

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

TUESDAY, OCTOBER 18, 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 Appreciation to Police Chief Michael Lummus for his service and to wish him well in his future endeavors after his retirement effective October 31, 2016.

DISCUSSION ONLY

- A. Discuss minutes of the City Council meeting of October 4, 2016. 14-18
- B. Discuss proposed Clinical Affiliation Agreement between the Texas A&M Engineering Extension Service (TEEX) and the City of Lockhart – Caldwell County Emergency Medical Services (EMS) to allow students to ride on EMS units for required clinical experience to promote excellence in patient care, to ensure professional competence, and to provide maximum utilization of community resources, and appointing the City Manager to sign the agreement, if approved. 19-24
- C. Discuss recommendation to the Caldwell County Commissioner's Court to consider appointment of Dan Gibson, City Planner, to the Capital Area Metropolitan Planning Organization (CAMPO) Technical Advisory Committee as the representative from cities within Caldwell County. 25
- D. Discuss the 4th Quarter Fiscal Year 2016 Investment Report. 26-35
- E. Discuss annual audit of Chapter 59 Asset Forfeiture Funds of the Lockhart Police Department to be reported to the Texas Attorney General. 36-43
- F. Discuss confirmation of Civil Service Commission member; reappointment of Doug Shomette for a three year term as recommended by the City Manager. 44-46
- G. Discuss Change Order #1 for Qro-Mex Construction Company, Inc., to increase the current contract by \$359,412 making the new contract amount \$2,108,665 for drainage, utility, and road improvements on East Walnut Street between City Park and Carver Street and on the East Market Street drainage area, and appointing the Mayor to sign the change order, if approved. 47-50
- H. Discuss Additional Funds Amendment (AFA) for US 183 CSJs 0152-02-070 widening project which includes funding from Capital Area Metropolitan Planning Organization (CAMPO) and from the Texas Department of Transportation (TxDOT), and appointing the Mayor to sign the agreement, if approved. 51-62

NOTE: Council will briefly leave the Council Chambers at some point during the meeting to see the new ambulance that will be outside of the building.

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

3. CITIZENS/VISITORS COMMENTS

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

4. PUBLIC HEARING/COUNCIL ACTION

A. Hold a public hearing on application ZC-16-06 by Janey Mae Evans for a Zoning Change from AO Agricultural-Open Space District to CHB Commercial Heavy Business District for 11.133 acres in the Esther Berry Survey, Abstract No. 1, located at 2112 South Colorado Street (US 183). 5-13

B. Discussion and/or action to consider Ordinance 2016-27 amending the Official Zoning Map of the City of Lockhart, Texas, to reclassify the property known as 11.133 acres in the Esther Berry Survey, Abstract Number 1, located at 2112 South Colorado Street (US 183), from AO Agricultural-Open Space District to CHB Commercial Heavy Business District.

5. CONSENT AGENDA

A. Approve minutes of the City Council meeting of October 4, 2016. 14-18

B. Approve proposed Clinical Affiliation Agreement between the Texas A&M Engineering Extension Service (TEEX) and the City of Lockhart – Caldwell County Emergency Medical Services (EMS) to allow students to ride on EMS units for required clinical experience to promote excellence in patient care, to ensure professional competence, and to provide maximum utilization of community resources, and appointing the City Manager to sign the agreement, if approved. 19-24

C. Approve recommendation to the Caldwell County Commissioner's Court to consider appointment of Dan Gibson, City Planner, to the Capital Area Metropolitan Planning Organization (CAMPO) Technical Advisory Committee as the representative from cities within Caldwell County. 25

D. Accept the 4th Quarter Fiscal Year 2016 Investment Report. 26-35

E. Approve annual audit of Chapter 59 Asset Forfeiture Funds of the Lockhart Police Department to be reported to the Texas Attorney General. 36-43

CONSENT AGENDA continued...

- F. Approve confirmation of Civil Service Commission member; reappointment of Doug Shomette for a three year term as recommended by the City Manager. 44-46
- G. Approve Change Order #1 for Qro-Mex Construction Company, Inc., to increase the current contract by \$359,412 making the new contract amount \$2,108,665 for drainage, utility, and road improvements on East Walnut Street between City Park and Carver Street and on the East Market Street drainage area, and appointing the Mayor to sign the change order, if approved. 47-50
- H. Approve Additional Funds Amendment (AFA) for US 183 CSJs 0152-02-070 widening project which includes funding from Capital Area Metropolitan Planning Organization (CAMPO) and from the Texas Department of Transportation (TxDOT), and appointing the Mayor to sign the agreement, if approved. 51-62

6. DISCUSSION/ACTION ITEMS

- A. Discussion and/or action regarding appointments to various boards, commissions or committees. 63-68

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

- Update: US Hwy 183 expansion project, Hickory to Blackjack.
- Update: City Street Crew chip sealed Old Kelley Road and East portion of Horseshoe Bend gravel sections within the City Limits.
- Update: Richland Drive 98% complete.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds and other work about 60% complete.
- Update: Still working on final designs for Ash, Comal and Pine Street about complete to address drainage issues; neighborhood meeting will be set up in November.
- Update: Water Well # 11 major rehab complete with good flows.
- Update: City Water Crew extending 18" water main along north side of SH 142 east of City Line Road.
- Report: Hill Country Cook-off Event at City Park.
- Report: 9th Annual KLB Cleanup Event and Environmental Fair; 400 volunteers; \$5,000 in cash donations for related expenses (see attached for details). pg 69
- Report from Mayor and Council- TML Conference held in Austin.
- Reminder: Annual fund raiser for Caldwell Historical Group- Speaking of the Dead Event, Friday and Saturday, Oct 21st and 22nd at City Cemetery.
- Reminder: Dia De Los Muertos Art and Street Festival Saturday October 29, noon until 7 pm downtown with art show at the Clark Library (see attached for details). pg 70

8. COUNCIL AND STAFF COMMENTS – ITEMS OF COMMUNITY INTEREST

(**Items of Community Interest defined below)

9. ADJOURNMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

I certify that the above notice of meeting was posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 14th day of October 2016 at 1:18 pm. I further certify that the following News Media was properly notified of this meeting as stated above: Lockhart Post-Register

Connie Constancio

Connie Constancio, TRMC
City Secretary



CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: October 18, 2016				
Department: Planning			Initials	Date
Department Head: Dan Gibson		Asst. City Manager		
Dept. Signature: <u>Dan Gibson</u>		City Manager		<u>10.14.16</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-16-06 by Janey Mae Evans for a Zoning Change, and discussion and/or action to consider Ordinance 2016-27 for a Zoning Change from AO Agricultural-Open Space District to CHB Commercial Heavy Business District for 11.133 acres in the Esther Berry Survey, Abstract No. 1, located at 2112 South Colorado Street (US 183).				
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				
The subject property, which is located across the highway from the municipal airport and livestock auction barn, was formerly the site of an automobile salvage yard that is now closed. The applicant anticipates a variety of future uses that will require a commercial zoning classification. There is a single-family dwelling on property currently zoned AO adjacent to the north, but the remainder of the land uses in the area are commercial or institutional in nature. Although not immediately abutting the subject property, there is existing CHB zoning nearby, both to the north and to the south. The CHB classification is consistent with the Lockhart 2020 Land Use Plan map, which shows a strip along the east side of the highway designated as future General-Heavy Commercial. The eastern corner of the subject property extends beyond that strip into an area designated as future Medium Density Residential, so that would be a minor deviation from the land use plan. Thus far, there has been no opposition to this proposed zoning change. More complete information is in the attached staff report.				
STAFF RECOMMENDATION				
Staff recommends APPROVAL of Ordinance 2016-27.				
List of Supporting Documents: Ordinance, legal description, maps, staff report, application form.		Other Board or Commission Recommendation: At their September 28 th , 2016, meeting, the Planning and Zoning Commission voted unanimously to recommend APPROVAL. 5		

ORDINANCE 2016-27

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 11.133 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NUMBER 1, LOCATED AT 2112 SOUTH COLORADO STREET (US 183), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

WHEREAS, on September 28, 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-16-06 as 11.133 acres in the Esther Berry Survey, Abstract Number 1, more particularly described in Exhibit A and located at 2112 South Colorado Street (US 183), will be reclassified from AO Agricultural-Open Space District to CHB Commercial Heavy Business District.

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

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

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

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

PASSED, APPROVED, AND ADOPTED AT A REGULAR MEETING OF THE LOCKHART CITY COUNCIL ON THIS THE 18th DAY OF OCTOBER, 2016.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Connie Constancio, TRMC, City Secretary

Peter Gruning, City Attorney

6

EXHIBIT "A"

VOL 317 PAGE 335

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Esther Berry Survey A-1 and being also a part of a tract of land called 12.96 acres and conveyed to R. H. Henslee by deed recorded in Volume 269 Page 376 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a 2" cut iron pipe found in concrete in the curving East line of U.S. Highway #183 and in the apparent NW corner of a tract of land called 3.038 acres and conveyed to Liberty Fellowship of Lockhart by deed recorded in Volume 134 Page 285 of the Official Records of Caldwell County, Texas and in the most Westerly SW corner of the above mentioned 12.96 acre tract for the most Westerly SW corner this tract.

THENCE with the East line of U.S. Highway #183 for the following two (2) courses:
(1) With a curve turning to the left having a radius of 5789.68 feet and a central angle of 03 degrees 17 minutes 50 seconds and an arc length of 333.18 feet and the chord of which bears N 00 degrees 47 minutes 20 seconds E 333.13 feet to a 1/4" iron pin set in the PT of the said curve.

(2) N 00 degrees 51 minutes 33 seconds W 458.58 feet to a 1/4" iron pin set for the NW corner this tract.

THENCE N 83 degrees 17 minutes 42 seconds E over and across the said 12.96 acre tract 298.70 feet to a 1/4" iron pin set in the East line of the said 12.96 acre tract and the NW corner of a tract of land called 24.26 acres and conveyed to Janey Mae Evans by deed recorded in Volume 52 Page 141 of the said Official Records for the NE corner this tract and from which point a 1/4" iron pin found used for basis of bearing bears N 30 degrees 08 minutes 22 seconds W 344.08 feet.

THENCE S 30 degrees 06 minutes 22 seconds E with the East line of the said 12.96 acre tract and the West line of the above mentioned 24.26 acre tract 982.18 feet to a 1/4" iron pin found used for basis of bearing in the East corner of the said 12.96 acre tract and the SW corner of the said 24.26 acre tract and in the apparent NW line of a tract of land called 106.744 acres and conveyed to Robert A. Schmidt by deed recorded in Volume 288 Page 578 of the said Official Records for the SE corner this tract.

THENCE S 80 degrees 40 minutes 41 seconds W with the South line of the said 12.96 acre tract and the apparent NW line of the above mentioned 106.744 acre tract 438.10 feet to a 3" iron pipe found in the apparent SE corner of the above mentioned 3.038 acre tract and a reentrant corner of the said 12.96 acre tract for a reentrant corner this tract.

THENCE N 01 degrees 17 minutes 18 seconds E with the apparent East line of the said 12.96 acre tract and a West line of the said 12.96 acre tract 227.80 feet to a 2" iron pipe found in the apparent NE corner of the said 3.038 acre tract and an ell corner of the said 12.96 acre tract for an ell corner this tract.

THENCE N 88 degrees 43 minutes 25 seconds W with a South line of the said 12.96 acre tract and the apparent North line of the said 3.038 acre tract 412.01 feet to the place of beginning containing 11.133 acres of land more or less.

I do hereby certify that the foregoing field notes are a true and correct description of a survey made on the ground under my direct supervision and completed on September 18, 2002. This survey is for use with this one transaction only. Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.

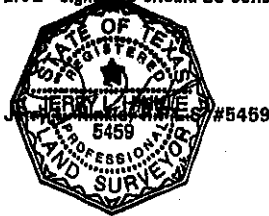


EXHIBIT "A"

Any provision herein which restricts the sale, rental or use of the described property because of color or race is hereby acknowledged and unenforceable under Federal Law.
STATE OF TEXAS
COUNTY OF CALDWELL
I hereby certify that this instrument was FILED in File Number Sequence on the date and time stamped herein by me and was duly RECORDED in Official Public Records of Real Property of Caldwell County Texas on

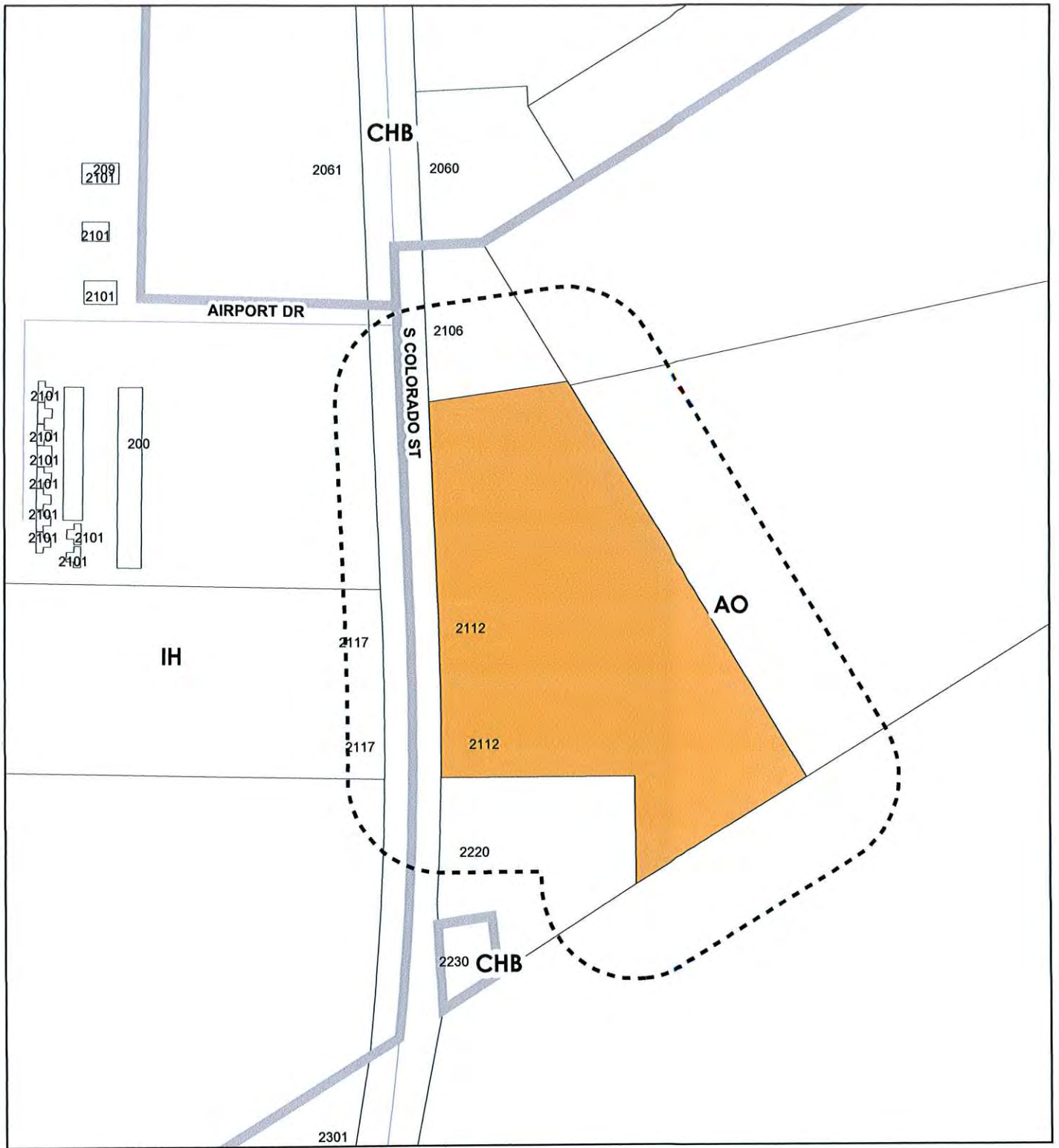
OCT 17 2002



Nina S. Sells
COUNTY CLERK

FILED this 17th day of Oct 2002
11:00 A.M.
NINA S. SELLS
COUNTY CLERK, CALDWELL COUNTY, TEXAS
Cynthia Jones Deputy

7



ZC-16-06

AO TO CHB

2112 S. COLORADO ST



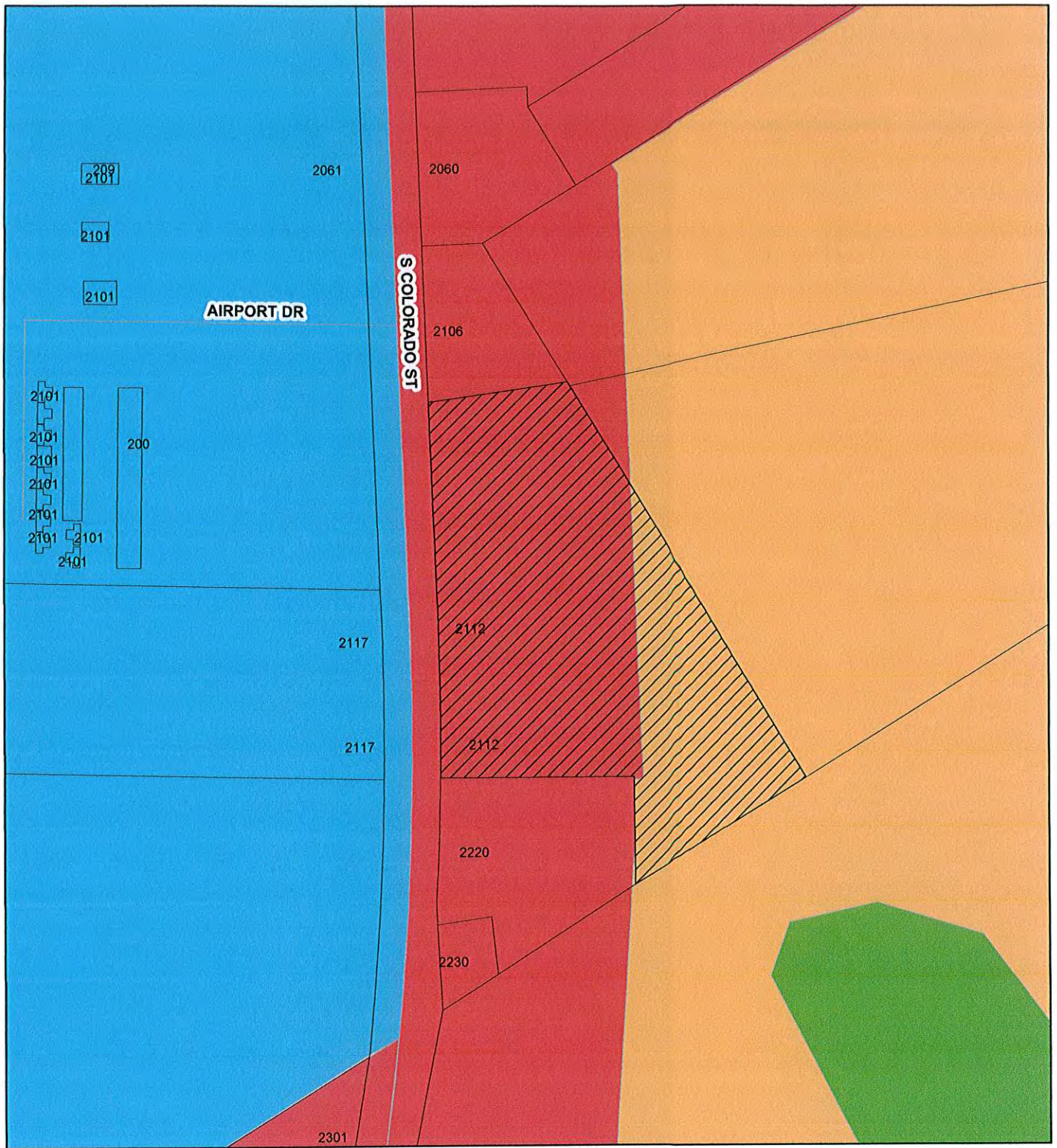
scale 1" = 300'



Zoning Boundary



Subject Property



FUTURE LANDUSE

2112 S. COLORADO ST



scale 1" = 300'



9

CASE SUMMARY

STAFF CONTACT: Laura Rouse-DeVore, Assistant City Planner

CASE NUMBER: ZC-16-06

REPORT DATE: September 20, 2016 [Updated 9-29-16]

PLANNING AND ZONING COMMISSION HEARING DATE: September 28, 2016

CITY COUNCIL HEARING DATE: October 4, 2016

REQUESTED CHANGE: AO Agricultural Open Space to CHB Commercial Heavy Business

STAFF RECOMMENDATION: *Approval*PLANNING & ZONING COMMISSION RECOMMENDATION: *Approval***BACKGROUND DATA**

APPLICANT(S): Janey Mae Evans

OWNER(S): Same as Applicant

SITE LOCATION: 2112 S. Colorado Street

LEGAL DESCRIPTION: Esther Berry Survey, Abstract No. 1

SIZE OF PROPERTY: 11.133 acres

EXISTING USE OF PROPERTY: Former Salvage Yard

LAND USE PLAN DESIGNATION: General Heavy Commercial (Majority) and Residential Medium Density along the eastern corner.

ANALYSIS OF ISSUES

REASON FOR REQUESTED CHANGE: The property is currently zoned AO Agricultural-Open Space, and the applicant indicates proposed uses such as retail, office, a preschool, etc., which require a commercial zoning classification.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
North	Single-Family Residence	AO	General-Heavy Commercial
West	Lockhart Municipal Airport/Lockhart Auction	IH	Public and Institutional
South	Church	AO	General-Heavy Commercial
East	Agricultural	AO	Residential Medium Density

TRANSITION OF ZONING DISTRICTS: The subject property is bordered by adjacent properties that are also zoned AO Agriculture-Open Space. The properties to the north and south are currently bordered by adjacent properties that are zoned CHB Commercial Heavy Business. Zoning the subject property CHB Commercial Heavy Business creates the opportunity for continuity of the CHB Commercial Heavy Business zoning district in this area. This is also consistent with future land use designation shown on the Lockhart 2020 Land Use Plan map.

ADEQUACY OF INFRASTRUCTURE: The property can be served by utilities, and has vehicular access from South Colorado Street. A 12-inch water main extends along Colorado Street adjacent to the subject property, but the property currently uses a septic tank for wastewater. The City will construct an extension from an 18-inch main on the west side of Colorado Street to provide wastewater service to the property.

POTENTIAL NEIGHBORHOOD IMPACT: The prior use of this property was an auto salvage yard. This type of use is industrial in nature and requires a Specific Use Permit in the IH Industrial Heavy zoning district. An auto salvage yard would not be a permitted use in the CHB Commercial Heavy Business District. Staff believes that reducing the intensity of uses allowed on the subject property should have a positive impact on the neighborhood, and the uses allowed by the proposed zoning district will be consistent with what exists in the area since there are nearby properties with the same CHB Commercial Heavy Business zoning classification.

CONSISTENCY WITH COMPREHENSIVE PLAN: The requested CHB zoning district is consistent with the Lockhart 2020 Land Use Plan map designation of General-Heavy Commercial. Even though a portion of the parcel is shown in the Future Land Use Plan as Medium Density Residential, the majority of it is designated General-Heavy Commercial. Staff doesn't believe that rezoning the entire property to CHB will conflict with the intent of the Land Use Plan to provide for more intense uses in this area along South Colorado Street.

ALTERNATIVE CLASSIFICATIONS: Other commercial zoning district classifications could be considered for the subject site. However, based upon the surrounding uses, the CHB zoning to the north and south of the subject property beyond the AO zoning, and the Future Land Use Plan map, staff believes that CHB is a reasonable zoning classification for this property.

RESPONSE TO NOTIFICATION: Public hearing notices were mailed to five surrounding property owners. Staff has received no responses or inquiries as of the date of this report, and no one spoke in opposition at the Planning and Zoning Commission meeting.



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 Janey Mae Evans

ADDRESS P.O. Box 233

DAY-TIME TELEPHONE 512-376-0351

Lockhart, Texas 78644

E-MAIL jmhevens@gmail.com

OWNER NAME Same

ADDRESS _____

DAY-TIME TELEPHONE _____

E-MAIL _____

PROPERTY

ADDRESS OR GENERAL LOCATION 2112 S. Colorado St.

LEGAL DESCRIPTION (IF PLATTED) metes and bounds

SIZE 11.133 ACRE(S) LAND USE PLAN DESIGNATION general - heavy commercial

EXISTING USE OF LAND AND/OR BUILDING(S) salvage yard

PROPOSED NEW USE, IF ANY retail, office, preschool, etc.

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO

TO PROPOSED ZONING CLASSIFICATION CHB

REASON FOR REQUEST Rezone in compliance with future
Land Use Plan to accommodate proposed uses.

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 \$372.66 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

Janey Rae Evans

DATE

8/29/16

OFFICE USE ONLY

ACCEPTED BY

Dan Gibson

RECEIPT NUMBER

686340

DATE SUBMITTED

8-29-16

CASE NUMBER ZC -

16 - 06

DATE NOTICES MAILED

9-12-2016

DATE NOTICE PUBLISHED

8-15-16

PLANNING AND ZONING COMMISSION MEETING DATE

9-28-16

PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval

CITY COUNCIL MEETING DATE

10-4-16

DECISION

**LOCKHART CITY COUNCIL
REGULAR MEETING**

OCTOBER 4, 2016

6:30 P.M.

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

Council present:

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

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

Staff present:

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

Connie Constancio, City Secretary
Jeff Hinson, Finance Director

Citizens/Visitors Addressing the Council: Representatives of the Hays-Caldwell Women's Center and of the Muscular Dystrophy Association.

Work Session 6:30 p.m.

Mayor White announced that Mayor Pro-Tem Angie Gonzales-Sanchez would be arriving at the meeting late. He 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

A. PRESENTATION OF A PROCLAMATION DECLARING OCTOBER AS "NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH" IN LOCKHART.

Mayor White presented a proclamation to Representatives of the Hays-Caldwell Women's Center (HCWC).

B. PRESENTATION OF FUNDS COLLECTED BY THE LOCKHART FIRE RESCUE FOR THE "MDA FILL THE BOOT" FUNDRAISER TO MARCIE MCDONALD OF THE MUSCULAR DYSTROPHY ASSOCIATION.

Fire Chief Joseph Gorman presented a check in the amount of \$3,971.33 to Christy Hall of the Muscular Dystrophy Association (MDA). Ms. Hall of the MDA expressed appreciation.

DISCUSSION ONLY

A. DISCUSS MINUTES OF THE CITY COUNCIL MEETINGS OF SEPTEMBER 20, 2016 AND SEPTEMBER 27, 2016.

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

B. 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.

Mr. Gibson stated that 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 the City Council. The committee met on September 28 to consider their 29th semi-annual report since impact fees were originally adopted on January 15, 2002. The current total balance of all impact fee accounts is \$1,333,370. Total impact fee revenue during this six-month period was \$207,013 and no funds were spent on impact fee capital improvement plan (CIP) projects during that time. He provided information from a report by the Committee that summarizes their previous recommendation that an update of the land use assumptions, capital improvement plans, and impact fees be prepared in time for adoption in early 2017. On April 19, 2016, the Council directed staff to retain the services of consultants for that purpose, and in September subsequently approved professional services agreements with Freese and Nichols, Inc., and with TRC Engineering. The Committee again 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. Mr. Gibson recommended acceptance of the report.

Mayor Pro-Tem Sanchez arrived at the meeting at 6:45 p.m.

Mayor White requested that staff provide a map of the extraterritorial jurisdiction (ETJ) to the Council to assist in finding an appointment to fill the vacant ETJ position on the Impact Fee Advisory Committee.

There was discussion.

C. DISCUSSION REGARDING CITY COUNCIL CONFIRMATION, ACCORDING TO CIVIL SERVICE LAW (SECTION 143.013), OF MR. JOHN ROESCHER AS THE CITY MANAGER'S APPOINTMENT OF INTERIM POLICE CHIEF FOR THE CITY OF LOCKHART EFFECTIVE OCTOBER 31, 2016, UNTIL SUCH TIME AS A POLICE CHIEF IS APPOINTED BY THE CITY MANAGER AND CONFIRMED BY THE CITY COUNCIL.

Mr. Rodgers stated that Police Chief Michael Lummus' original date of retirement was December 31, 2016 yet he recently changed the effective date to October 31, 2016 due to personal reasons. He has selflessly served as the Lockhart Police Chief for 10 ½ years. His leadership and work ethic is to be commended. The selection process for appointing a replacement Police Chief is well under way. However, to fill the gap between Chief Lummus' retirement and the selection of a Police Chief, Captain John Roescher has been selected by the City Manager to serve as an Interim Police Chief. Captain Roescher has served in the Lockhart Police Department since 1985, starting as a Patrol Officer moving up through the ranks to his current position of Captain in 2006. To satisfy Civil Service law, the City Council is being asked to consider confirming this interim appointment, allowing Capitan Roescher the authorities of a Police Chief, until such time that a Police Chief is appointed and confirmed.

There was discussion.

Mr. Rodgers re-affirmed that Capitan Roescher's position would be an interim appointment.

RECESS: Mayor White announced that the Council would recess for a break at 7:05 p.m.

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

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

ITEM 2. INVOCATION, PLEDGE OF ALLEGIANCE.

Invocation - Ministerial Alliance.

Pledge of Allegiance to the United States and Texas flags.

ITEM 3. CITIZENS/VISITORS COMMENTS.

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

ITEM 4-A. HOLD PUBLIC HEARING ON APPLICATION ZC-16-06 BY CRUZ REYNA FOR A ZONING CHANGE FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT FOR 11.133 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NO. 1, LOCATED AT 2112 SOUTH COLORADO STREET (US 183).

Mayor White announced that the public hearing will be postponed until the October 18, 2016 Council meeting.

ITEM 4-B. DISCUSSION AND/OR ACTION TO CONSIDER ORDINANCE 2016-27 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOCKHART, TEXAS, TO RECLASSIFY THE PROPERTY KNOWN AS 11.133 ACRES IN THE ESTHER BERRY SURVEY, ABSTRACT NUMBER 1, LOCATED AT 2112 SOUTH COLORADO STREET (US 183), FROM AO AGRICULTURAL-OPEN SPACE DISTRICT TO CHB COMMERCIAL HEAVY BUSINESS DISTRICT.

Mayor White announced that the item will be postponed until the October 18, 2016 Council meeting.

ITEM 5. CONSENT AGENDA

Mayor Pro-Tem Sanchez stated that she will abstain from voting on the consent agenda items because she was not present during the discussion of these items in the work session.

Councilmember Michelson made a motion to approve consent agenda items 5A and 5B. Councilmember Hilburn seconded. The motion passed by a vote of 6-0-1, with Mayor Pro-Tem Sanchez abstaining.

The following are the consent agenda items that were approved:

5A: Approve minutes of the City Council meetings of September 20, 2016 and September 27, 2016.

5B: 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.

ITEM 6-A. DISCUSSION AND/OR ACTION REGARDING CITY COUNCIL CONFIRMATION, ACCORDING TO CIVIL SERVICE LAW (SECTION 143.013), OF MR. JOHN ROESCHER AS THE CITY MANAGER'S APPOINTMENT OF INTERIM POLICE CHIEF FOR THE CITY OF LOCKHART EFFECTIVE OCTOBER 31, 2016, UNTIL SUCH TIME AS A POLICE CHIEF IS APPOINTED BY THE CITY MANAGER AND CONFIRMED BY THE CITY COUNCIL.

Councilmember Westmoreland made a motion to confirm the City Manager's appointment of Interim Police Chief for the City of Lockhart effective October 31, 2016, until such time as a Police Chief is appointed by the City Manager and confirmed by the City Council. Councilmember Hilburn seconded. The motion passed by a vote of 7-0.

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

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

Councilmember Castillo made a motion to appoint Ron Faulstich to the Lockhart Historical Preservation Commission. Mayor Pro-Tem Sanchez seconded. The motion passed by a vote of 7-0.

Councilmember Mendoza made a motion to appoint Mike Votee to Construction Board of Appeals. Councilmember Castillo seconded. The motion passed by a vote of 7-0.

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

- Update: US Hwy 183 expansion project, Hickory to Blackjack.
- Update: City Street Crew working on surfacing of Old Kelley Road and East portion of Horseshoe Bend gravel sections within the City Limits; chip seal work.
- Update: About 100% of the curb and gutter has been placed on the Richland Drive project; final paving should be complete within 30 days, weather-permitting.
- Update: Drainage work continues on Mesquite, Braden, Wichita, and Vega Street areas; detention ponds.
- Update: Still working on final designs for Ash, Comal and Pine Street; about complete to address drainage issues; neighborhood meeting will be set up in November.
- Update: Water Well #11; major rehab should be complete next week and flows will be reported back to Council.
- Update: City Water Crew extending 18" water main along north side of SH 142 east of City Line Road.
- Update: Applications ranked for the Economic Development Director and Police Chief positions. Interviews will be set up over the next three weeks.
- Update: Chief Lummus has appointed Police Officer Stephen Parra, our 1st Cadet Officer, as the Community Resource Officer to work with neighborhoods about special concerns and needs.
- Update: Laura DeVore, Assistant Planner, has resigned to move back to Illinois where she has immediate family; position being advertised; Dan is very busy.....
- Update: Dickens Annual Event preparation well underway. Thanks to all volunteers and City employees who make this event something very special for our community each year.
- Update: Special thanks to Mr. John Larisen, a Lockhart Resident, with Tanger Outlet Mall, for the donation of approximately 65 park type benches and trash can units; staff will be working with Downtown Beautification Group about placements and explore areas to place them along the sidewalk of the US 183 widening project.
- Report: Evening with the Authors on Saturday Oct 1.
- Reminder: Texas Municipal League annual meeting this week.
- Reminder: Hill County Cook-off will be Oct 14-15 in City Park.

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

Councilmember Westmoreland thanked the City Manager and the street sweeper for clearing up the crickets downtown, which are a nuisance this time of the year. Good luck Lockhart Lions!

Councilmember Mendoza reminded everyone that tomorrow is the National "Walk or Ride Your Bike to School Day" and asked everyone to be safe.

Mayor Pro-Tem Sanchez commended all involved with the successful Evening with the Authors event.

Councilmember Hilburn thanked all involved with the successful Evening with the Authors event.

Councilmember Castillo also thanked all involved with the successful Evening with Authors event. He thanked McDonalds for hosting the "Coffee with Cops" event held on September 24.

Mayor White commended all involved with the successful Evening with the Authors event. He invited everyone to attend the Speaking of the Dead event on October 21-22 at the City Park. He expressed get well wishes to Mr. George Hazlett.

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 7:55 p.m.

PASSED and APPROVED this the 18th day of October 2016.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Connie Constancio, TRMC
City Secretary

18



Work Session Item # _____

Reg. Mtg. Item # _____

CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: October 18, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager		<i>[Signature]</i> 10-13-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding a proposed Clinical Affiliation Agreement between The Texas A&M Engineering Extension Service (TEEX) and the City of Lockhart –Caldwell County Emergency Medical Services (EMS) to allow students to ride on EMS units for required clinical experience to promote excellence in patient care, to ensure professional competence, and to provide maximum utilization of community resources, and appointing the City Manager to sign the agreement if approved.				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
This proposed agreement allows TEEX students to ride with Lockhart EMS units to gain required experience in pursuing excellence in patient care, to promote professional competence, and to provide maximum utilization of community resources. These students could be our next generation of Paramedics.				
STAFF RECOMMENDATION				
City Manager respectfully recommends approval of the TEEX Clinical Affiliation Agreement.				
List of Supporting Documents: Proposed Agreement		Other Departments, Boards, Commissions or Agencies:		



**CLINICAL AFFILIATION AGREEMENT
BY AND BETWEEN
THE TEXAS A&M ENGINEERING EXTENSION SERVICE
AND
CALDWELL CO. EMS
CITY OF LOCKHART EMS**

This Clinical Affiliation Agreement ("Agreement") is entered into by and between ^{City of Lockhart EMS} Caldwell Co. EMS, ("Affiliate"), located at 214 Bufkin Lane, Lockhart TX. 78644 and the Texas A&M Engineering Extension Service ("TEEX"), a member of The Texas A&M University System (TAMUS), an agency of the State of Texas, 200 Technology Way, College Station, TX 77845.

WHEREAS, TEEX is an institution of higher education with an approved program in the TEEX EMS Program ("Program") which requires clinical experiences of students enrolled therein; and

WHEREAS, Affiliate is a health facility which has the resources in equipment and staff to provide the clinical experiences required by the Program; and

WHEREAS, it is to the benefit of TEEX that the resources of Affiliate be made available to its students for the required clinical experiences; and

WHEREAS, it is to the benefit of both TEEX and Affiliate to cooperate in the educational preparation of students enrolled in the Program so as to promote excellence in patient care, to ensure professional competence, and to provide maximum utilization of community resources;

NOW, THEREFORE, the parties agree as follows:

1. **Term of Agreement:** This Agreement commences on date of last signature and expires August 31, 2018, at 5:00 pm Central Time Zone; however, this Agreement may be renewed with written approval of the parties for a total term of up to five (5) years

Either party may terminate this Agreement upon giving 30 days written notice to the other party. Should notice of termination be given by either party, those students then assigned to the Affiliate by TEEX shall be permitted to complete the clinical internship assignment in progress.

2. **Responsibilities of TEEX:** TEEX agrees to:

- A. Identify, in concert with Affiliate, the names and number of students assigned to Affiliate for on-site clinical and practical training.
- B. Prepare, in concert with Affiliate, from time to time, a schedule for students specifying the hours of each day, the days of each month, and the months of each year during which the students will be receiving on-site clinical and practical training at Affiliate, and the health related specialties to which the students will be exposed in connection with their on-site training. TEEX will further provide such data as Affiliate may request in order to coordinate its scheduling and programming with that of TEEX.
- C. Assure that all students selected for clinical and practical training at Affiliate have satisfactorily completed all portions of TEEX curriculum that are prerequisite for the training and can show proof of the following (check applicable prerequisites for clinical study at Affiliate):

- | | |
|-------------------------------------|---------------------|
| <input type="checkbox"/> | ACLS certificate |
| <input checked="" type="checkbox"/> | BCLS certificate |
| <input checked="" type="checkbox"/> | TB testing |
| <input checked="" type="checkbox"/> | Hepatitis B vaccine |
| <input checked="" type="checkbox"/> | Drug screening |
| <input type="checkbox"/> | |

20

- D. Designate in writing an Agency Representative to coordinate the educational experience of students undergoing clinical and practical training at Affiliate with the Affiliate Representative.
- E. Require that students provide written evidence of professional liability insurance coverage participating in the clinical and practical training. The minimum amount of coverage per individual shall be \$1,000,000 each incident with a \$3,000,000 annual aggregate. The coverage shall extend through the term of the student's participation. Affiliate acknowledges that, because TEEX is an agency of the State of Texas, liability for the tortious conduct of the agents and employees of TEEX or for injuries caused by conditions of tangible state property is provided solely by the provisions of the Texas Tort Claims Act (*Texas Civil Practice and Remedies Code*, Chapters 101 and 104), and that Workers' Compensation Insurance coverage for employees of TEEX is provided by TAMUS as mandated by the provisions of Chapter 502, *Texas Labor Code*.
- F. Have, and maintain throughout the term of this Agreement, all licenses and/or permits required by state law, and/or any federal or local authority, for the training of students, and accreditation by proper accrediting authorities.
- G. Represent that no adverse action by the federal government that can result in exclusions from a federal health care program has occurred or is pending or threatened against TEEX, its affiliates, or to the best of TEEX' knowledge, against any of the students. TEEX agrees it will not perform any act that can cause TEEX to be excluded from a federal health care program during the term of this Agreement.
- H. Provide access to TEEX' contracts, books, documents, and records relating to this Agreement to the Comptroller General of the United States and the United States Department of Health and Human Services for seven (7) years after expiration or termination of this Agreement, if required by the Social Security Act and without violating the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, *et seq.*, and as may be amended, or any other student and/or student records privacy act.

3. **Responsibilities of Affiliate:** Affiliate agrees to:

- A. Provide supervised clinical experiences for students, including maintaining adequate personnel, staff and facilities, which fulfill the curriculum requirements of the Program and meet the objectives agreed upon by TEEX and Affiliate which are consistent with the standards and requirements of any accrediting authorities.
- B. Comply with all applicable federal, state, and municipal laws, ordinances, rules, and regulations; have and maintain throughout the term of this Agreement all licenses/permits required for its facilities, personnel and staff; comply with all applicable requirements of any accreditation authority; and certify such compliance upon request by TEEX.
- C. Permit the authority responsible for accreditation of the Program to inspect the facilities, services, and other items provided by Affiliate for purposes of the clinical and practical training.
- D. Designate in writing a member of the Affiliate staff ("Affiliate Representative") to coordinate the educational experience of students undergoing clinical and practical training at Affiliate with the University Representative.
- E. Provide TEEX with a minimum of 90 days notice in the event it is unable to place TEEX' students.
- F. Permit the students, at their sole cost and expense, to use Affiliate amenities such as the cafeteria, rest rooms, emergency rooms, conference areas and parking facilities on the same basis as that made available to Affiliate's employees.
- G. Provide an orientation for the students, faculty and staff participating in the clinical program of the type and scope provided to Affiliate's employees with respect to the operations of Affiliate, its policies and procedures, and the location of the facilities and other equipment.
- H. Provide patient information to students to the extent necessary to provide a meaningful clinical experience.
- I. Provide emergency medical treatment in the event of injury or illness experienced by a student, faculty and/or staff participating in the clinical program while on-site at Affiliate, including administering acute antiviral therapies as recommended by the Centers for Disease Control, if appropriate. The student, faculty and/or staff is solely responsible for the cost of such health care.
- J. Cooperate fully with TEEX in matters related to academic performance and student conduct related to the clinical experience.

4. **Removal of Students:** Affiliate may, in its sole and absolute discretion, refuse the use of its facilities and services as contemplated by this Agreement to any student who does not meet the professional and other standards and requirements of Affiliate. TEEX agrees to withdraw any Student from Affiliate or its premises for any reasonable cause specified by Affiliate.

5. **Patient Care:** Affiliate will at all times remain responsible for the safety and welfare of its patients. Nothing herein contained will be construed as a limitation on the responsibility of Affiliate with respect to providing medical care for its patients.
6. **Program Management:** TEEX will at all times remain responsible for the implementation and operation of the Program in a manner consistent with its curriculum and the standards and requirements of any accrediting authorities.
7. **Cooperation and Liaison:** Affiliate and TEEX will act in good faith, and cooperate with one another in implementing the intent and purpose of this Agreement and in furtherance thereof will work out the details of the administration needed to fulfill the needs of the on-site educational program of TEEX and to benefit Affiliate in such a manner so as not to interfere with the medical care provided by Affiliate. TEEX and Affiliate will maintain adequate communication with one another, to make changes that may be advisable within the terms of this Agreement and discuss any problems as may arise concerning their affiliation as created by this Agreement.
8. **HIPAA:** The parties agree that:
 - A. Affiliate is a covered entity for purposes of the Health Insurance Portability and Accountability Act (HIPAA) and subject to 45 CFR Parts 160 and 164 ("the HIPAA Privacy Regulations");
 - B. To the extent that TEEX students are participating in clinical and practical training at Affiliate and TEEX employees are providing supervision at Affiliate as part of such training, such students and TEEX employees shall:
 - (1) be considered part of Affiliate's workforce for HIPAA compliance purposes in accordance with 45 CFR 164.103, but shall not be construed to be employees of Affiliate;
 - (2) receive training by Affiliate on, and subject to compliance with, all of Affiliate's privacy policies adopted pursuant to the Regulations; and
 - (3) not disclose any Protected Health Information, as that term is defined by 45 CFR 160.103, to which a student has access through clinical and practical training at Affiliate or a faculty or staff member has access through the provision of supervision at Affiliate that has not first been de-identified as provided in 45 CFR 164.514(a);
 - C. TEEX will never access or request to access any Protected Health Information held or collected by or on behalf of Affiliate that has not first been de-identified as provided in 45 CFR 164.514(a); and
 - D. No services are being provided to Affiliate by TEEX pursuant to this Agreement and therefore this Agreement does not create a "business associate" relationship as that term is defined in 45 CFR 160.103.
9. **Notices:** Any notice required or permitted under this Agreement must be in writing, and shall be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address set out below. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, email or other commercially reasonable means and will be effective when actually received (provided that in the event of a facsimile or email, concurrently therewith a copy is mailed by certified mail, return receipt requested). TEEX and Affiliate may change their respective notice address by sending to the other party a notice of the new address. Notices should be addressed as follows:

TEEX: EMS Program
 200 Technology Way
 College Station, TX 77845
 Attention: Mike Schuler
 Fax: (979) 458-3533
 E-mail: mike.schuler@teex.tamu.edu

Affiliate: Caldwell Co. EMS
 214 Bufkin Lane
 Lockhart, TX 78644
 Attention: Eric Olufs, Director of Caldwell County EMS
 E-mail: eolufs@seton.org

10. **Counterparts:** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, together constitute but one instrument.
11. **Assignment:** Neither TEEX nor Affiliate may assign this Agreement or any of its rights or obligations under this Agreement, without the prior written consent of the other party; provided, that either party can assign the Agreement to an entity affiliated by ownership or control.
12. **Relationship of Parties:** TEEX and Affiliate are independent parties acting in unison for the purpose of this Agreement. Nothing in this Agreement or the parties' actions should be construed as creating any partner or agency relationship between TEEX and Affiliate.
13. **Program Participants Independent:** While participating in the clinical program, the students and TEEX employees are acting independently of Affiliate and are not employees of Affiliate; and therefore will not be entitled to compensation, future employment, or any benefits of Workers' Compensation in the event of any injury occurring on Affiliate's premises.
14. **Force Majeure:** Neither party is required to perform any term, condition, or covenant of this Agreement, if performance is prevented or delayed by a natural occurrence, a fire, an act of God, an act of terrorism, or other similar occurrence, the cause of which is not reasonably within the control of such party and which by due diligence it is unable to prevent or overcome.
15. **Public Information:** Affiliate acknowledges that TEEX is obligated to strictly comply with the Public Information Act, Chapter 552, *Texas Government Code*, in responding to any request for public information pertaining to this Agreement.
16. **Non-Exclusive Agreement:** This Agreement should not be construed as an exclusive contract and the parties may enter into other affiliation agreements.
17. **Waiver:** The waiver by either party of a breach or violation of any provision of this Agreement will not be deemed a waiver of any subsequent breach of the same or different provision.
18. **Severability:** In the event that a provision of this Agreement is found by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement will remain in full force and effect.
19. **Governing Law:** The validity of this Agreement and all matters pertaining to this Agreement, including but not limited to, matters of performance, non-performance, breach, remedies, procedures, rights, duties, and interpretation or construction, shall be governed and determined by the Constitution and the laws of the State of Texas. Pursuant to Section 85.18, *Texas Education Code*, venue for any suit filed against TEEX shall be in Brazos County, Texas, in which the primary office of the chief executive officer of TEEX is located.
20. **Non-Waiver Provision:** Affiliate expressly acknowledges that TEEX is an agency of the State of Texas and nothing in this Agreement will be construed as a waiver or relinquishment by TEEX of its right to claim such exemptions, privileges, and immunities as may be provided by law.

This Agreement constitutes the entire Agreement between TEEX and Affiliate and supersedes all previous Agreements and understandings relating to the Clinical Affiliation.

For the Affiliate: Caldwell County Co. EMS
CITY OF LOCKHART EMS

Texas A&M Engineering Extension Service:

By: _____

By: R. Charles Todd

Name: VANCE RODGERS

Name: R. Charles Todd

Title: CITY MANAGER, CITY OF LOCKHART

Title: Associate Agency Director/CFO

Date: _____

Date: 10/13/2016

Reviewed by
ESTI Business Office





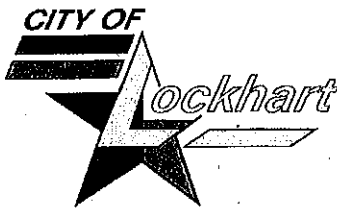
Work Session Item # _____

Reg. Mtg. Item # _____

CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance		<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal		<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: October 18, 2016					
Department: City Manager				Initials	Date
Department Head: Vance Rodgers		Asst. City Manager			
Dept. Signature: <i>[Signature]</i>		City Manager		<i>[Signature]</i>	10-13-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER					
CAPTION					
Discussion and/or action regarding a recommendation to the Caldwell County Commissioners' Court to consider appointment of Dan Gibson, City Planner, to the Capital Area Metropolitan Planning Organization (CAMPO) Technical Advisory Committee as the representative from cities within Caldwell County					
FINANCIAL SUMMARY					
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED					
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS	
Budget				\$0.00	
Budget Amendment Amount				\$0.00	
Encumbered/Expended Amount				\$0.00	
This Item				\$0.00	
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00	
FUND(S):					
SUMMARY OF ITEM					
Changes recently at CAMPO result in only one appointment on the Technical Advisory Committee from cities within Caldwell County with that appointment coming from the Caldwell County Commissioners' Court. Dan Gibson, City Planner, has served commendably on the Technical Advisory Committee. City Manager requests that Council consider recommending to the Commissioners' Court that Mr. Gibson be appointed to serve on the Technical Advisory Committee.					
STAFF RECOMMENDATION					
City Manager respectfully requests that Council recommends Mr. Gibson be appointed to serve on the Technical Advisory Committee.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies:		

25



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: October 18, 2016				
Department: Finance		Initials	Date	
Department Head: Jeff Hinson		Assistant City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager	<i>[Signature]</i>	10.14.16
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 4 th 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 4 th Quarter FY 2016, ending September 30, 2016 is provided for your review.				
STAFF RECOMMENDATION Staff respectfully requests a motion "to accept the 4 th Quarter FY 2016 Investment Report".				
List of Supporting Documents: 4 th Quarter FY 2016 Investment Report		Other Departments, Boards, Commissions or Agencies:		

CITY OF LOCKHART

Quarterly Investment Report
For the Quarter Ended September 30, 2016

October 18, 2016

CITY of LOCKHART
Quarterly Investment Report
For the Quarter Ended September 30, 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 July 1, 2016 through September 30, 2016. The Investment Portfolio Summary reports the beginning and ending book values and market values for the quarterly reporting period as follows:

July 1, 2016

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

Investment Portfolio	
Book Value	Market Value
9,232,277	9,232,277
0	0
21,659,454	21,660,761
0	0
30,891,731	30,893,038
9,013,820	9,013,820
0	0
19,222,394	19,225,060
0	0
28,236,214	28,238,880

September 30, 2016

Cash
Marketable Securities
Investment Pools
Certificates of Deposits
Total:

July 1, 2016


Unrestricted Funds
Restricted Funds
Total Funds

Fund Availability	
5,989,807	5,989,807
24,901,924	24,903,231
30,891,731	30,893,038
4,735,932	4,735,932
23,500,282	23,502,948
28,236,214	28,238,880

September 30, 2016

Unrestricted Funds
Restricted Funds
Total Funds

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

10/10/16

Date

CITY of LOCKHART
Investment Portfolio Summary
For the Quarter Ended September 30, 2016

	Investment Portfolio			
	Book Value	% of Total	Market Value	% of Total
<u>July 1, 2016</u>				
Cash	9,232,277	29.9%	9,232,277	29.9%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	21,659,454	70.1%	21,660,761	70.1%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	30,891,731	100.0%	30,893,038	100.0%
<u>September 30, 2016</u>				
Cash	9,013,820	31.9%	9,013,820	31.9%
Marketable Securities	0	0.0%	0	0.0%
Investment Pools	19,222,394	68.1%	19,225,060	68.1%
Certificates of Deposits	0	0.0%	0	0.0%
Portfolio Total	28,236,214	100.0%	28,238,880	100.0%
<u>Change in Value</u>				
Cash	(218,457)		(218,457)	
Marketable Securities	0		0	
Investment Pools	(2,437,060)		(2,435,701)	
Certificates of Deposits	0		0	
Portfolio Total	(2,655,518)		(2,654,158)	

	Book Value @ 09/30/2016	Weighted Average Maturity	Yield to Maturity
<u>Maturity Data</u>			
Cash	9,013,820	0 Days	0.41%
Marketable Securities	0	0 Days	0.00%
Investment Pools - Texas CLASS	10,692,152	56 Days *	0.79%
Investment Pools - TexPool	8,319,268	44 Days *	0.38%
Investment Pools - TexSTAR	210,975	41 Days *	0.41%
Certificates of Deposits	0	0 Days	0.00%
	28,236,214	34 Days	0.55%

Benchmark - 91-Day-Treasury Bills - Secondary Market @ September 30, 2016

0.29%

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

	Interest Earned
<u>Total Return On Investment</u>	
Cash	8,941
Marketable Securities	0
Investment Pools - Texas CLASS	20,171
Investment Pools - TexPool	8,497
Investment Pools - TexSTAR	212
Certificates of Deposits	0
Total Return on Investment	37,821

CITY OF LOCKHART
Cash Accounts (as reconciled to BOTO)
For the Quarter Ended September 30, 2016

General Operating Account - BOTO		
		<u>Value</u>
July 1, 2016	\$	9,232,277
Deposits		16,958,769
Withdrawals		(17,186,167)
Interest Earned		8,941
September 30, 2016	\$	9,013,820

Total Cash Accounts		
		<u>Value</u>
July 1, 2016	\$	9,232,277
Deposits		16,958,769
Withdrawals		(17,186,167)
Interest Earned		8,941
September 30, 2016	\$	9,013,820

CITY of LOCKHART
Marketable Securities Transaction Summary
For the Quarter Ended September 30, 2016

<u>Holdings During the Quarter</u>		<u>Purchase Date</u>	<u>Par Value</u>	<u>Coupon Rate</u>	<u>Date of Maturity</u>	<u>Yield to Maturity</u>	<u>Purchase Price</u>	<u>Quarterly Interest Earned</u>	<u>Beginning Value @ Par</u>	<u>Beginning Book Value</u>	<u>Beginning Market Value</u>	<u>Ending Value @ Par</u>	<u>Ending Book Value</u>	<u>Ending Market Value</u>
<u>Type of Security</u>	<u>CUSIP</u>											<u>September 30, 2016</u>		
														0
														0
Totals			<u>\$ -</u>				<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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

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

CITY OF LOCKHART
Investment Pool Transactions Summary
For the Quarter Ended September 30, 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>
July 1, 2016	8,476,502	8,477,773	1.00015	46 Days	0.36%
Deposits	13,031,000				
Withdrawals	(13,196,732)				
Interest Earned	8,497				
September 30, 2016	8,319,268	8,321,846	1.00031	44 Days	0.38%

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>
July 1, 2016	12,971,981	12,971,981	1.0000	56 Days	0.65%
Deposits	0				
Withdrawals	(2,300,000)				
Interest Earned	20,171				
September 30, 2016	10,692,152	10,692,152	1.00000	56 Days	0.7900%

TexSTAR					
	<u>Book Value</u>	<u>Market Value</u>	<u>Net Asset Value</u>	<u>Weighted Aver. Maturity</u>	<u>Average Monthly Yield</u>
July 1, 2016	210,971	211,006	1.00017	48 Days	0.3927%
Deposits	0				
Withdrawals	(209)				
Interest Earned	212				
September 30, 2016	210,975	211,062	1.00041	41 Days	0.4123%

CITY of LOCKHART
Certificates of Deposit Transaction Summary
For the Quarter Ended September 30, 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> July 1, 2016	<u>Beginning Market Value</u>	<u>Ending Face Value</u> September 30, 2016	<u>Ending Market Value</u>
			<u>\$ -</u>				<u>\$ -</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>

69

City of Lockhart
Investment Pools
Standard and Poor's Ratings

<u>Month</u>	<u>TexPool</u>	<u>TexSTAR</u>	<u>Texas CLASS</u>
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
April-16	AAAm	AAAm	AAAm
May-16	AAAm	AAAm	AAAm
June-16	AAAm	AAAm	AAAm
July-16	AAAm	AAAm	AAAm
August-16	AAAm	AAAm	AAAm
September-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+
April-16	AA+
May-16	AA+
June-16	AA+
July-16	AA+
August-16	AA+
September-16	AA+

* Includes various Government Agency bonds



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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: October 18, 2016				
Department: Finance			Initials	Date
Department Head: Jeff Hinson		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager		
			<i>[Signature]</i>	10.14.16
Agenda Item Coordinator/Contact (include phone #): Stephanie House, 398-3461, Ext. 229				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input checked="" type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action to have annual audit of Chapter 59 Asset Forfeiture Funds of the Lockhart Police Department reviewed and results reported to the Texas Attorney General.				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				
Budget Amendment Amount				
Encumbered/Expended Amount				
This Item				
BALANCE				
FUND(S):				
SUMMARY OF ITEM				
Any law enforcement agency that has the authority to receive property forfeited under Chapter 59 of the Code of Criminal Procedure is required to file an annual asset forfeiture reporting form with the Office of the Attorney General. The statutory definition of law enforcement agency includes any agency that has the authority to hire peace officers and receive property. Included in that description is the Lockhart Police Department. It must account for every seizure, forfeiture, receipt, and specific expenditure of all proceeds in an annual audit.				
STAFF RECOMMENDATION				
The audit has been performed and the activity included interest and one asset forfeiture. Staff recommends approval of the Chapter 59 Asset Forfeiture report for the Lockhart Police Department for the period beginning October 1, 2015 and ending September 30, 2016.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies:		
-FY 2016 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency (for the Lockhart Police Department)				

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CHAPTER 59 ASSET FORFEITURE REPORT
BY LAW ENFORCEMENT AGENCY

Agency	Lockhart Police Dept.
Mailing Address	214 Bulkin Lane
City	Lockhart
State	TX
ZIP	78644
Agency County	Caldwell
Phone Number	(512) 398-4401
Agency Fiscal Beginning Month	October
Agency Fiscal Ending Month	September

[Save](#) [Cancel](#)

NOTE: PLEASE ROUND ALL FIGURES TO NEAREST WHOLE DOLLAR

I. SEIZED FUNDS PURSUANT TO CHAPTER 59

A) Beginning Balance:	\$ 538.00
B) Seizures During Reporting Period:	
1) Amount seized and retained in your agency's custody:	\$ 0.00
2) Amount seized and transferred to the District Attorney pending forfeiture:	\$ 0.00
3) Total Seizures:	\$0.00
C) Interest Earned on Seized Funds During Reporting Period:	\$ 2.00
D) Amount Returned to Defendants/Respondents:	\$ 0.00
E) Amount Transferred to Forfeiture Account:	\$ 2.00
F) Other Reconciliation Items (Must provide detail in box below):	\$ -538.00

Description:

The remaining balance was 100% interest & should have been transferred to the Forfeited Property fund when each principle amount was transferred

G) Ending Balance: \$0.00

II. FORFEITED FUNDS AND OTHER COURT AWARDS PURSUANT TO CHAPTER 59

A) Beginning Balance:	\$ 1,198.00
B) Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period:	\$ 1,889.00
C) Interest Earned on Forfeited Funds During Reporting Period:	\$ 7.00
D) Amount Awarded Pursuant to 59.022:	\$ 0.00
E) Amount Awarded Pursuant to 59.023:	\$ 0.00
F) Proceeds Received by Your Agency From Sale of Forfeited Property:	\$ 0.00

37

10/13/2016 8:43 AM

G) Amount Returned to Crime Victims:

\$ 0.00

H) Other Reconciliation Items (Must provide detail in box below):

\$ 538.00

Description:

Interest transferred from Seized Property Fund.

I) Total expenditures of Forfeited Funds During Reporting Period: ?

\$0.00

J) Ending Balance (balance will be automatically calculated after expenditures are entered): ?

\$3,632.00

III. OTHER PROPERTY ?

A) MOTOR VEHICLES (Include cars, motorcycles, tractor trailers, etc.) ?

1) Seized:

0

2) Forfeited to Agency:

0

3) Returned to Defendants/Respondents:

0

4) Put into use by Agency:

0

B) REAL PROPERTY (Count each parcel seized as one item) ?

1) Seized:

0

2) Forfeited to Agency:

0

3) Returned to Defendants/Respondents:

0

4) Put into use by Agency:

0

C) COMPUTERS (Include computer and attached system components, such as printers and monitors, as one item) ?

1) Seized:

0

2) Forfeited to Agency:

0

3) Returned to Defendants/Respondents:

0

4) Put into use by Agency:

0

D) FIREARMS (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18) ?

1) Seized:

0

2) Forfeited to Agency:

0

3) Returned to Defendants/Respondents:

0

4) Put into use by Agency:

0

E) Other Property ?

38

Description	Seized	Forfeited to Agency	Returned to Defendants/Respondents	Put into use by Agency	
	0	0	0	0	+ -

IV. FORFEITED PROPERTY RECEIVED FROM ANOTHER AGENCY ?

- A) Motor Vehicles: 0 ?
- B) Real Property: 0 ?
- C) Computers: 0 ?
- D) Firearms: 0 ?
- E) Other: 0 ?

V. FORFEITED PROPERTY TRANSFERRED OR LOANED TO ANOTHER AGENCY ?

- A) Motor Vehicles: 0 ?
- B) Real Property: 0 ?
- C) Computers: 0 ?
- D) Firearms: 0 ?
- E) Other: 0 ?

VI. EXPENDITURES ?**A) SALARIES**

- 1) Increase of Salary, Expense or Allowance for Employees (Salary Supplements): \$ 0.00
- 2) Salary Budgeted Solely From Forfeited Funds: \$ 0.00
- 3) Number of Employees Paid Using Forfeiture Funds: 0
- 4) TOTAL SALARIES PAID OUT OF CHAPTER 59 FUNDS: \$0.00

B) OVERTIME

- 1) For Employees Budgeted by Governing Body: \$ 0.00
- 2) For Employees Budgeted Solely out of Forfeiture Funds: \$ 0.00
- 3) Number of Employees Paid Using Forfeiture Funds: 0
- 4) TOTAL OVERTIME PAID OUT OF CHAPTER 59 FUNDS: \$0.00

C) EQUIPMENT

- 1) Vehicles: \$ 0.00
- 2) Computers: \$ 0.00

39

- 3) Firearms, Protective Body Armor, Personal Equipment: \$ 0.00
- 4) Furniture: \$ 0.00
- 5) Software: \$ 0.00
- 6) Maintenance Costs: \$ 0.00
- 7) Uniforms: \$ 0.00
- 8) K9 Related Costs: \$ 0.00
- 9) Other (Must provide detail in box below): \$ 0.00 ?

Description:

10) TOTAL EQUIPMENT PURCHASED WITH CHAPTER 59 FUNDS: \$0.00

D) SUPPLIES

- 1) Office Supplies: \$ 0.00
- 2) Mobile Phone and Data Account Fees: \$ 0.00
- 3) Internet: \$ 0.00
- 4) Other (Must provide detail in box below): \$ 0.00 ?

Description:

5) TOTAL SUPPLIES PURCHASED WITH CHAPTER 59 FUNDS: \$0.00

E) Travel

1) In State Travel

- a) Transportation: \$ 0.00
- b) Meals & Lodging: \$ 0.00
- c) Mileage: \$ 0.00
- d) Incidental Expenses: \$ 0.00
- e) Total In State Travel: \$0.00

2) Out of State Travel

- a) Transportation: \$ 0.00
- b) Meals & Lodging: \$ 0.00
- c) Mileage: \$ 0.00
- d) Incidental Expenses: \$ 0.00

40

e) Total Out of State Travel: \$0.00

3) TOTAL TRAVEL PAID OUT OF CHAPTER 59 FUNDS

Total Travel Paid Out of Chapter 59 Funds: \$0.00

F) TRAINING

1) Fees (Conferences, Seminars): \$ 0.00

2) Materials (Books, CDs, Videos, etc.): \$ 0.00

3) Other (Must provide detail in box below): \$ 0.00

Description:

4) TOTAL TRAINING PAID OUT OF CHAPTER 59 FUNDS: \$0.00

G) INVESTIGATIVE COSTS

1) Informant Costs: \$ 0.00

2) Buy Money: \$ 0.00

3) Lab Expenses: \$ 0.00

4) Other (Must provide detail in box below): \$ 0.00

Description:

5) TOTAL INVESTIGATIVE COSTS PAID OUT OF CHAPTER 59 FUNDS: \$0.00

H) PREVENTION / TREATMENT PROGRAMS / FINANCIAL ASSISTANCE / DONATIONS

1) Total Prevention/Treatment Programs (pursuant to 59.06 (d-3)(6), (h), (j)) : \$ 0.00

2) Total Financial Assistance (pursuant to Articles 59.06 (n) and (o)) : \$ 0.00

3) Total Donations (pursuant to Articles 59.06 (d-2)) : \$ 0.00

4) Total Scholarships to Children of Officers Killed in the Line of Duty (pursuant to Article 59.06 (r)) : \$ 0.00

5) TOTAL PREVENTION/TREATMENT PROGRAMS/FINANCIAL ASSISTANCE/DONATIONS (pursuant to Articles 59.06 (d-3)(6)), (h), (j), (n), (o), (d-2), (r)) : \$0.00

I) FACILITY COSTS

1) Building Purchase: \$ 0.00

2) Lease Payments: \$ 0.00

3) Remodelling: \$ 0.00

4) Maintenance Costs: \$ 0.00

41

5) Utilities:

\$ 0.00

6) Other (Must provide detail in box below):

\$ 0.00

Description:

7) TOTAL FACILITY COSTS PAID OUT OF CHAPTER 59 FUNDS: \$0.00

J) MISCELLANEOUS FEES

1) Court Costs:

\$ 0.00

2) Filing Fees:

\$ 0.00

3) Insurance:

\$ 0.00

4) Witness Fees (Including travel and security):

\$ 0.00

5) Audit Costs and Fees (Including audit preparation and professional fees):

\$ 0.00

6) Other (Must provide detail in box below):

\$ 0.00

Description:

7) TOTAL MISCELLANEOUS FEES PAID OUT OF CHAPTER 59 FUNDS: \$0.00

K) PAID TO STATE TREASURY / GENERAL FUND / HEALTH & HUMAN SERVICES COMMISSION

1) Total paid to State Treasury due to lack of local agreement pursuant to 59.06 (c):

\$ 0.00

2) Total paid to State Treasury due to participating in task force not established in accordance with 59.06 (q)(1):

\$ 0.00

3) Total paid to General Fund pursuant to 59.06 (c-3) (C) (Texas Department of Public Safety only):

\$ 0.00

4) Total forfeiture funds transferred to the Health and Human Services Commission pursuant to 59.06 (p):

\$ 0.00

5) TOTAL PAID TO STATE TREASURY/ GENERAL FUND/ HEALTH & HUMAN SERVICES COMMISSION OUT OF CHAPTER 59 FUNDS: \$0.00

L) TOTAL PAID TO COOPERATING AGENCY(IES) PURSUANT TO LOCAL AGREEMENT

TOTAL PAID TO COOPERATING AGENCY(IES) PURSUANT TO LOCAL AGREEMENT:

\$ 0.00

M) TOTAL OTHER EXPENSES PAID OUT OF CHAPTER 59 FUNDS WHICH ARE NOT ACCOUNTED FOR IN PREVIOUS CATEGORIES

TOTAL OTHER EXPENSES PAID OUT OF CHAPTER 59 FUNDS WHICH ARE NOT ACCOUNTED FOR IN PREVIOUS CATEGORIES (Must provide detail in box below):

\$ 0.00

Description:

N) TOTAL EXPENDITURES

TOTAL EXPENDITURES: ②

\$0.00

[Refresh totals](#)

42

AUDITOR/ TREASURER/ACCOUNTING PROFESSIONAL/PREPARER CERTIFICATION

By pressing "Save" below using your email address and password account access, and pursuant to the terms of service, you certify that you swear or affirm that the Commit Head of Agency (if no governing body) has requested that you conduct the audit required by Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of supporting materials, you believe that the information contained in this report is true and correct to the best of your knowledge.

SIGNATURE OF AUDITOR/
TREASURER/
ACCOUNTING
PROFESSIONAL/
PREPARER:

Stephanie House

TITLE:

Controller

HEAD OF AGENCY CERTIFICATION

By pressing "Submit" below using your email address and password account access, and pursuant to the terms of service you swear or affirm, under penalty of perjury, that receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents, report is true and correct and contains all information required by Article 59.06 of the Code of Criminal Procedure. You further swear or affirm that, to the best of your knowledge, proper, and made in accordance with Texas law.

SIGNATURE OF HEAD OF
AGENCY:

TITLE:

DATE: 10/13/2016

NOTICE OF CRIMINAL PENALTY

By checking this box I acknowledge that I have read and understand the foregoing notice. (This box must be checked in order to submit your report.)

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43



Work Session Item # _____

Reg. Mtg. Item # _____

CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: October 18, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>V. Rodgers</i>		City Manager		
			<i>VR</i>	<i>10.10.16</i>
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS X OTHER				
CAPTION				
Discussion and/or action regarding confirmation of Civil Service Commission member reappointment of Mr. Doug Shomette for a three (3) year term as recommended by the City Manager.				
FINANCIAL SUMMARY				
X N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S):				
SUMMARY OF ITEM				
Mr. Shomette has served on the commission for the past 10 years (One 1-year term & Three 3-year terms). According to Civil Service regulations, he can be reappointed for additional terms (3 years long) if the appointment is confirmed by a two-thirds majority of the City Council. Mr. Shomette has graciously agreed to continue serving on the commission. Both the City Manager and Civil Service Director concur that he has been an asset to the Civil Service Commission.				
STAFF RECOMMENDATION				
Both the City Manager and Civil Service Director recommend that Council confirm by vote the reappointment of Mr. Doug Shomette as respectfully requested.				
List of Supporting Documents: Civil Service Law		Other Departments, Boards, Commissions or Agencies:		

Sec. 143.006. IMPLEMENTATION: COMMISSION. (a) On adoption of this chapter, the Fire Fighters' and Police Officers' Civil Service Commission is established in the municipality. The chief executive of the municipality shall appoint the members of the commission within 60 days after the date this chapter is adopted. Within 30 days after the date the municipality's first full fiscal year begins after the date of the adoption election, the governing body of the municipality shall implement this chapter.

(b) The commission consists of three members appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. If a vacancy occurs or if an appointee fails to qualify within 10 days after the date of appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

(c) A person appointed to the commission must:

- (1) be of good moral character;
- (2) be a United States citizen;
- (3) be a resident of the municipality who has resided in the municipality for more than three years;
- (4) be over 25 years of age; and
- (5) not have held a public office within the preceding three years.

➔ (c-1) Notwithstanding Subsection (c)(5), the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body. ➔

(c-2) Subsection (c)(5) does not prohibit the municipality's chief executive from appointing a former commission member to the commission if the only public office held by the former member within the preceding three years is membership on:

- (1) the commission; or
- (2) the commission and the municipality's civil service board for employees other than police officers and firefighters through a joint appointment to the commission and board.

(c-3) Subsections (c-1) and (c-2) do not apply to a municipality with a population of 1.5 million or more.

(d) In making initial appointments, the chief executive shall designate one member to serve a one-year term, one member to serve a two-year term, and one member to serve a three-year term. If a municipality has a civil service commission immediately before this chapter takes effect in that municipality, that civil service commission shall continue as the commission established by this section and shall administer the civil service system as prescribed by this chapter. As the terms of the members of the previously existing commission expire, the chief executive shall appoint members as prescribed by this section. If necessary to create staggered terms as prescribed by this section, the chief executive shall appoint the initial members, required to be appointed under this chapter, to serve terms of less than three years.

(e) Initial members shall elect a chairman and a vice-chairman within 10 days after the date all members have qualified. Each January, the members shall elect a chairman and a vice-chairman.

(f) The governing body of the municipality shall provide to the commission adequate and suitable office space in which to conduct business.

(g) The chief executive of a municipality commits an offense if the chief executive knowingly or intentionally fails to appoint the initial members of the commission within the 60-day period prescribed by Subsection (a). An offense under this subsection is a misdemeanor punishable by a fine of not less than \$100 or more than \$200. Each day after the 60-day period that the chief executive knowingly or intentionally fails to make a required appointment constitutes a separate offense.

(h) The chief executive of a municipality or a municipal official commits an offense if the person knowingly or intentionally refuses to implement this chapter or attempts to obstruct the enforcement of this chapter. An offense under this subsection is a misdemeanor punishable by a fine of not less than \$100 or more than \$200.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by: Acts 2005, 79th Leg., Ch. 475 (H.B. 150), Sec. 1, eff. June 17, 2005.



Work Session Item # _____

Reg. Mtg. Item # _____

CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: October 18, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager		<i>[Signature]</i> 10-13-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding Change Order # 1 for Qro-Mex Construction Company, Inc., to increase the current contract by \$359,412 making the new contract amount \$2,108,665 for drainage, utility, and road improvements on East Walnut Street between City Park and Carver Street and on the East Market Street drainage area, and appointing the Mayor to sign the change order if approved.				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): 2015 CO Funds				
SUMMARY OF ITEM				
Qro-Mex Construction Company, Inc., has the current contract to perform utility, drainage, and street improvements on the Richland Drive project and on the Mesquite-Braden-Vega-Wichita Street project; the unit prices for the work were very good. The contractor has agreed to extend the same unit prices for the proposed change order. The total current contract is \$1,749,253. The proposed Change Order # 1 would add \$359,412 to the current contract to construct drainage and street improvements on East Walnut Street West of Carver Street and to make drainage improvements on the south side of East Market Street east of the railroad tracks. The increase in the contract, if approved, would be 20.5%; State Law allows up to a 25% increase without re-bidding. The new contract amount, if Change Order # 1 is approved, will then be \$2,108,665.				
STAFF RECOMMENDATION				
City Manager respectfully recommends approval of Change Order #1 in the amount of \$359,412 for the existing contract with Qro-Mex Construction Company, Inc.				
List of Supporting Documents: Change Order # 1, Current Contract Approval by Council		Other Departments, Boards, Commissions or Agencies:		

CONTRACT CHANGE ORDER NO. 1
2015 DRAINAGE IMPROVEMENTS PROJECT, CONTRACT 1

OWNER: CITY OF LOCKHART
CONTRACTOR: QRO MEX CONSTRUCTION CO., INC.
ENGINEER: TRC ENGINEERS, INC.
October 13, 2016

THE CONTRACTOR IS HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS AND SPECIFICATIONS:

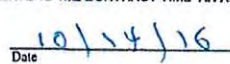
Item No.	Item Description	Contract Quantity	Units	Unit Price	Contract Amount	Quantity (+) Increase (-) Decrease	Amount (+) Increase (-) Decrease	Revised Quantity	Units	Revised Amount
RICHLAND DRIVE										
PROPOSAL I-A - Street Reconstruction										
P.I.A.1	Excavation/Subgrade Preparation	4,300	S.Y.	\$6.50	\$27,950.00		\$0.00	4,300	S.Y.	\$27,950.00
P.I.A.2	8" Type B Hot Mix Asphalt Concrete	4,300	S.Y.	\$38.00	\$163,400.00		\$0.00	4,300	S.Y.	\$163,400.00
P.I.A.3	2" Type C Hot Mix Asphalt Concrete	4,300	S.Y.	\$12.50	\$53,750.00		\$0.00	4,300	S.Y.	\$53,750.00
P.I.A.4	Curb and Gutter	2,642	L.F.	\$21.00	\$55,482.00		\$0.00	2,642	L.F.	\$55,482.00
P.I.A.5	Adjust Manhole Tops	4	EA.	\$750.00	\$3,000.00		\$0.00	4	EA.	\$3,000.00
P.I.A.6	Driveways/Concrete Sidewalks	220	S.Y.	\$62.00	\$13,640.00		\$0.00	220	S.Y.	\$13,640.00
P.I.A.7	Asphalt Driveways	600	S.Y.	\$62.00	\$37,200.00		\$0.00	600	S.Y.	\$37,200.00
P.I.A.8	Hydro-mulch	4,600	S.Y.	\$1.00	\$4,600.00		\$0.00	4,600	S.Y.	\$4,600.00
P.I.A.9	Comprehensive Storm Water Pollution Prevention Plan	1	L.S.	\$5,000.00	\$5,000.00		\$0.00	1	L.S.	\$5,000.00
	TOTAL PROPOSAL I-A				\$364,022.00		\$0.00			\$364,022.00
PROPOSAL I-B - Storm Sewer										
P.I.B.1	5'x3" Reinforced Concrete Box	527	L.F.	\$238.00	\$125,426.00		\$0.00	527	L.F.	\$125,426.00
P.I.B.2	4'x3" Reinforced Concrete Box	486	L.F.	\$195.00	\$94,770.00		\$0.00	486	L.F.	\$94,770.00
P.I.B.3	36" RCP	378	L.F.	\$102.00	\$38,556.00		\$0.00	378	L.F.	\$38,556.00
P.I.B.4	24" RCP	185	L.F.	\$84.00	\$15,540.00		\$0.00	185	L.F.	\$15,540.00
P.I.B.5	18" RCP	235	L.F.	\$70.00	\$16,450.00		\$0.00	235	L.F.	\$16,450.00
P.I.B.6	10" Precast Curb Inlets	7	EA.	\$3,000.00	\$21,000.00		\$0.00	7	EA.	\$21,000.00
P.I.B.7	3" Concrete Inlet Box	2	EA.	\$2,100.00	\$4,200.00		\$0.00	2	EA.	\$4,200.00
P.I.B.8	Concrete Wingwall	1	EA.	\$7,500.00	\$7,500.00		\$0.00	1	EA.	\$7,500.00
P.I.B.9	4" Dia. Manhole	1	EA.	\$2,000.00	\$2,000.00		\$0.00	1	EA.	\$2,000.00
P.I.B.10	32" Dia. Manhole	3	EA.	\$2,000.00	\$6,000.00		\$0.00	3	EA.	\$6,000.00
P.I.B.11	Connect 18" RCP to 5'x3" RCB	3	EA.	\$1,750.00	\$5,250.00		\$0.00	3	EA.	\$5,250.00
P.I.B.12	Connect 18" RCP to 4'x3" RCB	2	EA.	\$1,250.00	\$2,500.00		\$0.00	2	EA.	\$2,500.00
P.I.B.13	Connect 18" RCP to 36" RCP	2	EA.	\$1,000.00	\$2,000.00		\$0.00	2	EA.	\$2,000.00
P.I.B.14	Connect 18" RCP to 24" RCP	1	EA.	\$950.00	\$950.00		\$0.00	1	EA.	\$950.00
P.I.B.15	Transition from 5'x3" RCB to 4'x3" RCB	1	EA.	\$2,500.00	\$2,500.00		\$0.00	1	EA.	\$2,500.00
P.I.B.16	Transition from 4'x3" RCB to 36" RCP	1	EA.	\$1,500.00	\$1,500.00		\$0.00	1	EA.	\$1,500.00
P.I.B.17	Transition from 36" RCP to 24" RCP	1	EA.	\$1,500.00	\$1,500.00		\$0.00	1	EA.	\$1,500.00
P.I.B.18	Transition from 24" RCP to 18" RCP	1	EA.	\$1,250.00	\$1,250.00		\$0.00	1	EA.	\$1,250.00
P.I.B.19	Riprap	300	S.Y.	\$63.00	\$18,900.00		\$0.00	300	S.Y.	\$18,900.00
P.I.B.20	OSHA Trench Excavation	1,811	L.F.	\$1.00	\$1,811.00		\$0.00	1,811	L.F.	\$1,811.00
	TOTAL PROPOSAL I-B				\$369,603.00		\$0.00			\$369,603.00
PROPOSAL I-C - Detention Pond										
P.I.C.1	Excavation/Grading Detention Pond	1	L.S.	\$30,000.00	\$30,000.00		\$0.00	1	L.S.	\$30,000.00
P.I.C.2	Concrete Pilot Channel	112	S.Y.	\$63.00	\$7,056.00		\$0.00	112	S.Y.	\$7,056.00
P.I.C.3	Riprap	320	S.Y.	\$63.00	\$20,160.00		\$0.00	320	S.Y.	\$20,160.00
P.I.C.4	42" RCP	74	L.F.	\$140.00	\$10,360.00		\$0.00	74	L.F.	\$10,360.00
P.I.C.5	Detention Pond Outfall Structure	1	L.S.	\$16,000.00	\$16,000.00		\$0.00	1	L.S.	\$16,000.00
P.I.C.6	Hydro-mulch	11,500	S.Y.	\$2.00	\$23,000.00		\$0.00	11,500	S.Y.	\$23,000.00
P.I.C.7	Regrade Earthen Channel	1,416	L.F.	\$3.00	\$4,248.00		\$0.00	1,416	L.F.	\$4,248.00
P.I.C.8	42" RCP	1	EA.	\$6,000.00	\$6,000.00		\$0.00	1	EA.	\$6,000.00
	TOTAL PROPOSAL I-C				\$116,824.00		\$0.00			\$116,824.00
PROPOSAL I-D - Water and Sewer										
P.I.D.1	8" PVC Pipe	1,295	L.F.	\$28.00	\$36,260.00		\$0.00	1,295	L.F.	\$36,260.00
P.I.D.2	6" DI Pipe	15	L.F.	\$45.00	\$675.00		\$0.00	15	L.F.	\$675.00
P.I.D.3	Fittings	1	Ton	\$6,650.00	\$6,650.00		\$0.00	1	Ton	\$6,650.00
P.I.D.4	Tapping Sleeve/Valve	1	EA.	\$2,500.00	\$2,500.00		\$0.00	1	EA.	\$2,500.00
P.I.D.5	Fire Hydrants	3	EA.	\$3,500.00	\$10,500.00		\$0.00	3	EA.	\$10,500.00
P.I.D.6	OSHA Trench Excavation	1,310	L.F.	\$1.00	\$1,310.00		\$0.00	1,310	L.F.	\$1,310.00
P.I.D.7	Tracer Wire	1,295	L.F.	\$1.00	\$1,295.00		\$0.00	1,295	L.F.	\$1,295.00
P.I.D.8	3/4" Water Service	22	EA.	\$800.00	\$17,600.00	1	\$800.00	23	EA.	\$18,400.00
P.I.D.9	6" Plug Water Main	1	EA.	\$500.00	\$500.00		\$0.00	1	EA.	\$500.00
P.I.D.10	Remove Existing Fire Hydrants	2	EA.	\$350.00	\$700.00		\$0.00	2	EA.	\$700.00
P.I.D.11	4" PVC Sewer Services	11	EA.	\$950.00	\$10,450.00		\$0.00	11	EA.	\$10,450.00
P.I.D.12	6" Resilient Seat Gate Valve	3	EA.	\$980.00	\$2,940.00		\$0.00	3	EA.	\$2,940.00
P.I.D.13	8" Resilient Seat Gate Valve	1	EA.	\$1,200.00	\$1,200.00		\$0.00	1	EA.	\$1,200.00
	TOTAL PROPOSAL I-D				\$92,580.00		\$800.00			\$93,380.00
	SUBTOTAL PROPOSAL I - RICHLAND DRIVE				\$943,029.00		\$800.00			\$943,829.00
WICHITA STREET										
PROPOSAL II-A - Storm Sewer										
P.II.A.1	6'x3" Reinforced Concrete Box	265	L.F.	\$259.00	\$68,635.00		\$0.00	265	L.F.	\$68,635.00
P.II.A.2	5'x3" Reinforced Concrete Box	160	L.F.	\$240.00	\$38,400.00		\$0.00	160	L.F.	\$38,400.00
P.II.A.3	4'x3" Reinforced Concrete Box	190	L.F.	\$195.00	\$37,050.00		\$0.00	190	L.F.	\$37,050.00
P.II.A.4	36" RCP	464	L.F.	\$102.00	\$47,328.00		\$0.00	464	L.F.	\$47,328.00
P.II.A.5	30" RCP	777	L.F.	\$90.00	\$69,930.00		\$0.00	777	L.F.	\$69,930.00
P.II.A.6	24" RCP	418	L.F.	\$84.00	\$35,112.00		\$0.00	418	L.F.	\$35,112.00
P.II.A.7	18" RCP	130	L.F.	\$70.00	\$9,100.00		\$0.00	130	L.F.	\$9,100.00
P.II.A.8	10" Precast Curb Inlets	5	EA.	\$3,500.00	\$17,500.00	(1)	(\$3,500.00)	4	EA.	\$14,000.00
P.II.A.9	5" Precast Curb Inlets	2	EA.	\$3,250.00	\$6,500.00		\$0.00	2	EA.	\$6,500.00
P.II.A.10	3" Grate Inlet	2	EA.	\$3,000.00	\$6,000.00		\$0.00	2	EA.	\$6,000.00
P.II.A.11	5" Concrete Inlet Box	5	EA.	\$3,000.00	\$15,000.00		\$0.00	5	EA.	\$15,000.00
P.II.A.12	Concrete Wingwall (6'x3")	1	EA.	\$7,500.00	\$7,500.00		\$0.00	1	EA.	\$7,500.00
P.II.A.13	Concrete Wingwall (36")	1	EA.	\$5,000.00	\$5,000.00		\$0.00	1	EA.	\$5,000.00
P.II.A.14	Junction Box	1	EA.	\$3,000.00	\$3,000.00		\$0.00	1	EA.	\$3,000.00
P.II.A.15	Safety End Treatment (30" RCP)	2	EA.	\$6,000.00	\$12,000.00		\$0.00	2	EA.	\$12,000.00
P.II.A.16	Safety End Treatment (24" RCP)	3	EA.	\$3,500.00	\$10,500.00		\$0.00	3	EA.	\$10,500.00
P.II.A.17	Transition from 6'x3" RCB to 5'x3" RCB	1	EA.	\$2,750.00	\$2,750.00		\$0.00	1	EA.	\$2,750.00
P.II.A.18	Transition from 5'x3" RCB to 4'x3" RCB	1	EA.	\$2,500.00	\$2,500.00		\$0.00	1	EA.	\$2,500.00
P.II.A.19	Connect 18" RCP to 4'x3" RCB	2	EA.	\$1,500.00	\$3,000.00		\$0.00	2	EA.	\$3,000.00
P.II.A.20	Connect 18" RCP to 24" RCP	4	EA.	\$1,250.00	\$5,000.00		\$0.00	4	EA.	\$5,000.00
P.II.A.21	Connect 18" RCP to 30" RCP	1	EA.	\$1,250.00	\$1,250.00		\$0.00	1	EA.	\$1,250.00
P.II.A.22	Concrete Channel	230	S.Y.	\$63.00	\$14,490.00		\$0.00	230	S.Y.	\$14,490.00
P.II.A.23	OSHA Trench Excavation	2,402	L.F.	\$2.00	\$4,804.00		\$0.00	2,402	L.F.	\$4,804.00
	TOTAL PROPOSAL II-A				\$422,349.00		(\$3,500.00)			\$418,849.00
CHANGE ORDER NO. 1 (Proposal II-A)										
Extra CO1.2	3' x 5' Curb Inlet with 5' Extension			\$5,500.00		1	\$5,500.00	1	EA.	\$5,500.00
Extra CO1.3	Extra Move 5' Square Concrete Area Inlet			\$2,000.00		1	\$2,000.00	1	EA.	\$2,000.00
	TOTAL PROPOSAL II-A CHANGE ORDER NO.1				\$0.00		\$7,500.00			\$7,500.00
PROPOSAL II-B - Wichita Detention Pond										
P.II.B.1	Excavation/Grading Detention Pond	1	L.S.	\$30,000.00	\$30,000.00		\$0.00	1	L.S.	\$30,000.00
P.II.B.2	Concrete Pilot Channel	270	S.Y.	\$63.00	\$17,010.00		\$0.00	270	S.Y.	\$17,010.00
P.II.B.3	Riprap	211	S.Y.	\$63.00	\$13,293.00		\$0.00	211	S.Y.	\$13,293.00
P.II.B.4	Detention Pond Outfall Structure	1	L.S.	\$16,500.00	\$16,500.00		\$0.00	1	L.S.	\$16,500.00
P.II.B.5	Hydro-mulch	8,000	S.Y.	\$1.50	\$12,000.00		\$0.00	8,000	S.Y.	\$12,000.00
P.II.B.6	Comprehensive Storm Water Pollution Prevention Plan	1	L.S.	\$5,000.00	\$5,000.00		\$0.00	1	L.S.	\$5,000.00
	TOTAL PROPOSAL II-B				\$93,803.00		\$0.00			\$93,803.00

CONTRACT CHANGE ORDER NO. 1
2015 DRAINAGE IMPROVEMENTS PROJECT, CONTRACT 1

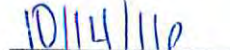
Item No.	Item Description	Contract Quantity	Units	Unit Price	Contract Amount	Quantity (+) Increase (-) Decrease	Amount (+) Increase (-) Decrease	Revised Quantity	Units	Revised Amount
PROPOSAL II-C - Loma Detention Pond										
P.II.C.1	Excavation/Grading Detention Pond	1	L.S.	\$33,000.00	\$33,000.00		\$0.00	1	L.S.	\$33,000.00
P.II.C.2	Concrete Pilot Channel	235	S.Y.	\$63.00	\$14,805.00		\$0.00	235	S.Y.	\$14,805.00
P.II.C.3	Riprap	130	S.Y.	\$64.00	\$8,320.00		\$0.00	130	S.Y.	\$8,320.00
P.II.C.4	Detention Pond Outfall Structure	1	L.S.	\$12,000.00	\$12,000.00		\$0.00	1	L.S.	\$12,000.00
P.II.C.5	Hydro-mulch	7,570	S.Y.	\$1.00	\$7,570.00		\$0.00	7,570	S.Y.	\$7,570.00
	TOTAL PROPOSAL II-C				\$75,695.00		\$0.00			\$75,695.00
PROPOSAL II-D - Water										
P.II.D.1	8" PVC Pipe	200	L.F.	\$30.00	\$6,000.00	(200)	(\$6,000.00)	0	L.F.	\$0.00
P.II.D.2	Fittings	1	Ton	\$6,500.00	\$6,500.00		\$0.00	1	Ton	\$6,500.00
P.II.D.3	8" Water Main Connection	4	EA.	\$3,000.00	\$12,000.00	(4)	(\$12,000.00)	0	EA.	\$0.00
P.II.D.4	OSHA Trench Excavation	200	L.F.	\$2.00	\$400.00		\$0.00	200	L.F.	\$400.00
P.II.D.5	Tracer Wire	200	L.F.	\$1.00	\$200.00		\$0.00	200	L.F.	\$200.00
P.II.D.6	3/4" Water Service	8	EA.	\$700.00	\$5,600.00		\$0.00	8	EA.	\$5,600.00
P.II.D.7	6" 8" Plug Water Main	1	EA.	\$800.00	\$800.00		\$0.00	1	EA.	\$800.00
P.II.D.8	6" Resilient Seat Gate Valve	1	EA.	\$980.00	\$980.00		\$0.00	1	EA.	\$980.00
P.II.D.9	8" Resilient Seat Gate Valve	1	EA.	\$1,250.00	\$1,250.00		\$0.00	1	EA.	\$1,250.00
	TOTAL PROPOSAL II-D				\$33,730.00		(\$18,000.00)			\$15,730.00
CHANGE ORDER NO. 1 (Proposal II-D)										
Extra CO1.4	6" DI PVC Pipe			\$28.00		300	\$8,400.00	300	L.F.	\$8,400.00
Extra CO1.5	Connection to Existing Waterlines			\$2,000.00		18	\$36,000.00	18	EA.	\$36,000.00
	TOTAL PROPOSAL II-D CHANGE ORDER NO. 1				\$0.00		\$44,400.00			\$44,400.00
PROPOSAL II-E - Sewer										
P.II.E.1	8" PVC Sewer Pipe	40	L.F.	\$60.00	\$2,400.00		\$0.00	40	L.F.	\$2,400.00
P.II.E.2	Manholes	2	EA.	\$4,500.00	\$9,000.00		\$0.00	2	EA.	\$9,000.00
P.II.E.3	Extra Depth	5	V.F.	\$300.00	\$1,500.00		\$0.00	5	V.F.	\$1,500.00
P.II.E.4	Sewer Connection	2	EA.	\$1,350.00	\$2,700.00		\$0.00	2	EA.	\$2,700.00
P.II.E.5	4" PVC Sewer Services	250	L.F.	\$25.00	\$6,250.00		\$0.00	250	L.F.	\$6,250.00
P.II.E.6	OSHA Trench Excavation	369	L.F.	\$1.00	\$369.00		\$0.00	369	L.F.	\$369.00
P.II.E.7	Demolish Manhole	1	EA.	\$500.00	\$500.00		\$0.00	1	EA.	\$500.00
P.II.E.8	4" DI Sewer Services	80	L.F.	\$65.00	\$5,200.00		\$0.00	80	L.F.	\$5,200.00
	TOTAL PROPOSAL II-E				\$27,919.00		\$0.00			\$27,919.00
PROPOSAL II-F - Street Reconstruction										
P.II.F.1	Excavation/Subgrade Preparation	840	S.Y.	\$5.50	\$4,620.00		\$0.00	840	S.Y.	\$4,620.00
P.II.F.2	Type B Hot Mix Asphalt Concrete	840	S.Y.	\$40.00	\$33,600.00		\$0.00	840	S.Y.	\$33,600.00
P.II.F.3	Type D Hot Mix Asphalt Concrete	6,544	S.Y.	\$9.00	\$58,896.00		\$0.00	6,544	S.Y.	\$58,896.00
P.II.F.4	5" Thick Concrete Paving	80	S.Y.	\$63.00	\$5,040.00		\$0.00	80	S.Y.	\$5,040.00
P.II.F.5	Curb and Gutter	864	L.F.	\$28.00	\$24,192.00		\$0.00	864	L.F.	\$24,192.00
P.II.F.6	Adjust Manhole Tops	6	EA.	\$750.00	\$4,500.00		\$0.00	6	EA.	\$4,500.00
P.II.F.7	Adjust Water Valves	4	EA.	\$450.00	\$1,800.00		\$0.00	4	EA.	\$1,800.00
	TOTAL PROPOSAL II-F				\$133,488.00		\$0.00			\$133,488.00
PROPOSAL II-G - Additive Alternate										
P.II.G.1	24" Ribbon Curb	1,480	L.F.	\$13.00	\$19,240.00		\$0.00	1,480	L.F.	\$19,240.00
	SUBTOTAL PROPOSAL II - WICHITA STREET				\$806,224.00		\$30,400.00			\$836,624.00
	TOTAL PROJECT BASE PLUS ALTERNATE PROPOSAL				\$1,749,253.00		\$31,200.00			\$1,780,453.00
CHANGE ORDER NO. 1										
WALNUT STREET - Street Reconstruction										
CO1.6	Excavation and Subgrade Preparation			\$6.50		1,532	\$9,958.00	1,532	S.Y.	\$9,958.00
CO1.7	8" Type B HMA			\$38.00		1,532	\$58,216.00	1,532	S.Y.	\$58,216.00
CO1.8	2" Type C Hot Mix			\$12.50		1,532	\$19,150.00	1,532	S.Y.	\$19,150.00
CO1.9	Curb & Gutter Construction			\$21.00		1,453	\$30,513.00	1,453	L.F.	\$30,513.00
CO1.10	Ribbon Curb			\$13.00		152	\$1,976.00	152	L.F.	\$1,976.00
CO1.11	5" Thick Concrete - (Valley Gutter)			\$63.00		104	\$6,552.00	104	S.Y.	\$6,552.00
CO1.12	Concrete Sidewalk (5')			\$62.00		40	\$2,480.00	40	S.Y.	\$2,480.00
CO1.13	Riprap			\$63.00		133	\$8,379.00	133	S.Y.	\$8,379.00
CO1.14	Adjust Sanitary Sewer Manhole Tops			\$750.00		2	\$1,500.00	2	EA.	\$1,500.00
CO1.15	5" Concrete Driveway Repairs			\$62.00		26	\$1,612.00	26	S.Y.	\$1,612.00
CO1.16	Asphalt Driveway Repairs			\$62.00		224	\$13,888.00	224	S.Y.	\$13,888.00
CO1.17	Grass Channel (3:1)			\$3.00		205	\$615.00	205	L.F.	\$615.00
CO1.18	Hydromulch			\$1.00		2,048	\$2,048.00	2,048	S.Y.	\$2,048.00
CO1.19	SWPPP			\$5,000.00		1	\$5,000.00	1	L.S.	\$5,000.00
	TOTAL WALNUT STREET (Street Reconstruction)						\$161,887.00			\$161,887.00
WALNUT STREET - Storm Sewer										
CO1.20	18" RCP Class III			\$70.00		461	\$32,270.00	461	L.F.	\$32,270.00
CO1.21	18" RCP Class IV			\$90.00		54	\$4,860.00	54	L.F.	\$4,860.00
CO1.22	10' Curb Inlet			\$3,500.00		4	\$14,000.00	4	EA.	\$14,000.00
CO1.23	Junction Box			\$3,000.00		1	\$3,000.00	1	EA.	\$3,000.00
CO1.24	OSHA			\$1.00		515	\$515.00	515	L.F.	\$515.00
CO1.25	Concrete Wingwalls with Flared Wings			\$6,500.00		1	\$6,500.00	1	EA.	\$6,500.00
	TOTAL WALNUT STREET (Storm Sewer)						\$61,145.00			\$61,145.00
MARKET STREET - Retaining Wall										
CO1.26	Retaining Wall			\$1,200.00		74	\$88,800.00	74	L.F.	\$88,800.00
	TOTAL MARKET STREET (Retaining Wall)						\$88,800.00			\$88,800.00
POND OUTLET STRUCTURES										
CO1.27	Chain Link Fence			\$130.00		126	\$16,380.00	126	L.F.	\$16,380.00
	TOTAL POND OUTLET STRUCTURES						\$16,380.00			\$16,380.00
	ORIGINAL CONTRACT AMOUNT				\$1,749,253.00					
	NET CONTRACT INCREASE						\$359,412.00			
	TOTAL REVISED CONTRACT AMOUNT									\$2,108,665.00

THE NET INCREASE IN THE CONTRACT AMOUNTS TO **\$359,412.00**, WHICH MAKES THE NEW ADJUSTED CONTRACT TOTAL **\$2,108,665.00**. THIS CHANGE ORDER ADDS THE RECONSTRUCTION OF WALNUT STREET, ADDS A RETAINING WALL ON MARKET STREET AND ADDS OTHER MISCELLANEOUS ITEMS. THIS CHANGE ORDER WILL BECOME A SUPPLEMENT TO THE CONTRACT AND ALL PROVISIONS WILL APPLY HERETO. THIS CHANGE ORDER WILL EXTEND THE CONTRACT TIME AN ADDITIONAL 150 DAYS.


 Charles W. Scheler, P.E.
 TRC Engineers, Inc.


 Date 10/14/16


 Guilberto Rubio, President
 Qro Mex Construction Co., Inc.


 Date 10/14/16

Lew White, Mayor
 City of Lockhart

Date



CITY OF LOCKHART COUNCIL AGENDA ITEM

Work Session Item # _____

Reg. Mtg. Item # _____

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: March 1, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input checked="" type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding the recommended award of a contract to QroMex Construction Company, Inc., of Granite Shoals, Texas, in the amount of \$1,749,253 for drainage, street, and utility improvements for the Richland Drive Drainage Project and the Wichita-Mesquite-Braden Drainage Project and appointing the Mayor to sign all contractual documents if approved				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): 2015 Certificate of Obligation				
SUMMARY OF ITEM				
Public bids were advertised in compliance with State Law for these projects. 15 companies download construction plans, but only three bids were received ranging from \$1,749,253 to \$2,052,017.75. QroMex Construction Company, Inc., submitted the lowest bid. This company has completed more than 10 projects for the City of Lockhart and each was completed on or before time and at or below their bid. For example, this company completed all of the water and sewer adjustments/relocations for the US 183 widening project.				
STAFF RECOMMENDATION				
The City Manager and City Engineer both respectfully recommend that the bid for these projects be awarded to QroMex Construction, Co., Inc, in the amount of \$1,749,253.				
List of Supporting Documents: Letter of recommendation, Bid Information		Other Departments, Boards, Commissions or Agencies:		



Work Session Item # _____

Reg. Mtg. Item # _____

CITY OF LOCKHART COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Dates: October 18, 2016				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature: <i>[Signature]</i>		City Manager		<i>[Signature]</i> 10-14-2016
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION				
Discussion and/or action regarding Additional Funds Amendment (AFA) for US 183 CSJs 0152-02-070 widening project which includes funding from Capital Area Metropolitan Planning Organization (CAMPO) and from the Texas Department of Transportation (TxDOT), and appointing the Mayor to sign the agreement if approved				
FINANCIAL SUMMARY				
<input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): CAMPO and TxDOT Funding				
SUMMARY OF ITEM				
The construction change order to place all drainage underground for Phase II, Blackjack to Walmart on US 183, is <u>estimated</u> at \$2.35 million by TxDOT. With the additional \$2.8 million in CAMPO funding and the additional \$1.0 million in TxDOT support funding, the change order should be covered. The amended agreement reflects these figures. If for some reason the project exceeds the amount of funding available, the City of Lockhart will be responsible for the overage. TxDOT will keep the City aware of any additional change orders and provide the City with an opportunity for review and/or possible changes to reduce any projected overages.				
STAFF RECOMMENDATION				
City Manager recommends approval of the AFA as presented				
List of Supporting Documents: AFA, History Documents		Other Departments, Boards, Commissions or Agencies:		

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT #1**

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and the City of Lockhart, acting by and through its duly authorized officials, called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on April 10th of 2012 to effectuate their agreement to reconstruct US 183 to a five lane urban section; and,

WHEREAS, the Capital Area Metropolitan Planning Organization's Transportation Policy Board allocated \$2.8 million of SH 130 Concession funds to this project on March 17, 2014;

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

AGREEMENT

1. Description of Amended Items

- a. Article 3 Local Project Sources and Uses of Funds, Article 11 Construction Responsibilities, Article 20 Cost Principles, Article 23 Civil Rights Compliance, Article 24 Disadvantaged Business Enterprise (DBE) Program Requirements, Article 25 Debarment Certifications, Article 28 Federal Funding Accountability and Transparency Act Requirements, and Article 29 Single Audit Report are deleted in their entirety and replaced with the following:

3. Local Project Sources and Uses of Funds

- A. The total estimated cost of the Project is shown in the Project Budget – Attachments "C" and "C-1", which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties are shown in Attachments "C" and "C-1". The State will pay for only those project costs that have been approved by the Texas Transportation Commission. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any

work performed under its direction or control before the federal spending authority is formally obligated.

- B. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures and Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
- C. The Project cost estimate shows how necessary resources for completing the Project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.
- D. The State will be responsible for securing the Federal and State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.
- E. The Local Government will be responsible for all non-federal or non-state participation costs associated with the Project, including any overruns in excess of the State obligated budget amount unless otherwise provided for in this agreement or approved otherwise in an amendment to this agreement.
- F. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachments C and C-1. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the Project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction cost.
- G. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. The funds may only be applied by the State to the Project.
- H. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due by the Local Government, the State, or the Federal government will be promptly paid by the owing party. If after final Project accounting any excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.
- I. The State will not pay interest on any funds provided by the Local Government.
- J. If a waiver has been granted, the State will not charge the Local Government for the indirect costs the State incurs on the local Project, unless this agreement is terminated at the request of the Local Government prior to completion of the Project.

- K. If the Project has been approved for a specified percentage or a "periodic payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachments C and C-1 will clearly state the specified percentage or the periodic payment schedule.
- L. If the Local government is an Economically Disadvantaged County (EDC) and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- M. When the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from the receipt of the State's written notification of those amounts.
- N. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- O. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.
- P. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly, and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.
- Q. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this agreement.

11. Construction Responsibilities

- A. The State shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.
- B. The State will use its approved contract letting and award procedures to let and award the construction contract.
- C. Upon completion of the Project, the party constructing the Project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion.
- D. For federally funded contracts, the parties to this agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

20. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

23. Civil Rights Compliance

- A. Compliance with Regulations: The Local Government will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this contract and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this contract, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding of payments to the Local Government under the contract until the Local Government complies and/or
 - b. cancelling, terminating, or suspending of the contract, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the

State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

24. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

25. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The

parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

28. Federal Funding Accountability and Transparency Act Requirements

- A.** Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:
<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and
<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B.** The Local Government agrees that it shall:
1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five (5) executives to the State if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

29. Single Audit Report

- A.** The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.
- B.** If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://www.txdot.gov/inside-txdot/office/audit/contact.html>.
- C.** If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D.** For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

b. Article 31, Pertinent Non-Discrimination Authorities is added as follows:

31. Pertinent Non-Discrimination Authorities

During the performance of this contract, the Local Government, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
 - B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).
 - C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
 - D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
 - E. The Age Discrimination Act of 1975, as amended, (49 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
 - F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
 - G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not).
 - H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
 - I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
 - J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
 - K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
 - L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).
- c. Attachment C-1, Supplemental Budget is added for additional funding to the project which is attached to this Amendment.

All other provisions of the original contract are unchanged and remain in full force and effect.

CSJ #0152-03-057 & 0152-02-070
District #14-AUS
Code Chart 64 #25000
Project: Reconstruct US 183
Federal Highway Administration
CFDA Title: Highway Planning & Construction
CFDA No.: 20.205
Not Research and Development

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

Date

CSJ #0152-03-057 & 0152-02-070
 District #14-AUS
 Code Chart 64 #25000
 Project: Reconstruct US 183
 Federal Highway Administration
 CFDA Title: Highway Planning & Construction
 CFDA No.: 20.205
 Not Research and Development

**ATTACHMENT C-1
 SUPPLEMENTAL BUDGET**

Costs will be allocated based on applicable State funding until the funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

CSJ 0152-03-057							
Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Construction (by State)	\$1,950,000	0%	\$0	100%	\$1,950,000	0%	\$0
CSJ 0152-02-070							
Construction (by State)	\$1,850,000	0%	\$0	100%	\$1,850,000	0%	\$0
Subtotals:	\$3,800,000				\$3,800,000		\$0
Total estimated Project Cost (Attachment C)	\$14,350,617						
Revised Total estimated Project Cost	\$18,150,617		\$		\$18,150,617		\$0

Initial payment by the Local Government to the State: \$0

Payment by the Local Government to the State before construction: \$0

Estimated total payment by the Local Government to the State \$0

This is an estimate. The final amount of Local Government participation will be based on actual costs.

Vance Rodgers

Backup

From: Diana Schulze <Diana.Schulze@txdot.gov>
Sent: Friday, October 14, 2016 9:33 AM
To: Vance Rodgers
Cc: Paulette Goertz
Subject: RE: US 183 CSJ 0152-02-070 change order #1 information 9-12-2016 Response from Diana to Vance 10-14-2016

There are still a few items that we are trying to wrap up. Looks like the latest figures- which can change is at approximately \$2.35 million. As you already probably know, the contractor has begun clearing the channel. Our District will be sending you a new updated AFA to be signed. It accounts for the additional funding (\$3.8 million) that was added to the project from the State (\$1 mil) and CAMPO (\$2.8 million SH 130 Concession funds).



Diana Schulze, P.E. | Area Engineer
Bastrop Area Office
174 Highway 21 East, Bastrop, Texas 78602
Phone: (512) 308-4468 | Email: Diana.Schulze@txdot.gov

From: Vance Rodgers [<mailto:vrodgers@lockhart-tx.org>]
Sent: Friday, October 14, 2016 9:13 AM
To: Diana Schulze
Cc: Paulette Goertz
Subject: RE: US 183 CSJ 0152-02-070 change order #1 information 9-12-2016

Diana:

Any final figures on Change Order for Phase II ?

thanks

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

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

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



Work Session Item # _____

Reg. Mtg. Item # _____

**CITY OF LOCKHART
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Finance	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: February 21, 2012				
Department: City Manager			Initials	Date
Department Head: Vance Rodgers		Asst. City Manager		
Dept. Signature:		City Manager		
Agenda Item Coordinator/Contact (include phone #): Vance Rodgers				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> CONSENSUS <input type="checkbox"/> OTHER				
CAPTION DISCUSSION AND/OR ACTION REGARDING RESOLUTION 2012-04 APPROVING WITH CONDITIONS THE ENTERING INTO THE ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR RECONSTRUCTING U.S. 183 TO A FIVE LANE URBAN SECTION BETWEEN PECAN STREET AND SOUTH OF MARTIN LUTHER KING, JR. INDUSTRIAL BLVD. WITH PROPOSITION 12 FUNDING IN AN AMOUNT NOT TO EXCEED \$13.389 MILLION WITH NO ADVANCED FUNDING REQUIRED OF THE CITY OF LOCKHART UNLESS THE STATE'S ESTIMATED COSTS OF OVERSIGHT AND CONSTRUCTION EXCEED THE PROPOSITION 12 FUNDING AND AGREEING THAT THE CITY OF LOCKHART MUST FUND ALL UTILITY ADJUSTMENT COSTS ASSOCIATED WITH ITS' UTILITIES AND AGREEING THAT SUCH COSTS AND ANY OTHER APPROVED LOCAL GOVERNMENT COSTS NOT FUNDED BY PROPOSITION 12 MUST BE FUNDED WITH BORROWED FUNDS AND THAT PAYMENTS FOR SUCH BORROWED FUNDS WILL REQUIRE ADDITIONAL GENERATED REVENUES				
FINANCIAL SUMMARY <input type="checkbox"/> N/A <input type="checkbox"/> GRANT FUNDS <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP <input type="checkbox"/> BUDGETED <input type="checkbox"/> NON-BUDGETED				
FISCAL YEAR:	PRIOR YEAR (CIP ONLY)	CURRENT YEAR	FUTURE YEARS	TOTALS
Budget				\$0.00
Budget Amendment Amount				\$0.00
Encumbered/Expended Amount				\$0.00
This Item				\$0.00
BALANCE	\$0.00	\$0.00	\$0.00	\$0.00
FUND(S): City Utility Adjustments Est: \$ 3.1 million (not underground electric) Other Costs unknown at this time				
SUMMARY OF ITEM TxDOT has provided the City an Advanced Funding agreement for the proposed US 183 reconstruction project to be funded up to \$13.389 million using Proposition 12 Funding. This proposed resolution approves the agreement with conditions whereby the City of Lockhart agrees to pay for all City utility adjustments related to the project and to pay for approved Local Government costs for the project that exceed the Proposition 12 Funding amount and states the method by which these costs are proposed to be funded.				
STAFF RECOMMENDATION City Manager recommends approval of Resolution 2012-04 and the attached Advanced Funding Agreement with the understanding that non-substantive changes may be necessary in the interest of the City with such changes to be reviewed by the City Attorney				
List of Supporting Documents: Utility Adjustments Resolution, History Documents, Advanced Funding Agreement		Other Departments, Boards, Commissions or Agencies:		

LIST OF BOARD/COMMISSION VACANCIES

Updated: October 14, 2016

63

Board Name	Reappointments/Vacancies	Council member
Construction Board of Appeals	VACANT – Walter Stephens verbally resigned-Aug 12, 2016	Mayor Pro-Tem Sanchez
Impact Fee Advisory Committee	VACANT / ETJ REPRESENTATIVE-(Kasi Miles moved inside city limits 10/9/2015)	Any Councilmember
Planning & Zoning Commission	VACANT – Adam Rodriguez verbally resigned – Oct 1, 2016	Councilmember Juan Mendoza
Planning & Zoning Commission	VACANT – Steve Visage resigned – Oct 14, 2016	Councilmember Jeffry Michelson

APPLICATIONS RECEIVED TO BE ON A BOARD/COMMISSION

APPLICANT	BOARD REQUESTED	DATE RECEIVED	RESIDENCE DISTRICT
Paul Buckner	Parks & Recreation Advisory Board	April 1, 2016	District 2

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

PAGE 1

Updated 10/14/2016

649

<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>

59

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

PAGE 3

Updated 10/14/2016

66

Councilmember	Board/Commission	Appointee	Date Appointed
Mayor – Lew White	Airport Board	John Hinnnekamp	01/17/12
	Board of Adjustment	Mike Annas	01/17/12
	Construction Board	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	Mike Votee	10/04/16
	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	VACANT-Rodriguez resigned 9/28/16)	
District 2– John Castillo	Airport Board	Reed Coats	01/17/12
	Board of Adjustment	Juan Juarez	08/04/16
	Construction Board	Israel Zapien	01/17/12
	EcoDev. Revolving Loan	Rudy Ruiz	05/03/16
	Eco Dev. Corp. ½ Cent Sales Tax	Fermin Islas, Chair	01/04/11
	Electric Board	James Briceno	05/03/11
	Historical Preservation	Ron Faulstich	10/04/16
	Library Board	Donnie Wilson	01/04/11
	Parks and Recreation	James Torres	05/03/11
	Planning & Zoning	Rob Ortiz, Alternate Manuel Oliva	05/06/08 05/03/11

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

PAGE 4

Updated 10/14/2016

79

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) Kirk Smith (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 03/15/16 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13 12/03/13
District 4 - Jeffry Michelson	Airport Board Board of Adjustment Construction Board Eco Dev. Revolving Loan Eco Dev. Corp. ½ Cent Sales Tax Electric Board Historical Preservation Library Board Parks and Recreation Planning & Zoning	Mark Brown, Vice-Chair Wayne Reeder Rick Winnett Mary Beth Nickels Morris Alexander James Paul Denny, Vice-Chair Kathy McCormick Donaly Brice Russell Wheeler VACANT-Visage resigned 10/14/16)	07/01/08 01/20/15 04/19/16 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 VACANT-(W.Stephens resigned 8/12/16) Irene Yanez Bernie Rangel Juan Alvarez, Jr. Jodi King Chris Schexnayder Philip Ruiz, Vice-Chair	12/21/10 02/19/08 06/17/08 07/07/15 03/01/11 01/04/11 06/07/16 01/04/11

COUNCILMEMBER BOARD/COMMISSION APPOINTMENTS

PAGE 5

Updated 10/14/2016

89

At-Large - Brad Westmoreland	Airport Board	Jayson "Tex" Cordova	12/01/15
	Board of Adjustment	Severo Castillo	12/01/15
	Construction Board (Alternate)	Gary Shafter	08/18/15
	Eco Dev. Revolving Loan	Edward Strayer	12/01/15
	Eco Dev. Corp. ½ Cent Sales Tax	Frank Estrada	12/01/15
	Historical Preservation	Terrance Gahan	12/01/15
	Library Board	Rebecca Lockhart	12/01/15
	Parks and Recreation	Dennis Placke	11/03/15
	Planning & Zoning	Christina Black	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

Vance Rodgers

From: Nick Dornak <ndornak@plumcreekwatershed.org>
Sent: Thursday, October 13, 2016 1:07 PM
To: Vance Rodgers
Cc: ecodew; Mike McGregor; Mike Urrutia
Subject: Re: Report on KLB Event Last Saturday

Howdy Vance,

I don't have the final numbers calculated, but here are a few estimates and notables:

- Approx. 400 volunteers participated in the 9th Annual Keep Lockhart Beautiful Cleanup and Environmental Fair... easily our largest to date!
- First year for online pre-registration and dedicated website
- Dozens of school groups, businesses and local service groups were represented
- Largest groups - LHS Athletics, Air Force JROTC, Combined Scouting Groups, St. Mary's Youth Group
- Approx. 2,000 lbs of refuse
- Approx. 200 lbs of recyclable materials
- Activities: park and stream cleanup, downtown decorations, painting at the recycling center and several school grounds cleaned
- Environmental Fair - GBRA; Lost Pines Master Naturalist; Texas Master Gardeners; Keep Lockhart Beautiful; Hays Caldwell Council on Alcohol and Drug Abuse; CAPCOG
- Over \$5,000 in cash and "in-kind" donations from Lockhart individuals, businesses and organizations
- Special thanks to the participating staff and leadership with GBRA and the City of Lockhart
- Keep Lockhart Beautiful Board members were a force!!! Janet Griger, Margaret Riddle, Mike McGregor, Anna Wagner, Gayle Tempkin, Dianne Stevenson
- Also big thank yous to **Andrea Davila, Mike McGregor, Chris Sager, Sheila Henderson**, LISD Athletic Director, **Greg Boyd and LHS Key Club (LISD); Mike Urrutia (GBRA) and Lauren Willis (GBRA)** for their help and service this year!
- Thanks to Angie Gonzalez-Sanchez for representing the City at the event and giving the welcome address!

I will have an official report and pictures for the newspaper next week.

Thanks!

Nick

Nick Dornak,
Plum Creek Watershed Coordinator
ndornak@plumcreekwatershed.org
Ph: 512.213.7389





SATURDAY OCTOBER 29TH

12PM-7PM

DR. EUGENE CLARK LIBRARY

217 S. MAIN STREET

LOCKHART, TEXAS

ART SHOW INSIDE LIBRARY

LOCKHART JR. HIGH ADVANCED ART CLASS, LOCKHART HIGH SCHOOL ART STUDENTS

PEGASUS ART STUDENTS

(FEATURED ARTIST)

CARRIE SMITH

FOOD & CRAFT VENDORS & KIDS ACTIVITIES

DJ MUSIC BY DJ DOH BOI

LIVE MUSIC BY SON DE REY

DANCE PERFORMANCE BY RUIZ DANCE STUDIOS

COSPONSORED BY



THANK YOU TO OUR EVENT SPONSORS



Rebecca Pulliam



ALFREDO MUNOZ

Caldwell County

Commissioner Pct. 1

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

17

Priority	Council Person	Goals Submitted	City Manager Comments
		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	Castillo		
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

27

Priority	Council Person	Goals Submitted	City Manager Comments
			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	Hilburn	Continue improving city streets: Increase Transportation Fund	
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about \$12,000
		Refurbish City Hall	
3	Michelson		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
		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.	
3	Westmoreland		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.
		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
3	White		
		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	Castillo		
		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	Gonzales-Sanchez		
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
		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	Westmoreland		
		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
4	White		
5	Castillo	Parks	Estimate: \$ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
		Subdivision development to attract more businesses to Lockhart	Working with 8 more subdivisions, either new or expanding, and possibly one more very large one northwest.
5	Gonzales-Sanchez		
		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	Hilburn		
		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.
5	Mendoza		

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

73

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 \$80,000; 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 \$80,000 for utilities; estimated revenues offset is about \$80,000; 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.

74

City of Lockhart																					
Future Debt Payments as of 8/30/15																					
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	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	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
2016 Capital Projects Fund																					
2015 Tax & Revenue	122,620																				122,620
Total 2016 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	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	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	327,863	336,575	329,615	737,655	742,642	741,325	743,920	750,210	748,978	753,440							7,208,485
2006 Tax & Rev CO's	100.00%	50,455	48,815	47,175	50,535	48,680	46,845														292,515
2006-A Tax & Rev CO's	93.00%	266,916	267,594	267,830	267,803	267,332	271,128														1,606,864
2015 Tax & Revenue	12.00%	91,487	117,779	117,779	117,659	117,803	117,823	155,867	155,827	155,543	155,615	155,845	155,961	155,969	160,768	160,517	160,562	160,365	160,602	160,502	2,885,035
Total Debt Service Fund P & I		742,068	765,248	761,616	763,880	770,400	765,511	893,522	898,569	896,868	899,535	905,855	905,839	909,409	160,768	160,517	160,562	160,365	160,602	160,502	12,002,899
Total General Government		1,533,286	969,830	948,909	961,824	968,603	963,663	1,087,167	1,102,239	1,100,391	1,103,078	1,109,410	1,109,482	1,113,098	326,416	326,061	326,167	325,847	326,181	326,040	16,334,967

56

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	3.50%	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	7.06%	20,090	20,142	20,164	20,157	20,122	20,406															121,082
2008 GO Refunding	36.38%	409,182																				409,192
2009 GO Refunding	86.69%	165,829	165,775	165,656	165,477	169,357	168,525	167,709	170,852	169,384	171,937	174,082	171,534	177,194								2,203,410
2015 Tax & Revenue	49.80%	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	663,468	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	663,408	664,800	16,167,999
Sewer Fund																						
2008 GO Refunding	18.36%	183,980																				183,980
2009 GO Refunding	13.31%	25,461	25,452	25,434	25,407	26,002	25,880	25,749	26,232	26,006	26,398	26,728	26,336	27,206								336,302
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	57,546	57,513	57,643	1,037,388
2015 Tax & Revenue	TRNSF		170,305	186,594	186,302	186,653	186,945	279,275	278,421	278,487	278,682	278,735	278,261	278,523	291,203	290,560	290,773	290,222	290,788	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	424,768	425,448	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	1,187,798	1,188,757	1,182,183	1,182,468	1,603,764	1,407,804	1,403,461	1,406,687	1,409,579	1,408,133	1,416,612	1,244,282	1,242,808	1,243,026	1,241,469	1,243,099	1,011,473	1,013,817	25,362,300
Grand Total		3,020,686	2,111,286	2,107,768	2,108,681	2,128,886	2,116,129	2,806,331	2,510,643	2,503,632	2,509,265	2,518,988	2,517,615	2,529,808	1,576,848	1,568,868	1,569,193	1,567,305	1,568,280	1,337,813	1,340,324	41,887,257

77

