

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, APRIL 19, 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 acknowledging April 10-16, 2016 as "National Library Week".

DISCUSSION ONLY

- A. Discuss minutes of the City Council meeting of April 5, 2016. **14-22**
- B. Discuss Resolution 2016-04 adopting the U.S. Department of Housing and Urban Development (HUD) Section 504 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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. **23-49**
- C. Discuss Resolution 2016-05 adopting the U.S. Department of Housing and Urban Development (HUD) Excessive Force Policy; 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. **50-56**
- D. Discuss Resolution 2016-06 adopting the U.S. Department of Housing and Urban Development (HUD) Section 3 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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. **57-67**
- E. Discuss 2nd Quarter Fiscal Year 2016 Investment Report. **68-77**
- F. Discuss semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees. **78-84**
- G. Discuss direction to staff for employing consultants as needed to update the land use assumptions, capital improvements plans, and impact fees, as provided in Chapter 16 "Impact Fees" of the Lockhart Code of Ordinances for the assessment of water, wastewater, and road impact fees. **85**
- H. Presentation and/or discussion regarding expenditures allowed for Economic Development Corporations. **86-90**

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

3. CITIZENS/VISITORS COMMENTS

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

4. PUBLIC HEARING/COUNCIL ACTION

A. Hold public hearing on application ZC-16-01 by High Rustler Ventures, LLC, on behalf of Adolfo Sendejo for a Zoning Change from AO Agricultural-Open Space District to RHD Residential High Density District for 18.547 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located on the north side of the 2200 block of West San Antonio Street (SH 142). 5-13

B. Discussion and/or action to consider Ordinance 2016-12 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 18.547 acres in the Cornelius Crenshaw Survey, Abstract Number 68, located on the North side of the 2200 Block of West San Antonio Street (SH 142), from AO Agricultural-Open Space District to RHD Residential High Density District.

5. CONSENT AGENDA

A. Approve minutes of the City Council meeting of April 5, 2016. 14-22

B. Approve Resolution 2016-04 adopting the U.S. Department of Housing and Urban Development (HUD) Section 504 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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. 23-49

C. Approve Resolution 2016-05 adopting the U.S. Department of Housing and Urban Development (HUD) Excessive Force Policy; 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. 50-56

D. Approve Resolution 2016-06 adopting the U.S. Department of Housing and Urban Development (HUD) Section 3 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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. 57-67

E. Accept the 2nd Quarter Fiscal Year 2016 Investment Report. 68-77

6. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action to consider accepting the semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees. 78-84
- B. Discussion and/or action to consider direction to staff for employing consultants as needed to update the land use assumptions, capital improvements plans, and impact fees, as provided in Chapter 16 "Impact Fees" of the Lockhart Code of Ordinances for the assessment of water, wastewater, and road impact fees. 85
- C. Presentation and/or discussion regarding expenditures allowed for Economic Development Corporations. 86-90
- D. Discussion and/or action regarding appointments to various boards, commissions or committees. 91-96

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

- Update- US 183 widening project, Hickory to Blackjack: west side drainage truck main started between Hickory and Blackjack; some rain delays; some challenges for driveways.
- Update: Contracts with Qro-Mex Construction putting in utility lines on Richland Drive.
- Update: Public bids should go out within the next 30-45 days for the CDBG Grant Project placing a new 18" water transmission main from Water Plant to near Serta.
- Update: Dead fish at City Park pond.
- Update: Development Services busy with subdivisions, rezoning, and SUP requests.
- Update: Preparation for Chisholm Trail Annual Event.
- Report: Greater Caldwell County Hispanic Chamber of Commerce annual banquet.
- Report: Thanks to Sandra Mauldin, the Greater San Marcos Partnership Group, County Commissioner Alfredo Munoz, LEDC members Fernin Islas and Ken Doran, Mayor Pro-tem Angie Gonzales-Sanchez, and Councilmember Michelson, for hosting two business locator professionals on Saturday, April 9.
- Report: Don't Mess with Texas Annual Trash Off Event held in City Park at main pavilion on Saturday, April 9; volunteers helped Keep Lockhart Beautiful.
- Reminder: Annual Residential Spring Clean Up Event each Wednesday in April.
- Reminder: Annual Fiesta Del Mariachi event will be April 30, 7-10 pm.
- Reminder: Cinco de Mayo Celebration with 5k and 10k events to be held May 6 and 7th.
- Reminder: Special Residential Household Hazardous Waste Collection event to be held Saturday, May 14, at City Park from 9 am until noon for Lockhart residents only.
- New faces since March 2016:
 - Joerey Amaro – Electric Dept
 - Sandra Perry – Animal Services Dept
 - Gregorio Paiz – certified Police Officer started April 11, 2016
 - Zulema Ibarra – certified Police Officer will start April 25, 2016

8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

(**Items of Community Interest defined below)

9. ADJOURNMENT

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

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

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

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

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

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

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

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

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

Section 551.087. To deliberate or 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 15th day of April 2016 at 2:25pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register



Connie Constancio, TRMC
City Secretary



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Finance <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable Reviewed by Legal <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable		
Council Meeting Date: April 19, 2016			
Department: Planning		Initials	Date
Department Head: Dan Gibson	Asst. City Manager		
Dept. Signature: <u>Dan Gibson</u>	City Manager	<u>[Signature]</u>	<u>4.15.2016</u>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236			
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER			
CAPTION			
Hold a PUBLIC HEARING on application ZC-16-01 by High Rustler Ventures, LLC, on behalf of Adolfo Sendejo, and discussion and/or action to consider Ordinance 2016-12 for a Zoning Change from AO Agricultural-Open Space District to RHD Residential High Density District for 18.547 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located on the north side of the 2200 block of West San Antonio Street (SH 142).			
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			
SUMMARY OF ITEM			
<p>The subject property and areas adjacent to the east and west are currently zoned AO Agricultural-Open Space. The applicant has proposed a new apartment development that is allowed only in the RHD Residential High Density district. Because the Lockhart 2020 Land Use Plan map shows future medium density residential adjacent to the east, and future commercial and industrial adjacent to the west, the proposed high density residential zoning classification of the subject property would provide an appropriate transition between the lower land use intensities to the east and the higher intensities to the west once those areas are rezoned and developed in accordance with the land use plan. Because the surrounding area is relatively undeveloped, the only potential negative impact on the surrounding area at this time would be an increase in traffic on San Antonio Street due to the additional population that would be housed in the proposed high density development. The requested RHD zoning classification is consistent with the High Density Residential future land use indicated by the Lockhart 2020 Land Use Plan map for the south portion of the property, but not consistent with the Industry designation of most of the rear portion. In any case, the proposed RHD zoning in general does not conflict with the intent of the land use plan to provide for higher intensity uses in this area. One person spoke at the Planning and Zoning Commission meeting in opposition to the proposed rezoning because there was no site plan or other means of commitment as to the exact nature of the proposed development. More complete information can be found in the attached staff report.</p>			
STAFF RECOMMENDATION			
Staff recommends APPROVAL of Ordinance 2016-12.			
List of Supporting Documents: Ordinance, legal description, map, staff report, application form, owner's letter of authorization.	Other Board or Commission Recommendation: At their April 13, 2016, meeting, the Planning and Zoning Commission voted 5-1 to recommend APPROVAL, with Philip Ruiz voting in opposition. 005		

ORDINANCE 2016-12

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 18.547 ACRES IN THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NUMBER 68, LOCATED ON THE NORTH SIDE OF THE 2200 BLOCK OF WEST SAN ANTONIO STREET (SH 142), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO RHD RESIDENTIAL HIGH DENSITY DISTRICT.

WHEREAS, on April 13, 2016, the Planning and Zoning Commission held a public hearing and voted unanimously to recommend approval of said change; and,

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

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

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

I. The above-referenced property described in Zoning Change request ZC-16-01 as 18.457 acres in the Cornelius Crenshaw Survey, Abstract Number 68, more particularly described in Exhibit A and located on the north side of the 2200 block of West San Antonio Street (SH 142), will be reclassified from AO Agricultural-Open Space District to RHD Residential High Density District.

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

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

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

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

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 19th DAY OF APRIL, 2016.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Peter Gruning, City Attorney



All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Cornelius Crenshaw Survey A-68 and being also a part of a tract of land called 44.987 acres and conveyed to Adolfo C. Sendejo by deed recorded in Volume 255 Page 9 of the Official Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a brass capped concrete monument stamped TXDOT used for basis of bearing in the most Southerly East corner of the above mentioned 44.987 acre tract and in the NE line of State Highway #142 and the apparent South corner of a tract of land called 12.246 acres and conveyed to Janice L. Keen by deed recorded in Volume 114 Page 671 of the said Official Records for the most Southerly East corner this tract.

THENCE N 73 degrees 05 minutes 23 seconds W with the SW line of the said 44.987 acre tract and the NE line of State Highway #142 **378.33 feet** to a capped 1/2" iron pin set stamped "HINKLE SURVEYORS" for the South corner this tract and from which point a brass capped concrete monument found used for basis of bearing bears N 73 degrees 05 minutes 23 seconds W 212.00 feet.

THENCE over and across the said 44.987 acre tract for the following two (2) courses:

(1) N 27 degrees 27 minutes 16 seconds W 794.15 feet to a capped 1/2" iron pin set stamped "HINKLE SURVEYORS" for an exterior corner this tract.

(2) N 17 degrees 15 minutes 44 seconds E 978.72 feet to a capped 1/2" iron pin set stamped "HINKLE SURVEYORS" in the North line of the said 44.987 acre tract and the South line of the Union Pacific Railroad ROW for the NW corner this tract.

THENCE N 86 degrees 28 minutes 36 seconds E with the North line of the said 44.987 acre tract and the South line of the said Union Pacific Railroad ROW **419.50 feet** to a capped 1/2" iron pin set stamped "HINKLE SURVEYORS" in the NE corner of the said 44.987 acre tract and the apparent NW corner of a tract of land conveyed to Charles Spillman by deed recorded in Volume 339 Page 580 of the Deed Records of Caldwell County, Texas for the most Northerly NE corner this tract.

THENCE S 28 degrees 44 minutes 14 seconds E with the East line of the said 44.987 acre tract and the apparent West line of the above mentioned Spillman tract **623.77 feet** to a 1/2" iron pin found in the most Northerly East corner of the said 44.987 acre tract and the apparent NW line of a tract of land designated as Tract One called 7.412 acres and conveyed to Janice L. Keen et al by deed recorded in Volume 10 Page 340 of the said Official Records for the most Northerly East corner this tract.

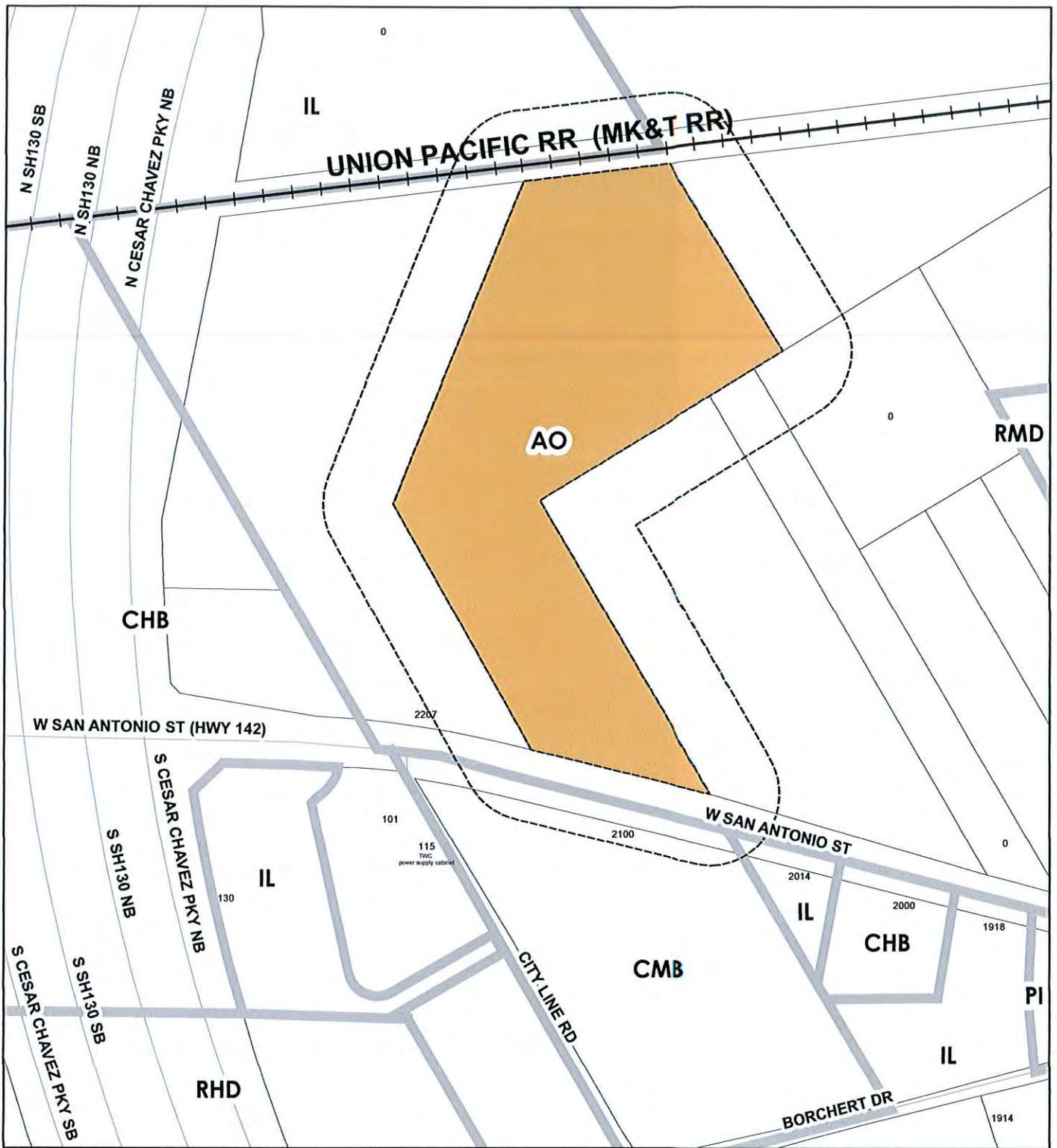
THENCE S 62 degrees 25 minutes 51 seconds W with the SE line of the said 44.987 acre tract and the apparent NW line of the above mentioned Tract One and the apparent NW line of Tract Two called 5.588 acres in the said Volume 10 Page 340 and the apparent NW line of a tract of land called 12.246 acres and conveyed to Janice L. Keen by deed recorded in Volume 114 Page 671 of the said Official Records **815.56 feet** to a 1" iron pipe found in an ell corner of the said 44.987 acre tract and the apparent West corner of the above mentioned 12.246 acre tract for an ell corner this tract.

THENCE S 27 degrees 27 minutes 16 seconds E with the SW line of the said 12.246 acre tract and a NE line of the said 44.987 acre tract **958.75 feet** to the place of beginning containing **18.547 acres** of land more or less.

I hereby certify, that the foregoing field notes are a true and correct description of a survey made under my direct supervision on March 16, 2016. **THESE FIELD NOTES ARE CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



©Hinkle Surveyors 2017, All Rights Reserved Registration No. 100866-00



ZC-16-01

AO TO RHD

2200 BLK W SAN ANTONIO ST



scale 1" = 400'



Zoning Boundary



Subject Property

CASE SUMMARY

STAFF CONTACT: Laura Rouse-DeVore, Assistant City Planner
REPORT DATE: April 1, 2016 [Updated 4-14-16] CASE NUMBER: ZC-16-01
PLANNING AND ZONING COMMISSION HEARING DATE: April 13, 2016
CITY COUNCIL HEARING DATE: April 19, 2016
REQUESTED CHANGE: AO Agricultural Open Space to RHD Residential High Density
STAFF RECOMMENDATION: *Approval*
PLANNING & ZONING COMMISSION RECOMMENDATION: *Approval*

BACKGROUND DATA

APPLICANT(S): High Rustler Ventures
OWNER(S): Adolfo Sen Dejo
SITE LOCATION: 2207 W. San Antonio Street
LEGAL DESCRIPTION: Cornelius Crenshaw Survey, Abstract No. 68
SIZE OF PROPERTY: 18.547 acres
EXISTING USE OF PROPERTY: Vacant/Agriculture
LAND USE PLAN DESIGNATION: Residential Medium Density/Industrial

ANALYSIS OF ISSUES

REASON FOR REQUESTED CHANGE: The subject property and areas adjacent to the east and west are currently zoned AO Agricultural-Open Space. The applicant has proposed a new apartment development that is allowed only in the RHD Residential High Density district. The area being rezoned is a portion of a larger tract currently under the same ownership.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
North	Agriculture	IL	Industry
East	Agriculture	AO	Medium Density Residential
South	Vacant, Commercial	CMB	General-Heavy Commercial
West	Single-Family Residential, Vacant	AO, CHB	General-Heavy Commercial, High Density Residential, and Public and Institutional

TRANSITION OF ZONING DISTRICTS: The subject property is bordered by the Union Pacific Railroad to the north and West San Antonio Street to the south. It's located some distance to the west of the Windridge subdivision, but near an existing single-family dwelling located on the same tract, just west of the area being rezoned. Because the Lockhart 2020 Land Use Plan map shows future medium density residential adjacent to the east, and future commercial and industrial adjacent to the west, the proposed high density residential zoning classification of the subject property would provide an appropriate transition between the lower land use intensities to the east and the higher intensities to the west once those areas are rezoned and developed in accordance with the land use plan.

ADEQUACY OF INFRASTRUCTURE: The property would be served by City of Lockhart water and wastewater utilities, and Bluebonnet Electric Co-op. Access to the property will be from a new public street aligned to be a future extension of City Line Road as proposed in the Lockhart 2020 Thoroughfare Plan.

POTENTIAL NEIGHBORHOOD IMPACT: Aside from the one existing single-family residence adjacent to the west of the area being rezoned, the neighborhood consists of primarily of vacant land, with some commercial and industrial businesses nearby on the south side of San Antonio Street. The closest existing residential subdivision is Windridge, which is approximately one-half mile to the east. Therefore, the only potential negative impact on the surrounding area at this time would be an increase in traffic on San Antonio Street due to the additional population that would be housed in the proposed high density development.

CONSISTENCY WITH COMPREHENSIVE PLAN: The requested RHD zoning classification is consistent with the High Density Residential future land use indicated by the Lockhart 2020 Land Use Plan map for the south portion of the property, but not consistent with the Industry designation of most of the rear portion. In any case, the proposed RHD zoning in general does not conflict with the intent of the land use plan to provide for higher intensity uses in this area.

ALTERNATIVE CLASSIFICATIONS: A less intense residential zoning option would be RMD Residential Medium Density District, which allows single-family, patio-home, and duplex dwellings by-right, and townhouses, condominiums, and three-plexes or four-plexes as specific uses requiring approval by the Planning and Zoning Commission. However, RHD is the only district that allows multifamily development such as the proposed apartments.

RESPONSE TO NOTIFICATION: Staff mailed public hearing notices to owners of six properties within 200 feet. At the Planning and Zoning Commission meeting an owner of adjacent property expressed concerns regarding connectivity between his adjacent agricultural parcel and the subject property, since his parcel is otherwise landlocked, but he was not specifically in favor of or in opposition to the rezoning, itself. Another person who lives beyond the 200-foot public hearing notification area spoke in opposition because there was no site plan or other means of commitment as to the exact nature of the proposed development.



ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME HIGH RUSTLER VENTURES ADDRESS 155 Schmitt Blvd.
DAY-TIME TELEPHONE 516.315.3515 Farmingdale, NY. 11735
E-MAIL jmarcus@marcusorganization.com
OWNER NAME ADOLFO SENDIDO ADDRESS 2207 W. San Antonio St.
DAY-TIME TELEPHONE 512.212.1111 Lockhart, TX:
E-MAIL adolfosendido@yahoo.com

PROPERTY

ADDRESS OR GENERAL LOCATION 2207 W. San Antonio St.
LEGAL DESCRIPTION (IF PLATTED) Attached.
SIZE 18 ACRE(S) LAND USE PLAN DESIGNATION RHD / Industrial Light
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural
PROPOSED NEW USE, IF ANY RHD (Residential High Density)

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural / Open Space A/O
TO PROPOSED ZONING CLASSIFICATION RHD
REASON FOR REQUEST Proposed new development - apartments

SUBMITTAL REQUIREMENTS

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

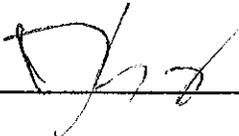
NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

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

APPLICATION FEE OF \$520.94 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

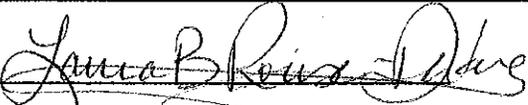
1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

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

SIGNATURE 

DATE 3/23/2016

OFFICE USE ONLY

ACCEPTED BY 

RECEIPT NUMBER 657627

DATE SUBMITTED 3-23-16

CASE NUMBER ZC - 16 - 01

DATE NOTICES MAILED 3-28-2016

DATE NOTICE PUBLISHED 3-31-2016

PLANNING AND ZONING COMMISSION MEETING DATE April 13, 2016

PLANNING AND ZONING COMMISSION RECOMMENDATION Approval

CITY COUNCIL MEETING DATE 4-19-16

DECISION _____

ADOLFO SENDEJO
2207 W. SAN ANTONIO STREET
LOCKHART, TX 78644

TO: City of Lockhart
FROM: Adolfo Sendejo
SUBJECT: Authorization
DATE: March 22, 2016

I am the owner of the 42.486 acres known as 2207 W. San Antonio Street, Lockhart, Texas (the "Property").

I hereby authorize for Dennis Young for High Rustler Ventures, LLC to submit plans and application for the land planning and subdivision of the Property to the City of Lockhart.

Thank you.



Adolfo Sendejo

adolfosendejo@yahoo.com
(512) 212-1111

**LOCKHART CITY COUNCIL
REGULAR MEETING**

APRIL 5, 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 (arrived at 6:42 p.m.)
Councilmember Benny Hilburn
Councilmember Brad Westmoreland

Staff present:

Vance Rodgers, City Manager
Peter Gruning, City Attorney
Michael Lummus, Police Chief
Bonnie Townsend, Municipal Court Manager

Connie Constancio, City Secretary
Jeff Hinson, Finance Director
Dan Gibson, City Planner
Julie Bowermon, Civil Service Director

Citizens/Visitors Addressing the Council: Representatives of Hays-Caldwell Women’s Center, CASA of Central Texas, AmeriCorp, Cub Scouts Pack 109, Den 1, and Crossing Guards of the LISD; Jay Monkerud, Caldwell County Juvenile Probation Officer; Citizens, Selena Arizola 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:

PRESENTATION ONLY

C. PRESENTATION OF A PROCLAMATION DECLARING APRIL 2016 AS *SEXUAL ASSAULT AWARENESS & PREVENTION MONTH*.

Mayor White presented the proclamation to members of the Hays-Caldwell Women’s Center and CASA of Central Texas. Representatives of the Hays-Caldwell Women’s Center provided information about how they assist the community and invited citizens to volunteer to assist victims in Caldwell County.

D. PRESENTATION OF A PROCLAMATION DECLARING APRIL 2016 AS *CHILD ABUSE PREVENTION & AWARENESS MONTH*.

Mayor White presented the proclamation to members of the Hays-Caldwell Women’s Center and CASA of Central Texas. Representatives of CASA encouraged citizens to volunteer to assist children in Caldwell County.

E. PRESENTATION OF A PROCLAMATION DECLARING APRIL 5, 2016 AS *NATIONAL SERVICE RECOGNITION DAY*.

Mayor White presented the proclamation to members of AmeriCorp . Representatives of AmeriCorp thanked the Council and provided information about their organization.

A. PRESENTATION OF CERTIFICATES OF RECOGNITION TO PACK 109 CUB SCOUTS, DEN 1 FOR THEIR DEDICATION TO THE COMMUNITY FOR RAISING AWARENESS OF THE NEED AND BENEFIT OF RECYCLING.

Mayor White presented Certificates of Recognition to Cub Scouts, Pack 109, Den 1 and commended them for helping raise awareness about recycling.

B. PRESENTATION OF CERTIFICATES OF APPRECIATION TO CROSSING GUARDS OF THE LOCKHART INDEPENDENT SCHOOL DISTRICT FOR THEIR DEDICATION TO THE SAFETY OF OUR CHILDREN WHEN GOING TO AND FROM SCHOOL.

Mayor White presented Certificates of Appreciation to the LISD Crossing Guards and thanked them for their dedication to keep the children in our community safe.

RECESS: Mayor White announced that the Council would recess for refreshments at 6:50 p.m.

Mayor White announced that the Council would reconvene the work session at 7:10 p.m.

DISCUSSION ONLY

A. DEMONSTRATION BY EZTASK AND DISCUSSION REGARDING A WEBSITE REDESIGN FOR THE CITY OF LOCKHART, TEXAS, AND DISCUSSION ABOUT AWARDING A CONTRACT TO EZTASK OF RICHMOND, TEXAS IN THE AMOUNT OF \$7,990 FOR A WEBSITE REDESIGN.

Ms. Constancio stated that Council directed staff to survey cities to determine why they chose CivicPlus instead of ezTask. The survey reflects that most cities that use CivicPlus did not obtain a quote from ezTask therefore they were not aware of the services offered by ezTask. Staff also surveyed three cities that use ezTask and asked why they chose ezTask instead of CivicPlus. The survey reflects that ezTask customers did obtain a quote from CivicPlus and chose ezTask because they offer primarily the same features at a lower cost.

Representatives of ezTask provided an on-line demonstration of their website redesign software and services. There was discussion.

B. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF MARCH 12, 2016 AND MARCH 15, 2016.

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

C. ACKNOWLEDGE PROCLAMATION DECLARING APRIL 2016 AS *FAIR HOUSING MONTH*.

Mayor White read a proclamation declaring April 2016 as "Fair Housing Month".

D. DISCUSS ANNUAL SERVICES AGREEMENT WITH MOTOROLA, INC., IN THE AMOUNT OF \$128,611.92 OF WHICH \$53,588.30 IS FOR THE 215 CITY OF LOCKHART RADIOS TO COVER MAINTENANCE, REPAIRS, AND REPLACEMENT OF THE 700/800 MHZ RADIO INFRASTRUCTURE SYSTEM WHICH SUPPORTS RADIO COMMUNICATIONS FOR THE CITY OF LOCKHART, CONCESSIONS GROUP, CALDWELL COUNTY, CITY OF LULING, AND THE CITY OF MARTINDALE FROM OCTOBER 1, 2016, THROUGH SEPTEMBER 30, 2017 WITH EACH ENTITY PAYING ITS SHARE OF THE COSTS BASED ON THE NUMBER OF RADIOS USING THE SYSTEM ACCORDING TO THE EXISTING INTERLOCAL AGREEMENT, AND APPOINTING THE MAYOR TO SIGN CONTRACT AGREEMENT. [1295-2016-04-05-11]

Mr. Rodgers stated that the City of Lockhart and Caldwell County have more than \$1 million dollars in radio communications equipment. This system provides radio communication capabilities for the City of Lockhart, Caldwell County, City of Luling, and City of Martindale. The Concession Group (SH 130) now has 6 radios in the system as approved by the Lockhart City Council and will pay for its fair share. The warranty for this Motorola equipment ended in February of 2012. The proposed agreement covers maintenance, repairs, and replacement for the radio system from October 1, 2016 through September 30, 2017. The cost of \$128,611.92 will be shared by all entities that benefit from the radio system based on the number of radio units in service. The cost under this agreement for Lockhart's 215 radios is \$53,588.30 for the Fiscal Year 2016-2017 budget period. Mr. Rodgers recommended approval.

E. DISCUSS MAJOR REPAIRS TO WATER WELL NUMBER 11 COSTING AN ESTIMATED \$120,000 WHICH WILL EXTEND THE LIFE AND PRODUCTIVITY OF THE WELL USING 2015 CERTIFICATES OF OBLIGATION FUNDS.

Mr. Rodgers stated that Well number 11 normally has a capacity to pump about 864,000 gallons of water per day; the pumping capacity of the well has dropped significantly over the past two months to around 200,000 gallons per day and is at times pumping a lot of water sand. This is one of Lockhart's best water wells. A major overhaul of the well by the Guadalupe-Blanco River Authority engineers is strongly recommended to recover the desired well productivity and to extend the life of the well. The estimated cost is \$120,000. Mr. Rodgers recommended approval. There was discussion.

F. DISCUSSION AFTER REPORT BY CITY MANAGER REGARDING TREATED WATER CAPACITIES AND WASTEWATER TREATMENT CAPACITIES.

Mr. Rodgers gave an update about Lockhart's treated water capacities and wastewater treatment capacities.

G. DISCUSS USE OF UNRESTRICTED FUND BALANCES AS RECOMMENDED BY THE CITY MANAGER DURING THE GOALS MEETING FOR THE PURCHASE OF TWO POLICE CARS, TWO PICKUP TRUCKS IN PUBLIC WORKS, AND A ONE TIME PAYMENT OF \$1,500 TO EACH FULL TIME NON-CIVIL SERVICE EMPLOYEE AND A \$750 ONE TIME PAYMENT TO EACH PART-TIME NON-CIVIL SERVICE EMPLOYEE THAT IS EMPLOYED BY THE CITY ON APRIL 22, 2016.

Mr. Rodgers provided information about the unrestricted fund balances and the proposed use. The consensus of the Council was to bring an item back at the first meeting in April for consideration. When Council granted a pay increase for civil service employees earlier this year, a commitment by the City Manager was made to come back to Council after the Fiscal Year 2014-2015 audit with a plan that would consider additional compensation for non-civil service employees. Data was also to be provided regarding non-civil service employee turn-over for the past two years. There was discussion.

RECESS: Mayor White announced that the Council would recess for a break at 8:00 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 8:05 p.m.

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

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

ITEM 4-A. HOLD A PUBLIC HEARING REGARDING THE CURFEW ORDINANCE AND DISCUSS ADDING A DAYTIME JUVENILE CURFEW.

Mayor White opened the public hearing at 8:12 p.m. and requested the staff report.

Chief Lummus stated that the proposed ordinance adds a daytime curfew for minors. He stated that he recommends the juvenile daytime curfew because approximately 75% of the daytime burglaries for the past year have been that of juveniles. He believes that the curfew would assist in reducing those crimes. He provided details about the daytime juvenile curfew as outlined in the proposed ordinance and stated that he would also like to continue the nighttime juvenile curfew. He stated that holding the parent's responsible for the child's whereabouts is important. A person who violates the daytime or and/or nighttime curfew would be guilty of a misdemeanor. Each day or part of a day during which the violation is committed, continued, or permitted is a separate offence. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00.

There was discussion about the difference between a minor's age of 16 or 17. Mr. Gruning explained that dependent upon the criminal offense, the law defines a person 17 years or older as an adult.

Jay Monkerud, Caldwell County Juvenile Probation Officer and member of the Caldwell County Truancy Committee, spoke in favor of adding the daytime juvenile curfew. He stated that the cities of Kyle, San Marcos, and Luling also enforce a juvenile daytime curfew. He stated that he believes that the daytime curfew would help deter truancy and that it would give police officers the tool to be able to confront and question a person 17 years or younger when out in the public during the juvenile daytime curfew hours.

Mr. Gruning pointed out typographical corrections to the ordinance.

Mayor White requested citizens to address the Council that were in favor of the daytime or nighttime juvenile curfew ordinance. There were none.

Mayor White requested citizens to address the Council that were in opposition of the daytime or nighttime juvenile curfew ordinance. There were none.

Elena Arizola, 416 Trinity, requested information about statistics that prove the reduction of burglaries in cities that enforce a daytime juvenile curfew, and she questioned the amount of the fine and how the offense would be reflected on a juvenile's criminal record. Mr. Monkerud and Ms. Townsend responded to Mr. Arizola.

Mayor White requested additional citizens to address the Council. There were none. He closed the public hearing at 9:00 p.m.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-09 AMENDING CHAPTER 36 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS", PROVIDING A MORE COMPREHENSIVE CURFEW FOR MINORS; PROVIDING FOR PARENT RESPONSIBILITY; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR PENALTY FOR VIOLATIONS.

Councilmember Castillo asked if there has been an increase in truancy or criminal activity by minors in Municipal Court to warrant the need of the daytime juvenile curfew.

Ms. Townsend replied that the juvenile violations have increased by 17% compared to 2014-2015.

Mr. Gruning pointed out that not all of the juvenile crimes conducted during the daytime are taken to Municipal Court because there are times that the juvenile criminal offense is a violation higher than a Class C misdemeanor.

There was discussion.

Mayor Pro-Tem Sanchez made a motion to approve Ordinance 2016-09, with corrections. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

ITEM 5. CONSENT AGENDA.

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

The following are the consent agenda items that were approved:

- 5A: Approve minutes of the City Council meetings of March 12, 2016 and March 15, 2016.
- 5B: Acknowledge Proclamation declaring April 2016 as *Fair Housing Month*.
- 5C: Approve annual services agreement with Motorola, Inc., in the amount of \$128,611.92 of which \$53,588.30 is for the 215 City of Lockhart radios to cover maintenance, repairs, and replacement of the 700/800 mhz radio infrastructure system which supports radio communications for the City of Lockhart, Concessions Group, Caldwell County, City of Luling, and the City of Martindale from October 1, 2016, through September 30, 2017 with each entity paying its share of the costs based on the number of radios using the system according to the existing interlocal agreement, and appointing the Mayor to sign contract agreement. [1295-2016-04-05-11]
- 5D: Approve major repairs to water well number 11 costing an estimated \$120,000 which will extend the life and productivity of the well using 2015 Certificates of Obligation Funds.

ITEM 6-G. DISCUSSION AND/OR ACTION REGARDING LETTER FROM MS. MARY BURRIER IN WHICH SHE WANTS CHANGES TO ORDINANCE 2015-20 WHICH AMENDED CHAPTER 46, SIGNS, PLACING RESTRICTIONS ON INFLATABLE SIGNS, TETHERED BALLOONS, PENNANTS AND STREAMERS, AND STRINGS OF LIGHTS AND FLAGS.

Mr. Rodgers stated that the contents of the ordinance was a product of the Council's appointments to an ad-hoc committee made of six business owners that reviewed changes to the City's regulation of certain temporary signs. The changes as determined by that committee were submitted to the Council in September of 2015, and the Council passed the ordinance. Ms. Burrier, who is in the business of supplying pennants, banners, and streamers, approached the Council at the February 2, 2016 meeting to express her concerns about the ordinance. She was asked to submit a letter to the City Manager with suggested changes to the ordinance. The City Manager and City Planner have reviewed her comments and see no reason to recommend to the Council that any changes are made to the ordinance as passed by the Council especially since an ad-hoc committee appointed by the Council came up with the contents of the ordinance after eight meetings. There was discussion.

Mary Burrier requested that the sign ordinance is amended to allow banners, pennants and streamers. There was discussion.

CONSENSUS: After discussion, the consensus of the Council was to leave the sign ordinance as it is currently written.

ITEM 6-A. DEMONSTRATION BY EZTASK AND DISCUSSION ABOUT A WEBSITE REDESIGN FOR THE CITY OF LOCKHART, AND DISCUSSION AND/OR ACTION TO CONSIDER AWARDING A CONTRACT TO EZTASK OF RICHMOND, TEXAS IN THE AMOUNT OF \$7,990 FOR A WEBSITE REDESIGN.

Councilmember Castillo made a motion to approve awarding a contract to ezTask of Richmond, Texas in the amount of \$7,990 for a website redesign. Councilmember Mendoza seconded. The motion passed by a vote of 7-0.

ITEM 6-B. DISCUSSION AND/OR ACTION AFTER REPORT BY CITY MANAGER REGARDING TREATED WATER CAPACITIES AND WASTEWATER TREATMENT CAPACITIES.

Mayor White announced that there was no action to be taken on this item.

ITEM 6-C. DISCUSSION AND/OR ACTION TO CONSIDER USE OF UNRESTRICTED FUND BALANCES AS RECOMMENDED BY THE CITY MANAGER DURING THE GOALS MEETING FOR THE PURCHASE OF TWO POLICE CARS, TWO PICKUP TRUCKS IN PUBLIC WORKS, AND A ONE TIME PAYMENT OF \$1,500 TO EACH FULL TIME NON-CIVIL SERVICE EMPLOYEE AND A \$750 ONE TIME PAYMENT TO EACH PART-TIME NON-CIVIL SERVICE EMPLOYEE THAT IS EMPLOYED BY THE CITY ON APRIL 22, 2016.

Councilmember Castillo made a motion to approve the use of unrestricted fund balances as recommended by the City Manager during the goals meeting for the purchase of two police cars, two pickup trucks in public works, and a one time payment of \$1,500 to each full-time non-civil service employee and a \$750 one time payment to each part time non-civil service employee that is employed by the City on April 22, 2016. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6-D. DISCUSSION AND/OR POSSIBLE ACTION REGARDING LETTER FROM THE LOCKHART HISTORICAL PRESERVATION COMMISSION (LHPC) REQUESTING A CHANGE IN THE CURRENT ORDINANCE TO ALLOW THEIR REVIEW AND/OR PARTICIPATION IN CHANGES OR IMPROVEMENTS IN THE PUBLIC STREET RIGHT OF WAY AND TO OTHER PUBLIC PROPERTY IN THE HISTORIC DISTRICT.

Mr. Rodgers stated that the LHPC sent a letter requesting a change in the current ordinance to allow their review and/or participation in changes or improvements in the public street right of way and to other public property in the Historic District. Mr. Rodgers recommended that the LHPC is authorized to review the City's Historic Preservation ordinance and make recommended amendments to the Council.

Councilmember Castillo made a motion to request that the Lockhart Historical Preservation Commission clarify their request about amendments to the historic preservation ordinance. Councilmember Hilburn seconded. The motion passed by a vote of 6-1, with Mayor Pro-Tem Sanchez opposing.

ITEM 6-E. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-11 AMENDING CHAPTER 10 OF THE LOCKHART CODE OF ORDINANCES, CAPTIONED "ANIMALS AND BEEKEEPING" TO PROVIDE FOR RESTRICTIONS ON TYPE, SIZE AND LOCATIONS FOR KEEPING CERTAIN LIVESTOCK AND FOWL.

Mr. Gruning stated that the proposed Ordinance is the result of the Council's request that he prepare an ordinance to address the nuisance issues regarding large animals and fowl kept in the city limits. There was discussion.

Elena Arizola, 416 Trinity, asked about regulations in regards to having chickens. Mr. Gruning replied that hens are allowed. Roosters or the male species are not allowed in residential neighborhoods.

Councilmember Hilburn made a motion to approve Ordinance 2016-11, as presented. Councilmember Michelson seconded. The motion passed by a vote of 7-0.

ITEM 6-F. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-10 AMENDING CHAPTER 18, ARTICLE III, CAPTIONED "NUISANCES" OF THE LOCKHART CODE OF ORDINANCES, ADDING A DIVISION ENTITLED "RESIDENTIAL OUTDOOR STORAGE", PROHIBITING THE STORAGE OF UNSCREENED ITEMS AND MATERIAL IN RESIDENTIAL DISTRICTS WITHIN THE CITY.

Mr. Gruning stated that the proposed Ordinance is the result of the Council's request to address concerns about nuisances in regards to outdoor storage. There was discussion.

Councilmember Hilburn made a motion to approve Ordinance 2016-10, as presented. Councilmember Westmoreland seconded. The motion passed by a vote of 7-0.

ITEM 6-H. PRESENTATION AND DISCUSSION AND/OR ACTION REGARDING THE GENERAL, UTILITIES, AND AIRPORT FUNDS' SIX MONTHS REVENUES, EXPENDITURES AND FUND BALANCE ANALYSIS FOR THE 2015-2016 FISCAL YEAR.

Mr. Hinson provided the six month reports of revenues and expenditures. There was discussion.

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

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

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

- Update- US 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; rain delays; first two sections look great...compliments continue to come in!
- Update: Water-Wastewater crews replacing bad clay sewer main line on East Market east of railroad track.
- Update: Contracts with Qro-Mex Construction signed and a pre-construction meeting to held to start the Richland Drive and the Wichita-Braden-Mesquite projects. Meeting with Richland neighborhood held Monday, March 28, with good attendance. Another neighborhood meeting will be held in July for the other project. Starting on Richland because there is only one detention pond on that project whereas the other project has two large detention ponds to construct.
- Update: Public bids should go out within the next 30-45 days for the CDBG Grant Project placing a new 18" water transmission main from Water Plant to near Serta.
- Report: Annual Welcome Spring Event and Lockhart Chamber's Tolbert Chili Cook Off Competition event in City Park held on Saturday, March 19.
- Report: 5th Annual Sip and Stroll event, Saturday, April 2.
- Report: Cesar Chavez Day of Service and Learning held Saturday, April 2.
- Report: Kiwanis Annual Stampede Event, April 2.
- Reminder: Don't Mess with Texas Annual Trash Off Event to be held in City Park at main pavilion on Saturday, April 9; volunteers needed to help Keep Lockhart Beautiful.
- Reminder: Annual Residential Spring Clean Up Event each Wednesday in April.
- Reminder: Special Residential Household Hazardous Waste Collection event to be held Saturday, May 14, at City Park from 9 am until noon for Lockhart residents only.
- Reminder: Semi-Annual City Cemetery Clean Up began this week on March 28.

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

Councilmember Westmoreland thanked all involved with the successful Sip n Stroll event. He expressed condolences to the families of Jo Scheulke and Blanche Reeb for their loss.

Councilmember Mendoza thanked all involved in both the Welcome Spring Day and Sip n Stroll events. He expressed condolences to those that have lost a loved one the past few weeks.

Mayor Pro-Tem Sanchez expressed condolences to the families of Jessie Juarez and John Rodriguez for their loss. She thanked Kiwanis, Feria de Culturas and the Downtown Revitalization Committees and supporters of events held this past weekend.

Councilmember Hilburn thanked all involved with each event held the past few weeks.

Councilmember Castillo expressed condolences to the Juarez family for their loss. He thanked all involved with the Sip n Stroll, Cesar Chavez and Kiwanis 5K events. He expressed appreciation for the District 2 drainage projects that are underway.

Councilmember Michelson also thanked all involved with the events held this past weekend. He requested citizens' patience during the current and upcoming highway and drainage improvement construction projects.

Mayor White congratulated volunteers and businesses involved with the events this past weekend. He reminded Council about an upcoming banquet on May 6 honoring Jerry Doyle for receiving the prestigious Lifetime Achievement Award from the 100 Club of Central Texas. He stated that staff is working on repairs at several city facilities to meet the needs of city employees and the public.

ITEM 9. ADJOURNMENT.

Mayor Pro-Tem Sanchez made a motion to adjourn the meeting. Councilmember Mendoza seconded. The motion passed by a vote of 7-0. The meeting was adjourned at 9:48 p.m.

PASSED and APPROVED this the 19th day of April 2016.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input checked="" 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: April 19, 2016				
Department: City Manager		Initials	Date	
Department Head: Vance Rodgers	Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>	City Manager	<i>[Signature]</i>	4-12-2016	
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers, 398-3461 ext. 225				
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 to consider Resolution 2016-04 adopting the U.S. Department of Housing and Urban Development (HUD) Section 504 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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 checked="" 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				
Community Development Management Co. informed staff that the Texas Department of Agriculture (TDA) is requiring that the City adopt the updated HUD Section 504 Policies and Procedures and TDA related provisions as part of a grant funding process for #7215300. This grant was awarded to the City of Lockhart for a treated water feeder main to improve water pressures and volumes to benefit industrial, business, and residential developments within the City.				
STAFF RECOMMENDATION				
Staff recommends approval of Resolution 2016-04 as presented.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
<ul style="list-style-type: none"> • Resolution 2016-04 and related documents. 		<ul style="list-style-type: none"> • Tx Department of Agriculture 		

RESOLUTION NO. 2016-04

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
SECTION 504 POLICY AGAINST DISCRIMINATION BASED ON HANDICAP
AND GRIEVANCE PROCEDURES**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 504 POLICIES AND PROCEDURES AND TEXAS DEPARTMENT OF AGRICULTURE (TDA) RELATED PROVISIONS; 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, the City of Lockhart has been awarded a Texas Community Development Block Grant-Contract Number 7215300 (PY 2015) by the Texas Department of Agriculture; and in the best interest for the City of Lockhart to comply with all applicable rules and regulations of Texas Community Development Block Grant Program;

WHEREAS, In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Lockhart hereby adopts the following policy and grievance procedures:

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

1. Section 504 of the Rehabilitation Act of 1973 states: No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. (29 U.S.C. 794). This means that Section 504 prohibits discrimination on the basis of disability in any program or activity that receives financial assistance from any federal agency, including the U.S. Department of Housing and Urban Development (HUD) as well as in programs conducted by federal agencies including HUD.
2. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
3. The City of Lockhart does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.

4. The City of Lockhart's recruitment materials or publications shall include a statement of this policy that states the following: Discrimination prohibited. "No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD)".
5. The City of Lockhart shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
6. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, The City of Lockhart shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
7. Grievances and Complaints

- a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Lockhart to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
- b. Complaints should be addressed to:

Physical Location

City of Lockhart
 Office of the City Manager
 308 West San Antonio
 Lockhart, Texas 78644
 Office: (512) 398-3461
 Fax: (512) 398-5103

Mailing Address

City of Lockhart
 Office of the City Manager
 P.O. Box 239
 Lockhart, Texas 78644
 Office: (512) 398-3461
 Fax: (512) 398-5103

who has been designated to coordinate Section 504 compliance efforts.

- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Office of the City Manager. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Office of the City Manager, and a copy forwarded to the complainant within fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the City of Lockhart relating to the complaints files.

- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution: *section 7 - Grievances and Complaints, subsection f*. The request for reconsideration should be made to the City of Lockhart within ten working days after the receipt of the written determination/resolution.
- i. The right of a person for a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Lockhart complies with Section 504 and HUD regulations.
- k. 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 contractual requirements.

That it further be stated that the City of Lockhart is committed to attain compliance with Section 504 Policies and Procedures.

PASSED AND APPROVED this ____ day of _____, 2016.

Lew White, Mayor
City of Lockhart, Texas

ATTEST:

Connie Constancio, TRMC, City Secretary
City of Lockhart, Texas

THE CITY OF LOCKHART
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM Contract # 7215300

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have 'meaningful access' to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include application, complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and any additional documents that contain information that is critical for obtaining federal services and/or benefits, or is required by law. For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Lockhart, 308 West San Antonio, P.O. Box 239, Lockhart, TX 78644 Mailing Address), (512)398-3461, (Phone) during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project (Contract # 7215300).

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City of Lockhart, at 308 West San Antonio, P.O. Box 239, Lockhart, TX 78644 (Mailing Address) or may call (512)398-3461, (Phone).
2. A copy of the complaint or grievance shall be transmitted by the City of Lockhart to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City of Lockhart shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.

5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.

2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Lew White, Mayor

Date

LA CIUDAD DE LOCKHART
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
Contrato # 7215300

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Ejemplos de tales documentos vitales incluyen la aplicación, los procedimientos de quejas, procedimientos de queja, las respuestas a las quejas, avisos, avisos de derechos y las medidas disciplinarias, y los documentos adicionales que contienen información que es fundamental para la obtención de los servicios y/o beneficios federales, o es requerido por ley. Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Lockhart, a 308 West San Antonio, P.O. Box 239, Lockhart, TX 78644 (Dirección postal) (512)398-3461, (teléfono) en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG (Contrato # 7215300).

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Ciudad de Lockhart, a 308 West San Antonio, P.O. Box 239, Lockhart, TX 78644 (Dirección postal) o puede llamar a (512)398-3461, (Teléfono).
2. Una copia de la queja o reclamación se transmitirá por el Ciudad de Lockhart a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El Ciudad de Lockhart deberá cumplir una investigación de la queja o reclamación, si es posible, y dará una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia sera notificada, por escrito, dentro de los quince (15) días

cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se debiera completar la investigación.

5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

Lew White, Alcalde de la ciudad

Fecha

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER:
7215300

CITIZEN PARTICIPATION PLAN
AND
COMPLAINT PROCEDURES

TxCDBG CONTRACT NUMBER: 7215300

2015(PY) TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG)
COMMUNITY DEVELOPMENT FUND
CITIZEN PARTICIPATION PLAN & COMPLAINT PROCEDURES

The goal of City of Lockhart's citizen participation plan is to encourage all interested parties, groups or individuals to attend Texas Community Development Block Grant Program (TxCDBG) public hearings and participate in the discussion and development of housing and community and/or economic development needs.

PUBLIC HEARING PROVISIONS

The Citizen Participation Plan and Public Hearing Provisions are in compliance with the requirements of the Texas Department of Rural Affairs (TDRA) and Texas Department of Agriculture (TDA) - "Texas Community Development Block Grant Program" (TxCDBG) and is available for public inspection in accordance with Texas Civil Statutes, Article 6252-17a (as amended). For each public hearing scheduled and conducted by the Locality, the following public hearing provisions shall be observed:

1. Public notice of all hearing must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in the non-legal section of a local newspaper. Each public notice must include the date, time, location and Texas Community Development Block Grant Program (TxCDBG) topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and time requirements. Notices should also be prominently posted in public buildings and distributed to interested community groups.
2. Each public hearing shall be held at a time (after 5:00 P.M. on weekdays or on Saturdays) and at a location convenient to potential or actual beneficiaries and will include accommodation for handicapped persons.
3. The public hearings will be held at least seven (7) days apart.
4. At least one (1) of the public hearing must be held in the proposed project area.
5. The locality will hold at least one public hearing prior to developing a TxCDBG application and a second public hearing prior to the submission of the application.
6. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.

7. In the event the locality receives funding from the Texas Community Development Block Grant Program (TxCDBG). The locality will hold a public hearing concerning any substantial change, or proposed to be made in the use of TxCDBG funds as determined by the Texas Department of Rural Affairs (TDRA) and/or Texas Department Agriculture (TDA).
8. Upon completion of the community development program activities, the locality will hold a close-out public hearing and review its program performance including the actual use of TxCDBG funds.

RECORDS & INFORMATION ACCESS

All records will be made available to the public in accordance with Texas Civil Statutes, Article 6252-17a.

1. The locality will retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of one year or until the project, if funded, is closed out. All records will be made available to the public in accordance with the Texas Civil Statutes, Article 6552-17a.
2. The locality will retain documentation of the hearing notice(s); a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years after the project is closed out. All records will be made available to the public in accordance with the Texas Civil Statutes, Article 6552-17a.

SUBMISSION OF VIEWS AND PROPOSALS

All interested parties, groups or individuals are encouraged to attend these public hearings and participate in the public hearings.

1. All interested parties, groups or individuals are encouraged to attend these public hearings and participate in the discussion of community development and housing needs and/or development of economic needs. The locality will have available copies of the Local Community Needs Assessment forms for persons to complete.
2. Citizens unable to attend the public hearings are invited to submit their public views and proposals regarding the community development and housing needs and/or economic development needs any time between regular business hours to the locality.

HANDICAPPED ACCESSIBILITY & NON-ENGLISH SPEAKING RESIDENTS

Arrangements will be made to accommodate the accessibility needs of handicapped persons and non-English speaking residents who attend the public hearing.

1. In accordance with the Americans with Disabilities Act (ADA), "Individuals who require auxiliary aids and services" shall notify the locality to assist in addressing their special needs and/or services at the public hearing.
2. Each public hearing shall be held at a time (after 5:00 P.M. on weekdays or on Saturdays) and at a location convenient to potential or actual beneficiaries and will include accommodation for handicapped persons.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.

TECHNICAL ASSISTANCE PROVISIONS

The locality will technical assistance to groups and representatives of persons of low and moderate income and/or who are residents of slum and blight areas in developing proposals for the use of TxCDBG funds.

1. The locality shall provide technical assistance to groups and representatives of persons of low and moderate income and/or who are residents of slum and blight areas in developing economic, community, and housing proposals for the use of TxCDBG funds. The levels and type of assistance shall be determined by the locality based upon the specific needs of the community's residents.

COMPLAINT PROCEDURE PROVISIONS

The locality will utilize a written citizen complaint procedure that provides a timely written response to complaints and grievances. The complaint procedure compiles with the requirements of the Texas Department of Rural Affairs (TDRA) and the Texas Department of Agriculture (TDA), 10 T.A.C. Sec. 1.11 and 1.13 (as amended). The following complaint procedures shall be observed:

1. A citizen\recipient who has a comment or complaint about the quality of services funded under a contract or the selection of proposed projects may submit such comments or complaint in writing to the Office of the Mayor.
2. The Office of the Mayor shall refer the comment or complaint within two (2) working days to the locality Staff for investigation and request a response to the comments or complaints.
3. The locality staff shall complete its investigation and submit its findings, in writing, to the Office of the Mayor within seven (7) working days after the date the locality received the comment or complaint, or notify the Office of the Mayor, within such period, of the date of investigation can be completed.
4. The Office of the Mayor shall notify the complainant of the findings of the investigation before the fifteenth (15th) working day after the date the comment or complaint was

received by the locality or the Office of the Mayor shall notify the complainant, within such period, of the date the investigation can be completed.

5. The locality shall consider the history of complaints in determining whether to enter in to a new Texas Community Development Block Grant Program (TxCDBG) contract or the submission of a new program application.

SECTION 504 GRIEVANCE PROCEDURES

The City of Lockhart has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibiting by the U.S. Department of Housing and Urban Development regulations (24 CFR Subpart A Sec. 8.4(a) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

Complaints should be addressed to:

Locality: City of Lockhart 504 Coordinator

Locality Address: P.O. Box 239

Lockhart, Texas 78644-0239

Telephone Number: (512) 398-3461

Who has been designated to coordinate Section 504 compliance efforts?

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by locality 504 Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 31 CFR 51.55 (d) (2), the City of Lockhart needs to process complaints from applicants for employment or from applicants for admission to post secondary education institutions.

A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by locality 504 Coordinator and a copy forwarded to the complainant no later than ten (10) working days after its filing.

The Section 504 coordinator shall maintain the files and records of the City of Lockhart relating to the complaints files.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) working days to the City of Lockhart.

TxCDBG CONTRACT NUMBER: 7215300**2015(PY) TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG)
COMMUNITY DEVELOPMENT FUND
CITIZEN PARTICIPATION AND OPEN RECORDS MEETINGS**

The goal of City of Lockhart's citizen participation plan is to encourage all interested parties, groups or individuals to attend Texas Community Development Block Grant Program (TxCDBG) public hearings and participate in the discussion and development of housing and community and/or economic development needs.

PUBLIC HEARING PROVISIONS

The Citizen Participation Plan and Public Hearing Provisions are in compliance with the requirements of the Texas Department of Rural Affairs (TDRA) and Texas Department of Agriculture (TDA) - "Texas Community Development Block Grant Program" (TxCDBG) and is available for public inspection in accordance with Texas Civil Statutes, Article 6252-17a (as amended). For each public hearing scheduled and conducted by the Locality, the following public hearing provisions shall be observed:

9. Public notice of all hearing must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in the non-legal section of a local newspaper. Each public notice must include the date, time, location and Texas Community Development Block Grant Program (TxCDBG) topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and time requirements. Notices should also be prominently posted in public buildings and distributed to interested community groups.
10. Each public hearing shall be held at a time (after 5:00 P.M. on weekdays or on Saturdays) and at a location convenient to potential or actual beneficiaries and will include accommodation for handicapped persons.
11. The public hearings will be held at least seven (7) days apart.
12. At least one (1) of the public hearing must be held in the proposed project area.
13. The locality will hold at least one public hearing prior to developing a TxCDBG application and a second public hearing prior to the submission of the application.
14. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.

15. In the event the locality receives funding from the Texas Community Development Block Grant Program (TxCDBG). The locality will hold a public hearing concerning any substantial change, or proposed to be made in the use of TxCDBG funds as determined by the Texas Department of Rural Affairs (TDRA) and/or Texas Department Agriculture (TDA).
16. Upon completion of the community development program activities, the locality will hold a close-out public hearing and review its program performance including the actual use of TxCDBG funds.

RECORDS & INFORMATION ACCESS

All records will be made available to the public in accordance with Texas Civil Statutes, Article 6252-17a.

3. The locality will retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of one year or until the project, if funded, is closed out. All records will be made available to the public in accordance with the Texas Civil Statutes, Article 6552-17a.
4. The locality will retain documentation of the hearing notice(s); a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years after the project is closed out. All records will be made available to the public in accordance with the Texas Civil Statutes, Article 6552-17a.

SUBMISSION OF VIEWS AND PROPOSALS

All interested parties, groups or individuals are encouraged to attend these public hearings and participate in the public hearings.

3. All interested parties, groups or individuals are encouraged to attend these public hearings and participate in the discussion of community development and housing needs and/or development of economic needs. The locality will have available copies of the Local Community Needs Assessment forms for persons to complete.
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Arrangements will be made to accommodate the accessibility needs of handicapped persons and non-English speaking residents who attend the public hearing.

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The locality will technical assistance to groups and representatives of persons of low and moderate income and/or who are residents of slum and blight areas in developing proposals for the use of TxCDBG funds.

2. The locality shall provide technical assistance to groups and representatives of persons of low and moderate income and/or who are residents of slum and blight areas in developing economic, community, and housing proposals for the use of TxCDBG funds. The levels and type of assistance shall be determined by the locality based upon the specific needs of the community's residents.

COMPLAINT PROCEDURE PROVISIONS

The locality will utilize a written citizen complaint procedure that provides a timely written response to complaints and grievances. The complaint procedure compiles with the requirements of the Texas Department of Rural Affairs (TDRA) and the Texas Department of Agriculture (TDA), 10 T.A.C. Sec. 1.11 and 1.13 (as amended). The following complaint procedures shall be observed:

6. A citizen\recipient who has a comment or complaint about the quality of services funded under a contract or the selection of proposed projects may submit such comments or complaint in writing to the Office of the Mayor.
7. The Office of the Mayor shall refer the comment or complaint within two (2) working days to the locality Staff for investigation and request a response to the comments or complaints.
8. The locality staff shall complete its investigation and submit its findings, in writing, to the Office of the Mayor within seven (7) working days after the date the locality received the comment or complaint, or notify the Office of the Mayor, within such period, of the date of investigation can be completed.
9. The Office of the Mayor shall notify the complainant of the findings of the investigation before the fifteenth (15th) working day after the date the comment or complaint was

received by the locality or the Office of the Mayor shall notify the complainant, within such period, of the date the investigation can be completed.

10. The locality shall consider the history of complaints in determining whether to enter in to a new Texas Community Development Block Grant Program (TxCDBG) contract or the submission of a new program application.

SECTION 504 GRIEVANCE PROCEDURES

The City of Lockhart has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibiting by the U.S. Department of Housing and Urban Development regulations (24 CFR Subpart A Sec. 8.4(a) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

Complaints should be addressed to:

Locality: City of Lockhart 504 Coordinator

Locality Address: P.O. Box 239

Lockhart, Texas 78644-0239

Telephone Number: (512) 398-3461

Who has been designated to coordinate Section 504 compliance efforts?

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall following a filing of a complaint. The investigation will be conducted by locality 504 Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 31 CFR 51.55 (d) (2), the City of Lockhart needs to process complaints from applicants for employment or from applicants for admission to post secondary education institutions.

A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by locality 504 Coordinator and a copy forwarded to the complainant no later than ten (10) working days after its filing.

The Section 504 coordinator shall maintain the files and records of the City of Lockhart relating to the complaints files.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) working days to the City of Lockhart.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Office of Revenue Sharing, U.S. Department of the Treasury. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Lockhart complies with Section 504 and ORS regulations.

The locality will utilize a written citizen complaint procedure that provides a timely written response to complaints and grievances. The procedures incorporate due process standards and allows for quick and prompt resolution of complaints alleging any action prohibited by 24 CFR Part 8 (as amended).

7. Any individual who has a comment or complaint about being excluded, solely because of his/her handicap, from participation in, the benefits of, or subject under any program or activity receiving federal financial assistance in whole or in part under 24 CFR Part 8, may submit such comments or complaints in writing to the Office of the Mayor.
8. The Office of the Mayor shall refer the comment or complaint within two (2) working days to the locality Staff for investigation and request a response to the comments or complaints.
9. The locality staff shall complete its investigation and submit its findings, in writing, to the Office of the Mayor within seven (7) working days after the date the locality received the comment or complaint, or notify the Office of the Mayor, within such period, of the date of investigation can be completed.
10. The Office of the Mayor shall notify the complainant of the findings of the investigation before the fifteenth (15th) working day after the date the comment or complaint was received by the locality or the Office of the Mayor shall notify the complainant, within such period, of the date the investigation can be completed.
11. The Office of the Mayor shall notify the complainant of the status of the complaint at least quarterly and until disposition of the complaint is resolved.
12. The locality shall review current practices, while investigation is in progress to insure that no person is excluded from participation in, denied the benefits of, or be subjected to discrimination, solely because of his/her handicap.

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER:
7215300

SECTION 504
GRIEVANCE PROCEDURES

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER: 7215300

2015(PY) TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG)

SECTION 504 GRIEVANCE PROCEDURES

The City of Lockhart has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibiting by the Office of Revenue Sharing's (ORS) regulations (31 CFR 51.55 (d) (2) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

Complaints should be addressed to:

Locality: City of Lockhart 504 Coordinator
Locality Address: P.O. Box 239
Lockhart, Texas 78644-0239
Telephone Number: (512) 398-3461

Who has been designated to coordinate Section 504 compliance efforts?

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by locality 504 Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 31 CFR 51.55 (d) (2), the City of Lockhart needs to process complaints from applicants for employment or from applicants for admission to post secondary education institutions.

A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by locality 504 Coordinator and a copy forwarded to the complainant no later than ten (10) working days after its filing.

The Section 504 coordinator shall maintain the files and records of the City of Lockhart relating to the complaints files.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) working days to the City of Lockhart.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Office of Revenue Sharing, U.S. Department of the Treasury. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Lockhart complies with Section 504 and ORS regulations.

The locality will utilize a written citizen complaint procedure that provides a timely written response to complaints and grievances. The procedures incorporate due process standards and allows for quick and prompt resolution of complaints alleging any action prohibited by 24 CFR Part 8 (as amended).

1. Any individual who has a comment or complaint about being excluded, solely because of his/her handicap, from participation in, the benefits of, or subject under any program or activity receiving federal financial assistance in whole or in part under 24 CFR Part 8. May submit such comments or complaint in writing to the Office of the Mayor.
2. The Office of the Mayor shall refer the comment or complaint within two (2) working days to the locality Staff for investigation and request a response to the comments or complaints.
3. The locality staff shall complete its investigation and submit its findings, in writing, to the Office of the Mayor within seven (7) working days after the date the locality received the comment or complaint, or notify the Office of the Mayor, within such period, of the date of investigation can be completed.
4. The Office of the Mayor shall notify the complainant of the findings of the investigation before the fifteenth (15th) working day after the date the comment or complaint was received by the locality or the Office of the Mayor shall notify the complainant, within such period, of the date the investigation can be completed.
5. The Office of the Mayor shall notify the complainant of the status of the complaint at least quarterly and until disposition of the complaint is resolved.
6. The locality shall review current practices, while investigation is in progress to insure that no person is excluded from participation in, denied the benefits of, or be subjected to discrimination, solely because of his/her handicap.

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER:
7215300

FAIR HOUSING/EQUAL
OPPORTUNITY STANDARDS
OFFICER
AND
SECTION 504 AND SECTION 3
COORDINATOR

CITY OF LOCKHART
TxCDBG CONTRACT # 7215300

FAIR HOUSING/EQUAL OPPORTUNITY STANDARDS OFFICER
AND
SECTION 504/SECTION 3 COORDINATOR

Locality: City of Lockhart
Locality Address: P.O. Box 239
Lockhart, Texas 78644-0239
Telephone Number: (512) 398-3461

Texas Community Development Block Grant Program



I, Lew White, Mayor, do hereby appoint Vance Rodgers, City Manager

as the Fair Housing/Equal Opportunity Standard Officer and Section 504/Section 3 Coordinator for the City of Lockhart, as required by the Texas Community Development Block Grant Program Contract

1. The Fair Housing/Equal Opportunity Standards Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the City of Lockhart.
2. The Section 504/Section 3 Coordinator shall be responsible for the oversight and compliance of equal opportunity provisions and certification activities to be performed by the City of Lockhart.

The Fair Housing/Equal Opportunity Standards Officer and Section 504/Section 3 Coordinator should be familiar with all civil rights laws, equal opportunity provisions, and fair housing regulations pertaining to the Texas Community Development Block Grant Program, including those described in the TxCDBG Implementation Manual and those listed on Exhibit D of the TxCDBG contract.

- Fair Housing/Equal Opportunity Standard Officer: _____
 Check if also acting as Section 504 Coordinator
 (Required if locality employs 15 or more persons.)
- TxCDBG Section 504/Section 3 Coordinator/Officer: _____
 (Required if locality employs 15 or more persons.)

Appointed by: _____ Date: _____
(Signature)

CITY OF LOCKHART
TxCDBG CONTRACT # 7215300
WATER SYSTEM IMPROVEMENTS

POLICY OF NONDISCRIMINATION ON THE BASIS OF HANDICAPPED STATUS

The City of Lockhart does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs or activities.

504 Coordinator: Vance Rodgers

Locality: City of Lockhart

Locality Address: P.O. Box 239

Lockhart, Texas 78644-0239

Telephone Number: (512) 398-3461

has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's (HUD) regulations implementing Section 504 (24 CFR Part 8, dated June 2, 1988).



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input checked="" 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: April 19, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>[Signature]</i> 4-12-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers, 398-3461 ext. 225				
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 to consider Resolution 2016-05 adopting the U.S. Department of Housing and Urban Development (HUD) Excessive Force Policy; 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 checked="" 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				
Community Development Management Co. informed staff that the Texas Department of Agriculture (TDA) is requiring that the City adopt the updated HUD Excessive Force Policy as part of the grant funding process for grant #7215300. This grant was awarded to the City of Lockhart for a treated water feeder main to improve water pressures and volumes to benefit industrial, business, and residential developments within the City.				
STAFF RECOMMENDATION				
Staff recommends approval of Resolution 2016-05, as presented.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
<ul style="list-style-type: none"> • Resolution 2016-05 and related documents. 		<ul style="list-style-type: none"> • Tx Department of Agriculture 		

RESOLUTION NO. 2016-05

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
PROHIBITING EXCESSIVE FORCE AGAINST NON VIOLENT CIVIL RIGHTS**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) EXCESSIVE FORCE POLICY; 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, the City of Lockhart has been awarded a Texas Community Development Block Grant – Contract number 7215300 (PY-2015) by the Texas Department of Agriculture; and in the best interests for the City of Lockhart to comply with all applicable rules and regulations of Texas Community Development Block Grant Program.

WHEREAS, In accordance with 24 CFR 91.325(b)(6), the City of Lockhart hereby adopts and will enforce the following policy with respect to Prohibiting Excessive Force Against Non Violent Civil Rights:

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

1. The City of Lockhart hereby adopts and reaffirms its commitment to enforcing the following policy with respect to Prohibiting Excessive Force against Non Violent Civil Rights.
2. It is the policy of the City of Lockhart to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
3. It is also the policy of the City of Lockhart to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
4. 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 requirements.

That it further be stated that the City of Lockhart is committed to attain compliance with the aforementioned Excessive Force Policy, and as officers and representatives of the City of Lockhart we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

PASSED AND APPROVED this ____ day of _____, 2016.

Lew White, Mayor
City of Lockhart, Texas

ATTEST:

Connie Constancio, TRMC, City Secretary
City of Lockhart, Texas

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the **City of Lockhart** hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of City of Lockhart to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of City of Lockhart to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. City of Lockhart will introduce and pass a resolution adopting this policy.

As officers and representatives of **City of Lockhart**, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature Mayor
Title

Date

Fair Housing Policy

In accordance with Fair Housing Act, the City of Lockhart *hereby* adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Lockhart *agrees to* affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Lockhart *agrees to* plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Lockhart *will* introduce and pass a resolution adopting this policy.

As officers and representatives of City of Lockhart, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Mayor

Title

Date

Limited English Proficiency Sample Plan

Name Grantee:	City of Lockhart
Community Population:	12966
LEP population:	2038
Languages spoken by more than 5% of population per ACS:	English and Spanish

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input type="checkbox"/>	Publications regarding Tx CDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input type="checkbox"/>	Other program documents: _____

Resources available to Grant Recipient:	
<input checked="" type="checkbox"/>	Translation services: <u>Available upon Request</u>
<input checked="" type="checkbox"/>	Interpreter services: <u>Available upon Request</u>
<input type="checkbox"/>	Other resources: _____

Language Assistance to be provided:	
<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: _____
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons _____
<input type="checkbox"/>	Public meetings conducted in multiple languages: _____
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: _____
<input type="checkbox"/>	Other services: _____

Signature of Chief Elected Official _____

See also:

[http://www.lep.gov/resources/2011 Language Access Assessment and Planning Tool.pdf](http://www.lep.gov/resources/2011%20Language%20Access%20Assessment%20and%20Planning%20Tool.pdf)

A1008



Designation Form for Civil Rights Officer



City/County: City of Lockhart TxCDBG Contract # 7215300
 Address: 308 West San Antonio
P. O. Box 239
Lockhart, TX 78644
 Telephone Number: 512-398-3461

I, Lew White, Mayor, do hereby appoint Vance Rodgers,
(Chief Elected Official) (Name and Title)
 as the Civil Rights Officer for the City/County of Lockhart.

The Civil Rights Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the City/County of Lockhart, as required by the Texas Community Development Block Grant Program Contract No. 7215300.

The Civil Rights Officer is responsible for being familiar with and adhering to all civil rights laws and regulations pertaining to the Texas Community Development Block Grant Program, including those described in the TxCDBG Implementation Manual and those listed in the TxCDBG contract.

Civil Rights Officer: _____
(Signature)

Appointed by: _____
(Signature)

Date: _____

Appointment of Labor Standards Officer
 (Submit form to Labors@TexasAgriculture.gov)

A701

Grant Recipient: City of Lockhart Contract No: 7215300

I, Lew White (Print Mayor/County Judge) hereby appoint Philip Ruiz (Print Name)

as the Labor Standards Officer for the aforementioned contract. The appointed Labor Standards Officer is assigned to oversee the labor portion of the contract and will be responsible for assuring compliance with all requirements under **Chapter 7 of the TxCDBG Project Implementation Manual**.

Appointed Labor Standards Officer Name:	Philip Ruiz				
Address:	317 S. Main St.				
City:	Lockhart	State:	TX	Zip:	78644
Telephone Number:	(512)398-7129	Fax Number:	(512)668-4697		
Email Address:	philipr@ccaustin.com				

I acknowledge the appointment and duties of Labor Standards Officer.

Signature: _____ Date: _____
(Labor Standards Officer)

Appointed by: LEW WHITE (Print Mayor/County Judge) Title: MAYOR

Signature: _____ Date: _____
(Mayor/County Judge)



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance		<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input checked="" 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: April 19, 2016					
Department: City Manager				Initials	Date
Department Head: Vance Rodgers		Asst. City Manager			
Dept. Signature: <i>Vance Rodgers</i>		City Manager		<i>VR</i>	4-12-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers, 398-3461 ext. 225					
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 to consider Resolution 2016-06 adopting the U.S. Department of Housing and Urban Development (HUD) Section 3 Policies and Procedures and Texas Department of Agriculture (TDA) related provisions; 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 checked="" 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					
Community Development Management Co. informed staff that the Texas Department of Agriculture (TDA) is requiring that the City adopt the updated HUD Section 3 Policies and Procedures and TDA related provisions as part of a grant funding process for #7215300. This grant was awarded to the City of Lockhart for a treated water feeder main to improve water pressures and volumes to benefit industrial, business, and residential developments within the City.					
STAFF RECOMMENDATION					
Staff recommends approval of Resolution 2016-06 as presented.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies:		
<ul style="list-style-type: none"> • Resolution 2016-06 and related documents. 			<ul style="list-style-type: none"> • Tx Department of Agriculture 		

RESOLUTION NO. 2016-06

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
SECTION 3 POLICIES AND PROCEDURES**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ADOPTING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 3 POLICIES AND PROCEDURES AND TEXAS DEPARTMENT OF AGRICULTURE (TDA) RELATED PROVISIONS; 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, the City of Lockhart has been award a Texas Community Development Block Grant-Contract Number 7215300 (PY-2015) by the Texas Department of Agriculture (TDA); and in the best interest for the City of Lockhart to comply with all applicable rules and regulations of Texas Community Development Block Grant Program;

WHEREAS, Section 3 directs recipients of certain HUD program funding to give preference for training and employment opportunities arising from those programs to local low-income residents "to the greatest extent feasible";

WHEREAS, the City of Lockhart has previously certified to comply with these provisions however, in the spirit of the law this resolution is to reaffirm the City of Lockhart's commitment to implement the provisions of the HUD Section 3 Policies and Procedures;

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

- A. Section 3 is a provision of the Housing and Urban Development Act of 1968. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low and very low income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.
- B. The adoption of this plan as a policy is to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- C. Assign duties related to implementation of this plan to the designated Civil Rights Officer(s).
- D. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local U.S. Department of Housing and Urban Development (HUD) offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- E. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.

- F. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- G. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- H. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of calendar year end which identify and quantify Section 3 businesses and employees.
- I. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.
- J. 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 contractual requirements.

That it further be stated that the City of Lockhart is committed attain compliance with Section 3 Policies and Procedures.

PASSED AND APPROVED this ____ day of _____, 2016.

Lew White, Mayor
City of Lockhart, Texas

ATTEST:

Connie Constancio, TRMC, City Secretary
City of Lockhart, Texas

Section 3 Policy

In accordance with 12 U.S.C. 1701u the City of Lockhart agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of calendar year end which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of (*name of Grant Recipient*), we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature	Mayor Title	Date
-----------	-----------------------	------

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER:
7215300

SECTION (3) CONTRACTOR
LOCAL OPPORTUNITY
PLAN

CITY OF LOCKHART
TxCDBG CONTRACT # 7215300

SECTION (3) CONTRACTOR LOCAL OPPORTUNITY PLAN

The City of Lockhart agrees to implement the following specific affirmative action steps to increase the utilization of business concerns located within its boundaries.

- A. Identify eligible business concerns for TxCDBG assisted contracts through: the Chamber of Commerce, the Urban League, local advertising media including public signage; project area committees, citizen advisory boards; lists available through the local HUD program official; regional planning agencies, and all other appropriate referral sources.
- B. Maintain a list of eligible business concerns for utilization in TxCDBG funded procurement, to insure that all appropriate project area business concerns are notified of pending contractual opportunities, and to make available this list for general city/county procurement needs.
- C. Require all bidders on contracts to submit a written Local Opportunity Plan including utilization goals and the specific steps planned to accomplish these goals.
- D. Insure that contracts which are typically let on a negotiated rather than a bid basis in areas other than the project area, are also let on a negotiated basis, whenever feasible, when let in the project area.
- E. Maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- F. Appoint or recruit an executive official of the city/county as Equal Opportunity Officer to coordinate the implementation of this plan.

As officers and representatives of City of Lockhart, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Water System Improvements

Signature

Title

Date

Signature

Title

Date

CITY OF LOCKHART
TxCDBG CONTRACT NUMBER:
7215300

SECTION 504 SELF-EVALUATION
REVIEW FORM

ATTACHMENT 8-F

CITY OF LOCKHART
TxCDBG CONTRACT # 7215300SECTION 504 SELF-EVALUATION REVIEW FORM

Brief Description of Project: Water System Improvements

1. Identify Contractor Personnel responsible for Section 504 Self-Evaluation:

Mayor and City Secretary

2. Describe Section 504 Nondiscrimination Notification Procedures:

The City, on an annual basis, publishes (Month of April) in the local newspaper its local 504 Nondiscrimination Policy Statement, along with its Fair Housing Policy Statement. The public advertisement is intended to notify the general public and local area vendors of the City's Section 504 Policy. Internally, the City posts on its employee bulletin board any reference to any changes in the Local Section 504 policy. The Citizens Participation Plan also outlines the Locality Section 504 Grievance Procedures.

3. List policies that may limit participation of individuals with handicaps in contractor programs, project, and activities.

Currently the City has no policies that limit participation in its local programs, projects and activities.

4. Identify Public facilities that limit accessibility:

The current public facilities operated by the City are City Hall, the Police Department, water well sites and related facilities, and the water and/or wastewater treatment plant. Both City Hall and the Police Department are handicap accessible, with the water well sites and related facilities, and the water and/or wastewater treatment plant being handicap accessible by vehicular traffic only. However the City will conduct individual tour of its utility services and public works department on an appointment basis and will try to accommodate the needs of the handicap population.

5. Describe Contractor in-house Section 504 Information Dissemination and Training for Staff.

The City Staff holds in-house and informal meeting to disseminate information.

6. Identify Section 504 Contractor Complaint Procedures:

The Section 504 complaint process is the same as the TxCDBG Citizen Participation Plan format.

7. Describe City's Efforts to Ensure Compliance by Third Party Contractors:

The City utilizes the Texas Community Development Block Grant Program requirements (general and special conditions) in all its third party contracts.

8. Describe contractors' Efforts to make Documents and Publications Available to Individuals with Handicaps (examples: Large print, audio tape, Braille, Computer disks, etc.)

Upon request the City will provide audio tapes of City Council minutes, along with large print agendas and informational packets. Special requests for making documents and publications available in Braille or computer automation files will be handled on a case by case basis.

9. List Special Information Dissemination Services (examples: telephone listening devices, interpreters, readers, amanuenses, listening devices, audio visual presentations, automated electronic devices, assistive listening devices, etc.)

Sign and language interpreters, readers, listening devices and audio visual devices are provided by the City upon special request.

10. Identify Emergency Evacuation Procedures

Emergency evacuation procedures and maps are provided to all employees.

11. Describe Participation of Individuals with Handicaps and other interested persons in the Self-Evaluation Process

Mayor and City Secretary (and/or Director of Personnel/City Manager)

RESOLUTION NO. 2015-04

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

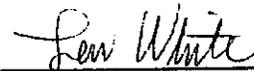
WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

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 \$60,000.00 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, Mayor
City of Lockhart, Texas

ATTEST:



Connie Constancio, City Secretary
City of Lockhart, Texas

Depository/Authorized Signatories Designation Form

Grant Recipient City of Lockhart TxCDBG Contract No. 7215300

The individuals listed below are designated by resolution as authorized signatories for contractual documents.

<u>Lew White</u>	<u>Vance Rodgers</u>
<u>(Name)</u>	<u>(Name)</u>
<u>Mayor</u>	<u>City Manager</u>
<u>(Title)</u>	<u>(Title)</u>
<u>(Signature)</u>	<u>(Signature)</u>

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories for the *Request for Payment Form* (Form A203)—(At least two (2) signatories required).

<u>Jeff Hinson</u>	<u>Connie Constancio</u>
<u>(Name)</u>	<u>(Name)</u>
<u>Finance Director</u>	<u>City Secretary</u>
<u>(Title)</u>	<u>(Title)</u>
<u>(Signature)</u>	<u>(Signature)</u>
<u>(Name)</u>	<u>(Name)</u>
<u>(Title)</u>	<u>(Title)</u>
<u>(Signature)</u>	<u>(Signature)</u>

NOTE: A copy of a Resolution passed by the city council or county commissioner's court authorizing the signatories must be submitted along with this form. Grant Recipients are strongly encouraged to use the sample resolution provided.



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input checked="" 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 type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date: April 19, 2016				
Department: Finance		Initials	Date	
Department Head: Jeff Hinson		Assistant City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager <i>[Signature]</i>		
Agenda Item Coordinator/Contact (include phone #): Robert Eggimann, Staff Acct., 398-3461, Ext. 228				
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				
Consider review and acceptance of 2 nd Quarter FY 2016 Investment Report.				
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				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
The Texas Public Investment Act requires local governments to review and accept a Quarterly Investment Report for each quarterly reporting period of the year. The 2 nd Quarter FY 2016, ending March 31, 2016 is provided for your review.				
STAFF RECOMMENDATION				
Staff respectfully requests a motion "to accept the 2 nd Quarter FY 2016 Investment Report".				
List of Supporting Documents: 2 nd Quarter FY 2016 Investment Report		Other Departments, Boards, Commissions or Agencies:		

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended March 31, 2016

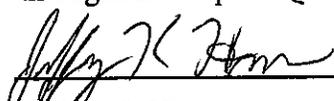
April 19, 2016

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended March 31, 2016

This report is presented in accordance with the Texas Government Code, Title 10, Chapter 2256, Public Funds Investment; Section 2256.023 known as the "Public Funds Investment Act". Attached is a detailed City of Lockhart investment report for the period January 1, 2016 through March 31, 2016. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

Investment Portfolio		
	Book Value	Market Value
<u>January 1, 2016</u>		
Cash	8,788,937	8,788,937
Marketable Securities	0	0
Investment Pools	21,940,141	21,939,415
Certificates of Deposits	0	0
Total:	30,729,078	30,728,352
<u>March 31, 2016</u>		
Cash	7,539,224	7,539,224
Marketable Securities	0	0
Investment Pools	25,265,730	25,266,611
Certificates of Deposits	0	0
Total:	32,804,954	32,805,835
<u>January 1, 2016</u>		
Unrestricted Funds	6,451,383	6,451,383
Restricted Funds	24,277,694	24,276,968
Total Funds	30,729,078	30,728,352
<u>March 31, 2016</u>		
Fund Availability		
Unrestricted Funds	6,739,325	6,739,325
Restricted Funds	26,065,629	26,066,510
Total Funds	32,804,954	32,805,835

The investment portfolio, at all times during the quarter, complied with the Public Funds Investment Act and the City of Lockhart Investment Policy. TexPool, Texas CLASS and TexSTAR were also in compliance with the Public Funds Investment Act and the City of Lockhart Investment Policy throughout the quarter.



 Jeffery K. Hinson
 Investment Officer

4/12/16

 Date

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended March 31, 2016

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
January 1, 2016				
Cash	8,788,937	28.6%	8,788,937	28.6%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	21,940,141	71.4%	21,939,415	71.4%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	30,729,078	100.0%	30,728,352	100.0%
March 31, 2016				
Cash	7,539,224	23.0%	7,539,224	23.0%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	25,265,730	77.0%	25,266,611	77.0%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	32,804,954	100.0%	32,805,835	100.0%
Change in Value				
Cash	(1,249,713)		(1,249,713)	
Marketable Securities	0		0	
Investment Pools	3,325,589		3,327,196	
Certificates of Deposits	0		0	
Portfolio Total	2,075,876		2,077,483	

Maturity Data	Book Value @ 03/31/2016	Weighted Average Maturity	Yield to Maturity
Cash	7,539,224	0 Days	0.41%
Marketable Securities	0	0 Days	0.00%
Investment Pools - Texas CLASS	12,947,004	57 Days *	0.56%
Investment Pools - TexPool	11,288,853	44 Days *	0.33%
Investment Pools - TexSTAR	1,029,873	45 Days *	0.35%
Certificates of Deposits	0	0 Days	0.00%
	32,804,954	39 Days	0.44%

Benchmark - 91-Day Treasury Bills - Secondary Market @ March 31, 2016 0.29%

* Weighted Average Maturity of Pool Investments - City funds are available from pools upon request.

Total Return On Investment	Interest Earned
Cash	8,514
Marketable Securities	0
Investment Pools - Texas CLASS	15,535
Investment Pools - TexPool	7,432
Investment Pools - TexSTAR	180
Certificates of Deposits	0
Total Return on Investment	31,660

CITY OF LOCKHART
Cash Accounts (as reconciled to FLNB & BOTO)
For the Quarter Ended March 31, 2016

General Operating Account - FLNB		
		<u>Value</u>
January 1, 2016	\$	91,535
Deposits		20,781
Withdrawals		(112,316)
Interest Earned		0
March 31, 2016	\$	0

General Operating Account - BOTO		
		<u>Value</u>
January 1, 2016	\$	8,697,402
Deposits		8,720,101
Withdrawals		(9,886,793)
Interest Earned		8,514
March 31, 2016	\$	7,539,224

Total Cash Accounts		
		<u>Value</u>
January 1, 2016	\$	8,788,937
Deposits		8,740,883
Withdrawals		(9,999,110)
Interest Earned		8,514
March 31, 2016	\$	7,539,224

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended March 31, 2016

<u>Holdings During the Quarter</u>		Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Purchase Price	Quarterly Interest Earned	Beginning Value	Beginning Book Value	Beginning Market Value	Ending Value	Ending Book Value	Ending Market Value
Type of Security	CUSIP								@ Par	January 1, 2016	March 31, 2016			
0														
0														
Totals		\$ -					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<u>Purchases</u>									
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Settlement Total	Price	Accrued Interest
Totals		\$ -					\$ -		\$ -

<u>Maturities</u>							
Type of Security	CUSIP	Purchase Date	Par Value	Coupon Rate	Date of Maturity	Yield to Maturity	Settlement Total
Totals		\$ -					\$ -

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended March 31, 2016

TexPool					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2016	7,949,755	7,949,119	0.99992	49 Days	0.19%
Deposits	6,618,086				
Withdrawals	(3,286,420)				
Interest Earned	7,432				
March 31, 2016	11,288,853	11,289,643	1.00007	44 Days	0.33%

Texas CLASS					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2016	12,931,470	12,931,470	1.0000	52 Days	0.29%
Deposits	0				
Withdrawals	0				
Interest Earned	15,535				
March 31, 2016	12,947,004	12,947,004	1.00000	57 Days	0.5600%

TexSTAR					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
January 1, 2016	1,058,916	1,058,994	0.99992	40 Days	0.1868%
Deposits	0				
Withdrawals	(29,223)				
Interest Earned	180				
March 31, 2016	1,029,873	1,029,963	1.00009	45 Days	0.3450%

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended March 31, 2016

Holdings During the Quarter

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	<u>Beginning Face Value</u>	<u>Beginning Market Value</u>	<u>Ending Face Value</u>	<u>Ending Market Value</u>
									<u>January 1, 2016</u>	<u>March 31, 2016</u>		
			<u>\$ -</u>						<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Purchases

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>
			<u>\$ -</u>				<u>\$ -</u>

Maturities

<u>CD Number</u>	<u>Holder</u>	<u>Purchase Date</u>	<u>Face Value</u>	<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Settlement Total</u>
			<u>\$ -</u>				<u>\$ -</u>

City of Lockhart
Investment Pools
Standard and Poor's Ratings

<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
April-15	AAAm	AAAm	AAAm
May-15	AAAm	AAAm	AAAm
June-15	AAAm	AAAm	AAAm
July-15	AAAm	AAAm	AAAm
August-15	AAAm	AAAm	AAAm
September-15	AAAm	AAAm	AAAm
October-15	AAAm	AAAm	AAAm
November-15	AAAm	AAAm	AAAm
December-15	AAAm	AAAm	AAAm
January-16	AAAm	AAAm	AAAm
February-16	AAAm	AAAm	AAAm
March-16	AAAm	AAAm	AAAm

City of Lockhart
Bank of the Ozarks Collateralization
Standard and Poor's Ratings

<u>Month</u>	<u>BOTO Collateralization *</u>
October-15	AA+
November-15	AA+
December-15	AA+
January-16	AA+
February-16	AA+
March-16	AA+

* Includes various Government Agency bonds



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY	Reviewed by Purchasing	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: April 19, 2016	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department: Planning		Initials	Date
Department Head: Dan Gibson	Asst. City Manager		
Dept. Signature: <i>Dan Gibson</i>	City Manager	<i>DG</i>	<i>4-15-2016</i>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236			
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 checked="" type="checkbox"/> OTHER <input type="checkbox"/> NONE			
CAPTION			
Accept semi-annual report from the Impact Fee Advisory Committee concerning the status of implementation of Chapter 31 "Impact Fees" of the Lockhart Code of Ordinances with regard to water, wastewater, and road impact fees.			
FINANCIAL SUMMARY			
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
SUMMARY OF ITEM			
<p>In accordance with State law, the Impact Fee Advisory Committee has an ongoing role in monitoring and evaluating implementation of the impact fee capital improvement plans, and submitting semi-annual reports to City Council. The committee met on April 13 to consider their 28th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$1,126,357. Total impact fee revenue during this six-month period was \$211,756 and, although no funds were spent on impact fee CIP projects during that time, there was a refund of fees for one permit that is shown as an expense. The attached report from the Committee recommends that an update of the land use assumptions, capital improvement plans, and impact fees be prepared in time for adoption in early 2017. Such an update requires retaining the services of consultants to prepare the revised land use assumptions, capital improvement plans, and impact fee ordinance amendments. The Committee also requests that the Council expedite the appointment of an ETJ representative to the Impact Fee Advisory Committee. By State law, water and wastewater impact fees cannot be assessed where our service area extends into the ETJ without that representation.</p>			
STAFF RECOMMENDATION			
Staff recommends that the Council accept the Impact Fee Advisory Committee's report.			
List of Supporting Documents:	Other Departments, Boards, Commissions or Agencies:		
April 2016 report, including attached tables and graphs.	The Impact Fee Advisory Committee has submitted the attached report.		



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

IMPACT FEE REPORT

To Lockhart City Council –April 2016

PURPOSE

State law requires a continuing semi-annual role for the Impact Fee Advisory Committee in monitoring the progress of implementation of the impact fee ordinance, and in advising the City Council on needed revisions. More specifically, State law provides that the Committee:

- 1) Monitor and evaluate implementation of the capital improvements plans;
- 2) File semi-annual reports with respect to the progress of the capital improvements plans and report to City Council any perceived inequities in implementing the plans or imposing the impact fees; and,
- 3) Advise the City Council of the need to update or revise the land use assumptions, capital improvements plans, and impact fees.

The Committee's previous report to the Council was submitted and accepted last October. This is the 28th status report since the impact fee ordinance was originally adopted on January 15, 2002, and the 18th one since the last impact fee update was adopted on March 20, 2007.

STATUS OF ACCOUNTS

As shown in **Exhibit A**, a total of \$211,756 was collected during the past six months, and no funds were spent on impact fee CIP projects during that time. However, the fees for one house were refunded when the building permit was cancelled after it had been issued, so that is shown as an expense. The water, wastewater, and road impact fee account balances for the previous semi-annual report, as well as the current balances as of March 15, 2016, are shown in the table. These totals include accrued interest. Revenue during the past six months was from 47 new houses and four commercial projects.

The total estimated cost of all of the CIP projects is \$32,455,825. However, the City Council adopted one-half that amount as the maximum to be collected by March 20, 2017, which is the end of the current ten-year CIP period, so the maximum fees are based on an estimated cost of all three CIP's being \$ 16,236,913. The total of all impact fees spent on CIP projects so far is \$1,120,110, so that leaves \$15,116,803 to still be spent. The total balance available remaining collectively in the three impact fee accounts which can be used toward meeting that goal, is \$1,126,357.

PROGRESS AND TRENDS

The pie charts in **Exhibit B** graphically summarize the progress in collecting the fees needed to pay for one-half of the estimated cost of all projects in each of the impact fee categories. **Exhibit C** compares the current total fees collected with the amount spent on projects and the amount of the remaining estimated costs of projects in each of the three CIP's that has not yet been spent. The bar graph in **Exhibit D** illustrates the impact fee collection trends since July 2003. The amount of impact fee revenue collected since the September 2012 report trended upward each six-month period until the September 2015 report, which decreased due primarily to a reduced supply of available vacant lots for new home construction. The revenue in this report is higher because two new sections of the Windridge Subdivision were completed, and more houses are now under construction.

Periods of accelerated growth help offset slow years. It is important to build a healthy balance in all of the accounts because there is a significant potential for development along SH 130 where the City does not currently have adequate infrastructure, but where many of the needed projects are already listed in the impact fee CIP's. For example, the proposed water and wastewater system improvements and an upgrade of City Line Road in the west part of the city are necessary for accommodating growth in that area. There are currently several major projects being planned for various locations throughout the city, and which could potentially provide a significant boost to impact fee revenues.

RECOMMENDATION

The Committee's previous report received by the Council on October 20, 2015, recommended that an update of the land use assumptions, capital improvement plans, and impact fees be conducted in time for adoption in early 2017. At their most recent meeting on April 13, 2016, the Committee reaffirmed this recommendation. State law provides for updates every five years. A five-year update was done in 2007, which was five years after the original impact fee ordinance was adopted. However, on the next opportunity for an update in 2012, it was determined by the Council that an update was not necessary due to slow growth and stable construction costs. Because the cost of constructing infrastructure has now increased considerably, and an adjustment of some project locations and scope is needed, an update is currently justified. That involves hiring consultants to conduct the necessary studies and prepare the new land use assumptions, capital improvement plans, and impact fee ordinance amendments.

The Committee also recommends that the City Council expedite the appointment of an ETJ representative to the Impact Fee Advisory Committee. By State law, water and wastewater impact fees cannot be assessed where our service area extends into the ETJ without that representation.

Respectfully,



Philip McBride, Chair

Impact Fee Advisory Committee

EXHIBIT A

MARCH 2016 IMPACT FEE ACCOUNT BALANCES¹

	<u>September 15, 2015</u>	+ Revenue ²	- Expense ³	=	<u>March 15, 2016</u>
Water	\$252,928	\$63,630	(\$1,224)		\$315,334
Wastewater	\$352,959	\$55,611	(\$1,094)		\$407,476
Roads	\$311,851	\$92,515	(\$819)		\$403,547
TOTAL	\$917,738	\$211,756	(\$3,137)		\$1,126,357

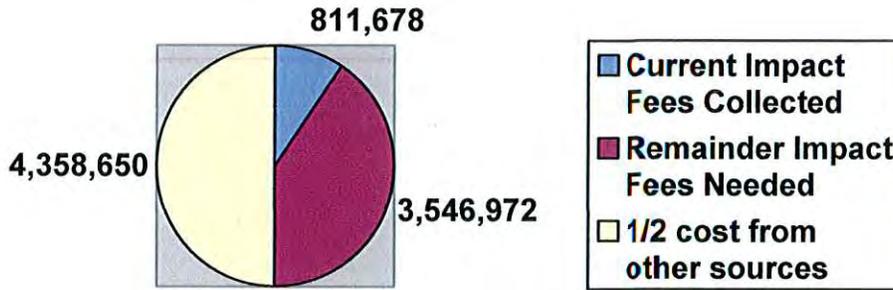
1. All amounts have been rounded to the nearest dollar.
2. Revenue amounts include accrued interest.
3. Expense amounts are fees refunded for one residence.

One-half total CIP estimated cost (estimated 100% cost of all projects is \$32,455,825):	\$16,236,913
Total spent on all projects:	\$1,120,110
Remaining amount of 1/2 estimated cost not yet spent:	\$15,116,803
Current total balance on March 15, 2016:	\$1,126,357

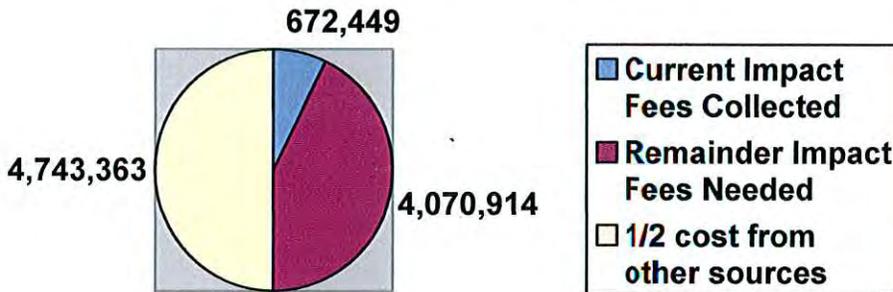
EXHIBIT B

MARCH 2016 IMPACT FEE PROGRESS SUMMARY

WATER IMPACT FEES



WASTEWATER IMPACT FEES



ROAD IMPACT FEES

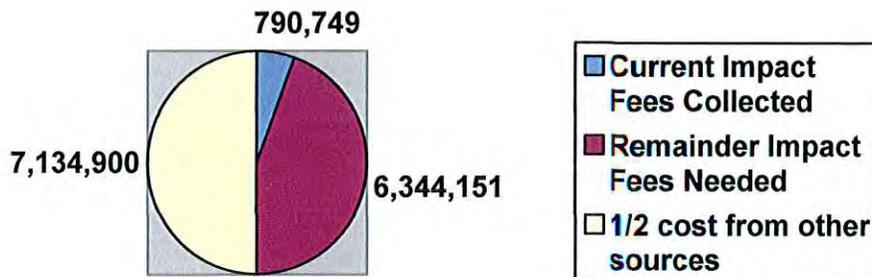
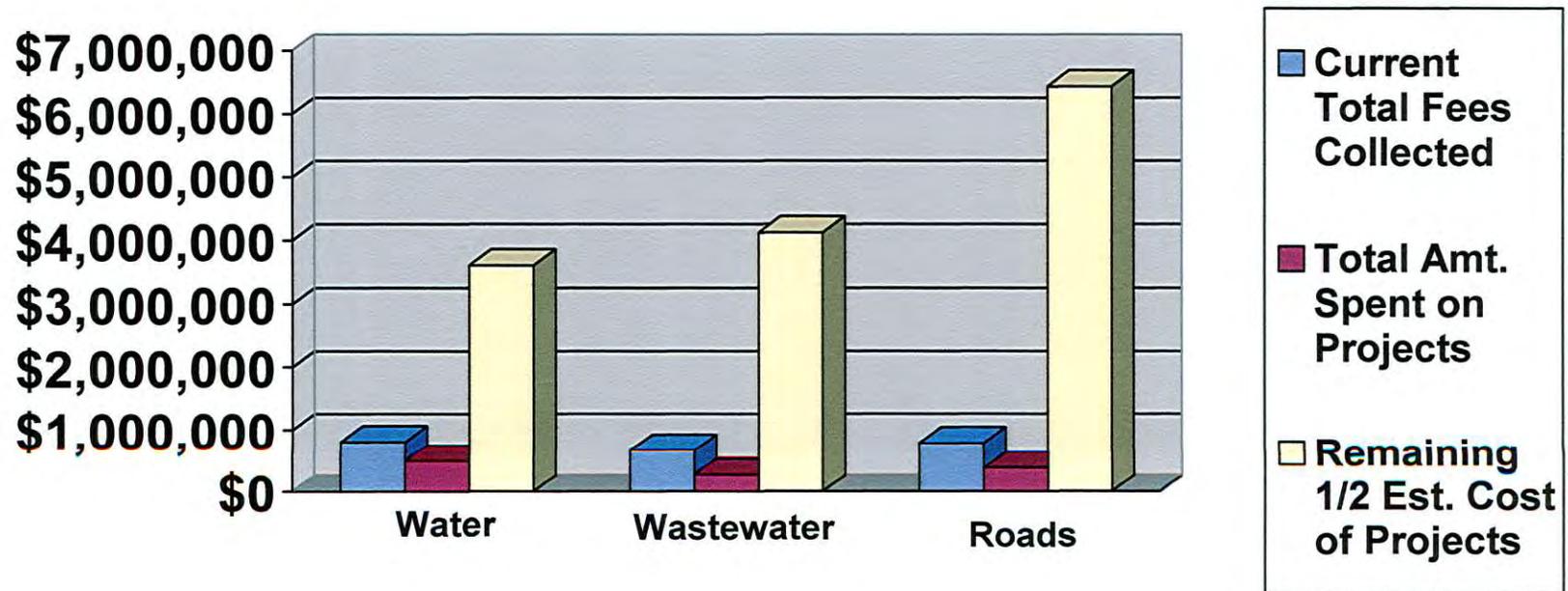


EXHIBIT C

MARCH 2016 IMPACT FEE COLLECTION / EXPENDITURE PROGRESS

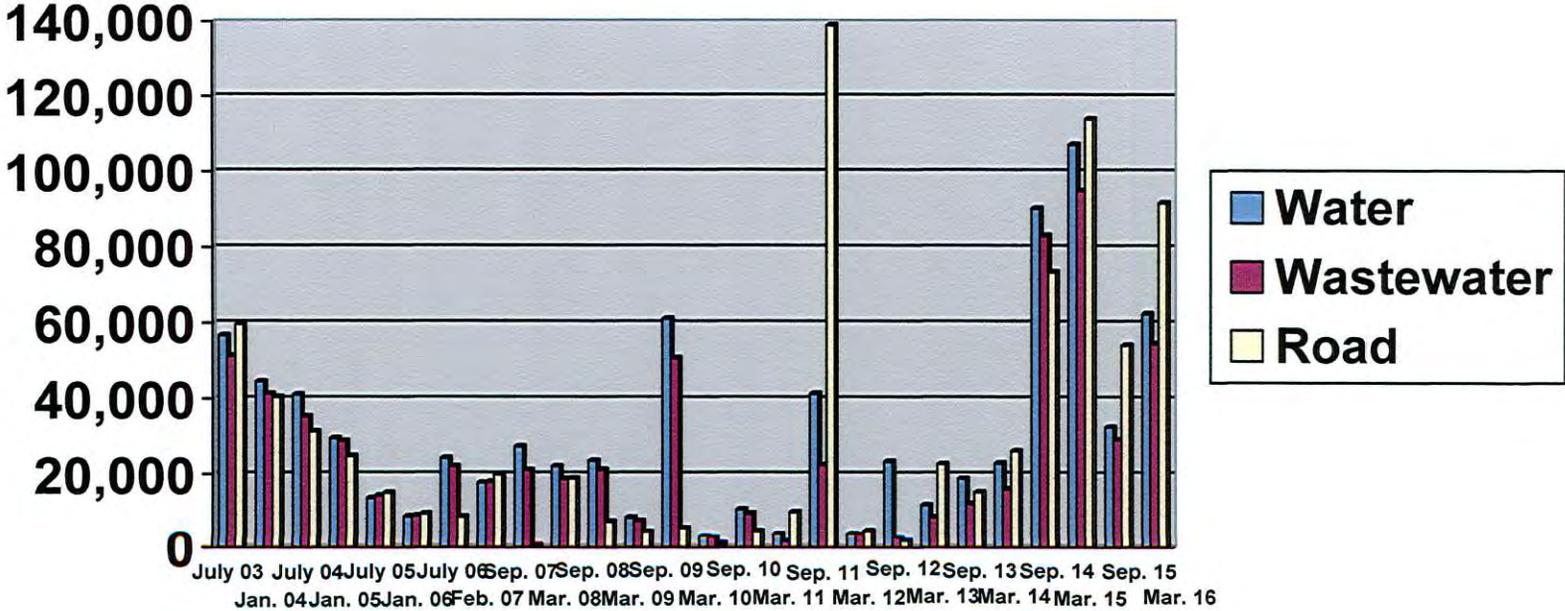


Current Total Fees Collected includes interest, but not collected funds previously spent on consultants for 2007 update.

The total cost of completing all of the proposed water, wastewater, and road CIP projects is \$32,455,825, as updated on March 20, 2007. Impact fees were adopted at an amount intended to fund only one half the cost of each project.

EXHIBIT D

IMPACT FEE SEMI-ANNUAL REVENUE



NOTE: Year-to-year variations between the proportionate amount of each type of fee collected compared to the others are due, in part, to exceptions and waivers that are available under certain circumstances, or to temporary reductions in collections directed by the City Council.



**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory	Reviewed by Purchasing	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
	Reviewed by Budget	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: April 19, 2016	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department: Planning		Initials	Date
Department Head: Dan Gibson	Asst. City Manager		
Dept. Signature: <i>Dan Gibson</i>	City Manager	<i>DG</i>	<i>4-15-2016</i>
Agenda Coordinator/Contact (include phone #): Dan Gibson 398-3461, x236			
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 checked="" type="checkbox"/> OTHER <input type="checkbox"/> NONE			
CAPTION			
<p>Discussion and/or action to consider direction to staff for employing consultants as needed to update the land use assumptions, capital improvements plans, and impact fees, as provided in Chapter 16 "Impact Fees" of the Lockhart Code of Ordinances for the assessment of water, wastewater, and road impact fees.</p>			
FINANCIAL SUMMARY			
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED			
SUMMARY OF ITEM			
<p>As recommended in the semi-annual report from the Impact Fee Advisory Committee in the previous agenda item, there is a need for an update of the impact fees, which involves retaining the services of consultants to prepare the revised land use assumptions and capital improvement plans, along with necessary amendments to the impact fee ordinance, which is Chapter 31 of the Code of Ordinances. The update should be completed by early 2017, which is the end of the latest five-year period since the previous opportunity for a five-year update in 2012. As stated in the report, the Council determined at that time that an update was not necessary. However, the cost of constructing infrastructure has now increased significantly, and an adjustment in the location and scope of some projects is needed. The land use assumptions are based on population and employment projections, which determine the amount and location of anticipated growth in the community over the next ten years. The capital improvement plans establish the water, wastewater, and road projects needed to accommodate that growth, including the project locations, size, and cost. The impact fees are then based on the estimated cost of implementing the projects.</p>			
STAFF RECOMMENDATION			
<p>Staff recommends that the Council direct staff to proceed with all actions necessary to update the impact fee land use assumptions, capital improvement plans, and ordinance.</p>			
List of Supporting Documents: Refer to the April 2016 semi-annual report and attachments submitted by the Impact Fee Advisory Committee.	Other Departments, Boards, Commissions or Agencies: The Impact Fee Advisory Committee recommends that the update be completed by early 2017.		



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: April 19, 2016				
Department: Finance		Initials	Date	
Department Head: Jeff Hinson		Asst. City Manager		
Dept. Signature: <i>Jeff Hinson</i>		City Manager	<i>JH</i>	<i>4.14.2016</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				
Presentation and/or Discussion Concerning Expenditures Allowed for Economic Development Corporations.				
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				
A synopsis of expenditures allowed by economic development corporations using information derived from the Texas Comptroller.				
STAFF RECOMMENDATION				
N/A				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
Copy of presentation documents.				

Type A and B Economic Development Corporations Overview

The Development Corporation Act of 1979 gives cities the ability to finance new and expanded business enterprises in their local communities through economic development corporations (EDCs). Chapters 501, 504 and 505 of the Local Government Code outline the characteristics of Type A and Type B EDCs, authorize cities to adopt a sales tax to fund the corporations and define projects EDCs are allowed to undertake.

Type A EDCs — Developing Industries



Type A EDCs are typically created to fund industrial development projects such as business infrastructure, manufacturing and research and development. Type A EDCs can also fund military base realignment, job training classes and public transportation. [More details »](#)

Type B EDCs — Developing Industries & Cultivating Communities



Type B EDCs can fund all projects eligible for Type A, as well as parks, museums, sports facilities and affordable housing. However, Type B EDCs are subject to more administrative restrictions than Type A. [More details »](#)

Allowable Costs

There are some limitations on how sales tax revenues can be used to fund a project.

Eligible expenditures include:

- acquisition of land;
- machinery and equipment;
- construction costs;
- planning and professional services related to the project;
- financial transactions and reserve funds; and
- administrative and other necessary expenditures.

Primary Jobs Requirement

The main requirement is that the businesses bring new money into the community. In 2003, the Legislature voted to require that certain projects create or retain primary jobs. A primary job is one at a company that exports a majority of its products or services to markets outside the local region, infusing new dollars into the local economy. Primary jobs are further limited to specific industry sectors such as agriculture, mining, manufacturing and scientific research and development. Those industry limitations can be found in [Local Government Code, Chapter 501](#).

Performance Agreements

EDCs cannot simply give sales tax proceeds to businesses. An EDC must enter into a written performance agreement with any business enterprise that it funds directly or makes expenditures that benefit an eligible project. At a minimum, the performance agreement must contain:

- a schedule of additional payroll or jobs to be created or retained;
- the capital investment to be made by the business enterprise; and
- the terms for repayment of the EDC's investment if the business fails to meet the performance requirements specified in the agreement.

Eligible Type B Projects — Developing Industries & Cultivating Communities



Dr. Pepper Ballpark - Frisco, Texas. Photo by JDAC, flickr.com.

How Type B Sales Tax Revenue Can Be Used

The Type B sales tax may be used for any project eligible under Type A rules and several other project types, including quality of life improvements. Type B corporations may pay for land, buildings, equipment, facilities, targeted infrastructure and improvements for:

- professional and amateur sports and athletic facilities, tourism and entertainment facilities, convention facilities and public parks;
- related store, restaurant, concession, parking and transportation facilities;
- related street, water and sewer facilities; and
- affordable housing.

To promote and develop new and expanded business enterprises that create or retain primary jobs, a Type B EDC may fund:

- public safety facilities;
- recycling facilities;
- streets, roads, drainage and related improvements;
- demolition of existing structures;
- general municipally owned improvements; and
- maintenance and operating costs associated with projects.

Type B EDCs also may seek voter approval to spend Type B sales tax funds for a water supply, water conservation program or cleanup of contaminated property.

Exceptions for Small Cities and Landlocked Communities

Type B EDCs created by cities with a population of 20,000 or less and those classified as landlocked communities may use sales tax proceeds to fund projects that promote new or expanded business development that do not create or retain primary jobs. A landlocked community must be located in either Harris or Dallas counties and have less than 100 acres within its city limits and extraterritorial jurisdiction zoned for manufacturing or industrial facilities.

Operating Requirements

Administration Expenses

Type A and Type B EDCs are authorized to pay the administrative expenses (including staff) to implement projects. These may include administrative expenses for the acquisition, construction, improvement, expansion and financing of projects. Cities that perform some of the administrative functions for Type A or Type B corporations may be reimbursed for administrative expenses for projects overseen by city staff. An EDC also may contract with a private corporation or other entity.

Training

The EDC administrator, the city attorney and the city administrator or the city clerk of the municipalities creating Type A and Type B corporations are required to attend an economic development training seminar within 90 days of taking office. The seminar must be repeated every two years. Corporation funds may be used to pay the costs of attending the seminar. The Comptroller's office may impose a penalty of up to \$1,000 for officials who fail to attend the required training seminar.

EDC training can be obtained from the [Texas Economic Development Council](#).

Open Meetings and Public Hearings

Type A and Type B EDCs' boards of directors are subject to the Texas Open Meetings Act, found in Chapter 551 of the Government Code.

A Type B EDC serving a city with fewer than 20,000 residents is exempt from holding public hearings for projects eligible under Type A rules. However, these small cities must give the resolution at least two separate readings if the funding agreement is for \$10,000 or more.

All Type B corporations, regardless of city population, must hold public hearings on all other types of projects. In addition, all Type B corporations must wait 60 days from the first public notice of the nature of a project before providing funds.

Type A corporations are required to hold public hearings only when considering an election to authorize a Type B project.

Open Government training can be obtained from the [Texas Office of the Attorney General](#).

Reporting Requirements

The Development Corporation Act requires all Type A and Type B corporations to file an annual report with the Texas Comptroller of Public Accounts by Feb. 1 of each year. [See specific requirements and reporting login.](#)

LIST OF BOARD/COMMISSION VACANCIES

Updated: April 1, 2016

Board Name	Reappointments/Vacancies	Council member
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
Parks Advisory Board	VACANT-(Jeff Johnson resigned 01/15/2016)	Mayor Pro-Tem Sanchez

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Ron Faulstich	Historical Preservation Commission	December 31, 2015	District 3
Rudy Ruiz	Charter Review Commission	March 9, 2016	District 4
Paul Buckner	Parks & Recreation Advisory Board	April 1, 2016	District 2

<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>

Sec. 2-209. - Rules for appointment.

The city council hereby sets the following rules:

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

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

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

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

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

NOTES:
ORDINANCE
RE: ALL
BOARD,
COMMISSION
APPOINTMENTS

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

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
District 4 - Jeffrey 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

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 (Five member commission) Term - 24 months after appointment	Ray Sanders Bill Hernandez Roland Velvin Elizabeth Raxter Alan Fielder	03/01/16 - Michelson 03/01/16 - Michelson 03/01/16 - Michelson 03/01/16 - Hilburn 03/15/16 - Hilburn
	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

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

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

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

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is \$ 4 for residential and others; \$260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another \$250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at \$45,000 and more outside landscaping estimated at \$ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: \$ 45,000, recreation dept est at least \$ 60,000 for a recreational professional with another \$30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) \$ 29,000; Gen Fund Civil Serv \$ 24,000; Other/Utilities: \$ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already approved: \$ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If there are cars parked on both sides of the streets, only one car can pass through at a time. Then it becomes a one lane street. I have witnessed a different angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking = \$ 12,000; will probably lose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to \$40,000 if City Crew does the work; total cost could be more than \$70,000
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated \$22,500 for updating data and recruitment. 098

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

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

City of Lockhart
Future Debt Payments as of 9/30/15

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

City of Lockhart
Future Debt Payments as of 9/30/15

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

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
\$14,124,890.00		TOTAL PROJECT COST																																							
\$2,068,024.00	1	DRAINING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive																																							
\$1,999,200.00	2	DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets																																							
\$3,394,038.00	3	DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project																																							
\$323,400.00	4	DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project																																							
\$1,764,000.00	5	FM 2001 ELEVATED TANK PROJECT																																							

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish	2015												2016												2017											
						Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
\$1,355,516.00	6	Construction	365 days	Thu 6/30/16	Thu 6/29/17																																				
		Surveying Proposal	15 days	Mon 1/18/16	Mon 2/1/16																																				
		Survey	30 days	Tue 2/2/16	Wed 3/2/16																																				
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16																																				
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16																																				
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16																																				
		Construction	300 days	Fri 9/2/16	Wed 6/28/17																																				
\$470,400.00	7	SH130 PUMP STATION PROJECT																																							
		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																																				
\$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																																				
\$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																																				