGREEMENT.

Mr. Rodgers stated that quotes were sought for street sweeping services. Sweep Across Texas of Austin, Texas, submitted the best quote. The company, which provides such services for several surrounding communities, will provide once a month sweeping of all 100 miles of curbed streets for \$3,120 per month; they will provide proof of workers' compensation and general liability insurance naming the City of Lockhart as an additional insured. The company references that were checked in San Marcos, Austin, Round Rock, and Hutto were very positive. Mr. Rodgers recommended approval.

F. DISCUSS ORDINANCE 2016-05 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LOCKHART, TEXAS, GENERAL OBLIGATION REFUNDING BONDS; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; APPROVING THE OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; ESTABLISHING THE PROCEDURES FOR SELLING AND DELIVERING THE BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT".

Mr. Hinson stated that the City of Lockhart has received calculations to support an approximate savings by refunding the Series 2009 Combination Tax and Revenue Certificates of Obligation and Series 2009 General Obligations Refunding Bonds.

Jennifer Douglas of Specialized Public Finance provided information about the timetable for issuance of the general obligation refunding bonds, sources and uses, debt services comparison and the debt service schedule.

G. DISCUSS VARIANCE REQUEST FROM A BUSINESS PROPERTY OWNER'S REPRESENTATIVE AT 119 W. SAN ANTONIO STREET THAT DESIRES TO HAVE THE RIGHT TO HAVE "ON PREMISE CONSUMPTION OF ALCOHOL" AT A POSSIBLE RESTAURANT THAT WOULD BE WITHIN 300' OF CHURCHES OR PUBLIC OR PRIVATE SCHOOLS; A BAR WOULD NOT BE ALLOWED AT THIS LOCATION WITHOUT AN APPROVED SPECIFIC USE PERMIT.

Mr. Rodgers stated that a variance request from the 300' separation requirement of a property where "on premise consumption of alcohol" is proposed has been received from Conley A. Covert, a representative of the property owner at 119 W. San Antonio Street. Ordinance 2016-04 allows Council's consideration of the variance in compliance with State law. A particular business has not been identified, but the current zoning of Commercial Central Business (CCB) District would only allow "on premise consumption of alcohol" for a restaurant where food sales must exceed any alcohol sales. Under current ordinances, a bar would not be allowed at 119 W. San Antonio Street unless a specific use permit was approved. Because the zoning is CCB, there are no off-street parking requirements.

Mayor White requested Conley Covert to address the Council.

Conley Covert, applicant, requested approval of the variance. He stated that if the variance to allow the sale and consumption of alcohol is approved, his company would begin to work on recruiting a business for the building.

There was discussion.

H. DISCUSS CITY CELL PHONES FOR MAYOR AND COUNCIL.

Mr. Gruning stated that the Attorney General provided a ruling that the Mayor's cell phone records are public information in regards to telephone communication pertaining to communication about city business.

Mayor White explained that an open records request was submitted to the City requesting the past three years of the Mayor's cell phone records. The Attorney General ruling has determined that his personal cell phone records are public information because he also uses it for city business calls.

Mayor White requested that the City pay for a cell phone for the Mayor and Councilmember(s) who would like to use for city business.

RECESS: Mayor White announced that the Council would recess for a break at 7:15 p.m.

REGULAR MEETING

ITEM 1. CALL TO ORDER.

Mayor Lew White called the regular meeting of the Lockhart City Council to order on this date at 7:30 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

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ITEM 3. CITIZENS/VISITORS COMMENTS.

Mayor White requested the following citizens to address the Council:

Heidi Burton, spoke in favor of the variance to serve alcohol at 119 W. San Antonio Street as long as the establishment was not a "bar".

Doug Phelan, Austin, spoke in favor of the variance to serve alcohol at 119 W. San Antonio Street.

Randy Frye, 810 Vogel and Pastor of First Christian Church, spoke in favor of the variance to serve alcohol at 119 W. San Antonio Street.

Mary Burrier, Dale, spoke against the sign ordinance and requested that the Council consider revisiting it to amend several sections, such as banners, that would accommodate all businesses. Mayor White requested that Ms. Burrier present the recommended amendments to the City Manager.

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

ITEM 5-B. DISCUSSION AND/OR ACTION REGARDING VARIANCE REQUEST FROM A BUSINESS PROPERTY OWNER'S REPRESENTATIVE AT 119 W. SAN ANTONIO STREET THAT DESIRES TO HAVE THE RIGHT TO HAVE "ON PREMISE CONSUMPTION OF ALCOHOL" AT A POSSIBLE RESTAURANT THAT WOULD BE WITHIN 300' OF CHURCHES OR PUBLIC OR PRIVATE SCHOOLS; A BAR WOULD NOT BE ALLOWED AT THIS LOCATION WITHOUT AN APPROVED SPECIFIC USE PERMIT.

There was brief discussion.

Mayor Pro-Tem Sanchez made a motion to approve the variance request from a business property owner's Representatives at 119 W. San Antonio Street that desires to have the right to have "on premise consumption of alcohol" at a possible restaurant that would be within 300' of churches or public or private schools; a bar would not be allowed at this location without an approved specific use permit. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 4. CONSENT AGENDA.

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

The following are the consent agenda items that were approved:

- 4A: Approve minutes of the City Council meeting of January 19, 2016.
- 4B: Approve Lockhart Police Department - 2015 Racial Profiling Report.
- 4C: Approve agreement with Germer Electronics, Lic., Christopher Germer of Kyle, to provide mobile and hand radio repairs, maintenance, removals, programming, and installations for the City of Lockhart, and assigning the City Manager to sign the agreement if approved.
- 4D: Approve Resolution 2016-02 increasing the existing drainage utility fees to provide street sweeping services to improve rain run-off water quality that ends up in area creeks and eventually in local aquifers, and at the same time make Lockhart a cleaner City; it is proposed that the residential per unit drainage fee of \$2.00 be raised 50 cents and the non-residential per unit drainage fee of \$4.00 be raised \$1.25 per month.
- 4E: Approve agreement with Sweep Across Texas of Austin, Texas, to provide monthly sweeping services for up to 100 miles of curbed streets for \$3,120 per month including workers' compensation and general liability insurance and allowing the City Manager to sign the agreement.

ITEM 5-A. DISCUSSION AND/OR ACTION WITH RESPECT TO ORDINANCE 2016-05 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LOCKHART, TEXAS, GENERAL OBLIGATION REFUNDING BONDS; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; APPROVING THE OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; ESTABLISHING THE PROCEDURES FOR SELLING AND DELIVERING THE BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT".

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2016-05 - an Ordinance of the City Council of the City of Lockhart, Texas, authorizing the issuance and sale of City of Lockhart, Texas, General Obligation Refunding Bonds; providing for the security for and payment of said bonds; prescribing the form of said bonds; approving the Official Statement, bond purchase agreement, paying agent/registrar agreement and escrow agreement; establishing the procedures for selling and delivering the bonds; and enacting other provisions relating to the subject and allow the Mayor to sign the documents. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5-C. DISCUSSION AND/OR ACTION REGARDING CITY CELL PHONES FOR MAYOR AND COUNCIL.

Councilmember Hilburn made a motion to approve the purchase of a cell phone for the Mayor and any other Councilmember, if requested in the future. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

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

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

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

- Update- US 183 widening project, Hickory to Blackjack: east side drainage truck main complete; inlet tops, slotted drains, and curbing being installed; will start on west side within same limits next week; paving.
- Update: Public bids for the Wichita-Braden-Mesquite-Vega and Richland Drive Drainage Projects went out and a recommendation award of a contract is scheduled for Council meeting on March 2.
- Update: Meeting with developers of property on Maple east of SH 130.
- Update: Staff will be putting out more information to emphasize the hazards of trimming trees/shrubs near City power lines by residents, yard maintenance people, and private contractors.
- Report: Annual Lockhart Chamber of Commerce Banquet held Jan 23.
- Reminder: Hot Rods and Hatters downtown event, Saturday, Feb 6, Live Music, Vendors, and many beautiful cars.
- Reminder: Annual Progressive Club Banquet, Saturday, Feb 20 at the Lions Club.
- Lockhart was awarded a grant in the amount of \$16,850 for an annual Household Hazardous Waste Collection event that is scheduled for May at City Park.
- Advertising for Police Officer applicants. Currently have 34 applications submitted.
- Reminder: Submit goals to City Manager for compilation for upcoming workshop in March.
- Discussion about emergency sirens.

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

Councilmember Westmoreland invited everyone to the Hot Rod & Hatters Car Show in downtown Lockhart on February 6. He thanked Robert Ellis and Pegasus School for being selected as the Business of the Year at the Lockhart Chamber of Commerce Annual Banquet. He thanked the Pegasus crew for always being very helpful during special events. He expressed well wishes to Pat Kirksey during an illness.

Councilmember Mendoza congratulated the Lockhart Chamber of Commerce for a successful annual banquet. He also congratulated the vendors that keep the downtown area busy on weekends.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jean Schaller and Esther Thompson for their loss. She expressed well wishes to Frank Rodriguez during an illness. She thanked the Pegasus students for their hard work and dedication to the community for helping during all special events.

Councilmember Hilburn thanked all and expressed condolences to families that have lost loved ones.

Councilmember Castillo expressed condolences to those that have lost a loved one and get well wishes to those that are ill. He wished Hot Rods & Hatters a successful event and thanked the Lockhart Chamber of Commerce for a successful annual banquet. He thanked city employees for their hard work and thanked public safety for patrolling District S2 to keep everyone safe.

Councilmember Michelson thanked the Lockhart Chamber of Commerce for a successful annual banquet and wished a great turnout at the Hot Rods & Hatters car show. He thanked the street department for sweeping streets and keeping the city clean. He also wished Pat Kirksey get well wishes.

Mayor White thanked all that host events throughout the year. He stated that Lockhart was featured in the Austin Business Journal. He also thanked staff for their efforts to keep Lockhart clean.

ITEM 8. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 8:05 p.m.

PASSED and APPROVED this the 16th day of February 2016.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

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Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers		Asst. City Manager	
Dept. Signature: <i>[Signature]</i>		City Manager: <i>[Signature]</i>	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers			
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER			
CAPTION			
Discussion and/or action to approve proposal by Stericycle Environmental Solutions, to provide Household Hazardous Waste (HHW) Collection and Disposal Services to be held on May 14, 2016, at an estimated cost of \$19,350 and possibly additional HHW days during a 5 year period with dates to be determined in compliance with State and Federal Laws.			
FINANCIAL SUMMARY			
<input type="checkbox"/> N/A <input checked="" type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input checked="" type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			TOTALS
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
BALANCE	\$0.00	\$0.00	\$0.00
FUND(S): \$16,850 CAPCOG Grant Funding + \$2,500 City Match = \$19,350			
SUMMARY OF ITEM			
The City has held HHW events about every 15 – 18 months over the past 15 years. This year CAPCOG grant funds will pay for the majority of the estimated cost of \$19,350. A request for proposals for the professional services to collect, transport, and dispose of these hazardous materials was publicly advertised in the Lockhart Post-Register. 3 companies submitted proposals which were all rated. Rating information is provided in the Council packet. Stericycle Environmental Solutions submitted the best proposal with a rating score of 55 out of 60. Stericycle (previously called PSC or Philip Reclamation Services) has handed all the previous events for the City of Lockhart and has performed very commendably. Central Texas Refuse, the City's trash collection contractor, will supply free of charge the container and trash dumpster during the event for non-hazardous materials. The event will be restricted to current Lockhart residents with proof of residency and will be held on May 14, 2016, between 9am and noon in the Lockhart City Park.			
STAFF RECOMMENDATION			
Staff recommends approval of the proposal as presented by Stericycle to provide HHW Collection and Disposal Service to be held on May 14, 2016 and possible additional days during a 5 year period.			
List of Supporting Documents: Advertisement, Proposal Information, Cost Estimate Information, Grant Information		Other Departments, Boards, Commissions or Agencies:	

Affidavit of Publication

THE STATE OF TEXAS
COUNTY OF CALDWELL

On this the 28th day of January, 2016 personally appeared Dana Garrett, who states that he is Publisher of the Lockhart Post-Register, a newspaper of general circulation, published at Lockhart, in Caldwell County, State of Texas, and upon being duly sworn by me on oath states that the advertisement or legal notice, appearing here-with, is a true and correct copy of same as published in said newspaper on the following dates:


January 14 and January 21, 2016

City of Lockhart - Seeking Proposals from qualified licensed professional firms



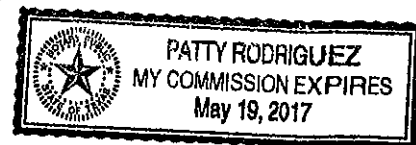
Dana Garrett, Publisher

Sworn and subscribed to before me this the 28th day of January, 2016



Notary Patty Rodriguez

My commission expires 5-19-2017



dgibson@lockhart-tx.org

The City of Lockhart, Texas, seeks proposals until 9am, January 28, 2016, from qualified licensed professional firms to perform drop off site collection, classification, containerization, transport (with TCEQ required manifests) and disposal of common household hazardous wastes in accordance with all state and federal laws. This will be a single day drop off collections event to be held in April 2016, and possibly additional days during a 5 year period with dates to be determined.

Interested qualified service providers that specialize in these types of events may request a scope of services by contacting Julie Bowermon at (512)398-3461 during normal business hours or online at www.lockhart-tx.org. Proposals (marked externally "HHW Event") may be mailed to City of Lockhart, P O Box 239, Lockhart, Tx 78644 or delivered to 308 W San Antonio Street. Proposals not received by the specified date and time will be rejected. The City of Lockhart reserves the right to reject any or all proposals.

PUBLIC NOTICE OF TEST OF AUTOMATIC TABULATING EQUIPMENT (DRE) FOR MARCH 1, 2016 PRIMARY ELECTIONS (AVISO PUBLICO DE LA PRUEBA DE TABULACION AUTOMATICA EQUIPO (DRE) PARA EL 01 DE MARZO, 2016 ELECCIONES PRIMARIAS)

Notice is hereby given

ALCOHOLICS ANONYMOUS
"Any addict can stop using drugs, loose the desire to use, and find a new way to live!" Our only requirement for membership is a desire to stop using!

Conscious Contact Group of NA
Thursday, 8:00-9:00 PM
118 N. Church St. Lockhart TX
Emmanuel Episcopal Church
(side door of middle walkway)

For more information or support call Jade J. 512-766-1081

ALCOHOLICS ANONYMOUS
Have a drinking problem and want help?
Sunday, 11 a.m. & 6 p.m.,
Monday, 6 p.m. men's & women's,
Tuesday, 6 p.m.,
Wednesday, 6 p.m.,
Thursday 6 p.m. & 8 p.m.,
Friday, Saturday, 10 a.m. & 6 p.m. and at 1011-B W. San Antonio St., Lockhart. For more information, please contact Steve 517-6054 or Travis 784-6940.

ALCOHOLICS ANONYMOUS meets every Monday and Thursday nights at 8 p.m. at 301 S. Walnut St., Luling, 2 blocks south of HEB. Call Bill at (830) 875-6165.

ADULT SEXUAL ASSAULT PROGRAM - Experience healing. Hays-Caldwell Women's Center sponsors a support group for adults sexually abused as children. Call 512-396-3404 or 800-700-4292 for more information.

Free Post Abortion Counseling (PACE). Call Cathy at 376-6088 or Cindy at

County offers complete benefits package to all full-time positions.

Maintenance & Cleaning Services "Team" needed for Ranch vacation rental property, located near Stairtown. Performs a wide variety of cleaning and maintenance duties to provide a clean, orderly and safe environment for our guests; and perform related work as required. Must be reliable, flexible and provide references. 10K +/- potential income per year. Contact Chris at 512-426-1937, chris@brokernetwork.com

Title Clerk Needed Salvage Auto Auction
Excellent Benefits
Apply in person at
2191 Highway 21 West
Dale, TX 78616

Caldwell County Sheriff's Office NOW HIRING Correctional Officers
Caldwell County Sheriff's Office is currently looking for career minded individuals seeking employment.

You must be at least 19 years of age or older. You must have a high school diploma or G.E.D. You must not have a criminal history. Upon acceptance of your application, you will be scheduled for an entry level examination. An extensive background check will follow and the third phase will be an interview. You must pass a Psychological test and drug screen. A salary of \$30,225.28 per year plus. A comprehensive benefit package will be provided including overtime pay, holiday pay, retirement, longevity pay, insurance and vacation. You must be able to work

13

BID OPENING

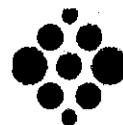
DATE: 01-28-2016 TIME: 9:00Am PLACE: City Hall

PROJECT: HHW Event

Company Name	Company Address	Company Phone & Fax	Date Plans/ Bid Packet Picked Up	Date & Time turned in	Dollar Amount Bided	Check or M.O. #	Signature *For Deposit Refund	Date Plans Returned (Deposit Refunded)*
Tradebe Environmental Services	1433 E 83 rd Ave Merrillville, In. 46410	Ph: Fx:		01-25-2016 9:33Am				
Stericycle Environmental Services	5151 San Felipe Ste 100 Houston, TX 77056	Ph: (512) 463-2090 Fx:		01-27-2016 5:44pm				
Clean Harbors	4303 Profit Dr. San Antonio, TX 78219	Ph: (210) 304-3000 Fx:		01-28-2016 8:54 A				
		Ph: Fx:						
		Ph: Fx:						
		Ph: Fx:						
		Ph: Fx:						
		Ph: Fx:						

Proposal Scoring Matrix:

		Stericycle	Tradebe	Clean Harbors
Years Experience (1 pt per year, max 20 pts)		20	20	20
Past Successful Experience with Lockhart (1 pt per event, max 5 pts)		5	0	0
HHW Events in Texas (1pt per yr, max 5 - not including Lockhart)		5	0	0
Mobilization Fee (10, 5, 0 low to high)		5	10	0
Labor Fees (10,5,0 low to high)		10	5	10
Paint-Oil Fees (10,5,0 low to high)		10	5	0
Available May 14, 2015		Yes	Yes	Yes
	TOTAL	55	40	30



Stericycle
Environmental Solutions

PROPOSAL RESPONSE

FOR

CITY OF LOCKHART

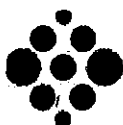
REQUEST FOR PROPOSAL FOR

HOUSEHOLD HAZARDOUS WASTE COLLECTION,

TRANSPORTATION, AND DISPOSAL

January 28, 2016

Submitted by:



Stericycle
Environmental Solutions

713-296-1165

Stericycle Environmental Solutions, Inc.

(Philip Reclamation Services Houston, LLC, a wholly owned subsidiary of

Stericycle Environmental Solutions, Inc.)

5151 San Felipe, Suite 1100

Houston, TX 77056

1-800-726-1300



Letter of Transmittal

January 27, 2016

Mrs. Julie Bowermon
City of Lockhart
308 W. San Antonio Street
Lockhart, Texas 78644

Re: RFP for Household Hazardous Waste Collection, Transportation, and Disposal

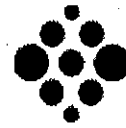
Dear Mrs. Bowermon,

Stericycle Environmental Solutions, Inc. (hereinafter referred to as Stericycle or "SES"), is pleased to submit our proposal in response to the City of Lockhart's (hereinafter referred to Lockhart) Request For Proposal for its household hazardous waste program.

Stericycle has combined with PSC Environmental Services, LLC to form Stericycle Environmental Solutions, becoming one of the largest providers of hazardous waste services in North America and offering service lines from over 60 locations. Our network of knowledgeable service representatives, local transportation hubs, and Treatment, Storage, and Disposal Facilities (TSDFs) allow for an unmatched approach to service our clients. We bring over 25 years of experience of delivering reliable, safe, and cost-effective waste management services to universities, manufacturing, municipalities, and businesses across the United States. SES has the necessary personnel, equipment, facilities, and expertise to complete the safe and efficient handling of all materials listed in the current scope of work and will comply with the contract terms and conditions set forth in the RFP.

The Lockhart HHW program will be serviced by SES's TSDF (Transfer, Storage and Disposal Facility), Philip Reclamation Services, Houston, LLC, located in Houston, TX. SES's TSDF and its affiliated transportation group will provide all the services to meet the requirements outlined in the Lockhart's RFP. SES serves many HHW programs in Texas and therefore understands state requirements.

SES will develop an operations plan for the Lockhart events and provide all required documentation that may be needed to insure compliance with all regulations (state, federal, and local). SES will also assume generator status for all waste that is collected, transported, and disposed of by SES.



The SES Project Manager will coordinate with you to inspect the collection sites and develop the Work Plan (Operations Plan) so that all aspects of the event, from planning, to site setup, to coordinating volunteer staffing, to conducting the collection event, and documentation and reporting to insure the event is well planned and executed so Lockhart can have very successful and organized collections.

SES has provided references that evidence its experience factor, professionalism, integrity, and ability to conduct the Lockhart HHW events in the most proficient and organized manner. SES delivers! We understand the requirements outlined in the RFP and will abide by such.

We sincerely appreciate your consideration of Stericycle Environmental Solutions, Inc. as partner and service provider to Lockhart's H H W program. We look forward to continuing to serve your program.

During the period of the proposal evaluation, please contact me at (512) 663.2090, to answer any questions you may have. I can also be reached at john.ranney@stericycle.com.

Sincerely,

Jack Ranney
HHW Account Manager
Stericycle Environmental Solutions, Inc.

Customer Name
Location

City of Lockhart
Philip Reclamation Svcs Houston



Waste stream		An. Vol	UOM	2016 Selling Price	Estimated Cost
Flammable Liquids (Bulk)		1.00	55	\$ 90.00	\$ 90
Oil-based paints (Loose Pack)		9	CYB	\$ 438.00	\$ 3,942.00
Aerosols		1.00	CYB	\$ 551.00	\$ 551
Organic Poisons (LabPack)		4.00	55	\$ 242.00	\$ 968
Flammable Solids		1	CYB	\$ 470.00	\$ 470.00
Pesticide Solids (250 lb. minimum)		250.00	Lb	\$ 1.31	\$ 328
Mercury		1.00	5	\$ 263.00	\$ 263
Compact Fluorescent Bulbs (25Lbmin.)		25.00	Lb	\$ 1.29	\$ 32
Compact Fluorescent Bulbs (25Lbmin.)		25.00	Lb	\$ 1.29	\$ 32
Lithium batteries		10.00	Lb	\$ 5.24	\$ 52
NiCAD batteries		40.00	Lb	\$ 0.68	\$ 27
Propanes (20 Lb)		2.00	Each	\$ 21.00	\$ 42
Alkaline batteries		61.00	Lb	\$ 0.93	\$ 57
Non-Reg Sludges, Bulkable		1.00	55	\$ 75.00	\$ 75
Treatable Oxidizers		2.00	5	\$ 75.00	\$ 150
Treatable Oxidizers		4.00	55	\$ 245.00	\$ 980
Corrosive Liquids (Loose Pack, Treatment)		1	55	\$ 183.00	\$ 183.00
Corrosive Liquid (Loose Pack, Treat)		1.00	55	\$ 183.00	\$ 183
Mobilization & Site Setup		1.00		\$ 2,500.00	\$ 2,500
Site Setup		1.00		\$ 350.00	\$ 350
On-Site Labor		1.00		\$ 1,620.00	\$ 1,620
Forklift Rental		1.00		\$ 750.00	\$ 750
Trans		0.00			
Trans (Freight/Waste)		1.00		\$ 876.83	\$ 877
Supplies					
DM55 - OT		15.00	55	\$ 45.00	\$ 675
CYB		12.00	ea	\$ 60.00	\$ 720
DM30		0.00	ea	\$ -	\$ -
Tube Box		2.00	ea	\$ 28.00	\$ 56
DM5		5.00	ea	\$ 15.00	\$ 75
Visqueen		1.00	ea	\$ 75.00	\$ 75

Total Estimated Event Cost	\$	16,123
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Notes

- 1) The above cost estimate is based on the items and quantities that were received at the 2014 Lockhart HHW Collection. It is possible other materials may be received.
- 2) The actual cost of disposal and supplies used will be dependent on the amount of waste materials received.
- 3) Mobilization is based on Stericycle providing 7 staff to service the collection event.
- 4) On-site labor is calculated based on a 5 hour collection event:

Project Manager	\$50/Hour	day of collection event
Chemist	\$45/Hour	day of collection event
Technicians	\$35/Hour	day of collection event

The number of hours on-site on the day of the collection event is estimated to be 6 hours.

Form 6b. Project Cost Evaluation

Estimated Contractor Cost of PROPOSED 2016 Event Based on Previous HHW Collection Events in Lockhart:				
Event	Households	Collector Cost	per household	
09/29/2012	68	\$7,196	\$105.82	RAINED
4/13/13	107	\$8,681	\$81.13	
10/25/2014	176	\$15,621	\$88.76	
PROPOSED April 2016	215	\$19,350	\$90.00	

- The 9/29/12 event had a low turnout due to rain during the entire event.
- The 4/13/13 event was held 6 months from the last collection event, therefore only a small amount of HHW material was brought to the event. Although 107 households participated, they each brought small amounts of HHW.
- The 10/25/14 event was held 18 months from the last collection event, therefore the amount of HHW was much greater as residents had stored HHW for at least 18 months
- The PROPOSED April 2016 event will take place 18 months from the last collection event, therefore a high number of households and HHW material are anticipated.

Match from City of Lockhart = \$2,500

In-kind from City of Lockhart

Directional signs = \$100
 Advertising = \$250
 Barricades, cones, vests = \$150
 Administrative expenses = \$400
 Staff labor = \$350

In-kind from Keep Lockhart Beautiful

Public education and outreach = \$150
 Advertising = \$200

In-kind from Plum Creek Watershed Partnership

Public education and outreach = \$150
 Advertising = \$100
 Volunteers at event = \$300

In-kind from Local Boy/Cub Scouts

Public education and outreach = \$50
 Volunteers at event = \$100

Total cost of proposed HHW event = **\$21,650**

\$21,650
 (\$2,500) of City Match
 (\$1,250) of City In-kind
 (\$350) of Keep Lockhart Beautiful In-kind
 (\$550) of Plum Creek Watershed Partnership In-kind
 (\$150) of Local Boy/Cub Scouts In-kind
\$16,850 REQUESTED AMOUNT

No administrative costs are included in the requested amount

1.25 per capita. The project will benefit the entire community of 13,500 Lockhart residents (as well as residents of Caldwell County and areas within the Plum Creek Watershed and San Marcos River).

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Form 7f: Detailed Construction Expenses

All construction projects must be pre-approved by the COG. If the specific details of the construction costs are not known at this time, list the general details on this form. The specific details of the construction will then need to be provided to and approved by the COG before the costs are incurred. For any subcontracted activities, the request for approval will need to include evidence that the contract price is reasonable and necessary (see instructions).

Types of Construction	Subcontracted Yes/No	Estimated Cost
N/A		\$
		\$
		\$
		\$
		\$
Total <i>(Must equal Line 6 of the Overall Budget Summary)</i>		\$ 0

Project Application
Form 7f

Form 7g: Detailed Contractual Expenses

All contractual expenses must be pre-approved by the COG. If the specific details of the contractual costs are not known at this time, list the general details on this form. The more specific details of the contractual costs will then need to be provided to and approved by the COG before the costs are incurred. The request for approval will need to include evidence that the contract price is reasonable and necessary (see instructions). In addition, the subcontract scope of work must be approved by the COG before work begins.

Purpose	Contractor(s)	Contract Amount
Conduct a residential household hazardous waste collection event for City of Lockhart residents.		\$ 16,850
		\$
		\$
		\$
Total <i>(Must equal Line 7 of the Overall Budget Summary)</i>		\$ 16,850

**CAPCOG FY 2016-2017 Regional Solid Waste Grants Program
RECOMMENDED RANKINGS
for Pass-Through Grants**

Applicant	Project Type*	Description	Original Amount Requested	Cash Match	In-Kind	Total Project Cost	Final Amount Recommended	FY 16/17 Allocation Remaining	Priority	Average Score
1 Bastrop County	HHW	Permanent HHW Collection Facility	\$41,792.00	\$10,800.00	\$12,624.00	\$65,216.00	\$41,792.00	\$162,416.00	1	90
2 Caldwell County	LIDC-CCE	4 Community Collection Event and Scrap Tire Collection	\$8,760.05	\$0.00	\$36,291.72	\$45,051.77	\$8,760.05	\$153,655.95	1	85
3 City of San Marcos	HHW	HHW Community Collection Event	\$10,500.00	\$7,500.00	\$12,740.00	\$30,740.00	\$10,500.00	\$143,155.95	1	85
4 Burnet County	HHW	HHW Community Collection Event	\$24,000.00	\$36,162.00	\$9,321.00	\$69,483.00	\$24,000.00	\$119,155.95	1	85
5 City of Cedar Park	HHW	FY 16 HHW Community Collection Event	\$28,000.00	\$14,186.91	\$14,525.00	\$56,711.91	\$28,000.00	\$91,155.95	1	83
6 City of Lockhart	HHW	FY16 HHW Community Collection Event	\$16,850.00	\$2,500.00	\$2,300.00	\$21,650.00	\$16,850.00	\$74,305.95	1	82
7 City of Granite Shoals	LIDC-CCE	FY16 Community Cleanup Event	\$9,355.00	\$1,431.08	\$480.00	\$11,266.08	\$9,355.00	\$64,950.95	1	81
8 Llano County	LIDC-CCE	Community Cleanup Event	\$20,000.00	\$12,530.00	\$0.00	\$32,530.00	\$20,000.00	\$44,950.95	1	81
9 AISD	SRR	Wheeled Recycle and Compost Bins	\$34,053.00	\$0.00	\$811,000.00	\$845,053.00	\$34,053.00	\$10,897.95	1	80
10 Llano PD	LIDC-CCE	Cameras	\$6,090.00	\$2,400.00	\$0.00	\$8,490.00	\$3,045.00	\$7,852.95	1	80
11 City of Georgetown	HHW	Medical Waste Collection Box	\$10,000.00	\$1,000.00	\$1,500.00	\$12,500.00	\$7,400.00	\$452.95	1	78
12 Hays County	CCS&SRTS	Forklift	\$25,329.00	\$0.00	\$10,000.00	\$35,329.00	\$25,329.00		1	77
13 City of Blanco	LIDC-CCE	Neighborhood Cleanup Event	\$5,000.00	\$0.00	\$8,000.00	\$13,000.00	\$5,000.00		1	72
14 Blanco County	SRR	Baler	\$20,000.00	\$0.00	\$5,000.00	\$25,000.00	\$20,000.00		1	70
15 City of Lockhart	HHW	FY17 HHW Community Collection Event	\$16,850.00	\$2,500.00	\$2,300.00	\$21,650.00	\$16,850.00		2	80
16 City of Granite Shoals	LIDC-CCE	FY17 Community Cleanup Event	\$9,355.00	\$1,431.08	\$480.00	\$11,266.08	\$9,355.00		2	77
17 City of Cedar Park	HHW	FY17 HHW Community Collection Event	\$28,000.00	\$14,186.91	\$14,525.00	\$56,711.91	\$28,000.00		2	75
18 City of San Marcos	SRR	Recycling Containers for Rec. Facilities	\$8,550.00	\$0.00	\$0.00	\$8,550.00	\$8,550.00		2	72
19 Caldwell County	SRR	Recycling Trailer	\$21,585.00	\$0.00	\$10,477.15	\$32,062.15	\$21,585.00		2	72
20 City of San Marcos	HHW	Forklift	\$20,000.00	\$8,000.00	\$0.00	\$28,000.00	\$20,000.00		3	76
21 AISD	SRR	Zero Waste Towers	\$51,809.00	\$0.00	\$811,000.00	\$862,809.00	\$51,809.00		2	69
22 AISD	SRR	Deskside Zero Waste Stations	\$23,707.00	\$0.00	\$811,000.00	\$834,707.00	\$23,707.00		3	67
23 City of Smithville	SRR	Chipper	\$48,999.60	\$0.00	\$52,860.00	\$101,859.60	\$44,199.00		1	69
24 Austin Community College Dis	SRR	Waste Bins	\$29,582.79	\$0.00	\$33,629.23	\$63,212.02	\$29,582.79		1	69
25 City of Taylor	LIDC-CCE	Neighborhood Cleanup Events	\$15,000.00	\$0.00	\$32,381.00	\$47,381.00	\$11,250.05		1	68

Total Requested	\$518,971.89
Total Available	\$204,208.00
Amount Recommended	\$203,755.05

Application above the bolded line above are recommended for funding

Applications in green scored above a minimum of 70 and are eligible for funding

Applications in light green remain unallocated due to limited funding

Applications in red scored below 70 and are not eligible for funding

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Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Dates: February 16, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	2-10-2016	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> 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 <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding Resolution 2016-03 that designates portions of a building as the premises of a government court or offices utilized by the court, and rooms in which meetings subject to the Open Meetings Act are held for purposes of firearms possession, including by a person who holds a license to carry a handgun				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
This resolution defines areas for the purposes of firearms possession, including a person who holds a license to carry a handgun.				
STAFF RECOMMENDATION				
City Manager and City Attorney recommend approval of Resolution 2016-03 as presented.				
List of Supporting Documents: Resolution 2016-03		Other Departments, Boards, Commissions or Agencies:		

RESOLUTION NO. 2016-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, DESIGNATING (1) THE PORTION OF A BUILDING AS THE PREMISES OF A GOVERNMENT COURT OR OFFICES UTILIZED BY THE COURT, AND (2) ROOMS IN WHICH MEETINGS SUBJECT TO THE OPEN MEETINGS ACT ARE HELD, FOR PURPOSES OF FIREARMS POSSESSION, INCLUDING BY A PERSON WHO HOLDS A LICENSE TO CARRY A HANDGUN.

Whereas, Texas Penal Code, Section 46.03(a)(3) makes it an offense for a person to carry any firearm “on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;” and

Whereas, Texas Penal Code, Sections 46.03(c)(1) and 46.035(f)(3) provide that “‘premises’ means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area;” and

Whereas, Tex. Att’y Gen. Op. No. KP-0047 (2015) (a) calls into question the common understanding that a person is prohibited from carrying a firearm into the *entire building or portion of a building* that houses a court or court office, (b) concludes that “[t]he Legislature has not clearly demarcated, or established, a precise boundary in a building or portion of a building at which handguns are prohibited or permitted;” (c) also concludes that, “[w]hile the outside limits of subsection 46.03(a)(3) may be unclear, at the very least it can be said that the Legislature intended to prohibit concealed handguns from the rooms that house government courts and offices central to the business of the courts,” and (d) further concludes that the office of the attorney general “routinely acknowledges that decisions such as [what constitutes the premises of any government court or offices utilized by the court] are for the governmental entity in the first instance, subject to the applicable review;” and

Whereas, the ambiguity in KP-0047 puts handgun license holders at risk of inadvertently committing a third degree felony, because it may be difficult for a license holder, without notice provided by a sign, to definitively know where he or she can lawfully carry a firearm; and

Whereas, the city council of the City of Lockhart, Texas finds that the most appropriate way to assist license holders to avoid an offense under Section 46.03(a)(3) and Section 46.035(c) is by determining where that carry is appropriate and providing notice by a sign; and

Whereas, Texas Penal Code, Section 46.035(c) makes it an offense for a holder of a handgun license to carry a handgun in the room or rooms where a meeting of a governmental entity is held if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provides the required notice; and

Whereas, the city council wishes to provide such notice for open meetings, pursuant to Texas Penal Code, Sections 46.035(c), 30.06 and 30.07.

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

1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

2. Texas Penal Code Section 46.03(a)(3), as interpreted by Tex. Att’y Gen. Op. No. KP- 0047 (2015), creates ambiguity in the determination of which rooms or portions of the building comprise the premises of a government court or offices used by the court, and a handgun license holder may have difficulty determining which rooms or portions of the building comprise the premises of a government court or offices utilized by the court.

3. The following rooms or portions of the Lockhart Municipal Court building are hereby designated as the premises of a government court or offices utilized by the court:

Those rooms of the court building other than the front lobby and restrooms accessed in the front lobby.

4. City staff is hereby directed to post signs at the entrance to the portions of the building that comprise(s) the premises of a government court or offices utilized by the court as designated by 3, above, identifying them as such. The signs should be conspicuously posted and contain at least the following language:

*This portion of the building houses courts and offices utilized by the court.
All weapons are prohibited pursuant to Penal Code Section 46.03(a)(3).
An offense under that section is a third degree felony.*

5. Open meetings of the City that are subject to Chapter 551, Texas Government Code, should provide notice to handgun license holders that handguns are not to be carried into the meetings.

6. City staff also is hereby directed to conspicuously post signs at City open meetings that are subject to Chapter 551, Texas Government Code and for which notice is provided as required by that chapter, giving notice that handguns cannot be carried into the meetings, as provided in Texas Penal Code, Sections 46.035(c), 30.06 and 30.07.

7. Severability: If any provision, section, clause, sentence, or phrase of this resolution is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remainder of this resolution or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this resolution 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 herein.

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

Passed, approved and adopted this the _____ day of February, 2016.

CITY OF LOCKHART, TEXAS

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC
City Secretary

Peter Gruning
City Attorney



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>VR</i>		<i>2.10.2016</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <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				
CAPTION				
Discussion and/or action authorizing discussions with the Caldwell County Judge and Commissioners Court about shared costs for the purchase of a new Emergency Medical Services ambulance that is needed				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
Seton, the management firm for the City of Lockhart EMS which covers 60% of northern Caldwell County, has presented information and data that supports the need to replace two ambulances in the near future. Information provided by Seton is in this packet supporting the need. The current cost of one ambulance with Advanced Life Support (ALS) capabilities is \$199,000 according to the specifications presented by Seton. More than \$30,000 was spent on repairs and maintenance during 2015 for the 4 medic units.				
STAFF RECOMMENDATION				
City Manager respectfully requests approval to proceed with discussions with the County Judge and Commissioners about funding participation at 50% for the purchase one new ambulance as soon as possible.				
List of Supporting Documents: Seton Medic Unit Information , and new ambulance information		Other Departments, Boards, Commissions or Agencies:		

Vance Rodgers

From: Olufs, Erik R. <EOlufs@seton.org>
Sent: Thursday, February 11, 2016 12:21 PM
To: Vance Rodgers
Subject: Ambulance
Attachments: Demers Safety Presentation Final.pdf

Good Afternoon, Vance,

Please, find the attachment that includes information on the Demer's ambulance as well as the justification for the increase in the cost of the ambulance.

Justification for increased cost of an ambulance purchase for the City of Lockhart EMS:

1. Manufacturer price increases usually run 5%-8% per year and the last year an ambulance was purchased was Dec 2013. At 8% on a \$135,000.00 ambulance (price of last one purchased) you are looking at just under \$11,000 price increase without adding any safety features.
2. F450 versus F350 Chassis results in more useable payload, stronger frame and chassis components resulting in potentially less maintenance costs over the life of the vehicle.
3. Liquid Spring Suspension- Cost versus benefit equates to extremely better ride quality for patients and crew. The liquid spring suspension is proven to absorb most of the roughness and vibration of the road. This also equates to potential less wear and tear on interior module components. General vibration and roughness of the whole vehicle w/o added suspension components has proven to lessen the life of interior components.
4. Back-up camera- It's proven that most incidents/mishaps happen while backing and on most calls you only have 2 personnel with one in the back and one driving. This greatly reduces our chances of backing mishaps.
5. Oxygen Cylinder Lift – Cost versus benefit. A hydraulic lift greatly reduces the chances of a back injury. The weight of the cylinder is approximately 140 pounds apiece and you have to manipulate these tanks into a very tight, confined space within the side compartment of the truck. The automatic lift drops out of the compartment to the ground and the tank can be set in place and secured then automatically lifted back into the unit. The medic does not have to lift the oxygen tank at all with this device.
6. Forward facing mobility track seating-We have heard from multiple manufacturers that the federal government is pushing for ambulance manufacturers to do away with the squad bench, which has been a standard for over 40yrs. Having medics seat-belted in a forward facing position is huge step toward safety and innovation in our industry.
7. Aluminum frame, cabinetry, shelving and countertops versus wood- Aluminum is much lighter than wood. Lighter equates to better/more payload capacity and less weight on the chassis. This also results in less wear and tear and potentially reducing maintenance costs. Aluminum is stronger than wood and will hold up better and last longer than the wood construction. It is also a safety factor when you construct the interior and exterior out of aluminum. The service life of the box will also increase and make remounting the box in the future a greater possibility.
8. 150" module (box) versus 170" module- The 170" module provides more room and cabinet space due to losing the storage space under where the bench seat would normally go. The slightly bigger module also provides for

more exterior storage space. Right now all of our exterior storage compartments are crammed full due to lack of outside storage space. The 170" module also provides for better weight distribution due to being on a longer wheelbase. The added benefit of better weight distribution results is also a safety factor for both crew and patient.

The manufacturer's price increase and safety innovations in ambulance manufacturing are the added costs over the last purchase in 2013. This is a justifiable increase for the safety of our crews and patients we serve.

Please, let me know if you have any questions or concerns that I can address.

Thank you for considering our request for a new ambulance.

Erik Olufs, NRP, LP
Director of EMS
Caldwell County EMS
Seton Healthcare Family
512-398-7320- Lockhart Office
830-875-9699- Luling Office
512-626-9882- mobile

CONFIDENTIALITY NOTICE:

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This email was scanned by Bitdefender

Demers Testing Philosophy

DEMAND SAFETY.



DEMAND DEMERS.
www.demers-ambulances.com



Demers Certifications

USA

FMVSS of DOT
KKK-1822 of GSA
AMD / NTEA

Canada

CMVSS of Transport Canada
NQ1013-110 (BNQ: Quebec)
British Columbia MOH (Ministry of Health)
Ontario MOH
Alberta MOH
Island EMS MOH (Maritimes)

Unlike other manufacturers,
Demers offers ambulance models that
meet all of North America's ambulance certifications and
standards including the most stringent of all.

DEMAND DEMERS.
www.demers-ambulances.com



What's in it for you ?

Quality Of Testing

- Canadian requirements are much more stringent than US KKK, so with Demers, your ambulance exceeds all US safety, durability and quality requirements. The end result is a higher quality, more durable product at competitive prices.
- All Demers ambulance configurations offered in the US were tested, documented and signed-off by certified engineers;

Quantity of Testing

- Thus **every Demers model and every Demers configuration** sold in Canada and in the USA is engineered to meet the most stringent of all North American requirements.

DEMAND DEMERS.
www.demers-ambulances.com



Testing Requirements

Many Canadian requirements are much harder to pass than comparable USA AMD tests

Test	AMD Minimum pass	Highest Minimum pass	Certification	Demers Result
Cot Retention Pull Test	2200 lbs.	3800 lbs.	MOH	5000+ lbs.
Ceiling Grab Rail Pull test	300 lbs. on grab rails	500 lbs. on grab rails + all grab handles	MOH	550-600 lbs.
Sound Level Test – Front cabin	N/A	89 Db with windows open 6" 84 Db with windows closed	BC-MOH	86 Db – Windows Open 82 Db – Windows Closed
HVAC 30 minutes	Heat: 32 F to 70 F AC: 95 F to 78 F	Heat: 1 F to 70 F AC: 95 F to 73 F	QC-BNQ	Quebec MX 160 model passed the AMD test in 11 minutes
Weight Distribution	20% on front axle	30% on front axle	Canada DOT	36,5%



Testing Requirements

Some tests are exclusive to Canadian standards

All Demers US models are engineered to pass these same tests

Test	Highest Canadian Minimum Pass	Certification
Medical Cabinet Pull Tests	25x the weight of the cabinets Streetside cabinetry: 7800 – 9000 lbs ALS cabinetry: 4000 lbs	QC-BNQ AB-MOH
Safety Net Pull Test	3000 lbs. on the net 5000 lbs. divided on the anchor points	AB-MOH
Equipment Restraint Pull Tests	All nets, shelves & straps restraining equipment need to be pull tested to 10x the weight of the equipment and restraint	AB-MOH

DEMAND DEMERS.
www.demers-ambulances.com



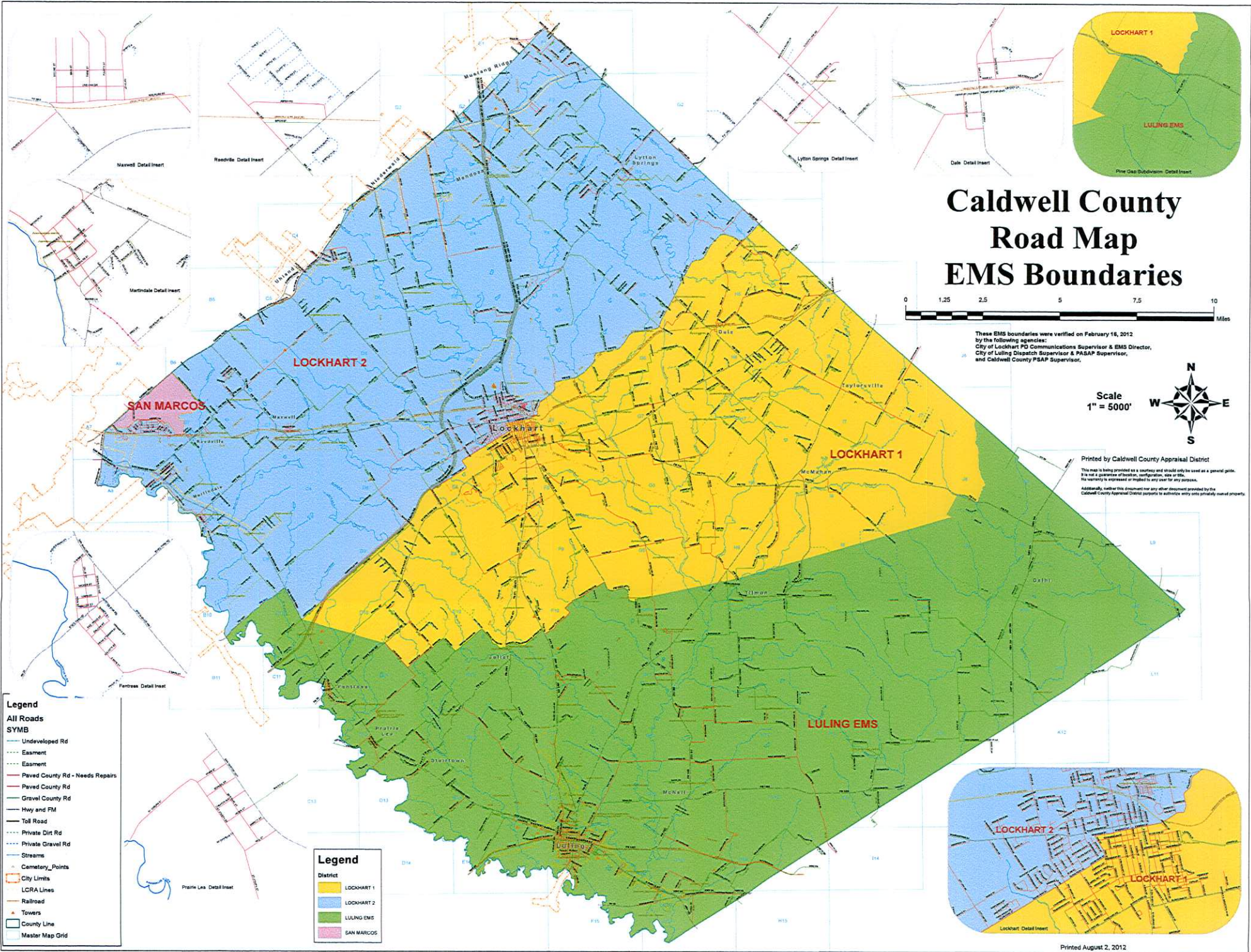
Lockhart EMS 2015 Monthly Report

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS	% Annual	Notes	Time Allocation
Total Calls	228	226	191	238	260	243	282	276	238	244	220	221	2867			
Patients	236	232	193	244	263	244	285	289	236	245	223	224	2914			
Transported	173	159	126	161	173	165	188	200	156	168	153	156	1978	68%	Transport	
NPT/canceled/AIR	63	73	67	83	90	79	97	89	80	77	70	68	936			
Destination																
Brackenridge	17	9	8	9	9	5	9	8	7	5	4	10	100	5.0%		
CTMC	27	26	27	21	39	28	48	43	32	34	36	25	386	19.3%		
Dell Children's Hosp	8	8	9	4	8	7	3	8	5	11	4	11	86	4.3%		
Heart Hospital	1	1	0	1	0	0	0	0	0	1	0	0	4	0.2%		
North Austin	0	1	0	0	0	0	0	0	0	0	0	0	1	0.1%		
Seton EBD	41	38	25	36	24	41	40	26	31	35	27	15	379	19.0%		
Seton Hays	68	61	47	75	84	76	74	106	76	77	77	82	903	45.2%		
South Austin	9	3	8	9	6	4	10	3	4	3	4	10	73	3.7%		
St. David's	2	5	1	5	2	2	3	4	0	1	1	1	27	1.4%		
St. David's Bastrop	0	0	0	0	0	0	0	0	0	0	0	1	1	0.1%		
Seton Medical	0	2	0	1	1	2	1	2	1	1	0	1	12	0.6%		
Seton Northwest	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%		
Scott & White	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%		
Resolute ER	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%		
other (air, christus nb)	0	5	2	1	0	0	4	3	0	5	2	4	26	1.3%		
Zone Breakdown													1998			
Lockhart	149	164	126	159	153	174	166	173	156	152	145	138	1855	68.6%	City	42%
County	87	68	67	85	110	70	119	116	80	93	78	86	1059	36.3%	County	58%
Miles Driven																
M2 - (2008) 196,746	302	392	49	295	91	613	567	541	701	4	1387	1104	6046	6.0%	Use	
M3 - (2013) 97,169	4568	1891	3428	3430	3652	2423	4598	3258	4274	4074	3426	2785	41807	41.4%	Use	
M4 - (2013) 124,295	3571	3937	3037	3579	4795	3553	4813	988	3043	2587	3985	2785	40673	40.3%	Use	
M5 - (2011) 125,779	330	2287	275	1307	1168	2136	817	2173	813	261	369	507	12443	12.3%	Use	
Updated 01-01-2016	8771	8507	6789	8611	9706	8725	10795	6960	8831	6926	9167	7181	100969			

Annual Average Miles per Patient 35
Annual Average Miles per Transport 51

Miles on Units

86



Caldwell County Road Map EMS Boundaries



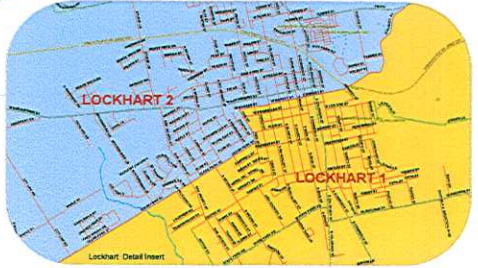
These EMS boundaries were verified on February 16, 2012
by the following agencies:
City of Lockhart PD Communications Supervisor & EMS Director,
City of Luling Dispatch Supervisor & PASAP Supervisor,
and Caldwell County PSAP Supervisor.



Printed by Caldwell County Appraisal District
This map is being provided as a courtesy and should only be used as a general guide.
It is not a guarantee of location, configuration, size or title.
No warranty is expressed or implied in any case for any purpose.
Additionally, neither this document nor any other document provided by the
Caldwell County Appraisal District purports to authorize entry onto privately owned property.

- Legend**
All Roads
SYMB
- Undeveloped Rd
 - Easment
 - Easment
 - Paved County Rd - Needs Repairs
 - Paved County Rd
 - Gravel County Rd
 - Hwy and FM
 - Toll Road
 - Private Dirt Rd
 - Private Gravel Rd
 - Streams
 - Cemetery_Points
 - City Limits
 - LCRA Lines
 - Railroad
 - Towers
 - County Line
 - Master Map Grid

- Legend**
- LOCKHART 1
 - LOCKHART 2
 - LULING EMS
 - SAN MARCOS





Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	2-12-2016	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <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				
CAPTION				
Discussion and/or action regarding recommended approval of agreement with Austin Wood Recycling to provide supervision, labor, equipment, trucks, and the tub grinder to grind up large tree trunk and log stockpiles, and to haul off the grindings for an amount not to exceed \$26,345				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): Costs will be covered with budget and adjustments in Solid Waste				
SUMMARY OF ITEM				
Stockpiles of mostly large tree trunks and logs must be removed about every 4 to 5 years from the old landfill. These items are too large for the City's brush chippers to handle. Companies, after looking at the stockpiles, provided submittals to provide all the services required to grind up the tree trunks and logs, and to haul away the grindings. Austin Wood Recycling submitted the best price of \$26,345. Lockhart has used this company before and they did a good job.				
STAFF RECOMMENDATION				
City Manager and Public Works Director both recommend approval.				
List of Supporting Documents: Submittals		Other Departments, Boards, Commissions or Agencies:		

AUSTIN WOOD RECYCLING
3875 E. Whitestone Blvd.
Cedar Park, TX 78613



Ph: (512) 259-7430 Fx: (512) 259-6482
info@austinwoodrecycling.com
www.austinwoodrecycling.com

December 7, 2015

Lee Weatherford
City of Lockhart
P O Box 239
Lockhart, TX 78644
Ph: 512-398-3461
Ph: 512-376-8149 cell
lweatherford@lockhart-tx.org

512 690 4104

****REVISED****

RE: BRUSH YARD ON MLK INDUSTRIAL BLVD.

(NOTE: Final price will be based on total acreage size. If prior arrangements have been made negating the above statement, the details will be enclosed in this proposal.)

Austin Wood Recycling proposes to grind and haul (or combination thereof) wood waste material. Please note these prices are figured for loose, non-compacted wood waste disposal only. Dirt, rock, and/or any other foreign or man-made materials are not included in this bid. NOTE: Grinding operations may cause a dusty environment. If customer pushes brush too close to housing (i.e. +/- 300 feet), causing the need for a water truck to suppress the dust, there will be an extra charge for Austin Wood Recycling to supply one. However, Contractor may provide their own, at no cost to Austin Wood Recycling, and in no case may it slow down our grinding operation. Please sign and return this proposal for our files. Your options are as follows:

Grind & Haul Only:

Clean mulch only, no rock, dirt, and or any other foreign or man-made materials. AWR will load boxes while our equipment is on site grinding. The cost for this service will be:

\$26,345.00 plus tax if applicable

Grind Only: (+/- 17,500cvds)

We will grind and leave the mulch where it drops. The general contractor is responsible for all clearing, grubbing & pushing material. Material must be free of rock & dirt as possible. Brush piles should be pushed into loose piles which are easily accessible for a low clearance (low boy style) tub grinder. The cost for this service will be:

\$21,250.00 plus tax if applicable

Note: AWR has openings in the schedule the next 2 weeks. Starting January 2016 we have a lot of back logged projects starting.

Prices include any and all supervision, insurance, equipment and labor.

Prices do not include the removal of rock and dirt.

PLEASE NOTE: QUOTED PRICES ARE GOOD FOR ONLY 60 DAYS.

ALL INVOICES ARE DUE 10 DAYS UPON RECEIPT.

Invoices Past 30 Days Will Be Assessed Finance Charges Equal To 18% Annual Interest (1.5% Monthly)
VENUE FOR ANY AND ALL DISPUTES ARISING OUT OF THIS AGREEMENT WILL BE TRAVIS COUNTY, TEXAS.

Approved & Accepted (PLEASE COMPLETE INFO BELOW & RETURN FOR OUR FILES):

Signed: _____ Name (printed): _____

Title: _____ Date: _____

Physical jobsite address: _____

Name of Project Owner: _____

Owner Address: _____

Ph/Fax/Email: _____

Sincerely,
Mike Yaw
Superintendent
AUSTIN LAND SERVICE
AUSTIN WOOD RECYCLING

Austin Tree Experts

Professional Arborist Services

(512) 996-9100

Daniel's mobile phone:

Daniel@austintreeexperts.com
Fax: (512) 996-9116



December 28, 2015
Vance Rodgers
City of Lockhart
1801 S Colorado St
Lockhart, TX 78644

We hereby submit specifications and cost estimate for:

Tree Species	Tree Location	Details	Price
		Grind brush pile at city lot adjacent to airport. This line item is for grinding and leaving resulting mulch on site. THIS IS AN ESTIMATE ONLY. Cost of tub grinding services is \$3000 base rate plus \$4000 per day. We estimate 15 days to complete work, but actual charge will be based on time on site. Deposit equal to base rate plus one day of work (\$7000) due before beginning of work.	\$63,000.00
		This line item is for removal of mulch from site. THIS IS AN ESTIMATE ONLY. Cost of mulch removal is \$500 per 40 cubic yard roll off bin. We estimate 10k cubic yards of mulch, based on estimate of 20k cubic yards of brush provided by customer and average reduction factor for old/compacted brush of 2:1. Actual charge will be based on actual number of roll off bins filled.	\$125,000.00

Notes:	Terms	Sales Tax
	5 days	8.25% *not included in price

Our Expert Service Always Includes:

- Sterilized equipment and treat wounds on trees susceptible to Oak Wilt
- Removal of all debris

Arborist:
Daniel Priest
15 years serving Austin
Insured for your protection
References available



We Propose to furnish materials and labor, complete in accordance with the above specifications, for the estimated sum of: **\$188,000.00 Plus Tax.** Payment due within 5 days of completion.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are accepted by the Homeowner. Austin Tree Experts is authorized to do the specified work. Payment will be made in the amount written above. Scheduling of the job constitutes acceptance of the proposal and the terms and conditions as stated above.

Homeowner or authorized representative..... Date.....

Austin Tree Experts representative: Daniel Priest

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Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	<i>2-8-2016</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers			
ACTION REQUESTED: <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			
CAPTION			
Discussion and/or action approving schedule and proceeding with the construction bid process for the 2015/2016 (PY) Texas Community Development Block Grant project that installs an 18" treated water transmission line funded by the Texas Department of Agriculture (TDA)			
FINANCIAL SUMMARY			
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
BALANCE	\$0.00	\$0.00	\$0.00
FUND(S):			
SUMMARY OF ITEM			
Council approved applying for this grant by Resolution 2015-04. The TDA grant was approved in the amount of \$275,000 with an additional local match of \$80,000. Construction Plans have been completed for the 18" treated water transmission line to be installed from the water plant to near Serta Mfg. Staff is ready to advertise publicly for project bids. Approval by Council to proceed is required.			
STAFF RECOMMENDATION			
City Manager respectfully requests approval to proceed with the bid process for this TDA funded project.			
List of Supporting Documents: Resolution 2015-04		Other Departments, Boards, Commissions or Agencies:	



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: February 17, 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: <input type="checkbox"/> 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 <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding Resolution 2015-04 authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund, and authorizing the Mayor to act as the City's Executive Officer and authorized Representative in all matters pertaining to the City's participation in the Community Development Block Grant Program				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PREVIOUS YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): \$80,000 from Water Unrestricted Fund Balance if approved and awarded				
SUMMARY OF ITEM				
This grant is for \$275,000 and would be for a treated water transmission line from the Lockhart Water Plant to near the Serta Manufacturing Plant on Blackjack. If approved by Council, and if the grant is awarded, the local match of \$80,000 will come from the Water Unrestricted Fund Balance.				
STAFF RECOMMENDATION				
City Manager respectfully recommends approval of the resolution as presented.				
List of Supporting Documents: Resolution 2015-04, Map showing treated water transmission line		Other Departments, Boards, Commissions or Agencies:		

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A RESOLUTION OF THE CITY COUNCIL OF CITY OF LOCKHART, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Lockhart desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Lockhart to apply for funding under the 2015/2016 Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be submitted on the behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$275,000.00 of grant funds to carry out Water System Improvements.
4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition and civil rights requirements.
6. If awarded A TxCDBG Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Block Grant Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Texas Community Development Block Grant Program contractual documents.
7. If awarded the TxCDBG Contract, the City Council designates the persons holding the following positions as authorized signatories on any account in which funds from the Texas Community Development Block Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Financial Officer. Any two signatures of the forenamed persons are required to withdraw monies from such account.
8. That it further be stated that the City of Lockhart is committing \$80,000.00 from its Utility Funds as a cash contribution toward the construction, engineering and administration activities of the Water System Improvements Project.

PASSED AND APPROVED this 17th day of February, 2015.

Lew White
Lew White, Mayor
City of Lockhart, Texas

ATTEST:

Connie Constanancio
Connie Constanancio, City Secretary
City of Lockhart, Texas


CITY OF LOCKHART
2015 (PY) TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT
TEXAS COMMUNITY DEVELOPMENT FUND SCHEDULE

WATER DISTRIBUTION SYSTEM DEVELOPMENT IMPROVEMENTS
(Water Distribution System Improvements and Related Activities)

Project Implementation Schedule


Phase ①: Water System Improvements

Proposed Timeline
(TxCDBG Contract # 7215300)

Start of Field Surveying and Design Layout: 

Authorization from City Council to Bid Project:

Proposed Timeline

Bid Advertisement Date #1:	①	4-21-2016
Bid Advertisement Date #2:	②	4-28-2016
4-month Conference Call/Meeting	③	2-15-2016
TCDP 10-Day Call: (General Wage Rate Decision)	④	5-2-2016
Bid Opening: (Time & Place)	⑤	5-10-2016 11am
TCDP Contractor Eligibility Clearance:	⑥	5-11-2016
City Council Meeting, "Contract Award":	⑦	5-17-2016 7:30pm
Pre-Construction Meeting & Notice to Proceed:	⑧	6-14-2016
Execution of Construction Contract Agreement:	> ⑨	6-6-2016
Notice of Start of Construction:	⑩	6-24-2016
Estimated Days for Construction Completion:		± 120 Days (4 Months)

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EXHIBIT A

PERFORMANCE STATEMENT

CITY OF LOCKHART

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The City of Lockhart has water mains that are undersized, resulting in inadequate distribution capacity.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting LMI persons with at least 51% of the beneficiaries qualifying as LMI.

ACTIVITIES

Water Improvements Contractor shall install an additional water main to improve the City's distribution capacity. Contractor shall install approximately two thousand one hundred fifty linear feet (2,150 l.f.) of eighteen-inch (18") water main, hydrants, valves and fittings, and all associated appurtenances. Construction shall take place cross-country, from the water treatment plant to a point southeast of the end of Industrial Blvd.

These activities shall benefit nine thousand eight hundred thirty (9,830) persons, of which five thousand five hundred ninety (5,590) or fifty-seven percent (57%) are of low- to moderate-income.

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

EXHIBIT B

BUDGET

CITY OF LOCKHART

<u>Project Activities</u>	<u>Contract Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
03J_W Water Improvements - Total	\$275,000	\$42,000	\$317,000
Water Improvements-Construction	\$269,000	\$0	\$269,000
Water Improvements-Engineering	\$6,000	\$42,000 ¹	\$48,000
21A General Program Administration - Total	\$0	\$38,000 ¹	\$38,000
TOTALS	\$275,000	\$80,000	\$355,000

Source of Other Funds:

1 – City of Lockhart, Utility Fund

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EXHIBIT C

PROJECT IMPLEMENTATION SCHEDULE

CONTRACT START DATE
October 15, 2015

CONTRACT END DATE
October 14, 2017

If Contractor fails to meet milestones in accordance with this schedule, the Department will withhold payments to Contractor until such milestone has been completed.

Activity To Be Completed by Date Specified:		Milestone Date
Procurement of Professional Services Completed	Month 2	12/15/2015
4-Month Conference Call / Meeting Completed ⁽¹⁾	Month 4	2/15/2016
Plans and Specifications Completed	Month 6	4/15/2016
Plans and Specifications Submitted for Approval (as required ¹)	Month 6	4/15/2016
Environmental Review Completed	Month 6	4/15/2016
Clearance of Pre-Construction Special Conditions	Month 8	6/15/2016
Wage Rate 10-Day Confirmation	Month 8	6/15/2016
Construction Contract Awarded & Executed	Month 9	7/15/2016
Construction - 50% TxCDBG project complete	Month 14	12/15/2016
Construction - 75% TxCDBG project complete	Month 17	3/15/2017
Construction - 90% TxCDBG project complete	Month 19	5/15/2017
Construction & Final Inspections Completed	Month 20	6/15/2017
End Date of Contract	Month 24	10/14/2017
Close-out documents submitted to Department (60 days after End Date)	Month 26	12/13/2017

⁽¹⁾ See TxCDBG Project Implementation Manual

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Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016			
Department: City Manager		Initials	Date
Department Head: Vance Rodgers	Asst. City Manager		
Dept. Signature: <i>[Signature]</i>	City Manager	<i>[Signature]</i>	2-12-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers			
ACTION REQUESTED: <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			
CAPTION			
Discussion and/or action regarding the recommended approval to purchase from Wildfire Truck and Equipment a slide in firefighting unit to be installed on an existing F-350 truck in the amount of \$18,768.80; this unit will be used for initial response to most fires.			
FINANCIAL SUMMARY			
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS
			TOTALS
Budget			\$0.00
Budget Amendment Amount			\$0.00
Encumbered/Expended Amount			\$0.00
This Item			\$0.00
BALANCE	\$0.00	\$0.00	\$0.00
FUND(S): 2015 CO			
SUMMARY OF ITEM			
City of Lockhart fire response records, and those nationally, indicate that 85% of reported fires can be extinguished effectively by two firefighters using a 1 3/4" hose with water that is carried on the truck. This unit will provide Lockhart's firefighters with the capability to respond to most fires in an effective and efficient manner.			
STAFF RECOMMENDATION			
City Manager and Fire Chief both respectfully request approval of the purchase.			
List of Supporting Documents: Documentation about the unit and services		Other Departments, Boards, Commissions or Agencies:	

Vance Rodgers

From: Joseph Gorman
Sent: Thursday, February 11, 2016 12:58 PM
To: Vance Rodgers
Subject: Rescue - Lockhart's slid in tray drawing & a photo of similar slide in tray on vehicle.
Attachments: Lockhart slide in tray.PDF; Slide out unit 142back (Small).jpg; 142slide.jpg

Vance, as requested:

Photos & drawing

National statistic - 85% of all fires are extinguished by;

- 1 fire engine,
- using the water it brought to the scene
- applied with one 1 3/4 inch diameter hose

Chief Joseph A. Gorman

This email was scanned by Bitdefender



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WILDFIRE TRUCK & EQUIPMENT SALES

5313 Big Six St.
Alvarado, TX 76009
888-452-2701, fax 817-783-6622

QUOTE FOR LOCKHART FIRE DEPT.

COMMAND VEHICLE

January 14, 2016

Vehicle: Customer Supplied F350 Super Cab with 8' bed

Department Graphics and Striping Per Department Specifications

Rear Chevron

DCU Aluminum Topper for 8' Bed, Painted to match Truck

No Front Window

Double Full Door Rear / Door Glass

Full Door Drivers Side / Tool Box / No Glass

Double Doors Passengers Side / Tool Box / No Glass

Back Door Slick Lock

Extend Bed Slide out with Command Center Lockhart Design EB2090

Warning & Electrical:

1-Whelen Liberty 54" 16 LEDs with Alley and Take Downs

1-Whelen 295SLA6 Siren Amp & Switch Control

1-Whelen SA315P Siren Speakers

2-Whelen M4RC Series Red / White with Clear Lens, Lower Front Warning

2-Whelen M4R Series Red with Clear lens mounted rear sides for intersector

2-Whelen ION Series 2-Red with Clear Lens, Rear Upper of Topper

2-Whelen VTX609R Vertex Red, mounted in tail lights

1-WBUA112 Back Up Alarm

2-Whelen F36PC Interior LED Lights for topper

1-Havis C-2410 Console with Map box, Mic Clip, Arm Rest

2-Whelen LINZ6 1-Red Driver Side Lower Warning (On Running Board)

2-Whelen LINZ6 1-Red Passenger Side Lower Warning (On Running Board)

3-Whelen Perimeter PELCC LED lights mounted for scene lighting

1-Kussmaul Auto Eject Charging System

1-Master Disconnect

1-12 Volt Electrical to command center

1-Install Customer Supplied Radio Cab & Rear Command Center

Wildfire Equipment & Installation Price: \$18,768.80

Total \$18,768.80

Note: Vehicle pricing is good for 30 days

Training, and Service Manual Included

David Evans

January 14, 2016

Dennis

\$24,714.-

AMI-FIRE EQUIPMENT
Ag-Meier Ind. LLC
FIRE DIVISION - BRENHAM, TEXAS
4501 HWY 290 WEST, Brenham, Texas 77833
PHONE: (855)377-9005 FAX: (844) 273-7055
Email- dennis@ami-fire.com www.ami-fire.com

SPECIFICATIONS

"RESCUE"

LOCKHART FIRE DEPT.

12/29/15

CHASSIS

CHASSIS:

The truck shall be furnished by Lockhart Fire Dept. and delivered to manufactures facility in Brenham TX. The truck shall be a 2016 Ford F350 Super Duty, Crew Cab. The cab color shall be Race Red. The fabricated rescue unit shall be mounted on the customer furnished truck at the manufacture's facility.

CHASSIS SPECS:

Crew Cab
Wheel base-172.4"
Bed- 96"

BED TOPPER*

- (1) ARE DCU camper AREDCU29, painted to match truck, single side door with standard toolbox and shelving (opt. 1) on driver's side , double side door with standard toolbox and shelving (opt. 9) on passenger's side, double full rear door
Opt 1 shelving will be a single shelf the length of the tool box
Opt 9 shelving will be a single shelf the front half and no shelf on the rear half of toolbox

*ARE will have a price increase after 1/4/2016

EXTENDOBED

- (1) EB-1590-90" ExtendObed Heavy Duty steel frame assy, w/ full extension lock, (48"W x 90"L) w/ short side rails

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STORAGE UNIT

Unit will resemble the layout in the Lockhart provided pictures. A double shelf on driver's side with lower portion divided, floors lined with TURTLE TILE. Center will be a compartment for a standard Stokes basket. Passenger's side will be one shelf with the floor lined with TURTLE TILE. Tool mounting hardware not included.

LETTERING AND STRIPING

LETTERING

Lockhart

FIRE RESCUE on both cab doors

RESCUE Centered on rear side doors of DCU Topper
Gold with black shadow

Striping: Reflective

Lower section of cab doors and along the bed

1-4-1 striping, 1" Gold, 4" Black

Chevron 6"

Alternating red/yellow reflective chevron in an inverted V pattern (45 degree) on rear unit doors and rear bumper.

Reflective striping will meet NFPA standards.

NOTE: Final lettering and striping will be agreed upon at the pre-build meeting.

EMERGENCY LIGHTING AND EQUIPMENT

LIGHTBAR:

WHELEN 54" LIBERTY II LIGHTBAR SUPER LED with flashers, alley and take downs

REMOTE LED WARNING LIGHTS:

(2) WHELEN M4 Series Linear Super-LED® Surface Mount, M4D split RED/WHITE with clear lenses
Front grill

(2) WHELEN M4 Series Linear Super-LED® Surface Mount, M4R RED with clear lenses
Rear fenders

(2) WHELEN ION™ Surface Mount Series Super-LED®, IONSMR RED with clear lenses
Rear upper of topper

(2) WHELEN Vertex™ Super-LED® Light, VTX609R
Tail lights

(2) WHELEN LINZ6™ V-Series™ Linear Super-LED® Lighthead
Under driver and passenger side doors

TOPPER LIGHTING:

(2) WHELEN Fluorent Plus™ Series Super-LED™ Compartment Tube Lighting, F36PC

SCENE LIGHTING:

(3) WHELEN Perimeter Enhancement Light, Super-LED®, Steady White PELCC. One on each side of topper and one on the rear. The lights will be connected to a switch in console.

ELECTRICAL

SIREN/SPEAKER:

WHELEN 295SLA6 siren
WHELEN SA315P speaker

BATTERY CHARGING SYSTEM:

KUSSMAUL #51-03-1106 1000 battery charge with Super Auto Eject (YELLOW) and bar graph.

BACK UP ALARM: (NFPA REQUIRED)

STARALARM # 60-107_107 db. COMPACT CAST ALUMINUM

MOBILE RADIO, COAX, ANTENNA:

Supplied by LOCKHART VFD
Installation by Ag-Meier

MASTER SWITCH:

175 AMP CONTINUOUS, 250 AMP SURGE (Cole Hersee # 75904-01-BX) w/ 150 amp resettable circuit breaker inline. All electrical equipment added to rescue truck will be controlled by the master switch.

WIRE, CONNECTORS & SUPPLIES:

All fasteners will be stainless bolts with zinc plated nuts unless noted

All wiring will be color coded and labeled at breaker box.

Wiring diagram will be provided

Protective loom in engine compartment will be cut and heat resistant

Any wiring that passes through a metal surface will be protected with a rubber grommet.

MISCELLANEOUS

CONSOLE MOUNT:

JOTT- DESK, Floor Mount Fire/EMS console # 425-6248 with arm rest and 3 Outlet DC Power Supply 425-2968

LABOR AND INSTALLATION OF ALL EQUIPMENT:

Weight tickets (empty & full) and all paperwork for equipment shall be placed in a three ring binder with the vehicle

PRICE/PAYMENT/TERMS

Texas Department of Motor Vehicles Converter License No: 119671
Representative License No: 119672

AG-MEIER PRICE

\$ 24,714.00

Price other than ARE good for 30 days

PAYMENT:

No down payment is required. Payment will be due after acceptance of the finished truck

DELIVERY FOB BRENHAM TX:

The rescue truck shall be ready for pick up approximately 90 working days after receipt and acceptance department supplied truck at Ag-Meier Industries' office in Brenham, TX unless prevented by delays due, but not limited to: strike, inability to obtain materials or equipment, production or manufacturing problems or other causes beyond Ag-Meier Industries' control. Ag-Meier Industries shall not be liable for any incidental damages caused by delays in delivery.

WARRANTIES.

Ag-Meier Ind. has a minimum of one year warranty on material and workmanship of apparatus. Whelen LED lights has a 5yr replacement warranty

Deluxe Commercial Unit (DCU) Limited 3-Year Warranty

All A.R.E. Deluxe Commercial Units purchased on or after April 1, 2004 are covered for a period of three (3) years against structural and/or paint defects. This warranty applies to the unit body, which includes the exterior skin, framework and mounting rails only. A.R.E. warrants to you, the original retail purchaser of an A.R.E. Deluxe Commercial Unit for a period of three (3) years, that the exterior (if custom painted to your vehicle's paint code) will not abnormally fade or peel due to material or workmanship defect.

Extendedobed 1 year on material and workmanship, 20 years on material only to original purchaser
Kussmaul 2 year warranty on charger

Ag-Meier Ind. will assist with all service work, warranties and problems associated with all equipment added to the Brush Truck.

Dennis Lebeda
9795616893
AMI-FIRE Equipment

NEEL Fire Protection Apparatus, INC.

Serving Fire Departments SINCE 1960
Texas Motor Vehicle License 101005 & A101978
P O BOX 20126, TEXAS 76702 - 0126
1118 IH - 35 North (exit 338-B) WACO, TEXAS 76705
800-433-3402 / 254-799-9176 Fax 254-799-9248
Email neel@texnet.net www.neelfire.com

Buy Board Contractor & Member of the Better Business Bureau

December 31, 2015

Revised 1/27/16

Fire Chief Joseph A. Gorman
Lockhart Fire-Rescue Department
201 West Market St
Lockhart, TX 78644
512-398-2321
jagorman@lockhart-tx.org

REF:

Chief Gorman:

We at NEEL Fire Protection Apparatus, INC. appreciate the opportunity to provide our proposal for the Up Fit of your Rescue Truck.

If you have any questions, call or email me.

View our Web Site to see some of our recent deliveries. References are available.

Call us for any other of your fire fighting equipment needs.

Thank you.

Gene Lednicky
Gen. Mgr.
Encl: Spec's

NEEL Fire Protection Apparatus, INC.

Serving the Fire Service Needs Since 1960

Rescue Truck UP FIT Unit Specification

December 31, 2015

Revised 1/27/16

Light Bar will be a ShoMe

57" **NEW FEATURE CHAMELEON** bar that functions as an emergency light bar while in route and can at the **FLIP OF A SWITCH**, turn the front section into a **MASSIVE SCENE LIGHT. Alley light on each side. Choice of colors in bar. ShoMe 12.1357CH**

Front Flashing lights: 2 **LED** flashing lights on front grill; **RED/WHITE with clear lenses**
10.6322

Intersection lights, 2 – each front fender and 2 – each side on bed; **L E D lights will be RED/WHITE with clear lensed. 10.6322**

REAR flashing lights; 2 L E D RED with clear lenses mounted on rear at upper part of topper.
10.6322

Tail Light inserts; 2 – RED L E D inserts will be mounted in the vehicle taillights.

Back Up alarm: will be installed under the rear of the service body, it will be activated when the transmission is placed in the reverse mode.

Running Board Lights: there will be **L E D RED lights** installed on the running boards;
2 on each side of the vehicle.

Arrow Stick/Traffic director bar: an Arrow Stick/Traffic direction bar will be mounted on the upper part of the topper. Bar will have Red/Blue/Amber; multi speed; multi pattern and Multi color, that will allow it to be used as a rear emergency response light and then traffic director when on scene.

Topper interior lights: 2 – L E D lights will be mounted in the topper shell.

Console unit: a JOTTO DESK console unit will be installed in the cab and will house the siren, master control and department radio. Unit will have a MAP box, Mic Clip and Arm Rest.

Electrical 12 Volt Connection in to command center. Connection will have three (3) plug in outlets. Mounted per departments instructions,

Scene Lights; there will be 3 L E D scene lights mounted on the topper.
Lights will be ShoMe 10.7072.WOO with 4200 Lunens.

Siren a 100 watt Whelen 295SLA6 siren with will be installed in the console unit.

100 watt Speaker will be mounted in the front grill area. Siren will be mounted in the console.

Kussmaul Battery Charger with auto eject will be mounted on the cab, as directed.

Master Disconnect will be wired thru the chassis key switch.

Lettering & Unit Number; lettering will be installed per the departments instructions.
Unit number on the front, rear, each side of hood and roof.

Striping: will be installed per the department s instructions.

Chevron Striping: at least **50% of rear of the service body** will be covered.

Topper; will be all aluminum painted to match chassis; no front window; double doors
Both sides; no windows; tool box inside of side doors; double rear doors, no windows;
Back door stick lock;

Extendo BED, per your spec's to extendo bed. Tile in shelves and on trays.

Install customer provided radio and rear command center.

WARRANTIES: **Topper per manufacturer**
Extendo bed, per Extendo bed
ShoMe Lights: by ShoMe 6 years
Electrical: by Manufacturer of Product
Other: by Part manufacturer
Other Items; by Part manufacturer; Warranty, literature, manua

YOUR INVESTMENT IN THIS UP FIT

Total Investment \$ 26,183.00

TERMS: TOTAL 30% DEPOSIT w/ORDER – Contract
BALANCE NET DUE AT DELIVERY.

DELIVERY WITHIN 30 WORKING DAYS AFTER WE RECEIVE CHASSIS &
Extendo bed

We are FULLY INSURED; can provide **Bid and Performance Bonds,**
at an additional fee. Our firm is in compliance with ALL current
Texas & Oklahoma Department of Motor Vehicle regulations.

Your favorable consideration will be appreciated!

Thank You,

GENE LEDNICKY
Gen. Mgr.

Joseph Gorman

From: Jimmy Girvan [jgirvan@mfas.com]
Sent: Monday, December 21, 2015 1:15 PM
To: Joseph Gorman
Subject: RE: Quote NO BID

Categories: Red Category

Joseph, thank you for thinking of Metro Fire for your new rescue vehicle but do to the specifications that you are asking for we are going to submit a NO BID for this request. Good luck on your purchase and we hope you will continue to think of us on future apparatus purchases.

Jimmy Girvan
Territory Manager

METRO FIRE

Apparatus Specialists, Inc.
512.663.2911 Cell Phone
jgirvan@mfas.com
www.mfas.com

From: Joseph Gorman [mailto:jagorman@lockhart-tx.org]
Sent: Thursday, December 17, 2015 2:01 PM
To: Jimmy Girvan
Subject: FW: Quote

Hello, Jimmy Girvan
Metro Fire Apparatus Specialists, Inc.
17350 State Hwy. 249
Houston, Texas 77064
1-713-692-0911

We seek your quote and time line to outfit our F-350 Rescue vehicle by 12-30-2015, see word document.

The attached Rescue 1-photo provides graphics and striping placement desired:
More specifically on each side;-

- Striping - **wide blk/gold** edging reflective, to rear tail lights and on each side with the words;

Lockhart

FIRE RESCUE (gold outlined with black edging)

SQUAD

- The word **RESCUE** is to be placed on CAP side doors, centered on the rear half of the door

The other photos provide insight into the desired components. We look forward to your submission.



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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: February 16, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i> <i>2-10-2016</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <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				
CAPTION				
Discussion and/or action after presentation by Guadalupe-Blanco River Authority (GBRA) representative Mr. Jim Murphy and possibly others regarding possible future water supplies for Central Texas including Lockhart and specifically the mid-basin project				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
Mr. Murphy will update the Council on the mid-basin project and future water supplies				
STAFF RECOMMENDATION				
N/A				
List of Supporting Documents: History		Other Departments, Boards, Commissions or Agencies:		

6/1



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Dates: January 20, 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: <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					
CAPTION					
DISCUSSION AND/OR ACTION AFTER PRESENTATION REGARDING FUTURE WATER SUPPLIES IN THE CENTRAL TEXAS AREA BY MR. BILL WEST WITH THE GUADALUPE-BLANCO RIVER AUTHORITY					
FINANCIAL SUMMARY					
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSES <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED					
FISCAL YEAR:		PREVIOUS YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget					\$0.00
Budget Amendment Amount					\$0.00
Encumbered/Expended Amount					\$0.00
This Item					\$0.00
BALANCE		\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):					
SUMMARY OF ITEM					
Updated presentation regarding future water supplies in the Central Texas area					
STAFF RECOMMENDATION					
N-A					
List of Supporting Documents: History		Other Departments, Boards, Commissions or Agencies:			

HISSTORY

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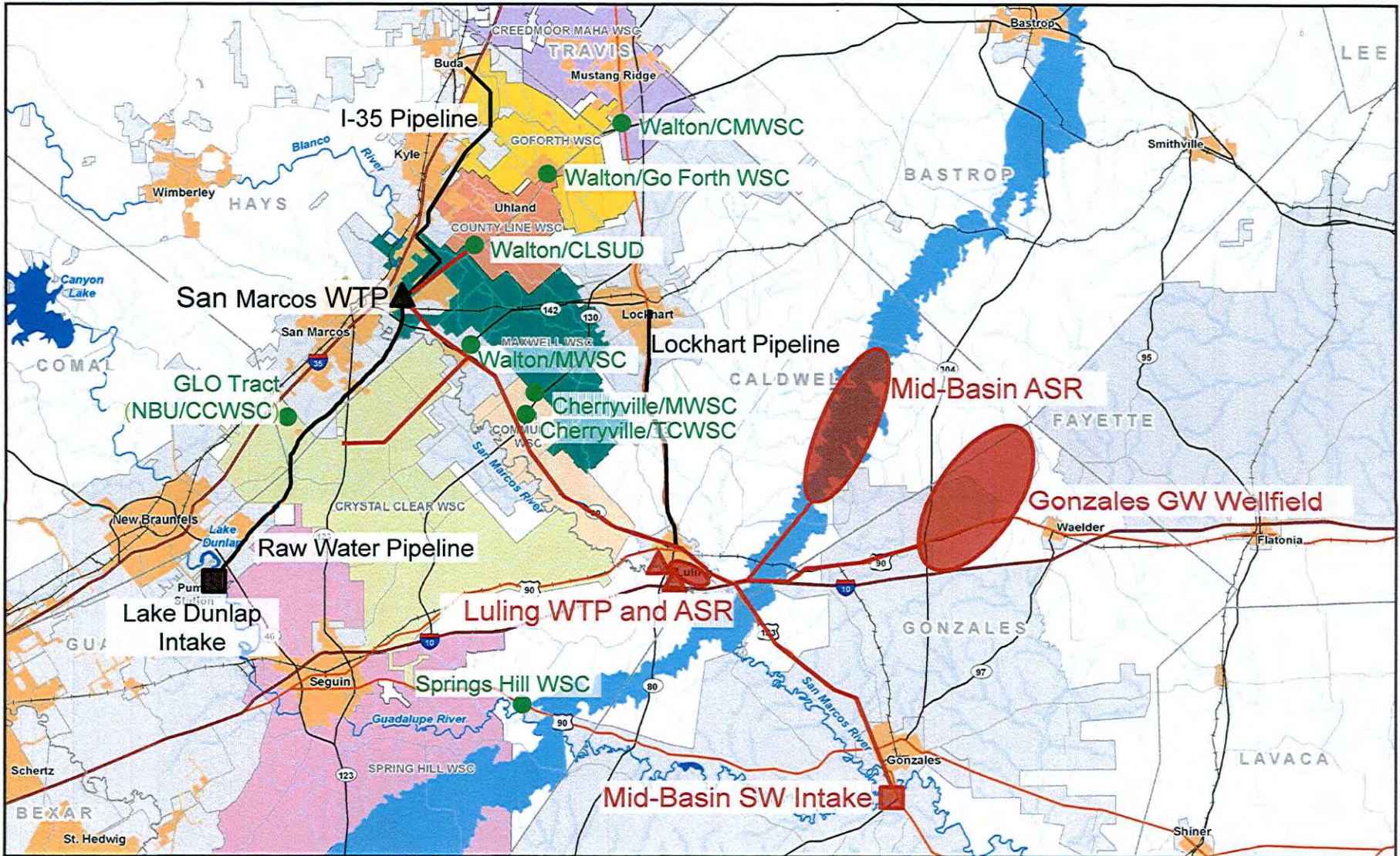
Guadalupe-Blanco River Authority Mid-Basin Water Supply System

Preliminary Project Overview

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HDR

GBRA Mid-Basin Water Supply System Schematic



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GBRA Mid-Basin Water Supply System Overview

- Designed to serve the development corridor between I-35 and US183/SH130 near San Marcos
- Potential customers include water supply corporations, potential subdivisions, cities, and developments by private entities
- Developments by private entities such as Walton and Cherryville would be served through retail service providers with existing certificated service areas, where possible



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY	Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: February 16, 2016			
Department: City Secretary		Initials	Date
Department Head: Connie Constancio	Asst. City Manager		
Dept. Signature: <i>Connie Constancio</i>	City Manager	<i>[Signature]</i>	<i>2-12-2016</i>
Agenda Item Coordinator/Contact (include phone #): Connie Constancio, 398-3461 ext. 235			
ACTION REQUESTED: <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 type="checkbox"/> OTHER			
CAPTION			
Discussion and/or action regarding possible charter amendments, the associated costs, and appointing members to the Charter Review Commission.			
FINANCIAL SUMMARY			
<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 checked="" type="checkbox"/> NON-BUDGETED			
FUND(S): Propose to budget \$26,000 in FY 2017-2018			
SUMMARY OF ITEM			
<p>The last review of the City of Lockhart's Charter was 8 years ago (2007) of which 26 Propositions to amend the Charter were presented to the voters on November 6, 2007. Attached is the Charter for your review.</p> <p>NO REQUIREMENT TO REVIEW: Neither Lockhart's Charter or State law requires review of a Charter during a specific period of time, yet it is recommended to review at least every five years. TX Constitution, Article XI, Sec 5 provides that no municipal charter may be amended more often than every two years. Staff brings the question to Council for direction.</p> <p>CHARTER REVIEW COMMISSION (CRC): A list of previous members is attached.</p> <p>PROPOSED AMENDMENTS: At this time, several sections may need amendments, such as 3.02 to reflect the new 12 month state residency requirement in addition to the 6 month jurisdiction residency requirement. Staff recommends that the CRC review each section to assure compliance with new laws, if applicable.</p> <p>TIMEFRAME TO REVIEW CHARTER: The previous CRC took about six months to review the Charter (January – June 2007). The CRC will determine how often they will meet to create a timeline on proposed amendments, if any. Review of the charter could take up to one year.</p> <p>RECOMMENDED ELECTION DATE (Nov 2017): Due to a very full ballot on Nov 8, 2016, staff recommends that Charter amendments, if any, are taken to the voters on Nov 7, 2017. The election in 2017 will also bring voters for the city positions of Mayor, District 3 and District 4 (no LISD Trustees in 2017).</p> <p>PUBLICATIONS/COSTS (Estimate): \$26,000</p> <ul style="list-style-type: none"> • Propositions – required to be published in English and Spanish in two consecutive weeks. (approx \$15,000) • Notice of the Election (approx \$1,100) • Election costs (split with Caldwell County – approx \$10,000) 			
STAFF RECOMMENDATION			
Staff seeking direction from Council.			
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:	
<ul style="list-style-type: none"> • City Charter • Charter Review Commission members 		Charter Review Commission	

CHARTER REVIEW COMMISSION

Est. by Sec. 11.12 of Charter,

Five (5) Members

67

First Name	Last Name	Position	Address	Home	Work	Cell/Pgr/ Email	Council member	DateAppt
Alan	Fielder	Chair	410 Connolly Circle	398-5703	398-2338		White	10/17/06
VACANT							Mayor	
Ray	Sanders		1200 W. Live Oak	376-2885				11/06/06
VACANT							White	11/06/06
Bill	Hernandez		518 Blake's Cove	398-6418	398-0182		Gomez	11/06/06

NOTE: VACANT positions reflect members that have passed.

City Manager/City Secretary – staff liaisons

Updated: January 28, 2016

Amend the Charter?

Charter change CAN...

- alter a form of government so the new form is better aligned with the preferences of citizens
- restrict or increase options available to governmental leaders
- alter electoral representation
- clarify ambiguity or confusion caused by existing charter language
- redistribute powers among elected officials, appointed officials, and governing bodies as well as between city officials and citizens
- set the stage for governmental leaders to achieve desired changes
- convert elected governmental positions to appointed positions or vice versa

Continued

Charter change CAN'T...

- automatically increase the quality of governmental products and services
- eliminate political in-fighting and make elected officials achieve consensus (*although governmental form can affect the likelihood of conflict*)
- expand the scope of municipal powers in states without home rule
- jumpstart the local economy
- decrease local crime
- improve the school system
- stop a controversial public project
- change or eliminate state-mandated activities

Charter Amendment Elections

- The Governing Body on its own motion may submit one or more amendments to the electorate
- The Governing Body **MUST** submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters equal to at least five percent of the number of qualified voters of the municipality, or 20,000, whichever is the smaller
- Charter Amendment Elections must be precleared by the DOJ
- Order must be for a uniform election date
- Your Charter's requirements for amending
- May not be amended more often than every two years per Texas Constitution

Published Notice of Election

- Published in a newspaper of general circulation published in the municipality
- Include a substantial copy of the proposed amendment(s)
- An estimate of the anticipated fiscal impact to the municipality if approved
- Published on the same day in each of two successive weeks, with 1st publication occurring before the 14th day before the date of the election

Sec. 11.11. - Amending the charter.

Amendments to this charter may be framed and submitted to the voters of the city in the manner provided by V.T.C.A., Local Government Code ch. 9, as now or hereafter amended.

Sec. 11.12. - Charter review commission.

The city council shall appoint a charter review commission of five (5) citizens of the City of Lockhart as necessary when charter review amendments are to be considered.

- (a) *Duties of the commission:* It shall be the duty of such charter review commission to:
- (1) Inquire into the operation of the city government under the charter provisions and determine whether any such provisions require revision;
 - (2) Propose any recommendations it may deem desirable to insure compliance with the provisions of the charter by the several departments of the city government;
 - (3) Propose, if it deems desirable, amendments to this charter to improve the effective application of said charter to current conditions;
 - (4) Report its findings and present its proposed amendments, if any, to the city council.
- (b) *Action by the city council:* The city council shall receive and have published in the official newspaper of the city any report presented by the charter review commission, shall consider any recommendations made, and if any amendment or amendments be presented as a part of such report, may order such amendment or amendments to be submitted to the voters of the city in the manner provided by V.T.C.A., Local Government Code ch. 9, as now or hereafter amended.
- (c) *Term of office:* The term of office of such charter review commission shall be twenty-four (24) months, and, if during such term no report is presented to the city council, then all records of the proceedings of such commission shall be filed with the person performing the duties of city secretary and shall become a public record.

(Rev. of 1-7-85; Ord. No. 05-03, § 2(Prop. 7), 2-1-05/5-7-05; Ord. No. 05-06, 5-17-05/5-7-05)

PART I

HOME RULE CHARTER*

Preamble

Article 1. Form of Government and Boundaries

- Sec. 1.01. Form of government.
- Sec. 1.02. Boundaries, and extension or detachment thereof.
- Secs. 1.03, 1.04. Reserved.

Article 2. Powers of the City

- Sec. 2.01. General.
- Sec. 2.02. General powers adopted.
- Sec. 2.03. Eminent domain.

Article 3. The City Council

- Sec. 3.01. Number, selection and term.
- Sec. 3.02. City council, qualifications.
- Sec. 3.03. Council to be judge of election qualification.
- Sec. 3.04. Compensation.
- Sec. 3.05. Mayor pro tem.
- Sec. 3.06. Vacancies.
- Sec. 3.07. Powers of the city council.
- Sec. 3.08. City council not to interfere in appointments.
- Sec. 3.09. Meetings of the city council.
- Sec. 3.10. Rules of procedure.
- Sec. 3.11. Procedure for the passage and publication of ordinances.
- Sec. 3.12. Official bonds for city employees.
- Sec. 3.13. Investigation by the city council.
- Sec. 3.14. Audit of city books and accounts.
- Sec. 3.15. Redistricting.

Article 4. Administrative Services

- Sec. 4.01. City manager.
- Sec. 4.02. Police department.
- Sec. 4.03. City secretary.
- Sec. 4.04. Municipal court.
- Sec. 4.05. City attorney.

***Editor's note**—Printed herein is the home rule charter of the city, as adopted by the voters on February 23, 1973. Amendments to the charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

LOCKHART CODE

- Sec. 4.06. City health authority and sanitation department.
- Sec. 4.07. Other departments.

Article 5. Nominations and Elections

- Sec. 5.01. Elections.
- Sec. 5.02. Regulation of elections.
- Sec. 5.03. Filing for office.
- Sec. 5.04. The official ballot.
- Sec. 5.05. Election by plurality or majority.
- Sec. 5.06. Conducting and canvassing elections.
- Sec. 5.07. Oath of office.

Article 6. Recall of Officers

- Sec. 6.01. Scope of recall.
- Sec. 6.02. Petitions for recall.
- Sec. 6.03. Presentation of petition.
- Sec. 6.04. Election to be called.
- Sec. 6.05. Results of recall election.
- Sec. 6.06. Limitation on recall.
- Secs. 6.07—6.11. Reserved.
- Sec. 6.12. [Compliance].

Article 7. Legislation by the People, Initiative and Referendum

- Sec. 7.01. General power.
- Sec. 7.02. Initiative.
- Sec. 7.03. Exceptions.
- Sec. 7.04. Form and presentation of petition.
- Sec. 7.05. Presentation of petition.
- Sec. 7.06. City council action upon initiative petition.
- Sec. 7.07. Referendum.
- Sec. 7.08. City council action upon referendum petition.
- Sec. 7.09. Voluntary submission of legislation by city council.
- Secs. 7.10, 7.11. Reserved.

Article 8. Municipal Planning and Zoning

- Sec. 8.01. Subdivision authority.
- Sec. 8.02. Zoning authority.
- Sec. 8.03. Planning and zoning commission.
- Sec. 8.04. Board of adjustment.

Article 9. Municipal Finance

- Sec. 9.01. Fiscal year.
- Sec. 9.02. Preparation and submission of budget.
- Sec. 9.03. Anticipated revenues compared with other years in budget.
- Sec. 9.04. Proposed expenditures compared with other years.

CHARTER

- Sec. 9.05. Budget a public record.
- Sec. 9.06. Notice of public hearing on budget.
- Sec. 9.07. Public hearing on budget.
- Sec. 9.08. Proceedings on budget after public hearing.
- Sec. 9.09. Vote required for adoption.
- Sec. 9.10. Date of final adoption.
- Sec. 9.11. Effective date of budget; copies made available.
- Sec. 9.12. Budget establishes appropriations.
- Sec. 9.13. Budget establishes amount to be raised by property tax.
- Sec. 9.14. Contingent appropriation.
- Sec. 9.15. Estimated expenditures shall not exceed estimated resources.
- Sec. 9.16. Other necessary appropriations.
- Sec. 9.17. Reserved.
- Sec. 9.18. Power to tax.
- Sec. 9.19. Property subject to tax; method of assessment.
- Secs. 9.20—9.23. Reserved.
- Sec. 9.24. Taxes; when due and payable.
- Sec. 9.25. Tax liens.
- Sec. 9.26. Issuance of bonds.
- Sec. 9.27. Competitive bidding.

Article 10. Franchise and Public Utilities

- Sec. 10.01. Franchise by ordinance.
- Sec. 10.02. Franchise ordinance procedure.
- Sec. 10.03. Regulation of rates.
- Sec. 10.04. Investigative powers.
- Sec. 10.05. Service without discrimination.
- Sec. 10.06. Forfeiture of franchise.
- Sec. 10.07. Rate hearings.
- Sec. 10.08. Acquisition by eminent domain.
- Sec. 10.09. No public utility purchase without voter approval.
- Sec. 10.10. Private licenses.
- Sec. 10.11. Revocable license.
- Sec. 10.12. Accounts of municipally owned utilities.
- Sec. 10.13. Sales of electricity, water and sewer services.
- Sec. 10.14. Regulation of rates and service.

Article 11. General Provisions

- Sec. 11.01. Publicity of records.
- Sec. 11.02. Personal interest.
- Sec. 11.03. Nepotism.
- Sec. 11.04. Provisions relating to assignment, execution and garnishment.
- Sec. 11.05. City not required to give security or execute bond.
- Sec. 11.06. Special provisions covering damage suits.
- Sec. 11.07. Separability clause.
- Sec. 11.08. Effect of this charter on existing law.
- Sec. 11.09. Reserved.
- Sec. 11.10. Applicability of general laws.

LOCKHART CODE

- Sec. 11.11. Amending the charter.
- Sec. 11.12. Charter review commission.
- Sec. 11.13. Appointed boards.
- Sec. 11.14. Nonsubstantive changes and corrections to charter provisions.

PREAMBLE

We, the citizens of Lockhart, Texas, in order to establish a home rule municipal government, provide for the future progress of our City and obtain more fully the benefits of local self-government, do hereby adopt this Home Rule Charter in accordance with the statutes of the State of Texas; and do hereby declare the residents of the City of Lockhart in Caldwell County, Texas, living within the legally established boundaries of the said city, to be a political subdivision of the State of Texas incorporated forever under the name and style of the "City of Lockhart" with such powers, rights and duties as are herein provided.

ARTICLE 1. FORM OF GOVERNMENT AND BOUNDARIES**Sec. 1.01. Form of government.**

The municipal government provided by this charter shall be known as the "council-manager government." Pursuant to its provisions and subject only to the limitations imposed by the state constitution, the statutes of this state and by this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as the "city council," which shall enact local legislation, adopt budgets, determine policies and appoint the city manager, who in turn shall be held responsible to the city council for the execution of the laws and the administration of the government of the city. All powers of the city shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance, the state constitution or the statutes of the state.

Sec. 1.02. Boundaries, and extension or detachment thereof.

The city council shall have the power by ordinance to fix the boundary limits of the City of Lockhart and to provide for the alteration and extension of boundary limits, the detachment of territory and the annexation of additional territory, in accordance with applicable state annexation laws.

(Ord. No. 02-06, § 2, 2-19-02)

Secs. 1.03, 1.04. Reserved.

Editor's note—Ord. No. 02-06, § 2, adopted February 19, 2002, and approved by voters on May 4, 2002, amended the Charter by repealing former §§ 1.03 and 1.04. Former § 1.03 pertained to extension of boundaries, and former § 1.04 pertained to contraction of boundaries. Both sections derived from the original Charter approved by voters on February 23, 1973.

ARTICLE 2. POWERS OF THE CITY**Sec. 2.01. General.**

The City of Lockhart may use a corporate seal; may sue and be sued; may contract and be contracted with; may implead and be impleaded in all courts in all matters whatsoever; may cooperate with the government of the State of Texas or any agency thereof, the federal

government or any agency thereof, or any political subdivision of the State of Texas; and shall have all the powers granted to cities by the constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted. The city may own or acquire property within or without its boundaries for any municipal purpose in fee simple or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation and may sell, lease, hold, manage, control and police any property now owned by it or which it may thereafter acquire, and shall have the right to lease or let its property whether inside or outside the city limits, subject to the limitations hereinafter set out, and may construct, own, lease, operate and regulate public utilities, may assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation; may borrow money on the faith and credit of the city by the issuance and sale of bonds, warrants, certificates of obligation, or notes of the city; may appropriate the money of the city for all lawful purposes; may regulate and control the use, for whatever purpose, of the streets and other public places; may make and enforce all police, health, sanitary and other regulations; and may pass such ordinances as may be expedient for the protection and maintenance of good government, peace and welfare of the city, for the performance of the functions thereof, for the order and security of its residents; and may budget, appropriate and expend funds to promote the growth and welfare of the city; and may provide suitable penalties for the violations of any ordinance enacted by the City of Lockhart; except as prohibited by the constitution and laws of this state or restricted by this charter, the city may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

Sec. 2.02. General powers adopted.

The enumeration of the particular powers in this charter shall not be held or deemed to be exclusive but in addition to the powers enumerated herein or implied hereby or appropriate to the exercise of such powers, the city shall have and may exercise all power of local self-government and all other powers, which, under the constitution and laws of the State of Texas, it would be competent for this charter specifically to enumerate. The City of Lockhart shall have and may exercise all the powers enumerated in Vernon's Anh. Civ. St. arts. 1175, 1176, 1177, 1178, 1180, as now or hereafter amended.

Editor's note—The statutes cited in the above section are now codified in the following sections: Vernon's Ann. Civ. St. art. 1175; V.T.C.A., Health and Safety Code § 122.006; V.T.C.A., Local Government Code §§ 26.021, 26.041, 43.021, 43.142, 51.072—51.078, 54.004, 101.022, 101.023, 141.004, 211.003, 211.005, 211.013, 214.001, 214.013, 214.901, 215.072—215.075, 216.901, 217.042, 251.001, 341.003, 341.903, 342.011, 342.012, 372.041, 401.002, 402.002, 402.017; V.T.C.A., Tax Code §§ 302.001, 302.002, 302.102; V.T.C.A., Transportation Code §§ 311.001, 311.004, 311.005, 311.007, 311.091—311.094, 311.904.

Sec. 2.03. Eminent domain.

The city shall have the full power and right to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this charter or by the constitution and laws of the State of Texas. The city may exercise the power of eminent domain in any manner authorized or permitted by the constitution and laws of this state. The power

of eminent domain hereby conferred shall include the right of the city to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The city shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this charter.

ARTICLE 3. THE CITY COUNCIL

Sec. 3.01. Number, selection and term.

The legislative and governing body of the city shall consist of a mayor and six (6) councilmembers and shall be known as the "Council of the City of Lockhart."

- (a) The mayor shall be elected from the city at large.
- (b) Two (2) of the councilmembers shall be elected from the city at large utilizing a "pure" at-large system. There shall be no numbered places for these two (2) council positions. They shall be known as councilmember-at-large.
- (c) Four (4) of the councilmembers shall be elected from single-member districts which shall be known as District 1, District 2, District 3 and District 4. A candidate for any district shall reside within that district and shall be known as councilmember for District 1, etc.
- (d) The mayor shall be the presiding officer of the city council and shall be recognized as the head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The mayor shall be entitled to vote on all matters under consideration by the city council.
- (e) The mayor and councilmembers shall hold their offices for a term of three (3) years beginning with the April 1987 elections, with the mayor and councilmembers from Places 3 and 4 receiving an initial three-year term, and the remaining councilmembers receiving an initial two-year term and thereafter each councilmember will serve a three-year term, or until their successors have been elected and duly qualified. All elections shall be held in the manner provided in Article 5 of this Charter. The mayor or councilmembers shall take office at the next regular meeting of the council after being elected or appointed.

(Rev. of 1-7-85; Ord. No. 86-49, pt. 2, 10-28-86; Ord. No. 07-59, Exh. B, 11-15-07)

Note—Amended effective April 4, 1983, by court order in Civil Action No. A-82-CA-682 in the United States District Court for the *Western District of Texas, Austin Division Styled Cano, et al vs. Lockhart, et al.*

Sec. 3.02. City council, qualifications.

- (a) *Residency.*
 - (1) Each member of the city council, in addition to having other qualifications prescribed by law:
 - (A) Shall have had his or her principal physical residence for at least six (6) months preceding the election within the corporate limits of Lockhart; or shall have had

his or her principal physical residence for a period of not less than six (6) months immediately preceding the person's election, in any territory not formerly within the corporate limits of the city, but which is annexed under the provisions of Section 1.02 of this Charter, and shall maintain his or her principal physical residence within his or her district and the corporate limits of Lockhart throughout his or her term of office; for purposes of this subsection, a person must meet all of the following to meet the requirement for a "principal physical residence" in the city:

- (1) The person must use the residence address for voter registration and driver's license purposes;
- (2) The person must use the residence address as the person's home address on documents such as employment records, resumes, government forms and loan applications;
- (3) The person must not claim a homestead exemption on any property other than the residence.

(B) In addition, each district Councilmember shall have resided in his or her district for a period of not less than six (6) months immediately preceding the person's election and are subject to qualifications as listed above.

(b) *Voter and age.* Each member of the city council shall be a qualified voter of the State of Texas and shall be a minimum of twenty-one (21) years of age.

(c) *Disqualifications.* If the mayor or any councilmember fails to maintain the foregoing qualifications or shall be absent from three (3) consecutive regularly scheduled meetings without valid excuse, the city council must at its next regularly scheduled meeting declare a vacancy to exist and shall fill said vacancy as set forth in section 3.06 of this Charter. (Ord. of 2-10-76; Rev. of 1-7-85; Ord. No. 02-06, § 2, 2-19-02; Ord. No. 05-03, § 2(Prop. 1), 2-1-05/5-7-05; Ord. No. 05-06, 5-17-05/5-7-05)

Note—Amended effective April 4, 1983, by court order in Civil Action No A-82-CA-682 in the United States District Court for the *Western District of Texas, Austin Division Styled Cano, et al vs. Lockhart, et al.*

Sec. 3.03. Council to be judge of election qualification.

The city council shall be the judge of the election qualifications of its own members and other elected officials of the city.

(Rev. of 1-7-85)

Sec. 3.04. Compensation.

The city council shall fix the compensation to be received by its members for attendance at its meetings.

Sec. 3.05. Mayor pro tem.

The city council, at its first meeting after election of councilmembers, shall elect one of its number mayor pro tem, and s/he shall perform all the duties of the mayor in the absence or disability of the mayor.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 3.06. Vacancies.

(a) A special election to fill a vacancy shall be called in accordance with Article XI, Section 11, of the Texas Constitution, and applicable state law, except to the extent modified by any United States statute or federal court ruling, resulting from *Cano, et al v. City of Lockhart, et al* A82-CA-682. The city council is authorized and directed to order the election and perform all other required actions incident to the election. In the event of vacancies in the offices of mayor and all members of the city council for any reason, the following persons, in the order prescribed, are authorized and directed to order the election and perform all other required actions incident to the election:

- (1) The city manager.
- (2) The city secretary.
- (3) The presiding judge of the municipal court.

(b) No such election shall be held sooner than thirty (30) days from the date it is called.
(Ord. No. 02-06, § 2, 2-19-02)

Sec. 3.07. Powers of the city council.

All powers of the city and the determination of all matters of policy shall be vested in the city council. Without limitation of the foregoing and among the other powers that may be exercised by the city council, the following are hereby enumerated for greater certainty:

- (a) Establish, consolidate or abolish administrative departments and distribute the work of divisions.
- (b) Adopt the budget of the city.
- (c) Authorize the issuance of bonds by a bond ordinance.
- (d) Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs.
- (e) Provide for such additional boards and commissions, not otherwise provided for in this charter, as may be deemed necessary, and appoint the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this charter, by city ordinance or by law.
- (f) Adopt and modify the zoning plan and the building code of the city.
- (g) Adopt and modify the official map of the city.

- (h) Adopt, modify and carry out plans proposed by the planning commission for the clearance of slum districts and rehabilitation of blighted areas.
- (i) Adopt, modify and carry out plans proposed by the planning commission for the replanning, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.
- (j) Regulate, license and fix the charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the city.
- (k) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings, or buildings calculated to increase the fire hazard and prescribe the manner of their removal or destruction within said limits.
- (l) Provide for a sanitary sewer and water system and have the exclusive right to erect, own, maintain and operate a waterworks and sanitary sewer system, or any part thereof, for the use of said city and its inhabitants, and to regulate the same, but shall not have the power or right to sell said waterworks system; to prescribe rates for water and sewer services furnished to the inhabitants, and to make such rules and regulations as the council may deem expedient, including the power to extend water and sanitary sewer lines and assess a portion of all of the costs therefor, and affix a lien against the property and the owner thereof; to require the property owners to connect their premises with the sewer system; to do anything whatsoever necessary to operate and maintain said waterworks, and to compel the owners of all property and the agents of such owners to pay all charges for water and sanitary sewer services furnished upon such properties; to provide a penalty for failure to make sanitary sewer connections; excess property in the waterworks system may be sold as other property.
- (m) Provide for sanitary garbage disposal, and set fees and charges therefor, and provide penalties for failure to pay such fees and charges.
- (n) Provide for an electrical system and set fees and charges therefor and provide penalties for misuses of same.
- (o) Exercise exclusive dominion, control and jurisdiction including the right to close and abandon streets and alleys in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the city and provide for the improvement of same as provided in V.T.C.A., Transportation Code ch. 313, as now or hereafter amended.
- (p) Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Lockhart.

Sec. 3.08. City council not to interfere in appointments.

Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately.

Sec. 3.09. Meetings of the city council.

The city council shall hold at least one regular meeting each month at a time to be fixed by it for such regular meetings, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens. All meetings of the city council shall conform to the Texas Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq., and shall be held within the city, except that the city council may conduct a meeting at a location outside the city after publishing notice of the meeting in one issue of a newspaper in general circulation in the City of Lockhart. All meetings of the city council shall be public; however, the council may recess for the purpose of discussing in a closed session any matter permitted to be so discussed by state law, provided that the general subject matter for consideration is expressed in the motion calling for such a session. Special meetings of the council shall be called by the city secretary upon the written request of the mayor or any three members of the city council, or by consensus of the council in open session.

(Ord. No. 02-06, § 2, 2-19-02; Ord. No. 07-59, Exh. B, 11-15-07)

State law reference—Notice of meetings, V.T.C.A., Government Code § 551.041 et seq.

Sec. 3.10. Rules of procedure.

The city council shall determine its own rules of procedure and may compel the attendance of its members. Four (4) qualified members of the city council, including the mayor or mayor pro tem, shall constitute a quorum to do business and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution. Minutes of the proceedings of all meetings of the city council shall be subject to the Texas Public Information Act, V.T.C.A., Government Code § 552.001 et seq., shall be open for public inspection during the normal business hours of the city, and shall constitute one of the archives of the city. The vote upon the passage of all ordinances and resolutions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose under full caption, and shall be authenticated by the signature of the presiding officer and the person performing the duties of the city secretary. (Rev. of 1-7-85; Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 3.11. Procedure for the passage and publication of ordinances.

(a) Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine, or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage; subject to the provisions of article 7 of this charter.

(b) Except as provided for by article 7 of this charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one time or considered at more than one session of the city council. Every ordinance shall be authenticated by the signature of the mayor and city secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the council. It shall be necessary only to record the caption or title of ordinances in the minutes or journal of council meetings. The city council shall have power to cause the ordinances of the city to be corrected, amended, revised, codified and printed in code form as often as the council deems advisable; and such printed code, when adopted by the council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

(c) Except as otherwise provided by law or by this charter, the city secretary shall give notice of the enactment of every penal ordinance and of every other ordinance required by law or by this charter to be published, by causing the said ordinance, or its caption and penalty, to be published at least one (1) time within ten (10) days following the date of passage thereof in some newspaper of general circulation within the city. The city secretary shall note on every ordinance and on the record thereof the dates and medium of its publication, and such notation shall be prima facie evidence of compliance with the requirements of this section. The provisions of this subsection do not apply to the correction, amendment, revision and codification of the ordinances of the city for publication in book or pamphlet form.

(Ord. No. 02-06, § 2, 2-19-02)

State law references—Publication of ordinances, V.T.C.A., Local Government Code § 52.013; codification of ordinances, V.T.C.A., Local Government Code ch. 53.

Sec. 3.12. Official bonds for city employees.

The city manager and the city secretary and such other city officers and employees as the city council may require shall, before entering upon the duties of their offices, enter into a good and sufficient fidelity bond in a sum to be determined by the city council, payable to the City of Lockhart and conditioned upon the faithful discharge of the duties of such persons and upon the faithful accounting for all monies, credits, and things of value coming into the hands of such persons, and such bonds shall be signed as surety by some company authorized to do business under the laws of the State of Texas, and the premium on such bonds shall be paid by the City of Lockhart, and such bonds must be acceptable to the city council.

Sec. 3.13. Investigation by the city council.

The city council shall have power to inquire into the conduct of any office, department, agency, officer or employee of the city and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a Class "C" Misdemeanor and shall be punished accordingly.

(Ord. No. 96-08, pt. 2(8), 3-5-96)

Editor's note—The voters approved amendment of this section on May 4, 1996, proposition no. 8.

Sec. 3.14. Audit of city books and accounts.

The city shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The city council shall employ a certified public accountant who holds a permit to practice from the Texas State Board of Public Accountancy to conduct the audit and to prepare the annual financial statement. The accountant shall not maintain or keep any of the city's accounts or records and shall not perform the city's annual audit for more than five (5) years in succession. The annual financial statement, including the auditor's opinion on the statement, shall be filed in the office of the city secretary within one hundred eighty (180) days after the last day of the municipality's fiscal year. The financial statement is a public record subject to the Texas Public Information Act, V.T.C.A., Government Code § 552.001 et seq.

(Ord. No. 90-05, pt. 2(1), 3-27-90; Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 3.15. Redistricting.

The city council, as soon as practicable after the results of the United States decennial census are published, shall re-examine each of the four (4) districts as to population equality, and shall revise and redraw the districts, if necessary, so that the population is equal among each of the districts. In doing so, the council shall retain, as far as practicable, the present district boundaries while remaining consistent with requirements for equality and equal population among each of the districts.

(Rev. of 1-7-85)

ARTICLE 4. ADMINISTRATIVE SERVICES**Sec. 4.01. City manager.**

(a) *Appointment and qualifications:* The city council shall appoint a city manager who shall be the chief administrative and executive officer of the city and shall be responsible to the city council for the administration of all the affairs of the city. He shall be chosen by the city council solely on the basis of his executive and administrative training, experience and ability, and need not, when appointed, be a resident of the City of Lockhart. No member of the city council shall, during the time for which he is elected and for one year thereafter, be appointed city manager.

(b) *Term and salary:* The city manager shall not be appointed for a definite term but may be removed at the will and pleasure of the city council by a vote of the majority of the entire council. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility of such suspension or removal in the city council. In case of the absence or disability of the city manager, the city council may designate some qualified person to perform the duties of the office during such absence or disability. The city manager shall receive compensation as may be fixed by the council.

(c) *Duties of the city manager:*

- (1) Appoint, fix compensation, and when necessary for the welfare of the city, remove any employee of the city, except as otherwise provided by this charter.
- (2) Prepare the budget annually and submit it to the city council, and be responsible for its administration after adoption.
- (3) Prepare and submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the city council advised of the financial condition and future needs of the city and make such recommendations as may seem desirable.
- (5) Perform such duties as may be prescribed by this charter or may be required of him by the city council, not inconsistent with this charter.

Sec. 4.02. Police department.

There shall be established and maintained a police department to preserve order within the city. Pursuant to V.T.C.A., Local Government Code § 143.001 et seq., civil service for the city-employed police officers is established and approved.

- (a) *Chief of police:* The chief of police shall be the chief administrative officer of the police department. The chief of police shall be appointed by the city manager and confirmed by the city council. The chief of police shall be responsible to the city manager for the administration of the police department and the carrying out of the directives of the city council. The chief of police is subject to removal by the city manager.
- (b) *Special police:* No persons except as otherwise provided by federal or state law shall act as special police or special detective.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 4.03. City secretary.

The city manager shall appoint the city secretary and such assistant city secretaries as he shall deem advisable. The city secretary, or an assistant city secretary, shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the city manager shall assign to him, and those elsewhere provided for in this charter.

Sec. 4.04. Municipal court.

- (a) A municipal court is established for the trial of misdemeanor offenses, with jurisdiction, powers and duties as prescribed by ordinance and state laws.
- (b) The city council shall appoint a presiding judge for the municipal court and any associate judges it deems advisable. The compensation of the judges shall be fixed by the city council.

(c) The judges of said court shall be qualified voters of the State of Texas, and shall hold their offices for a term of two (2) years. A municipal court judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent of action by the city council, continue to serve for another term of office beginning on the date the previous term expired.

(d) The city manager shall appoint municipal court personnel as deemed appropriate. (Ord. No. 02-06, § 2, 2-19-02; Ord. No. 07-59, Exh. B, 11-15-07)

State law reference—Municipal court, V.T.C.A., Government Code ch. 29.

Sec. 4.05. City attorney.

The city council shall appoint a competent and duly licensed attorney who shall be the city attorney. He shall receive for his services such compensation as may be fixed by the city council and shall hold his office at the pleasure of the city council. The city attorney, or such other attorneys selected by him with the approval of the city council, shall represent the city in all litigation. He shall be the legal advisor of, and attorney and counsel for, the city and all officers and departments thereof, and in good standing with the State of Texas.

(Ord. No. 05-03, § 2(Prop. 2), 2-1-05/5-7-05; Ord. No. 05-06, 5-17-05/5-7-05)

Sec. 4.06. City health authority and sanitation department.

(a) *Appointment:* The city council shall appoint a physician as the city health authority, to administer state and local laws relating to public health within the city's jurisdiction.

(b) *Qualifications:* The city health authority must be a resident of this state and a competent physician with a reputable professional standing who is legally qualified to practice medicine in this state. To serve as city health authority, the appointee must take and subscribe to the official oath, and file a copy of the oath and appointment with the Texas State Board of Medical Examiners.

(c) *Administration:* The city health authority shall be responsible to the city manager for the general administration of the city health authority.

(d) *Term of office:* The city health authority shall serve a two (2) year term and may be appointed to successive terms.

(e) *Duties:* The city health authority is a state officer when performing duties prescribed by state law, such duties being necessary to implement and enforce a law to protect the public health, or prescribed by the Texas State Board of Medical Examiners. The duties of the city health authority include those prescribed by Texas Health and Safety Code § 121.024, as it is amended from time to time.

(f) *Delegation of authority:* Unless otherwise restricted by law, the appointed city health authority shall designate a properly qualified physician to act as city health authority if or when the appointed city health authority is absent, incapacitated, or otherwise unable or unwilling to perform the duties of city health authority, subject to the requirements of state and local laws, including Texas Health and Safety Code § 121.029. The appointed city health authority is responsible for the acts of the designee, while the designee acts as city health

authority. The appointed city health authority and the designee shall not concurrently hold city health authority. Unless prevented by emergency, the appointed city health authority shall give the city manager at least three (3) days' written notice of the delegation of authority to the designee, and the proposed length of the delegation. The appointed health authority also shall contact the city manager and the designee immediately upon reassuming the health authority. Within three (3) days of the reassumption of authority by the appointed city health authority, the designee shall provide to the appointed city health authority and the city manager a detailed report of the designee's activities as health authority.

(g) *Removal from office:* The city health authority may be removed from office for cause under the personnel procedures applicable to the heads of departments of the city.

(h) *Sanitation officer:* The city manager shall appoint a city sanitation officer who shall be qualified in accordance with the laws of the State of Texas. The city sanitation officer shall be responsible to the city manager for the general administration of the sanitation department and the supervision of the employees thereof, and for the enforcement of sanitation laws, ordinances and regulations.

(Ord. No. 90-05, pt. 2(3), (4), 3-27-90; Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 4.07. Other departments.

The city council may abolish or consolidate such offices and departments as it may deem to be to the best interest of the city, and may divide the administration of any such departments as it may deem advisable; may create new departments, and may discontinue any offices or departments at its discretion, except those specifically established by this Charter.

ARTICLE 5. NOMINATIONS AND ELECTIONS

Sec. 5.01. Elections.

The regular city election shall be held in November of the calendar year, as provided by law, and members of the council shall be elected for three (3) year terms, consistent with Sections 3.01 and 5.05 of the City Charter, and applicable provisions of *Cano et al. v. City of Lockhart*, et al, A82-CA-682, in the United States District Court, Western District of Texas.

(Ord. No. 02-06, § 2, 2-19-02; Ord. No. 07-59, Exh. B, 11-15-07; Ord. No. 2009-23, § 2, 9-15-09)

Note—Amended effective April 4, 1983, by court order in Civil Action No. A-82-CA-682 in the United States District Court for the *Western District of Texas, Austin Division Styled Cano*, et al vs. *Lockhart* et al.

State law references—Notice of elections, V.T.C.A., Election Code § 4.001 et seq.; date of election, V.T.C.A., Election Code § 41.001.

Sec. 5.02. Regulation of elections.

The city council shall make all regulations which it considers needful or desirable, not inconsistent with this Charter or the laws of the State of Texas, for the conduct of municipal elections, for the prevention of fraud in such elections and for the recount of ballots in case of

doubt or fraud. Municipal elections shall be conducted by the appointed election authorities who shall also have power to make regulations not inconsistent with this charter or with any regulations made by the council or the laws of the State of Texas.

Sec. 5.03. Filing for office.

Any qualified person who desires to become a candidate for election to a place on the city council shall file with the city secretary as prescribed by V.T.C.A., Election Code § 141.031, prior to the election day an application for his or her name to appear on the ballot. Such application shall clearly designate the place on the council to which the candidate seeks election and shall contain the candidate's sworn statement of compliance with the qualification for holding the office sought under the laws of Texas and the provisions of this Charter.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 5.04. The official ballot.

The names of all candidates for office, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designations in the order determined in a drawing of lots conducted by the city council. All official ballots shall be printed at least twenty (20) days prior to the date of any general or special election, and absentee voting shall be governed by the general election laws of the State of Texas.

State law reference—Official ballot, V.T.C.A., Election Code ch. 52.

Sec. 5.05. Election by plurality or majority.

(a) *Mayor and councilmember-at-large.* At any regular or special municipal election, the candidates for mayor and councilmember-at-large who shall have received the greater number of votes cast in such election for either mayor or the two (2) councilmembers-at-large shall be declared elected. In the event a tie vote makes it impossible to determine the winning candidate, the council shall cause to be held a runoff election between the tied candidates between thirty (30) to forty-five (45) days after said special or regular election, or provide that the winner be determined by a method provided in the Texas Election Code not inconsistent with this method.

(b) *District councilmembers.* At any regular or special municipal election, the candidates for each district who shall have received the majority of the votes cast in such election for such district shall be declared elected. In the event any candidate running for a district councilmember position on the ballot shall fail to receive a majority of the votes cast for all candidates for such district councilmember position on the ballot at such election, then the council shall cause to be held a runoff election between the two (2) candidates receiving the highest number of votes for such district councilmember position on the ballot. Such runoff election shall be held between thirty (30) and forty-five (45) days after such regular or special election, or the council shall provide that the winner be determined by a method provided in the Texas Election Code not inconsistent with this method.

(Ord. of 2-10-76; Rev. of 1-7-85; Ord. No. 07-59, Exh. B, 11-15-07)

Note—Amended effective April 4, 1983, by court order in Civil Action No. A-82-CA-682 in the United States District Court for the Western District of Texas, Austin Division styled *Cano, et al vs. Lockhart, et al.*

Sec. 5.06. Conducting and canvassing elections.

The election judges for conducting all such elections shall be appointed by the city council in accordance with Texas Election Law. Each district polling place shall be provided with the same number of election booths. The election judges shall conduct the elections, determine, record and report the results as provided by the Texas Election Code. The returns of every municipal election shall be delivered by the election judges to the central counting station as soon as practicable after the closing of the polls. Returns of the elections, general and special, shall be presented to the city council on any date permitted by the Texas Election Code at which time the council shall canvass and declare the results of such election.

(Rev. of 1-7-85; Ord. No. 02-06, § 2, 2-19-02; Ord. No. 07-59, Exh. B, 11-15-07)

Note—Amended effective April 4, 1983, by court order in Civil Action No. A-82-CA-682 in the United States District Court for the Western District of Texas, Austin Division styled Cano, et al vs. Lockhart, et al.

Sec. 5.07. Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to the oath of affirmation in Article 16, Section 1, of the Texas Constitution which is to be filed and kept in the office of the city secretary.

ARTICLE 6. RECALL OF OFFICERS***Sec. 6.01. Scope of recall.**

The people of the city reserve the power to recall any member of the city council and may exercise such power by filing with the city secretary a petition demanding the removal of that city council member, signed by qualified voters of the city as follows:

- (a) For the mayor and council members at large, by a number equal to at least fifteen percent (15%) of the qualified voters of the city; and
- (b) For district council members, by a number equal to at least twenty-five percent (25%) of the qualified voters of the district in which the council member was last elected.

A separate petition shall be circulated for each member of the city council whose removal is sought.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 6.02. Petitions for recall.

The recall petition shall be addressed to the city council and each signature page shall clearly state the ground or grounds for the removal of the city council member. All papers of the

***Editor's note**—Ord. No. 07-59, Exh. B, adopted Nov. 15, 2007, amended article 6 in its entirety to read as herein set out. Former article 6, §§ 6.01—6.13, pertained to recall of officers, and derived from Ord. No. 90-05, pt. 2(6)—(14), (19), adopted Mar. 27, 1990.

petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be made in ink and shall comply with V.T.C.A., Election Code § 277.002. Each signature page of the recall petition shall be verified by oath in the following form:

STATE OF TEXAS
COUNTY OF CALDWELL

_____, being duly sworn, deposes and says that s/he is a qualified voter of the City of Lockhart and personally circulated the foregoing paper, that all the signatures affixed thereto were made in her/his presence, and that s/he believes them to be the genuine signatures of the persons whose names they purport to be.
(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 6.03. Presentation of petition.

The city secretary shall examine the recall petition within twenty (20) business days after the petition is filed, to determine whether each page of the petition is properly attested, the signatures thereon are valid, and a sufficient number of qualified voters of the city have signed the petition. The city secretary shall certify the result of the examination and present the petition and certification to the city council at the next regularly scheduled city council meeting after the examination is completed, subject to the requirements of state law.
(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 6.04. Election to be called.

If the city secretary certifies the petition to be sufficient and in compliance with this article, and the council member whose removal is sought does not resign within five (5) days after the certification to the city council, then the city council shall order and hold an election to determine whether the city council member shall be recalled. The recall election shall be held on the next uniform election date provided by state law, subject to compliance with all notice requirements of state law. The question to be submitted on the ballots used at the recall election shall be: "Shall [name of council member] be removed from the office of [position] by recall?" Immediately below the question shall be printed the following propositions, one below the other in the order indicated: "For the removal of [name of council member] from office" and "Against the removal of [name of council member] from office".
(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 6.05. Results of recall election.

If a majority of the votes cast at a recall election are for removal of the city council member, then immediately after the recall election results have been canvassed, the city council shall declare the recalled member's office vacant. The vacant office shall be filled pursuant to the Texas Constitution, Article XI, Section 11.
(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 6.06. Limitation on recall.

No recall petition shall be filed against a council member within one hundred and eighty (180) days after taking office, and no council member shall be subjected to recall within twelve (12) months of a prior recall election.
(Ord. No. 07-59, Exh. B, 11-15-07)

Secs. 6.07—6.10. Reserved.

Sec. 6.11. Reserved.

Editor's note—Ord. No. 90-05, pt. 2, adopted Mar. 27, 1990, repealed § 6.11 which granted the county judge the authority to discharge the duties of the city secretary or city council in cases where, all charter requirements having been met, the city council refuses to discharge its duties with reference to the recall. Repeal of § 6.11, proposition no. 16, was approved by the voters on May 5, 1990.

Sec. 6.12. [Compliance].

Strict compliance with this article is mandatory.
(Ord. No. 90-05, pt. 2(19), 3-27-90)

Editor's note—Ord. No. 90-05, pt. 2, adopted Mar. 27, 1990, added the compliance requirement designated as § 6.13, or as § 6.12 if proposition nos. 17 and 18 failed; hence, the compliance requirement is included as § 6.12. Such amendment, proposition no. 19, was approved by the voters on May 5, 1990.

ARTICLE 7. LEGISLATION BY THE PEOPLE, INITIATIVE AND REFERENDUM*

Sec. 7.01. General power.

The qualified voters of the City of Lockhart, in addition to recall, shall have the power of direct legislation by initiative and referendum.
(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.02. Initiative.

Qualified voters of the City of Lockhart may initiate legislation by submitting a petition signed by at least ten percent (10%) of the qualified voters of the city.
(Ord. No. 07-59, Exh. B, 11-15-07)

***Editor's note**—Ord. No. 07-59, Exh. B, adopted Nov. 15, 2007, amended article 7 in its entirety to read as herein set out. Former article 7, §§ 7.01—7.11, pertained to legislation by the people, initiative and referendum, and derived from Ord. No. 90-05, pt. 2(20)—(25), adopted Mar. 27, 1990; Ord. No. 05-03, § 2(Prop. 3—5), adopted Feb. 1, 2005; and Ord. No. 05-06, adopted May 17, 2005.

Sec. 7.03. Exceptions.

Exceptions to this power of initiative are ordinances or resolutions levying taxes, appropriating money, setting public utility rates, setting franchises, setting city employee salaries, addressing city personnel matters, zoning and rezoning property, and ordinances in violation of Texas or federal laws or regulations.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.04. Form and presentation of petition.

Initiative petitions shall be addressed to the city council. Initiative petition papers, and each copy thereof, shall contain the full text of the proposed legislation in the form of an ordinance or resolution, including a descriptive caption. All papers of the petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be made in ink and shall comply with V.T.C.A., Election Code § 277.002. Each signature page of the petition shall be verified by oath in the following form:

STATE OF TEXAS
COUNTY OF CALDWELL

_____, being duly sworn, deposes and says that s/he is a qualified voter of the City of Lockhart and personally circulated the foregoing paper, that all the signatures affixed thereto were made in her/his presence, and that s/he believes them to be the genuine signatures of the persons whose names they purport to be.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.05. Presentation of petition.

The city secretary shall examine the initiative petition within twenty (20) business days after the petition is filed, to determine whether each page of the petition is properly attested, the signatures thereon are valid, and a sufficient number of qualified voters of the city have signed the petition. The city secretary shall certify the result of the examination and present the petition and certification to the city council at the next regularly scheduled city council meeting after the examination is completed, subject to the requirements of state law.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.06. City council action upon initiative petition.

If the city secretary certifies the initiative petition to be sufficient and in compliance with this article, then the city council shall pass and adopt the ordinance or resolution without alteration as to its meaning or effect, in the opinion of the initiators of the petition, or, if applicable, the city council shall order an election to be held on the next uniform election date provided by state law, subject to compliance with requirements of the Texas Election Code. If an initiated ordinance is defeated at an election, no ordinance that is the same in substance shall be initiated again within two (2) years from the date of such election.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.07. Referendum.

Qualified voters of the city may require that any ordinance or resolution passed by the city council be submitted to the voters of the city for approval or disapproval, by submitting a petition for this purpose, signed by at least ten percent (10%) of the qualified voters of the city, within thirty (30) days after final passage of the ordinance or petition, or within thirty (30) days of its publication. The referendum petition shall be addressed, prepared, signed, verified, and examined as provided in section 7.04, above. Exceptions to the power of referendum are those provided in section 7.03, above.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.08. City council action upon referendum petition.

If the city secretary certifies the referendum petition to be sufficient and in compliance with this article, then the city council shall reconsider the ordinance or resolution within thirty (30) days after the date of the certification. If the city council does not repeal the ordinance or resolution in its entirety, then the ordinance or resolution shall be submitted to popular vote at the next uniform election date provided by state law, subject to compliance with state law. Until such election is held, the ordinance or resolution shall be suspended from taking effect. If a majority of the qualified voters voting in the election vote in favor of the ordinance or resolution, then it shall take effect immediately after the election results have been canvassed.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 7.09. Voluntary submission of legislation by city council.

The city council, upon its own motion and by a majority vote of its members, may submit to popular vote, for adoption or rejection, any proposed ordinance or resolution, or may submit for repeal any existing ordinance or resolution. The election shall be held at the next uniform election date provided by state law, subject to compliance with the state law. Exceptions to the power of submission of legislation by the city council are those provided in section 7.03, above. If a majority of the qualified voters voting in the election vote to adopt the proposed ordinance or resolution, then it shall take effect immediately after the election results have been canvassed. If a majority of the qualified voters voting in the election vote to reject or repeal an ordinance or resolution, then the ordinance or resolution shall be ineffective immediately after the election results have been canvassed. No ordinance or resolution that was passed by the city council upon a petition or adopted by popular vote under the provisions of this article shall be repealed or amended except by the city council in response to a referendum petition or by submission as provided in this subsection.

(Ord. No. 07-59, Exh. B, 11-15-07)

Secs. 7.10, 7.11. Reserved.

ARTICLE 8. MUNICIPAL PLANNING AND ZONING***Sec. 8.01. Subdivision authority.**

The city council shall adopt by ordinance, and amend by ordinance as needed, regulations governing the division of land into two (2) or more parts, including subdivision platting standards, procedures, appeals, responsibility for public infrastructure improvements, and other related matters in accordance with the applicable provisions of the Texas Local Government Code.

(Ord. No. 02-06, § 2, 2-19-02)

Sec. 8.02. Zoning authority.

The city council shall adopt by ordinance, and amend by ordinance as needed, an official zoning map dividing the city into various districts, and regulations governing the use of land and structures within those districts, including standards, procedures, appeals, and other related matters in accordance with the applicable provisions of the Texas Local Government Code.

(Ord. No. 02-06, § 2, 2-19-02)

Sec. 8.03. Planning and zoning commission.

A city planning and zoning commission is established. Commission members shall be appointed by the council and serve without compensation. The council shall establish, by ordinance, the composition, qualifications, method of appointment, and terms of office of the commission, and the commission's meeting procedures and authority consistent with the applicable provisions of the Texas Local Government Code.

(Ord. No. 02-06, § 2, 2-19-02)

Sec. 8.04. Board of adjustment.

A zoning board of adjustment is established. Board members shall be appointed by the council and serve without compensation. The council shall establish, by ordinance, the composition, qualifications, method of appointment, and terms of office of the board, and the board's meeting procedures and authority consistent with the applicable provisions of the Texas Local Government Code.

(Ord. No. 02-06, § 2, 2-19-02)

***Editor's note**—Ord. No. 02-06, § 2, adopted February 19, 2002, amended the Code by repealing former art. 8, §§ 8.01—8.04, and adding a new art. 8. Former art. 8 pertained to similar subject matter, and derived from the original Charter.

ARTICLE 9. MUNICIPAL FINANCE**Sec. 9.01. Fiscal year.**

The fiscal year of the City of Lockhart shall be established by ordinance of the city council. Such fiscal year shall also constitute the budget and accounting year.

(Ord. No. 96-08, pt. 2(4), 3-5-96)

Editor's note—The voters approved amendment of this section on May 4, 1996, proposition no. 4.

Sec. 9.02. Preparation and submission of budget.

The city manager shall serve as the city's budget officer and shall prepare each year a city budget to cover the proposed expenditures of the city government for the succeeding year. In preparing the budget, the city manager may require any municipal officer or board to furnish information necessary for the city manager to properly prepare the budget. The city manager shall submit the proposed budget to the city council between sixty (60) and ninety (90) days prior to the beginning of each fiscal year, but in every case shall file the proposed budget with the city secretary before the 30th day before the date the city council makes its tax levy for the fiscal year. The city budget shall provide a complete financial plan for the fiscal year and shall contain a complete financial statement of the city that shows:

- (a) A consolidated budget of anticipated receipts and proposed expenditures for all funds;
- (b) Tax levies and collections by year for five (5) years, at minimum;
- (c) An analysis of property valuations and tax rate;
- (d) A summary explaining the budget by outlining the proposed financial policies of the city for the fiscal year, giving the reasons for material changes in expenditures and revenue items from the previous fiscal year, and explaining any major changes in financial policy;
- (e) A statement for all types of bonds issued, with a description of all outstanding bond issues, rates of interest, dates of issuance, maturity date, amounts authorized, amounts issued, amounts outstanding, and a schedule of requirements for the principal and interest of each bond issuance, and the appropriation and tax levying ordinances.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 9.03. Anticipated revenues compared with other years in budget.

In preparing the budget, the city manager shall place in parallel columns opposite the several items of revenue: The actual amount of each item for the last completed fiscal year, the estimated amount for the current fiscal year, and the proposed amount for the ensuing fiscal year.

Sec. 9.04. Proposed expenditures compared with other years.

The city manager in the preparation of the budget shall place in parallel columns opposite the various items of expenditures: The actual amount of such items of expenditures for the last completed fiscal year, the estimated amount for the current fiscal year and the proposed amount for the ensuing fiscal year.

Sec. 9.05. Budget a public record.

The budget and all supporting schedules shall be filed with the person performing the duties of city secretary, submitted to the city council and shall be a public record. The city manager shall provide copies for distribution to all interested persons.

Sec. 9.06. Notice of public hearing on budget.

At the meeting of the city council at which the budget is submitted, the city council shall fix the time and place of a public hearing on the budget and shall cause to be published in the official newspaper of the City of Lockhart, a notice of the hearing setting forth the time and place thereof, which shall be not less than ten (10) days before said hearing nor more than thirty (30) days before said hearing.

Sec. 9.07. Public hearing on budget.

At the time and place set forth in the notice required by section 9.06, or at any time and place to which such public hearing shall from time to time be adjourned, the city council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

Sec. 9.08. Proceedings on budget after public hearing.

After the conclusion of such public hearing, the city council may make changes in the budget for municipal purposes, as allowed by law. Where the changes increase total proposed expenditures, the city council shall provide for such increase in the total anticipated revenue, through the transfer from existing funds, use of unrestricted fund balance or net assets, or as otherwise provided herein.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 9.09. Vote required for adoption.

The budget shall be adopted by the favorable vote of a majority of the members of the whole city council.

Sec. 9.10. Date of final adoption.

The budget shall be finally adopted no later than the beginning of each fiscal year, or as soon thereafter as is practicable.

(Ord. No. 96-08, pt. 2(5), 3-5-96)

Editor's note—The voters approved amendment of this section on May 4, 1996, proposition no. 5.

Sec. 9.11. Effective date of budget; copies made available.

Upon final adoption, the budget shall be in effect for the fiscal year. The final budget shall be printed or otherwise reproduced and copies shall be made available to the city secretary, and all offices, departments and agencies and for the use of interested persons and civic organizations.

(Ord. No. 02-06, § 2, 2-19-02)

Sec. 9.12. Budget establishes appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

Sec. 9.13. Budget establishes amount to be raised by property tax.

From the effective date of the budget, the amount stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy for the purposes of the city in the corresponding tax year; provided, however, that in no event shall such levy exceed the legal limit provided by the laws and constitution of the State of Texas.

Sec. 9.14. Contingent appropriation.

Provisions shall be made in the annual budget and in the appropriation ordinance for a contingent appropriation in an amount not more than three (3) per centum of the total budget, to be used in case of unforeseen items of expenditure. Such contingent appropriation shall be under the control of the city manager and distributed by him, after approval of the city council. Expenditures from this appropriation shall be made only in case of established emergencies and a detailed account of such expenditures shall be recorded and reported.

Sec. 9.15. Estimated expenditures shall not exceed estimated resources.

The total estimated expenditures of the general fund and debt service fund shall not exceed the total estimated resources of each fund (prospective income plus cash on hand). The classification of revenue and expenditure accounts shall conform as [as] nearly as local conditions will permit to the uniform classification as promulgated by the National Committee on Governmental Accounting or some other nationally accepted classification.

Sec. 9.16. Other necessary appropriations.

The city budget may be amended and appropriations altered in accordance therewith in cases of public necessity, the actual fact of which shall have been declared by the city council.

Sec. 9.17. Reserved.

(Ord. No. 96-08, pt. 2(1), 3-5-96)

Editor's note—The voters approved deletion of this section on May 4, 1996, proposition no. 1.

Sec. 9.18. Power to tax.

The city council shall have the power under the provisions of the state law to levy, assess and collect an annual tax upon real and personal property within the city to the maximum provided by the constitution and general laws of the State of Texas. The city council shall also have the power to levy occupation taxes on such occupations as consistent with the general laws of the State of Texas.

Sec. 9.19. Property subject to tax; method of assessment.

All real and personal property within the city and not otherwise exempted by law shall be subject to annual taxation. The chief appraiser for the city may require a rendition statement or property report, as provided by the Texas Property Tax Code, by delivering written notice that the statement or report is required to the person responsible for filing it. A copy of the appropriate form shall be attached to the notice. The statement and/or report must be delivered to the chief appraiser after January 1 and not later than April 15, unless otherwise provided by law. Upon written request by the property owner, the chief appraiser shall extend a deadline for filing a statement and/or report to May 15, and may extend the deadline an additional fifteen (15) days upon good cause shown in writing by the property owner. The chief appraiser shall impose a penalty on a person who fails to timely file a statement and/or report required by the chief appraiser, such penalty to be in the amount of ten percent (10%) of the total amount of taxes imposed on the property for that year by taxing units participating in the appraisal district. The chief appraiser shall impose an additional penalty on the person equal to fifty percent (50%) of the total amount of taxes imposed on the property for the tax year of the statement and/or report by the taxing units participating in the appraisal district if it is finally determined by a court that:

- (a) The person filed a false statement or report with the intent to commit fraud or to evade the tax; or
- (b) The person alters, destroys or conceals any record, document, or thing, or presents to the chief appraiser any altered or fraudulent record, document, or thing, or otherwise engages in fraudulent conduct, for the purpose of affecting the course or outcome of an inspection, investigation, determination, or other proceeding before the appraisal district.

The chief appraiser may waive the penalty if the chief appraiser determines that the person exercised reasonable diligence to comply with or has substantially complied with the requirements of state law. A written request, accompanied by supporting documentation, stating the grounds on which penalties should be waived must be sent to the chief appraiser not later than the 30th day after the date the person received notification of the imposition of the penalty. The chief appraiser shall make a determination of the penalty waiver request based on the information requested.

(Ord. No. 05-03, § 2(Prop. 6), 2-1-05/5-7-05; Ord. No. 05-06, 5-17-05/5-7-05; Ord. No. 07-59, Exh. B, 11-15-07)

Editor's note—Property renditions are governed by the provisions of V.T.C.A., Tax Code § 22.01 et seq.

Secs. 9.20—9.23. Reserved.

(Ord. No. 96-08, pt. 2(2), 3-5-96)

Editor's note—The voters approved deletion of these sections on May 4, 1996, proposition no. 2.

Sec. 9.24. Taxes; when due and payable.

All taxes due the City of Lockhart shall be payable at any time after the tax rolls for the year have been completed and approved, pursuant to the State Property Tax Code [V.T.C.A., Tax Code ch. 1 et seq.]. Taxes shall be paid before February 1, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to such penalty and interest mandated by state law. The city council may provide further by ordinance that all taxes, either current or delinquent, due the City of Lockhart may be paid in installments. Failure to levy and assess taxes through omission in preparation of the approved tax roll shall not relieve the persons, firm or corporation so omitted from obligation to pay such current or past-due taxes as shown to be payable by recheck of the rolls and receipts for the years in question.

(Ord. No., 96-08, pt. 2(6), 3-5-96)

Editor's note—The voters approved amendment of this section on May 4, 1996, proposition no. 6.

State law reference—Payment of taxes, V.T.C.A., Tax Code § 31.01 et seq.

Sec. 9.25. Tax liens.

On January 1 of each year, a tax lien in favor of the city attaches to property to secure the payment of all taxes, penalties, and interest ultimately imposed for the year on the property, whether or not the taxes are imposed in the year the lien attaches. The lien described herein is perfected upon attachment, and except as provided in Texas Property Tax Code § 32.03, perfection requires no further action by the city. Personal property is subject to seizure for the payment of delinquent tax, penalty, and interest. Real property is subject to foreclosure to secure payment of the tax or enforce personal liability for the tax, or both. A tax lien on real property takes priority over a homestead interest in the property.

(Ord. No. 07-59, Exh. B, 11-15-07)

Editor's note—Tax liens are controlled by V.T.C.A., Tax Code § 32.01 et seq.

State law reference—V.T.C.A., Transportation Code § 311.073

Sec. 9.26. Issuance of bonds.

The City of Lockhart shall have the power to issue bonds and levy a tax to support the issue for permanent improvements and all other public improvements and public purposes. The city shall also have the power to borrow money against the revenues of any municipally owned utility and to mortgage the physical properties of such utility in payment of such debt. In no event, however, shall revenue bonds be considered an indebtedness of the city nor repaid with funds secured by taxation.

Sec. 9.27. Competitive bidding.

The City of Lockhart shall take competitive bids in accordance with V.T.C.A., Local Government Code ch. 252, as now or hereinafter amended.

ARTICLE 10. FRANCHISE AND PUBLIC UTILITIES**Sec. 10.01. Franchise by ordinance.**

The city shall have the power, subject to the provisions hereof, by ordinance to confer upon any person, firm or corporation the franchise or right to use the public property of the city for the purpose of furnishing to the public any general public service or benefit, including, but not limited to, heat, light, power, telephone service and transportation, for compensation or hire; provided that no franchise shall be granted by the city to any person, firm or corporation to own, control or operate a waterworks therein. Any franchise granted may be voided upon the failure of the grantee to exercise the same in compliance with the terms thereof.

Sec. 10.02. Franchise ordinance procedure.

The granting of franchises by the city council shall be governed by the following regulations:

- (1) No exclusive franchise or privilege shall ever be granted.
- (2) No determinate or fixed term franchise shall ever be granted for a longer term than [than] twenty-five (25) years.
- (3) Within ten (10) years of the date of expiration of any fixed term franchise, the city council may grant a new franchise to commence upon the expiration of the franchise in question, or grant a new franchise, if the existing franchise is released.
- (4) Actual operation under a franchise must commence within six (6) months after the granting of the franchise. As a part of the actual operation, the city council may grant a reasonable time beyond the six-month period for research, development and construction upon terms and conditions as set forth in the franchise.
- (5) No franchise, nor the assets held by the franchise holder, may be sold, assigned, transferred or conveyed to any other person, firm or corporation without the consent of the city first had and obtained by ordinance or resolution, unless otherwise provided in the franchise. In the event that the purchaser is the holder of a like franchise, the franchise purchased shall be cancelled and merged into the franchise held by the purchaser upon terms and conditions as may be set out by the city council when permission for merger is granted.
- (6) The purchaser of any franchise must assume and promptly discharge all of the payments due and owing the city by the holder of the franchise being purchased.
- (7) An indeterminate franchise (that is, with no fixed or determinate duration) may be granted, provided that the ordinance granting the same gives to the city, in express terms, the right to purchase the property of the franchise holder or to cause a purchaser to buy such property, fixing the times, the rights and the conditions under which they may be exercised. In the event of purchase by the city, the franchise itself shall not be deemed to have any market value.

- (8) All holders of franchises for public services from the city, their successors or assigns, as compensation for the right or privilege enjoyed shall pay to the city a sum not less than four per cent (4%) per annum of the gross receipts of the business pursued by the franchise holders rendered in the city. Such sum shall be exclusive of, and in addition to, all special assessments and taxes of whatever nature, including ad valorem taxes upon the value of the franchise and other property of the franchise holder. The sum due hereunder shall be due and payable on or before the fifteenth day of February of each year for the preceding calendar year.
- (9) All rights held under any such ordinance, shall at all times be subject to the power of the city council to require the holder thereof to make any necessary changes in or reasonable extensions of facilities and service in or to any portion of the city, which in the judgment of the city council may be necessary and proper (subject to the terms and conditions of any franchise). The city reserves the right to prevent the making of unnecessary or unprofitable extensions.
- (10) No franchise ordinance shall take effect until thirty (30) days after its final passage and pending such time, the full text of such ordinance shall be published once in the official newspaper of the City of Lockhart and the expense of such publication shall be borne by the proponent of the franchise.
- (11) To establish reasonable standards of service and quality of products.

(Ord. No. 90-05, pt. 2(27), 3-27-90)

Editor's note—The amendment of § 10.02(2), to change the term for fixed term franchises from no longer than forty years to no longer than twenty-five years, was approved by the voters May 5, 1990, proposition no. 27.

Sec. 10.03. Regulation of rates.

The city council shall have the full power after notice and hearing to regulate by ordinance the rates, charges, and fares of every franchise holder operating in the city to the fullest extent allowed by state and federal law. The city council also shall have power to employ, at the expense of the franchisee, expert assistance and advice in determining reasonable rates and equitable profits to the franchisee. No person, firm or corporation holding a franchise to operate a public utility within the city shall make any charge or fix any rate for public service to inhabitants of the city unless the franchisee first receives authorization by ordinance or order passed by the city council, except as otherwise provided by state or federal law. Before filing a suit or cause of action to contest any public utility rate, charge, or order fixed by the city council under authority conferred in the city Charter, a franchise holder must first file a motion for a rehearing with the city council specifically setting out the grounds or complaint against the order or ordinance fixing a rate or charge, and the city council must first have passed upon said motion. If the city council has not acted upon the motion within sixty (60) days of its filing, the motion shall be deemed overruled.

(Ord. No. 07-59, Exh. B, 11-15-07)

Editor's note—The city no longer has the power to determine telephone rates, see Vernon's Ann. Civ. St. art. 1446c-O, § 3.051.

Sec. 10.04. Investigative powers.

In order to ascertain the true amount of gross receipts, capital invested, property value, depreciation and expenses, or any other fact connected with or relating to the business done by such franchise holder, the city council shall have full power:

- (1) To examine, or cause to be examined with the cost being paid by the franchise holder, at any and all reasonable times, the books, papers and records of the franchise holder;
- (2) To take testimony and compel the attendance of witnesses and the production of books, papers and records and to examine witnesses under oath, under such rules and regulations as the city council may adopt;
- (3) To examine the physical properties and facilities of the franchise holder at all reasonable times;
- (4) To declare the franchise or privilege enjoyed by the holder in default, annulled and terminated in the event the holder should fail to comply with the charter of the City of Lockhart, or the franchise, or unjustifiably refuse to permit the inspection of books, papers, records, accounts, or properties, or if any officer, agent or employee of such franchise holder unjustifiably refuses to give testimony when requested by the city council;
- (5) To inquire into the proper and adequate extension of plant and service and inquire into the maintenance of the plant and fixtures.

Sec. 10.05. Service without discrimination.

Every public service franchise holder shall furnish and provide equal and uniform service alike to all persons, firms and corporations in the City of Lockhart. It shall be unlawful and a sufficient ground for forfeiture of any franchise for any such holder, after notice, to grant free service or furnish better service, or to furnish service for a lower price or rate, conditions or quantity of service considered, to any person, firm or corporation, than to other persons, firms or corporations under like circumstances, or to otherwise discriminate in the manner of rates or service, except as may be provided by state law. Any such public service franchise holder may, from time to time, with the consent and approval of the city council, adopt the schedules governing rates, conditions or quantities of service considered, and allow the applicants to choose between alternative schedules. No such schedule shall be operative, nor shall service be furnished in accordance therewith, until filed with and approved by the city council.

Editor's note—The city no longer has power to determine telephone rates, see Vernon's Ann. Civ. St. art. 1446c-O, § 3.051.

Sec. 10.06. Forfeiture of franchise.

Upon proof being received by the city council that the provisions of a franchise previously granted are being violated, it shall at once cause an investigation to be made of the alleged violation. If the city council is of the opinion that the provisions of the franchise are being

violated, it shall instruct the city attorney to take the necessary steps to secure compliance with the terms of the franchise. Should the franchise holder fail to comply, after notice, then the city attorney may take the steps authorized by law including forfeiture of the same.

Sec. 10.07. Rate hearings.

The city council shall provide for a fair hearing to any person, firm or corporation holding a public service franchise in the City of Lockhart, prior to the change in the rates, rules or regulations applicable to such franchise, except as otherwise provided by state or federal law. In fixing or changing the charges, rates, fares or compensation, or determining the reasonableness thereof, no value shall be assigned to any franchise issued by the City of Lockhart, and no stocks or bonds authorized or issued by any corporation, nor any indebtedness created by any person, firm, association or corporation holding a franchise, shall be considered unless upon proof that the stocks, bonds or indebtedness shall have been actually issued for money paid and used in the reasonable development of the property of the franchise holder, for labor done or property actually received in accordance with the laws and constitution of the state. No hearing shall be required for a reduction in rates unless requested in writing by an interested person, firm or organization.

(Ord. No. 07-59, Exh. B, 11-15-07)

Editor's note—The city no longer has power to determine telephone rates, see Vernon's Ann. Civ. St. art. 1446c-O, § 3.051.

Sec. 10.08. Acquisition by eminent domain.

The city shall have the power through eminent domain proceedings to acquire any public utility operating with or without a franchise and furnishing a public service to the citizens of Lockhart. The procedure to be used in the acquisition of such property, shall be that as set forth in V.T.C.A., Property Code ch. 21. In valuing the property, the measure of damages shall be the fair market value of the physical properties together with its franchise, if any, taken together as one system. This power shall be in addition to and cumulative of any other powers of acquisition granted to or reserved by the city in a franchise ordinance.

Sec. 10.09. No public utility purchase without voter approval.

Prior to the purchase of any existing franchised public utility system, either according to the terms of the franchise or by eminent domain, the city council must submit the question of the purchase to the qualified voters of the City of Lockhart, and the same must be approved by a majority of those voting in the election.

Sec. 10.10. Private licenses.

The city council shall have the power by ordinance to grant to any owner of property abutting upon the streets or other property of the city, the use thereof or to go over or under the same in any manner which may be necessary or proper to the enjoyment of said abutting property by the owner; provided, however, that such use be not inconsistent with, and does not unreasonably impair the public use to which said street or other public property may be

dedicated, or the use being made of the same by a public service franchise holder from the city. The city council shall fix the terms and conditions of any such grant and the time for which it shall exist. Whether expressed or not the right is expressly reserved to the city, acting through the city council, to terminate such license when deemed inconsistent with the public use of the property of the city and when the same may become a nuisance.

Sec. 10.11. Revocable license.

The city council shall have the power to grant minor or temporary privileges in the streets, public ways and public places of the city by ordinance or resolution. Such permit shall be unconditionally revocable at the will of the city council and shall not be deemed to be a franchise as used in this charter.

Sec. 10.12. Accounts of municipally owned utilities.

Accounts shall be kept for each public utility owned or operated by the city, in such manner as to show the true and complete financial results of such city ownership and operation, including all assets and all liabilities, appropriately subdivided by classes, depreciation reserve, other reserves and surplus; also revenues, operating expenses including depreciation, interest payments, rental, and other disposition of annual income. The accounts shall show actual capital cost to the city of each public utility owned, also the cost of all extensions, additions, and improvements and the source of funds expended for such capital purposes. They shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any city government department. The city council shall cause an annual report to be made by a certified public accountant and shall publish such report showing the financial results of such city ownership and operation, giving the information specified in this section and such other data as the city council shall deem expedient.

Sec. 10.13. Sales of electricity, water and sewer services.

(a) The city council shall have the power and authority to sell and distribute electricity and water and to sell and provide for sewer services and any other utilities to any person, firm or corporation outside the limits of the City of Lockhart, and to permit them to connect with said system under contract with the city, under such terms and conditions as may appear to be for the best interests of the city; provided the charges fixed for such services outside the city limits shall be reasonable when considered in the light of all circumstances, to be determined by the city council.

(b) The city council shall have the power and authority to prescribe the kind of materials used within or beyond the limits of the City of Lockhart where it furnishes the service, and to inspect the same and require them to be kept in good order and condition at all times and to make such rules and regulations as shall be necessary and proper, and prescribe penalties for noncompliance with same.

Sec. 10.14. Regulation of rates and service.

The city council shall have the power, after due notice and hearing, to regulate by ordinance the rates and services of every public utility operating in the City of Lockhart; and shall have power to employ at the expense of the grantee, expert assistance and advice in determining a reasonable rate and equitable profit to the grantee.

Editor's note—The city no longer has authority to determine telephone rates, see Vernon's Ann. Civ. St. art. 1446c-O, § 3.051.

ARTICLE 11. GENERAL PROVISIONS**Sec. 11.01. Publicity of records.**

The Texas Public Information Act (the TPIA) applies to information of the city. "Public information" means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by the city. Public information is available to the public during the normal business hours of the city. Information of the city is public unless it falls within a specific exception as provided in the TPIA. The TPIA is triggered when a person submits a written request to the city, asking for records or information already in existence. The city is not required to create new information, do legal research, or answer questions. A person may ask to view the information, get copies of the information, or both. The city may charge for copies, and under certain limited circumstances, it may charge for access to information. Generally, where the city wishes to withhold information pursuant to an exception provided in the TPIA, the city must refer the matter to the Texas Attorney General for a ruling within ten (10) business days of receiving the request. (Ord. No. 07-59, Exh. B, 11-15-07)

Editor's note—Public information is now controlled by V.T.C.A., Government Code ch. 552.

Sec. 11.02. Personal interest.

Personal interest or conflict of interest for any officer or employee of the city shall be defined, governed and be in accordance with V.T.C.A., Local Government Code ch. 171, as now defined or hereafter amended. Any violation of this section, in addition to the penalties provided in said statute, shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the person or corporation contracting with the city shall render the contract voidable by the city manager or the city council. (Rev. of 1-7-85)

Sec. 11.03. Nepotism.

(a) The members of the city council, the city manager, the city secretary, the city attorney, the presiding judge of the municipal court, and an officer or member of a city board are public officials subject to the state nepotism laws, including Texas Government Code Chapter 573, as presently enacted and hereafter amended. A public official may not appoint, confirm the appointment or vote for the appointment or confirmation of the appointment of an individual

to a position that is to be directly or indirectly compensated from public funds if the individual is related to the public official within the third degree of consanguinity or within the second degree of affinity.

(b) A candidate is subject to the state nepotism laws, including Texas Government Code Chapter 573, as presently enacted and hereafter amended. A candidate may not take an affirmative action to influence the following individuals regarding the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of another individual related to the candidate within the degrees described in subsection (a), above:

- (i) An employee of the office to which the candidate seeks election; or
- (ii) An employee or another officer of the governmental body to which the candidate seeks election, if the office the candidate seeks is one office of a multimember governmental body.

A "candidate" for purposes of this ordinance is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. The prohibition provided herein does not apply to a candidate's actions taken regarding a bona fide class or category of employees or prospective employees.

(c) The nepotism prohibitions prescribed herein do not apply to an appointment, confirmation of an appointment, or vote for an appointment or confirmation of an appointment of an individual to a position if:

- (i) The individual is employed in the position immediately before the election or appointment of the public official to whom the individual is related in a prohibited degree; and
- (ii) That prior employment of the individual is continuous for at least thirty (30) days if the public official is appointed, or six (6) months if the public official is elected.

However, if the individual continues in a position, the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 11.04. Provisions relating to assignment, execution and garnishment.

The property, real and personal, belonging to the city shall not be liable to be sold or appropriated under any writ of execution or cost bill. The funds belonging to the city, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the city be liable to garnishment on account of any debt it may owe or

funds or property it may have on hand or owing to any person. Neither the city nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatsoever. The city shall not be obligated to recognize any assignment of wages or funds by its employees, agents, or contractors.

Sec. 11.05. City not required to give security or execute bond.

Pursuant to the Texas Civil Practice and Remedies Code, Section 6.002, as presently enacted and hereafter amended, the city is exempt from bond and security requirements in an action, suit, or proceeding.

(Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 11.06. Special provisions covering damage suits.

Before the city shall be liable to damage claim or suit for personal injury, or damage to property, the person who is injured or whose property is damaged or someone in his behalf shall give the city manager or the person performing the duties of city secretary, notice in writing duly verified, within ninety (90) days after the occurrence of the alleged injury, or damage, stating specifically in such notice, when, where, by whom, and how the injury or damage was sustained, and stating the witnesses to the accident or injury and setting forth the extent of the injury or damages as accurately as possible. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of thirty (30) days after the notice hereinbefore described has been filed with the city manager or the person performing the duties of city secretary and not later than two (2) years after the occurrence of the injury or damage to property. In cases of injury resulting in death, before the city shall be liable in damages therefore, the person or persons claiming such damages shall after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing herein contained shall be construed to mean that the City of Lockhart waives any rights, privileges, defenses or immunities in tort actions which are provided under the common law, the Constitution and general laws of the State of Texas.

(Ord. No. 96-08, pt. 2(7), 3-5-96; Ord. No. 07-59, Exh. B, 11-15-07)

Sec. 11.07. Separability clause.

If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 11.08. Effect of this charter on existing law.

All ordinances, resolutions, rules, and regulations now in force under the city government of Lockhart and not in conflict with the provisions of this charter, shall remain in force under

this charter until altered, amended or repealed by the council after this charter takes effect; and all rights of the City of Lockhart under existing franchises and contracts are preserved in full force and effect to the City of Lockhart.

Sec. 11.09. Reserved.

(Ord. No. 96-08, pt. 2(3), 3-5-96)

Editor's note—The voters approved deletion of this section on May 4, 1996, proposition no. 3.

Sec. 11.10. Applicability of general laws.

The constitution of the State of Texas, the statutes of said state applicable to home-ruled municipal corporations, as now or hereafter enacted, this charter and ordinances enacted pursuant hereto shall, in the order mentioned, be applicable to the City of Lockhart, but the city shall also have the power to exercise any and all powers conferred by the laws of the State of Texas upon any other kind of city, town or village, not contrary to the provisions of said home-rule statutes, charter and ordinances, but the exercise of any such powers by the City of Lockhart shall be optional with it, and it shall not be required to conform to the law governing any other cities, towns or villages unless and until by ordinance it adopts same.

Sec. 11.11. Amending the charter.

Amendments to this charter may be framed and submitted to the voters of the city in the manner provided by V.T.C.A., Local Government Code ch. 9, as now or hereafter amended.

Sec. 11.12. Charter review commission.

The city council shall appoint a charter review commission of five (5) citizens of the City of Lockhart as necessary when charter review amendments are to be considered.

- (a) *Duties of the commission:* It shall be the duty of such charter review commission to:
- (1) Inquire into the operation of the city government under the charter provisions and determine whether any such provisions require revision;
 - (2) Propose any recommendations it may deem desirable to insure compliance with the provisions of the charter by the several departments of the city government;
 - (3) Propose, if it deems desirable, amendments to this charter to improve the effective application of said charter to current conditions;
 - (4) Report its findings and present its proposed amendments, if any, to the city council.
- (b) *Action by the city council:* The city council shall receive and have published in the official newspaper of the city any report presented by the charter review commission, shall consider any recommendations made, and if any amendment or amendments be presented as a part of such report, may order such amendment or amendments to be submitted to the voters of the city in the manner provided by V.T.C.A., Local Government Code ch. 9, as now or hereafter amended.

- (c) *Term of office:* The term of office of such charter review commission shall be twenty-four (24) months, and, if during such term no report is presented to the city council, then all records of the proceedings of such commission shall be filed with the person performing the duties of city secretary and shall become a public record.

(Rev. of 1-7-85; Ord. No. 05-03, § 2(Prop. 7), 2-1-05/5-7-05; Ord. No. 05-06, 5-17-05/5-7-05)

Sec. 11.13. Appointed boards.

The city council shall create or dissolve boards and committees whenever it is deemed necessary or advisable.

(Rev. of 1-17-85; Ord. No. 90-05, pt. 2(29), 3-27-90)

Editor's note—Ord. No. 90-05, pt. 2, adopted Mar. 27, 1990, amended § 11.13 to read as herein set out. Such amendment, proposition no. 29, was approved by the voters on May 5, 1990.

Sec. 11.14. Reserved.

Editor's note—Ord. No. 07-59, Exh. B, adopted Nov. 15, 2007, repealed § 11.14, which pertained to nonsubstantive changes and corrections to Charter provisions and derived from Ord. No. 02-06, § 2, adopted Feb. 19, 2002.



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <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
Council Meeting Date: February 16, 2016				
Department: Finance			Initials	Date
Department Head: Jeff Hinson		Asst. City Manager		
Dept. Signature: <i>Jeff Hinson</i>		City Manager		<i>[Signature]</i> <i>2-12-2016</i>
Agenda Item Coordinator/Contact (include phone #): Jeff Hinson 398-3461 x232				
ACTION REQUESTED: <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				
CAPTION				
Discussion and/or Action for City Council to approve \$100 contribution to the Lockhart High School Key Club for their assistance to the Downtown Revitalization Events Committee.				
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				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
During the Hot Rod show, the Lockhart High School Key Club assisted the Downtown Revitalization Events Committee with their refreshment booth. The Key Club's help was highly appreciated and the Committee decided to send a Thank You letter and voted to make a \$100 contribution to the club from the booth proceeds.				
STAFF RECOMMENDATION				
N/A				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
Copy of Committee's minutes concerning vote for the contribution.				

Director about digging up and planting a large Christmas tree on the courthouse lawn. We have already mentioned to the Country to try to do this in conjunction with Dickens.

C. Discussion and/or action regarding the 2016 Hot Rods & Hatters 5th Annual Car Show held February 6, 2016 and report on the drink booth hosted by Events Committee.

Joel Gammage reported some 836 cars registered for the show. Overall it was reported as an outstanding show. Many of the restaurants were very busy all over town. Many of the businesses reported an above average day.

Joel stated last year bar owners ask for improvement on some things. Last year they had three lanes coming from Prairie Lea Street. Those were moving pretty quickly considering all of the traffic. There were no complaints from the police department this year. There were no traffic jams. Joel stated he had 836 cars and there were still cars parked outside the barricades. There were 271 more cars this year than last year. San Marcos Newspaper and Gonzales Newspaper, and Lockhart Post Register were there. As far as plans for next year, the ends of the street need to be fenced off. Our TABC license in danger because we had so many people walking between HEB and their gas station trying to bring in beer. We had people policing it, but we definitely do not want to have these issues next year. Joel stated we needed to have staff at every gate and at the end of every street and gate access next year.

Ray reported on the Drink Booth hosted in conjunction with the Hot Rods & Hatters Car Show. He reported on a total of \$932.28.

Eight kids and Greg Boyd was there to volunteer from the Key Club. HEB donated \$60. We also received \$36 in donations. We are to send a letter thanking them. There was discussion of sending the Key Club a donation for helping with the booth.

Motion to recommend to City Council to donate \$100 to the Key Club for their help in the booth selling water and sodas.

Motion: J.J. Grigar

Second: Mayor Lew White

Vote: 5 of 5

MINUTES

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LIST OF BOARD/COMMISSION VACANCIES

Updated: February 11, 2016

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Board Name	Reappointments/Vacancies	Council member
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-(John Lairsen resigned 12/22/2015-requested appointment to Historical Preservation Comm)	Councilmember Michelson
Economic Development Revolving Loan Committee	VACANT-(Dr. Philip Wales resigned 02/10/2016)	Councilmember Castillo
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

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
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
Ron Faulstich	Historical Preservation Commission	December 31, 2015	District 3

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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

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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

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Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnnekamp	01/17/12
	Board of Adjustment	Mike Annas	01/17/12
	Construction Board	VACANT-Alternate	04/03/12
	Ec Dev. Revolving Loan	Ralph Gerald	01/17/12
	Ec Dev. Corp. ½ Cent Sales Tax	W.R. Cline	01/17/12
	Electric Board	Alan Fielder, Vice-Chair	01/17/12
	Historical Preservation	Joe Colley, Chair	01/17/12
	Library Board	John Lairsen	01/05/16
	Parks and Recreation	Stephanie Riggins	01/17/12
	Planning & Zoning	Albert Villalpando, Chair	01/17/12
District 1 – Juan Mendoza	Airport Board	Bill Faust	03/18/14
	Board of Adjustment	Larry Burrier	06/19/12
	Construction Board	Lori Rangel	05/01/12
	Eco Dev. Revolving Loan	Aaron Snider	09/06/11
	Eco Dev. Corp. ½ Cent Sales Tax	Ryan Lozano	08/15/06
	Electric Board	Dyral Thomas	04/05/11
	Historical Preservation	Thomas Herrera	07/17/12
	Library Board	Victor Corpus	06/04/13
	Parks and Recreation	Shirley Williams	01/17/12
	Planning & Zoning	Linda Thompson-Bennett	08/19/08
District 2– John Castillo	Airport Board	Adam Rodriguez	12/04/12
	Board of Adjustment	Reed Coats	01/17/12
	Construction Board	VACANT-(S.Ramirez resigned 8/5/2015)	
	EcoDev. Revolving Loan	Israel Zapien	01/17/12
	Eco Dev. Corp. ½ Cent Sales Tax	VACANT-(Dr.Wales resigned 2/10/2016)	
	Electric Board	Fermin Islas, Chair	01/04/11
	Historical Preservation	James Briceno	05/03/11
	Library Board	Richard Mendez, Chair	02/01/11
	Parks and Recreation	Donnie Wilson	01/04/11
	Planning & Zoning	James Torres	05/03/11
		Rob Ortiz, Alternate	05/06/08
		Manuel Oliva	05/03/11

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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District 3 – Benny Hilburn	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	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, Chair	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
District 4 - Jeffry Michelson	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	Mark Brown, Vice-Chair Wayne Reeder VACANT-J. Lairsen resigned 12/22/15 Mary Beth Nickels Morris Alexander James Paul Denny, Vice-Chair Kathy McCormick Donaly Brice Russell Wheeler Steve Visage	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
Mayor Pro-Tem (At-Large) – Angie Gonzales-Sanchez	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 & Zoning	Andrew Reyes Laura Cline, Chair Walter Stephens, Alternate Irene Yanez Bernie Rangel Juan Alvarez, Jr. Jodi King VACANT-J. Johnson resigned 01/05/16 Philip Ruiz, Vice-Chair	12/21/10 02/19/08 05/06/08 06/17/08 07/07/15 03/01/11 01/04/11 01/04/11

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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At-Large - Brad Westmoreland	Airport Board Board of Adjustment Construction Board (Alternate) Eco Dev. Revolving Loan Eco Dev. Corp. ½ 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

**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*

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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	
General Government																						
Hotel Tax Fund																						
2008 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						600,000	
Total Hotel Tax Fund P & I	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000						600,000	
LEDC																						
2008 GO Refunding	300,000	300,000	300,000																		900,000	
Total LEDC Fund P & I	300,000	300,000	300,000																		900,000	
Drainage																						
2008 GO Refunding	100,000	100,000	100,000																		300,000	
Total Drainage Fund P & I	100,000	100,000	100,000																		300,000	
General Fund																						
2008 GO Refunding	89,548	90,622	101,003																		281,173	
Total General Fund P & I	89,548	90,622	101,003																		281,173	
Debt Service Fund																						
2009 Tax & Rev CO's	336,685	335,065	333,210	331,060	328,372	327,663	328,575	329,615	737,655	742,642	741,325	743,920	750,210	749,978	753,440						7,878,255	
2008 Tax & Rev CO's	48,325	46,880	50,454	48,815	47,175	50,535	46,690	46,845													387,730	
2006-A Tax & Rev CO's	288,441	270,895	266,919	267,594	297,890	267,803	267,332	271,128													2,148,800	
Total Debt Service Fund	654,451	652,870	650,581	647,469	644,037	646,221	652,597	647,588	737,655	742,642	741,325	743,920	750,210	749,978	753,440						10,414,785	
Total General Government	1,183,999	1,183,292	1,191,584	687,469	684,037	686,221	692,597	687,588	777,856	782,642	781,325	783,920	790,210	789,978	793,440						12,495,958	
Proprietary																						
Electric Fund																						
2008 GO Refunding	40,243	40,331	38,755																		120,329	
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	1,423,023
Total Electric Fund P & I	111,394	111,482	110,906	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	1,543,352
Water Fund																						
2008A Tax & Rev CO's	20,281	20,375	20,090	20,142	20,164	20,157	20,122	20,408													161,738	
2008 GO Refunding	407,807	408,702	402,867																		1,219,376	
2009 GO Refunding	165,353	165,686	165,829	165,775	165,656	165,477	169,357	168,625	167,709	170,852	169,394	171,937	174,082	171,534	177,194						2,534,452	
2013 SIB Loan	82,877	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	1,653,521
Total Water Fund P & I	678,118	677,441	671,463	268,593	268,496	268,310	272,154	271,709	250,385	253,528	252,080	254,613	256,758	254,210	259,870	82,676	82,676	82,676	82,676	82,676	82,676	5,569,086

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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	
Sewer Fund																						
2006 GO Refunding	163,367	163,770	181,148																			
2008 GO Refunding	25,387	25,439	25,481	25,452	25,434	25,407	26,002	25,890	25,749	26,232	26,006	26,398	26,728	26,336	27,206						548,293	
2013 SIB Loan	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,102	399,128
Total Sewer Fund P & I	265,857	266,311	283,710	102,555	102,536	102,510	103,105	102,992	102,852	103,334	103,108	103,501	103,830	103,438	104,309	77,102	77,102	77,103	77,102	77,102	77,102	1,542,049
Airport Fund																						
2000 Airport	61,900	63,600																				
Total Airport Fund P & I	61,900	63,600																				
Total Proprietary Fund	1,135,288	1,138,834	1,086,078	442,299	442,183	441,972	446,410	445,852	424,389	428,013	426,319	429,266	431,740	428,799	435,330							125,500
Grand Total	2,319,286	2,322,127	2,257,662	1,129,768	1,126,220	1,128,193	1,139,007	1,133,440	1,202,044	1,210,855	1,207,644	1,213,186	1,221,950	1,216,777	1,228,770							9,717,398
																						22,213,356
Summary of all bond issues:																						
2006 Tax & Rev CO's	48,325	48,890	50,455	48,815	47,175	50,535	48,890	46,845														
2006-A Tax & Rev CO's	289,722	291,070	287,008	287,736	288,054	287,960	287,454	291,536														387,730
2008 GO Refunding	1,120,964	1,123,425	1,124,771																			2,310,538
2000 Airport	61,900	63,600																				3,369,160
2009 GO Refunding	190,740	191,128	191,290	181,228	181,090	190,884	185,359	184,515	193,459	197,084	195,390	198,335	200,810	197,870	204,400							125,500
2009 Tax & Rev CO's	378,685	375,085	373,210	371,080	368,972	367,883	376,575	369,815	777,655	782,842	781,325	783,920	790,210	789,978	793,440							2,923,580
2013 SIB Loan	230,930	230,929	230,930	230,930	230,929	230,931	230,930	230,929	230,930	230,930	230,929	230,931	230,930	230,929	230,930	230,930	230,929	230,930	230,930	230,930	230,930	8,478,255
Total Debt:	2,319,286	2,322,127	2,257,662	1,129,768	1,126,220	1,128,193	1,139,007	1,133,440	1,202,044	1,210,855	1,207,644	1,213,186	1,221,950	1,216,777	1,228,770	230,930	230,929	230,930	230,930	230,930	230,930	4,618,593
																						22,213,356

City of Lockhart
2015 BOND PROGRAM

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

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
		Construction	365 days	Thu 6/30/16	Thu 6/29/17																																				
\$1,355,516.00	6	SH130 WATER MAN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001																																							
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16																																				
		Survey	30 days	Tue 2/2/16	Wed 3/2/16																																				
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16																																				
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16																																				
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16																																				
		Construction	300 days	Fri 9/2/16	Wed 6/28/17																																				
\$470,400.00	7	SH130 PUMP STATION PROJECT																																							
		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																																				
\$859,186.00	8	SH130/TOWN BRANCH SEWER PROJECT																																							
		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																																				
\$1,891,126.00	9	WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main																																							
		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																																				