

**NOTICE OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
302 E THIRD STREET
Monday, July 13, 2020
5:30 p.m. Workshop Session
6:00 p.m. Regular Session**

Notice is hereby given that a regular meeting of the City Council of the City of Lampasas, Texas will be held on Monday, July 13, 2020 in the City Council Chambers located at 302 E Third Street, Lampasas, Texas. The City Council of Lampasas, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), and Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters).

**WORKSHOP SESSION
5:30 p.m.**

1. Call to order Workshop Session
2. Discussion regarding CIP Report. *(pgs. 5-6)*
3. Discussion regarding initial projections for FY20/21 Budget. *(pgs. 7-8)*
4. Discussion and updates regarding COVID-19. *(pgs.9-10)*
5. Discussion regarding any item on the regular agenda
6. Adjourn Workshop Session

**REGULAR SESSION
6:00 p.m.**

ANNOUNCEMENTS

- A. Call to Order
- B. Invocation and Pledge of Allegiance
- C. Presentations and Proclamations
 - Swearing in of Jeremy Herring

	PUBLIC HEARINGS/CITIZEN COMMENTS	PAGES
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter not included on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.	N/A
1.2	Citizen comments- Any citizen who desires to address the City Council on a matter that is included on the Agenda may do so at this time.	N/A
1.3	Public hearing to receive citizen comments regarding a request to rezone property from Single Family Residential -20 “SF-20” to Single Family Residential-8 “SF-8”.	11-16

	The property is described as 1 acre, ABST. 0419 of the LHW Johnson Survey; commonly known as 1205 S. Willis Street, Lampasas, Texas Lampasas County.	
1.4	Public hearing to receive citizen comments regarding a request for a Specific Use Permit (SUP) to allow for <i>permanent makeup tattooing</i> in an area zoned Commercial “C”, the property is described as 1.89 acres, ABST. 0419 LHW Johnson Survey; commonly known as 301 S Highway 281 Suite D (Lotus Beauty Spa & Salon), Lampasas, Texas, Lampasas County.	17-24

2.0	MINUTES	PAGES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on June 22, 2020	25-36

3.0	CONSENT AGENDA	PAGES
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from June 1, 2020- June 30, 2020	37-40
3.2	Discussion and possible action regarding the second reading of an Ordinance of the City of Lampasas, Lampasas County, amending Chapter 78, Traffic and Vehicles, Article III, Stopping, Standing and Parking; and amending Section 78-214, and adding Article VI prohibiting commercial vehicle parking in residential areas providing prohibitions, restrictions, temporary exceptions by permit for commercial vehicles to park upon residential streets; providing for repeal of ordinances that conflict; providing savings, severability clause; effective date and penalty not to exceed five hundred dollars for each offence; declaring an emergency and providing for related matters.	41-56
3.3	Discussion and possible action regarding the second reading of an Ordinance amending Appendix A Fee Schedule of the Code of Ordinances setting a fee for Chapter 78, Traffic and Vehicle Section 78-214 thru 78-214.012 and containing a severability clause and an effective date.	57-62

4.0	BOARDS/DEPARTMENT REPORTS	N/A
5.0	ROUTINE MATTERS	PAGES
5.1	City Manager’s Operational Report <ul style="list-style-type: none"> • 3rd Street Drainage • CPAC • Sales Tax • EDA Update • Certified Roll • Business Support • IPADS 	63-64
5.2	MAYOR’S COMMENTS	N/A

6.0	UNFINISHED BUSINESS	N/A
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7.0	NEW BUSINESS	PAGES
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7.1	Discussion and possible action regarding selection of website photo contest winner	65-70
7.2	Discussion and possible action regarding the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request to rezone property from Single Family Residential -20 "SF-20" to Single Family Residential-8 "SF-8". The property is described as 1 acre, ABST. 0419 of the LHW Johnson Survey; commonly known as 1205 S. Willis Street, Lampasas, Texas Lampasas County.	71-74
7.3	Discussion and possible action regarding the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request for a Specific Use Permit (SUP) to allow for <i>permanent makeup tattooing</i> in an area zoned Commercial "C", the property is described as 1.89 acres, ABST. 0419 LHW Johnson Survey; commonly known as 301 S Highway 281 Suite D (Lotus Beauty Spa & Salon), Lampasas, Texas, Lampasas County.	75-78
7.4	Discussion and possible action regarding Scott & White Insurance Rates for the FY 2020/2021.	79-80
7.5	Discussion and possible action regarding use of Joint Use Facility Funds for actuator at the 190-meter valve.	81-88
7.6	Discussion and possible action regarding specific local emergency orders related to COVID-19 Pandemic	89-90
7.7	Discussion and possible action regarding approval to declare multiple overstock and obsolete items in the Water and Wastewater inventory as surplus and allow Staff to dispose of as State Law allows.	91-110
7.8	Discussion and possible action regarding the award of quote to Air-Mac for the purchase of a 60 horsepower Gardner Denver Blower Unit for the Ajinomoto Pretreatment Plant not to exceed \$10,153.00.	111-116

Adjourn

I, Becky Sims, Assistant City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 10 day of July 2020 at 12:30pm

Becky Sims
Becky Sims, Assistant City Secretary

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City Manager

ITEM NO. WORKSHOP-2

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion regarding CIP Report

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments: CIP Report

Summary Statement:

The Annual Capital Improvement Program Committee Report will be presented to Council under this agenda item. The Committee's work was impacted by delays due to the COVID-19 Pandemic, which resulted in delivery of the report being late. The Report includes Programmed Projects for the FY 2021 to FY 2025 for Public Facilities, Capital Projects, Fleet Forecast and Major Maintenance. The report also includes planning and engineering projects that will likely result in Capital Projects.

Recommendation:

Discussion Only

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RM
City Manager

ITEM NO. WORKSHOP-3

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion regarding initial projections for FY20/21 Budget

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments:

Summary Statement:

Staff will provide Council a briefing on year-end projections and status of budget projections.

Recommendation:

Discussion Only

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ITEM NO. WORKSHOP-4

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and updates regarding COVID-19

Requested By: Finley deGraffenried, City Manager

Submitted By: Jeffry Smith, Fire Chief

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments:

Summary Statement:

This item is placed on the Workshop Agenda to provide updates and discussion regarding impacts and City response to the COVID-19 pandemic.

Recommendation:

Discussion, updates and direction from Council

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City Manager

ITEM NO. 1.3

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Public Hearing to receive citizen comments regarding a request to consider approval, denial, or approval with modification(s) a request to rezone property from Single Family Residential -20 "SF-20" to Single Family Residential-8 "SF-8". The property is described as 1 acre, ABST. 0419 of the LHW Johnson Survey; commonly known as 1205 S. Willis Street, Lampasas, Texas Lampasas County.

Requested By: Becky Sims, Assistant City Secretary/Zoning Administrator

Submitted By: Becky Sims, Assistant City Secretary/Zoning Administrator

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments: P & Z Packet

Summary Statement:

The property owner is requesting to rezone 1 Acre, ABST 1419, LHW Johnson Survey, commonly known as 1205 S. Willis Street, Lampasas, Texas from Single Family Residential-20 "SF-20" to Single Family Residential-8 "SF-8". All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed eight (8) notices to property owners within 200 feet of the applicant's property, and to date have received one (1) letter in favor of the request and none in protest.

This request was heard by the Planning and Zoning Commission on July 2, 2020. The Commission recommends approval.

Recommendation:

Discussion Only

City of Lampasas
Planning and Zoning Board
Staff Report
(Cummings Rezone)

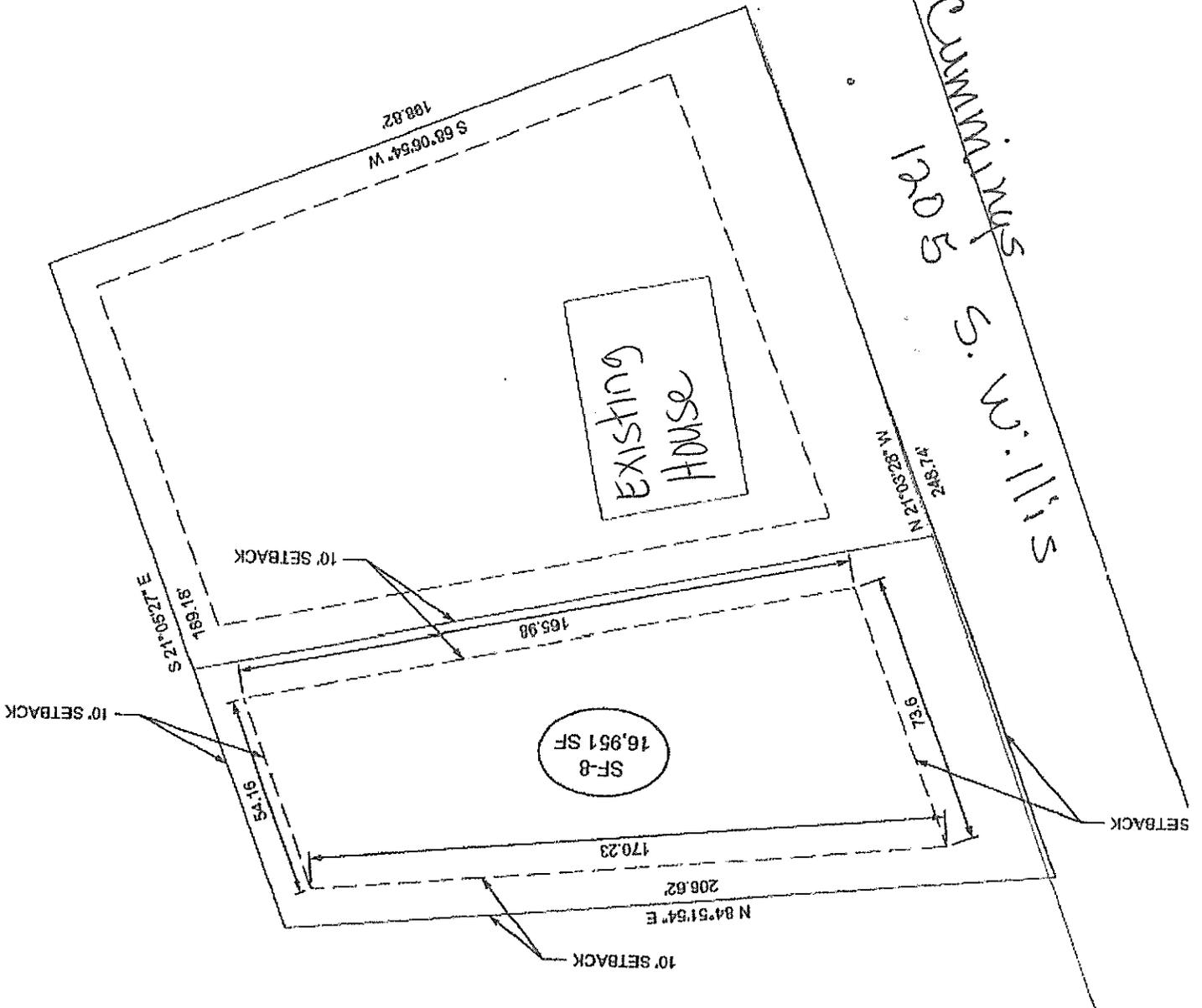
Subject Property	The property is described as 1 Acre, ABST 1419, LHW Johnson Survey, commonly known as 1205 S Willis Street, Lampasas, Texas
Request	The property owner is requesting to rezone the property from Single Family Residential-20 "SF-20" to Single Family Residential-8 "SF-8".
Current Zoning	The property is currently zoned Single Family Residential-20 "SF-20"
Notification	All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed eight (8) notices to property owners within 200 feet of the applicant's property, and to date have received one (1) letter in favor of the request and none in protest.
Consideration	In making a determination for a change of Zoning the Planning and Zoning Board, and the City Council shall consider the factors outlined in Section 10, City of Lampasas Zoning Regulations.
Recommendation	<p>If the Planning and Zoning Board and the City Council find the request in compliance with Section 10, City of Lampasas Zoning Regulations and, that there will be no adverse impact to the neighborhood; the zoning of the tract is currently unsuitable; the zoning change is reasonable and would have not have a negative impact on the surrounding neighborhood and that the change of zoning bears a relationship to public health, safety, morals or general welfare of the community, then a motion to approve the zoning request may be made.</p> <p>If the Planning and Zoning Board and the City Council find that the request is not in compliance with Section 10, City of Lampasas Zoning Regulations, then a motion to deny the request may be made.</p>

1205 S Willis

Legend

 1205 S Willis St





WRITTEN COMMENTS FOR A ZONING CHANGE REQUEST
(Cummings Rezone Request)

I own 2 Chris James Ave., [address] in Lampasas, Texas.

At this time, I (do) or (do not) plan to attend the Public Hearing noted above.

Note, you are welcome to attend, even if you indicate on this form that you do not plan to do so.

As a property owner who may be affected by the requested change, I want the Board to know that I, (protest) or (approve) the requested zoning change(s) that the Applicant has asked the Board to grant.

Please place a check mark beside your choice above and/or note any reasons or concerns you want the Board to consider in the spaces below.

My support/objection to the request is because:

(1) _____

(2) _____

(3) _____

(Further information may be written on back of this sheet, if additional space is needed.)

Signed Mary P. McCullough Date June 19, 2020

Written Form Received by City Staff on: 6-22-20, 20 by BSM.

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City Manager

ITEM NO. 1.4

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Public Hearing to receive citizen comments regarding approval, denial, or approval with modification(s) a request for a Specific Use Permit (SUP) to allow for *permanent makeup tattooing* in an area zoned Commercial "C", the property is described as 1.89 acres, ABST. 0419 LHW Johnson Survey; commonly known as 301 S Highway 281 Suite D (Lotus Beauty Spa & Salon), Lampasas, Texas, Lampasas County.

Requested By: Becky Sims, Assistant City Secretary/Zoning Administrator

Submitted By: Becky Sims, Assistant City Secretary/Zoning Administrator

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments: P & Z Packet

Summary Statement:

The property owner, Sandy Irvin and applicant, Marla Wimp Nier is asking the City Council to consider granting a request for a Specific Use Permit to allow for ***Permanent Makeup Tattooing*** inside Lotus Beauty Spa and Salon; located at 301 S Highway 281 Suite D, Lampasas, Texas.

STUDIO, TATTOO OR BODY PIERCING - A building or portion of a building used for selling and/or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

COMMERCIAL "C"

Permitted in District with SUP

STUDIO TATTOO OR BODY PIERCING

Staff mailed four notices to property owners within 200 feet and two were returned in favor of the request and none in protest.

This request was heard before the Planning & Zoning Commission on July 2, 2020. The Commission recommends approval.

Recommendation:

Discussion Only

City of Lampasas
Planning and Zoning Board
Staff Report
(Irvin/Nier SUP Request)

Subject Property The property is described as 1.89 Acre, ABST 419, LHW Johnson Survey, commonly known as 301 S Highway 281, Lampasas, Texas

Request The property owner, Sandy Irvin and applicant, Marla Wimp Nier is asking the Commission to consider granting a request for a Specific Use Permit to allow for *Permanent Makeup Tattooing* inside Lotus Beauty Spa and Salon; located at 301 S Highway 281 Suite D, Lampasas, Texas.

STUDIO, TATTOO OR BODY PIERCING - A building or portion of a building used for selling and/or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

COMMERCIAL “C”

Permitted in District with SUP

- SEASONAL USES (TEMPORARY)
- SMOKE/TOBACCO SHOP
- STABLE (COMMERCIAL)
- STORAGE OR WHOLESALE WAREHOUSE
- **STUDIO TATTOO OR BODY PIERCING**
- SUPPLEMENTAL RESIDENTIAL ACCOMMODATIONS
- SUPPLEMENTAL RESIDENTIAL ACCOMMODATIONS
- TINSMITH/SHEET METAL SHOP
- TRAILER OR TRUCK RENTAL
- TWO-FAMILY DWELLING (DUPLEX)
- USED MERCHANDISE OR SECOND-HAND THRIFT STORE (NON-PROFIT)
- UTILITY SHOPS OR STORAGE YARDS OR BUILDINGS
- VETERINARIAN HOSPITAL (WITH OUTSIDE ANIMAL PENS)
- WELDING OR MACHINE SHOP

Character The property is zoned Commercial. The business is located within a strip center where there are multiple businesses that service the community.

Current Zoning The property is currently zoned Commercial, the area surrounding the property is both Commercial and Residential

Notification All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed four (4) notices to property owners within 200 feet of the applicant’s property, and to date have received one (2) letters in favor of the request and none in protest.

Consideration In making a determination for a change of Zoning the Planning and Zoning Board, and the City Council shall consider the factors outlined in Section 10, City of Lampasas Zoning Regulations.

Recommendation

If the Planning and Zoning Board and the City Council find the request in compliance with Section 10, City of Lampasas Zoning Regulations and, that there will be no adverse impact to the neighborhood; the zoning of the tract is currently unsuitable; the zoning change is reasonable and would not have a negative impact on the surrounding neighborhood and that the change of zoning bears a relationship to public health, safety, morals or general welfare of the community, then a motion to approve the zoning request may be made.

In granting a Specific Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy, and shall be incorporated into the amending ordinance establishing the SUP.

If the Planning and Zoning Board and the City Council find that the request is not in compliance with Section 10, City of Lampasas Zoning Regulations, then a motion to deny the request may be made.

Permanent Makeup – What is it?

Permanent cosmetic makeup is cosmetic tattooing. The specialized techniques used for permanent cosmetics are often referred to as "micropigmentation", "micropigment implantation" or "dermagraphics". The cosmetic implantation technique deposits colored pigment into the upper reticular layer of the dermis.

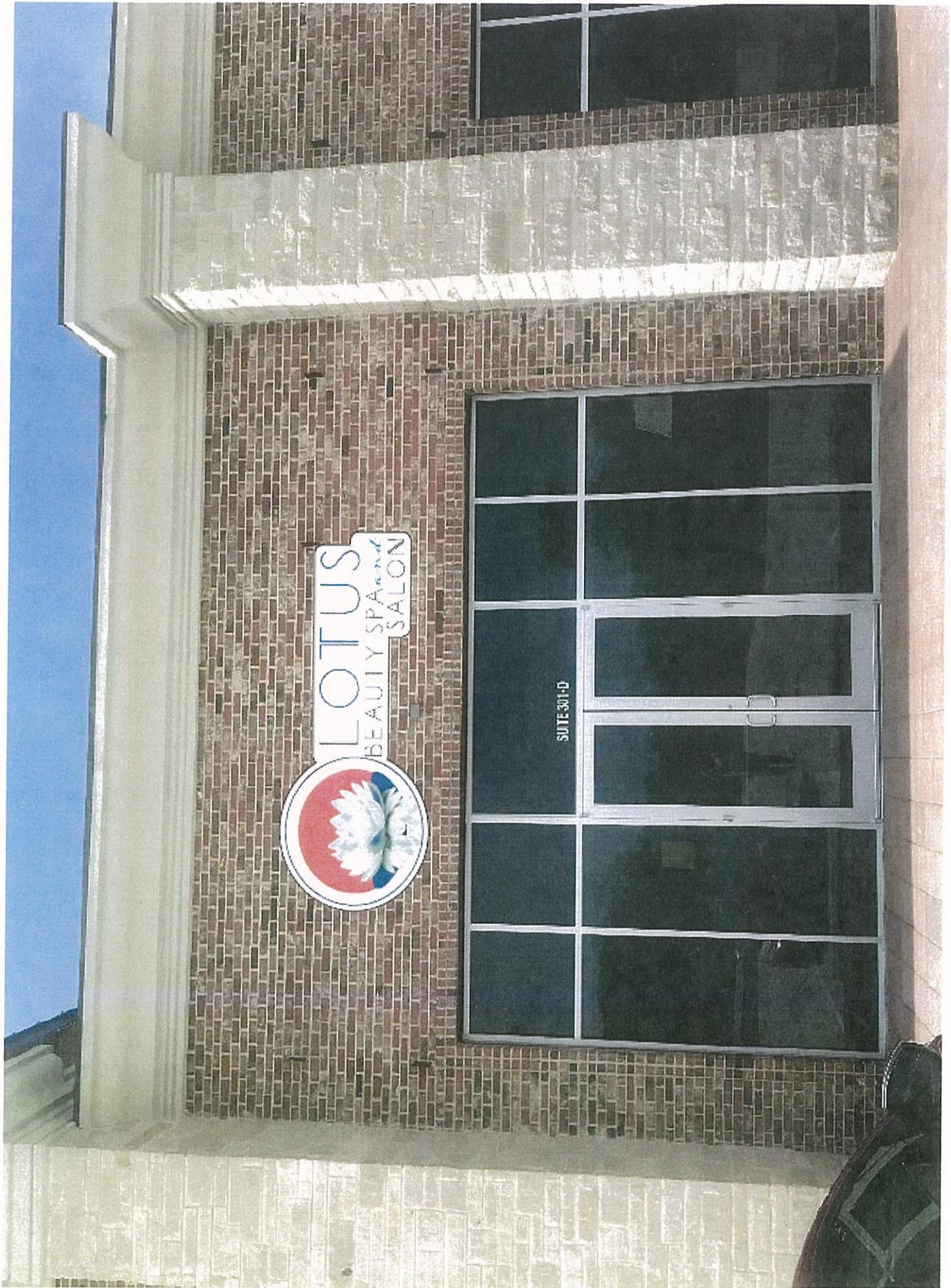
How are Permanent Cosmetic Procedures Performed?

Permanent cosmetics procedures are performed using various devices, including the traditional tattoo coil machines, the pen or rotary machine (includes the digital rotary machines) and the non-machine or hand device. The process includes a consultation, the application of pigment, and at least one or more follow up visits for evaluating the healed design work and color of the pigment.

Are Permanent Cosmetics Really Permanent?

Permanent cosmetics procedures are considered permanent because pigment is tattooed into the upper reticular part of the dermal layer of the skin and cannot be washed off. However, as with any tattoo or colorant (pigment) in general, fading can and often does occur, requiring periodic maintenance referred to as color re-enhancement or color refreshing. The scientific structure of pigments and the requirement for periodic refreshing is identical to that of tinted hair color; faded material on furniture that may be located near a window and subject to sun exposure; house paint that is exposed to the sun and other environmental elements; pigment implanted in the skin may fade with time. This colorant periodic maintenance requirement is a good opportunity to reevaluate one's color and design preferences. While the concept of permanent, without any change, may seem like a perfectly good idea, think about how your tastes have changed over the years. From time to time likely you have made subtle or dramatic changes in your clothing preferences, your hair color and style, and if you wear topical makeup, those colors have changed as well. The fact that most people will require periodic color refreshing of their permanent cosmetics is the opportune time to work with your technician to reevaluate your overall appearance profile and determine if any changes are appropriate. Longevity varies from person to person depending on their life style (sun exposure), the color(s) used for the permanent cosmetic procedure, and are also thought to be affected by topical products applied to the skin.





WRITTEN COMMENTS FOR A ZONING CHANGE REQUEST
(Irvin/Nier Specific Use Permit)

I own 1003 & 1007 S. Broad, [address] in Lampasas, Texas.

At this time, I (do) **or** (do not) plan to attend the Public Hearing noted above.

Note, you are welcome to attend, even if you indicate on this form that you do not plan to do so.

As a property owner who may be affected by the requested change, I want the Board to know that I, (protest) or (approve) the requested zoning change(s) that the Applicant has asked the Board to grant.

Please place a check mark beside your choice above and/or note any reasons or concerns you want the Board to consider in the spaces below.

My support/objection to the request is because:

- (1) change not likely to affect my property
- (2) _____
- (3) _____

(Further information may be written on back of this sheet, if additional space is needed.)

Signed Nicole M. Nier Date 6-14, 2020

Written Form Received by City Staff on: 6-15-20, 20 by BSM.

WRITTEN COMMENTS FOR A ZONING CHANGE REQUEST
(Irvin/Nier Specific Use Permit)

I own 306 S. Highway 281, [address] in Lampasas, Texas.

At this time, I (do) or (do not) plan to attend the Public Hearing noted above.

Note, you are welcome to attend, even if you indicate on this form that you do not plan to do so.

As a property owner who may be affected by the requested change, I want the Board to know that I, (protest) or (approve) the requested zoning change(s) that the Applicant has asked the Board to grant.

Please place a check mark beside your choice above and/or note any reasons or concerns you want the Board to consider in the spaces below.

My support/objection to the request is because:

(1) Approval only for the stated purpose of "makeup tattooing".

(2) _____

(3) _____

(Further information may be written on back of this sheet, if additional space is needed.)

Signed *David Love* Date June 15, 2020

Written Form Received by City Staff on: 6.22.20, 20 by *BJM*.

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
302 E THIRD STREET
Monday, June 22 2020**

The City Council of the City of Lampasas met in regular session on the above date with Mayor Talbert presiding.

Council Members present:

T.J. Monroe, Mayor Pro Tem
Chuck Williamson
Randy Clark
Delana Toups
Mike White
Cathy Kuehne

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager
Rickie Roy, Assistant City Manager
Christina Marez, City Secretary
Becky Sims, Zoning Administrator
Monica Wright, Information Systems Director
Sammy Bailey, Police Chief
Jeffrey Smith, Fire Chief
Ronnie Withers, Fire Marshal
Mandy Walsh, Economic Development Director
Flint Geagley, Electric Superintendent
Vicki Tower, Parks Secretary

**WORKSHOP SESSION
5:30 p.m.**

1. Call to order Workshop Session

Mayor Talbert called the Workshop Session to order at 5:30 p.m.

Mayor Talbert provided the phone number of 512-556-0332 for citizens to call in for any questions or comments.

2. Discussion regarding draft Ordinance for Commercial Parking in Residential Areas

Sammy Bailey, Police Chief, explained that this item was originally discussed with Council on May 11, 2020 and after direction from Council, City Staff researched further and the findings were presented to Council at the May 26, 2020 Council meeting. Based on recommendations and direction from Council, she presented a draft Ordinance.

Bailey reviewed the following information on the draft Ordinance:

- At Council’s request, she removed the time period for residency requirement and removed the must be a resident by this date.
- Removed the time restrictions for commercial vehicles parked in residential areas.
- Central Business District was removed and named as Downtown/Public Square area.
- Defined the minimum road width for allowing any commercial vehicle to park upon a City residential street in order to have safe passage of a fire apparatus and/or ambulance parking on either side of the public street or highway that, in the case of a two-way street or highway, has a pavement width of no less than 28 feet, or in the case of a one-way street or highway, has pavement of no less than 20 feet. 28 feet is Two-10’ wide driving lanes plus 8’ of parking lane/areas.
- Included additional verbiage under Cul-de-sac permit request: “The commercial vehicle driver would have to assure that no vehicles would cause a less than 50-foot road radius turn.”
- If fees are approved, she will need to add those fees to the Fee Schedule and would be presented back to Council for their consideration.

Council thanked Police Chief Bailey. There was no further discussion.

3. Discussion and updates relating to Business Park Phase 1 Development and Financing.

Mandy Walsh, Economic Development Director, explained that this item is placed on the workshop agenda to provide Council with an update on progress related to funding options and timing for infrastructure extension serving parcels in the north 35 acres of the Business Park. To date, City Staff have researched possible grant funding and loan opportunities after direction from Council at their Joint Meeting with LEDC on May 26, 2020.

Walsh reviewed the following:

- She is working with the City’s grant writers, Langford Community Management Services (LCMS), on an Economic Development Administration (EDA) Cares Act Recovery Assistance Grant. Congress appropriated 1.5 billion dollars to provide a wide-range of financial assistance to communities and regions as they respond to and recover from the impacts of the Coronavirus pandemic.
- EDA is accepting applications for this grant that supports a wide variety of projects including infrastructure, construction of infrastructure and economic development projects.
- This grant funding is awarded on a rolling basis and EDA started accepting grant applications back in May. LCMS should have the City’s application completed by the end of July, if not sooner.
- Under the Cares Act Recovery Assistance, it’s generally expected to fund up to 80 percent (80%), some up to 100 percent (100%) of the eligible project costs. So therefore, the City would be required to match 20 percent (20%).
- As a reminder, the total cost of construction of Phase I is estimated at 1.9 million with a 10 percent (10 %) contingency included.

Walsh said that Staff looked into loan funding opportunities with a local bank. At the June 17, 2020 LEDC meeting, Ryan Shahan, with the Lampasas Branch of BancorpSouth Bank, presented the Board with a financing proposal for the improvements for Phase 1 infrastructure for the LEDC Business Park. Shahan reviewed the financing proposal with the Board.

- BancorpSouth Bank proposed a \$1,100,000.00 loan amount to finance improvements for Phase 1 to the Lampasas Business Park.
- The Bank will allow a 20-year amortization and refinance the current note that has a balance of 1.3 million.

- Existing loan to be renewed/re-amortized and maturity date extended to March 5, 2040 (10-year extension). The interest rate and all other terms will remain the same.

The LEDC Board unanimously agreed to hold off on the loan for now and pursue the EDA Cares Act Recovery Assistance Grant opportunity.

Walsh said they she will continue work with LCMS on the grant application and provide updates to Council as it goes along.

Mayor Talbert noted for the record that if the 80 percent (80%) grant is funded, LEDC has the funds available for the required 20 percent (20%) match.

Walsh concurred and said that LEDC has \$418,000.00 available in their account and an additional \$488,000.00 Restricted Funds to the development of the Business Park.

Council thanked Walsh for the update.

4. Discussion and updates regarding FY20/21 Budget

City Manager deGraffenried explained that this item is placed on the workshop agenda to provide Council the status of Staff budget work. To date Departmental Staff have completed initial year-end projections and preliminary FY 2021 Budgets. Staff will begin internal review beginning June 23, 2020, with initial projections to Council targeted for July 13, 2020.

deGraffenried also informed Council that the next CIP meeting will be on Thursday, June 25, 2020. He will try to have a bound copy of the CIP report to Council before the July 13, 2020 Council meeting.

5. Discussion and updates regarding COVID-19, City Response and Statistics.

Jeff Smith, Fire Chief, reviewed the following:

Statewide:

- 40,920 active COVID-19 positives
- Of those 40,920 active cases, 3,409 require hospitalization
- There are 14,360 hospital beds available in the State
- There are 1,493 ICU beds available
- There are 5,800 ventilators available

In the Trauma Service Area L which includes the following counties: Lampasas, Mills, Coryell, Hamilton, Bell and Milam

- 20 hospitalized patients with COVID-19
- There are 219 hospital beds available
- There are 26 ICU beds available
- There are 136 ventilators available

Smith said that COVID-19 is progressing. As a reminder, please hand wash thoroughly, and practice CDC guidelines.

Council encouraged and stressed business owners to require face masks/coverings for not only their employees but also customers that cannot meet the six feet distancing requirement to help slow the spread of the virus.

6. Discussion regarding report from Audit Committee regarding FY 2019 Audit

City Manager deGraffenried explained that the Audit Committee met on June 15, 2020 to review the City's FY 2019 Audit. He noted the following items:

- The Audit is classified as Unmodified, or a clean audit.
- He referenced to the booked liability of Other Post-Employment Benefits (OPEB) and retirement accounts as a non-monetary impact to the City's net position and also referenced the positive performance, actual to budget, for the City.
- The Auditors noted that in March, 2019, deposits exceeded pledged securities, as required by the Public Funds Investment Act. This was due to Ad Valorem Revenues, and was corrected at the time.
- The City's current depository agreement requires pledged securities at 105% of deposits.
- The City's Fund Balance is approximately 3.4 months of annual expenditures in the General Fund; and 5.2 months in Business Funds.
- Long-term Debt: At the end of the current fiscal year, the City had total bonded debt outstanding of approximately 13.2 million related to governmental activities and business-type activities. The remainder of the City's long-term debt obligations is comprised of compensated absences.
- At the end of the current fiscal year, the City's governmental activities net position decreased by \$813,724.00 as a result of this year's current operations to end at \$1,289,669.00. The assets of the business-type activities of the City exceeded its liabilities as the close of the most recent fiscal year by \$20,913,622.00 as a result of this year's current operations.
- At the close of the current fiscal year, the City's governmental funds reported combined fund balances of \$6,722,418.00, a decrease of \$1,503,459.00 in comparison with the prior year. At the end of the current fiscal year, the General Fund had \$2,771,028.00 in spendable fund balance, which represents approximately 28% of the General Fund's expenditures for the fiscal year.
- At the end of the current fiscal year, the City's Proprietary Funds reported total ending net position of \$20,913,622.00. The majority of ending proprietary net position related to the Electric Fund and the Water/Wastewater Fund which ended at \$7,388,268.00 and \$10,775,621.00 after the year's increases of \$94,143.00 and \$520,127.00 respectively.
- The City's component unit ended the year with a net position balance of \$1,245,019.00 after the year's increase of \$93,650,00.

Council and City Manager deGraffenried praised Yvonne Moreno, Finance Director, for her hard work on the audit and for the great job she and her Staff does for the City.

7. Discussion regarding Operational and Facility Upgrades to Naruna Substation.

Flint Geagley, Electric Superintendent, explained that LCRA Staff, Matt Holland and Steve Dyer, were present to review and explain the fencing upgrades at the Naruna Substation. Before turning over discussion to the LCRA Staff, he explained that at the time the substation was constructed in 2008, all brush and landscaping was removed and the City requested solid/decorative fencing on behalf of adjacent residents. Since that time, brush buffers have returned, and the fencing is not serviceable. Additionally, due to security concerns, LCRA will be replacing the fence with open mesh fabric.

Matt Holland, with LCRA, explained that the concrete fencing walls are cracked and no longer serviceable. The current fence will be replaced with an open mesh fabric that would be difficult to cut through yet allow visibility for security concerns. LED lights will be installed that are motion censored, as well as security cameras. He said that the work would commence in 45-60 days.

8. Discussion regarding Campbell Park Improvements.

Andy Fish, with Lampasas Heritage Foundation, explained that he had met with the Parks Board on June 18, 2020. He reviewed the same information he had presented to the Parks Board.

The following are recommendations for the enhancement of Hanna Springs:

- (1) Remove the chicken wire fence from around the pool and raise the water level 3 feet. Currently, the chicken wire fence has been compromised in several places, provides no protection to keep people from entering the pool, and when the fence was installed it prevented people from even seeing the water that is arguably the reason for the existence of Lampasas. There are Lampasas residents that didn't know there was water in the pool.
- (2) Move the tractor art exhibit to the children's side of the park, with coordination and approval of LAFTA
- (3) Construct three wading pools below the main pond
- (4) Excavate the foundation of the original bath house
- (5) Add concrete tables and chairs to the area around the pool
- (6) Add signage explaining the historical significance of the springs
- (7) Pump out the water, remove wood and trash from the bottom, and power wash the inside of the pool
- (8) Research the existence of a fountain back in middle of the pool as shown on the check stub 1893
- (9) Create formal parking along Hackberry Street
- (10) Add safety signage around the pool

Mr. Fish noted that on July 2, the Daytripper television program is going to be filming and has requested shots of Hanna Springs. He strongly requested that Council vote to allow for the fence to be removed prior to that filming.

Mr. Fish continued by saying that Lampasas Heritage Foundation is willing to share the burden of the work as well as the cost involved. The Foundation has secured contractors and bids that it will pay for which include removing the fence, constructing the wading pools, excavating around the old bathhouse, and relocating the tractor after a new location has been determined and the slab is built. The Foundation will also again do the topical clean of the springs and provide volunteers for the complete cleaning of the pool area. The Foundation has also secured a supplier for the concrete tables and benches. The Foundation is requesting that the City should improve the parking along Hackberry Street and provide safety and historical signage and also would like the Fire Department to provide a pumper truck to evacuate the water from the pool so that it can be cleaned.

Mr. Fish also provided the following information:

- The Foundation currently has a quote from Juan Vidal to build the wading pools for \$11,000, a cost that the Foundation will pay for.
- The Foundation currently has a donation from Jeremy Jones to remove the 22 steel posts, 9 wood posts, and the fence around the springs.

- The Foundation currently has a quote from Mexico Lindo Artesanias for the concrete tables and benches at \$350.00 per set.
- The Foundation currently has a donation from Boyce Cabiness to construct a concrete slab for the relocation of the tractor.
- He reviewed overhead photographs of their proposed improvements to Campbell Park.

Council member Clark asked if removing the fence affect the City’s insurance coverage. Mayor Talbert noted that City Staff did check with the City’s insurance carrier, TML, and were told by Dawn Hyatt, Underwriter, that the removal of the fence would not affect City coverage. The fence may have been a recommendation by a TML Loss Prevention Specialist or a City policy. In checking, there is no City policy and thus no affect to insurance coverage.

Other Council comments included:

- Ensure that the improvements would not affect the natural spring
- Check to see if an environmental study/assessment is necessary before any improvements are made
- Ensure that LAFTA is coordinated with on the relocation of the tractor

Council thanked Mr. Fish for his presentation.

9. Discussion regarding any item on the regular agenda

There was no discussion.

10. Adjourn Workshop Session

Mayor Pro Tem Monroe moved to adjourn the Workshop Session at 6:25 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

A break was taken before going into Regular Session.

<p>REGULAR SESSION 6:00 p.m.</p>
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ANNOUNCEMENTS

A. Call to Order

Mayor Talbert called the Regular Session to order at 6:39 p.m.

B. Invocation and Pledge of Allegiance

Sammy Bailey, Police Chief, gave the Invocation and the Pledge of Allegiance to the U.S. and Texas flags were recited.

C. Presentations and Proclamations

There were no presentations or proclamations.

Mayor Talbert reiterated the telephone number of 512-556-0332 to call in for any comments.

	<p>PUBLIC HEARINGS/CITIZEN COMMENTS</p>
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1.1	Citizen comments – Any citizen who desires to address the City Council on a matter not included on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.
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There were no citizen comments.

1.2	Citizen comments- Any citizen who desires to address the City Council on a matter that is included on the Agenda may do so at this time.
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There were no citizen comments.

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on June 8, 2020

Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action to approve the second reading of an Ordinance to consider approval, denial, or approval with modification(s) a request for a Specific Use Permit (SUP) to allow for an <i>Open Storage, Display, or Work Area for Merchandise or Machinery</i> in an area zoned Retail “R” Lampasas County, Lampasas, Texas. The property is described as Block 3, L S C First Addition Lots 1, 2 and part of 3, commonly known as 108 South Key Avenue, Lampasas, Texas
3.2	Discussion and possible action regarding the Monthly Investment Report for May 2020.

Mayor Pro Tem Monroe moved to approve the consent agenda. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

4.0	BOARDS/DEPARTMENT REPORTS
4.1	<ol style="list-style-type: none"> 1. Information Systems Monthly Report 2. Library Monthly Report 3. Golf Course Monthly Report 4. Municipal Court Monthly Report 5. City Secretary Monthly Report 6. Police Department Monthly Report 7. Utility Billing and Collections Monthly Report 8. Public Works Monthly Report for Electric, Streets, Water/Wastewater 9. Building Official Monthly Report 10. Economic Development Monthly Report 11. Fire Department Monthly Report 12. Parks and Recreation Monthly Report

Monica Wright, Information Systems Director, reviewed her report:

- The IT Department comprised of two employees, support 13 City Departments and 15 City buildings
- For FY 19/20 up to May, 2020, they had a total of 2,038 support tickets
- She reviewed the IT supported hardware and software
- She reviewed the City buildings that are connected via fiber; 10 of the 15 City buildings are on the City network
- She reviewed completed projects; daily/weekly/monthly projects
- She reviewed the City's Network Security
- She reviewed possible future projects

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

- Hancock Pool - As a follow-up to Council discussion at their last meeting, City Staff reports that the allowance of non-county residents to Hancock Pool has not resulted in being over occupancy and only one 12-year-old has come to the pool unaccompanied by an adult. Additionally, due to Staff cleaning the pool, they cannot accommodate an additional weekday.
- Skate Park - City Staff was invited to an informational meeting regarding the need and current ideas for locating a skate park in the City. The meeting was organized by the Wings of Eagles Outreach with a stated goal to work with stakeholders and the City to build a skate park. The President of the organization is Lisa Parker. Staff also seeks Council input for further investigation and placement on a future Park Board agenda.
- CDBG - Our grant consultant has advised City Staff that the City of Lampasas 2019-2020 CDBG application is currently in line for funding based on the number of projects typically awarded in CTCOG. The project calls for additional wastewater improvement to the north/central portion of town. If the funding remains the same as previous year's and our ranking does not change, there is a good chance we will be contacted for a site visit in August.
- Ave E - A preconstruction meeting was held on June 12, 2020 with QA Construction in anticipation for drainage and paving improvements to West Avenue E. To allow for approval of submittals and documentation of insurance, the Notice to Proceed will be issued for June 29, 2020. It is likely that some mobilization will take place that week, with full construction commencing late that week or early the following week.
- CTWSC - The City learned this week that Central Texas Water Supply Corporation (CTWSC) has formally notified the 169th District Court of their intent to appeal the Court's ruling related to the dispute on billing between Central Texas and Kempner/Lampasas. The appeal has been filed in the 3rd Court of Appeals sitting in Austin. Although too early to determine their strategy, it appears in some of their requests, that they intend to call into question the City of Lampasas's participation in the matter. CTWSC has also retained outside appellate counsel in addition to Mr. Olson's firm. Council is well aware how long this matter may take.
- CCR - The City's required Consumer Confidence Report for drinking water is available on line. Customers have been notified through the utility bill that the report can be accessed from the City's website, lampasas.org/ArchiveCenter/ViewFile/Item/1337. The report provides consumers information regarding organic and inorganic compounds found in the City's drinking water, as well as levels of contaminants compared to maximum allowed levels. There were no violations noted on the report.
- WWTF - Stephen Sewell, Plant Supervisor/Operator, reports that after two seedings, the Wastewater Treatment Facility appears to be improving. The initial seeding resulted in improvement to the overall health and efficiency of the treatment plant after 48 hours, however; both he and Van Sims, Water/Wastewater Operations Manager, were not satisfied that the complete

restoration of the basin could be achieved in a timely manner. A second seeding has also shown positive results after 48 hours, and City Staff is hopeful the amendments will be adequate. City Staff has also been in contact with local septic haulers, and have indicated they may be prepared for a test dump in the near future.

- LCAD - The City has received a copy of the Proposed FY 2021 Budget from the Lampasas Central Appraisal District (LCAD). LCAD is planning to conduct a public hearing on the Proposed Budget on July 16, 2020, and subsequently seek Council approval. The Proposed \$570,237.00 budget is 2.4% more than previous year, with an approximate 1.3% increase in salaries.
- Library – Shanda Subia, Library Director, reports that the curbside/virtual Summer Reading Program has attracted about 50 weekly participants. The Library is also promoting online story time and has been encouraging parents to post their children reading on social media. This week the Library will open a limited number of computers by appointment, and has ordered an additional 10 hot-spots for checkout based on demand.
- Prosecutor - The City is currently advertising for qualifications for the contracted position of City Prosecutor. The position has been moved off the back burner now that facilities are reopening, and the Court begins somewhat normal operations. Council will likely interview firms/candidates in July.
- CIP - The next meeting of the Capital Improvement Program Committee will be held on June 25, 2020 in the Calvert Municipal Building. Previously, the Committee reviewed the Fleet Forecast and Major Maintenance schedule, and the goal for the meeting on the June 25, 2020 is to review the draft narrative. Providing adequate progress can be made, the report will be delivered to Council by July 13, 2020.
- Comp Plan - City Staff have received good feedback on the draft Vision Statement and Recommendations. City Staff initially made revisions over 3 conference calls with consultants, and individuals and small groups made additional comment. City Staff will attempt to schedule a full CPAC meeting either June 30, 2020 or July 1, 2020 without consultants for a full review of the progress to date and the current recommendations. Consultants will be brought in for a later meeting in July to discuss and facilitate the implementation plan.
- LEDC - The Lampasas Economic Development Corporation met on June 17, 2020 and, in addition to items discussed on this upcoming Workshop, reviewed the annual audit, on-going development activity, and Year-to-Date financial information. The Board also reviewed data from the Retail Coach related to leakage and market propensities.
- Staff – Police Chief, Sammy Bailey, is pleased to announce that Jeremy Herring has accepted a position with the Lampasas Police Department as a Patrol Officer. Mr. Herring previously worked with Lampasas County as a Deputy Sheriff for 13 years.

5.2	MAYOR’S COMMENTS
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The Mayor had no comments to make.

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
7.1	Discussion and possible action regarding the first reading of an ordinance for Commercial Parking in Residential Areas.

Sammy Bailey, Police Chief, explained that this item was discussed in Workshop. She said if the Ordinance is approved by Council, she would present a fee schedule for Council consideration at the next Council meeting.

Mayor Pro Tem Monroe moved to approve the first reading of an Ordinance of the City of Lampasas, amending Chapter 78, Traffic and Vehicles, Article III, Stopping, Standing, and Parking; and Amending Section 78-214, and adding Article IV Prohibiting Commercial Vehicle Parking in providing Prohibitions, Restrictions, Temporary Exceptions by Permit Options for Commercial Vehicles to park upon Residential Streets; Providing for repeal of Ordinances that conflict; Providing Savings, Severability Clause; Effective Date, and Penalty not to exceed Five Hundred Dollars for each offense; Declaring an Emergency; and Providing for Related Matters. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.2	Discussion and possible action regarding acceptance of Annual Audit.
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Mayor Talbert said this item was discussed in Workshop Session. She said Council may consider formal acceptance of the FY 2019 Audit on this agenda item.

Mayor Pro Tem Monroe moved to accept the Annual Audit as presented. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding use of Joint Use Facility Fund for media replacement at Central Texas Water Supply Corp. Water Treatment Plant.
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City Manager deGraffenried explained that Kempner Water Supply Corporation has requested consideration of the use of the Joint Use Facilities Fund to cover the costs of media replacement, related plant improvements, and pump rebuilds. The items relate directly to the improvements of CTWSC Plant 1, where the City's water is treated. Of the total expenditure of \$124,422.00, Kempner's and the City's share is \$47,208.57. The City must approve the expenditure from the Joint Use Facilities Account, which has a current balance of \$810,719.22.

Mayor Pro Tem Monroe moved to approve the use of Joint Use Facility Fund for media replacement at Central Texas Water Supply Corp. Water Treatment Plant as requested. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

7.4	Discussion and possible action regarding approval of permit from City Council to allow Pyrotecnico Fireworks, Inc. to conduct the Annual Firework Display on Wednesday, July 8, 2020 as cited in Lampasas Code of Ordinances Article III. Fireworks Sec 38-67, 38-68 & 38-69.
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Ronnie Withers, Fire Marshal, explained that City Staff is requesting approval from Council to allow Pyrotecnico Fireworks, Inc. to conduct the Annual Firework Display on Wednesday July 8, 2020 to begin at approximately 9:00 p.m. and last about 20 minutes. This display is part of the Spring Ho Festival Community Event and is the same company that has been used the last three years. The Lampasas Gavin Garrett Soccer Complex parking lot will be the site location for this event. The vendor will provide site plan, insurance policy and application to the State Fire Marshal's office. He will inspect the site and the Lampasas Fire Department will have two fire trucks on site during the event.

Mayor Pro Tem Monroe moved to approve a permit to allow Pyrotecnico Fireworks, Inc. to conduct the Annual Firework Display on Wednesday, July 8, 2020 as cited in Lampasas Code of Ordinances Article

III. Fireworks Sec 38-67, 38-68 & 38-69. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.5	Discussion and possible action regarding Campbell Park Improvements.
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City Manager deGraffenried explained that this item was discussed in Workshop Session and the following comments/concerns were made by Council:

- Ensure that the improvements would not affect the natural spring
- Check to see if an environmental study/assessment is necessary before any improvements are made
- Ensure that LAFTA is coordinated with on the possible relocation of the tractor but the decision should be left up to LAFTA

Council member Toups moved to approve that City Staff work with the Lampasas Heritage Foundation on the cleanup and improvements to the Campbell Park. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

Adjourn

Mayor Pro Tem Monroe moved adjourn the meeting at 7:10 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

PASSED AND APPROVED this _____ day of _____, 2020.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary

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City Manager

ITEM NO. 3.1

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and Possible Action regarding purchases and charges in excess of \$4,000 from June 1, 2020 to June 30, 2020

Requested By: Yvonne Moreno, Finance Director

Submitted By: Yvonne Moreno, Finance Director

Date Submitted: July 8, 2020 For the Agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments: A/P History Check Report

Summary Statement:

The Check History Report presents the detail of individual charges and amounts for all checks over \$4,000 for the period of June 1, 2020 to June 30, 2020.

Recommendation:

Motion to approve by consent.

VENDOR SET: 99 CITY OF LAMPASAS
 BANK: FSB BANCORPSOUTH
 DATE RANGE: 6/01/2020 THRU 6/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02856	AEP ENERGY PARTNERS, INC.							
I-17521254215	MAY AEP BILL	E	6/19/2020	63,905.63		000038		63,905.63
56260	LOWER COLORADO RIVER AUTHORITY							
I-EW15829	MAY LCRA BILL	E	6/19/2020	429,832.44		000039		429,832.44
27050	IRS-PAYROLL TAXES							
I-T1 202006048053	FEDERAL WITHHOLDING	D	6/05/2020	18,649.57		000065		
I-T3 202006048053	FICA TAX	D	6/05/2020	27,146.40		000065		
I-T4 202006048053	MEDICARE TAX	D	6/05/2020	6,348.68		000065		52,144.65
27050	IRS-PAYROLL TAXES							
I-T1 202006188054	FEDERAL WITHHOLDING	D	6/19/2020	16,119.62		000066		
I-T3 202006188054	FICA TAX	D	6/19/2020	24,878.76		000066		
I-T4 202006188054	MEDICARE TAX	D	6/19/2020	5,818.44		000066		46,816.82
52200	LAMPASAS PUBLIC UTILITIES							
I-05292020	MAY 2020	R	6/01/2020	46,296.81		156706		46,296.81
02681	COMPOSITECH PRODUCTS MFG							
I-920151	EXPEDITE BELT PRESS PARTS	R	6/04/2020	4,955.00		156775		
I-920152	BELT PRESS REPAIRS	R	6/04/2020	17,021.00		156775		21,976.00
02860	FUELMAN							
I-202005268050	CITY GAS	R	6/04/2020	5,151.27		156783		5,151.27
82300	TECHLINE, INC							
I-988793400	500 KVA TRANSFORMER	R	6/04/2020	15,050.00		156819		15,050.00
02976	WASTE CONNECTIONS							
I-1378757	COMMERCIAL SOLID WASTE	R	6/04/2020	48,456.72		156825		
I-1378758	RESIDENTIAL SOLID WASTE	R	6/04/2020	43,687.47		156825		92,144.19
02101	WATCHGUARD VIDEO							
I-CMINV0000487	EVIDENCE LIBRARY	R	6/04/2020	10,620.00		156826		10,620.00
16468	CATERPILLAR FIN SER CORP							
I-21016107	JUNE RENTAL	R	6/12/2020	1,660.70		156855		
I-21029321	JULY RENTAL	R	6/12/2020	2,463.86		156855		4,124.56
49400	LAMPASAS CENTRAL APPR DIST							
I-06052020	THIRD QUARTER PAYMENT	R	6/12/2020	7,868.56		156881		7,868.56

VENDOR SET: 99 CITY OF LAMPASAS
 BANK: FSB BANCORPSOUTH
 DATE RANGE: 6/01/2020 THRU 6/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
49350	LAMP CHAMBER OF COMMERCE							
I-06082020	2ND QUARTER REIMBURSEMENT	R	6/22/2020	10,595.07		156989		10,595.07
03116	RELIANCE ARCHITECTURE							
I-169	W/WW BUILDING MANAGEMENT	R	6/22/2020	24,095.65		157008		24,095.65
82300	TECHLINE, INC							
I-121728500	40 FT CLASS 4 POLES	R	6/22/2020	30.00		157015		
I-123705400	CUTOUTS	R	6/22/2020	430.75		157015		
I-126748500	40 FT CLASS 4 POLES	R	6/22/2020	5,817.90		157015		
I-126748501	40 FT CLASS 4 POLES	R	6/22/2020	1,815.00		157015		
I-126748502	40 FT CLASS 4 POLES	R	6/22/2020	37.00		157015		
I-126748503	40 FT CLASS 4 POLES	R	6/22/2020	291.00		157015		
I-126748504	40 FT CLASS 4 POLES	R	6/22/2020	1,505.90		157015		
I-126748505	40 FT CLASS 4 POLES	R	6/22/2020	365.00		157015		
I-126748600	40 FT CLASS 4 POLES	R	6/22/2020	10,106.00		157015		
I-126748700	40 FT CLASS 4 POLES	R	6/22/2020	580.00		157015		
I-126824100	CUTOUTS	R	6/22/2020	324.00		157015		
I-126824200	CUTOUTS	R	6/22/2020	3,971.30		157015		
I-126824201	CUTOUTS	R	6/22/2020	1,704.80		157015		
I-126852100	37.5 KVA TRANSFORMERS	R	6/22/2020	9,070.00		157015		
I-126853200	37.5 KVA TRANSFORMER	R	6/22/2020	1,115.00		157015		
I-169973100	CUTOUTS	R	6/22/2020	768.40		157015		
I-196183900	CUTOUTS	R	6/22/2020	448.40		157015		
I-310944300	40 FT CLASS 4 POLES	R	6/22/2020	192.00		157015		
I-310944301	40 FT CLASS 4 POLES	R	6/22/2020	943.00		157015		
I-311010600	CUTOUTS	R	6/22/2020	156.00		157015		
I-704252600	CUTOUTS	R	6/22/2020	116.00		157015		39,787.45
33574	GRAVES DOUGHERTY HEARON & MOOD							
I-356662	PROF SRVC CENTRAL TX DISP	R	6/24/2020	476.85		157037		
I-356664	PROF SRVC KWSC WHEELING	R	6/24/2020	9,880.00		157037		10,356.85
03198	WHITTLESEY LANDSCAPE SUPPLIES							
I-648691	KIDDIE KUSHION 580COMPLEX	R	6/24/2020	2,400.00		157049		
I-648695	KIDDIE KUSHION BROOK PARK	R	6/24/2020	2,400.00		157049		4,800.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	13	292,866.41	0.00	292,866.41
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	2	98,961.47	0.00	98,961.47
EFT:	2	493,738.07	0.00	493,738.07
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99 CITY OF LAMPASAS
BANK: FSB BANCORPSOUTH
DATE RANGE: 6/01/2020 THRU 6/30/2020

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
				NO				
VENDOR SET: 99	BANK: FSB	TOTALS:	17	885,565.95	0.00			885,565.95
BANK: FSB	TOTALS:		17	885,565.95	0.00			885,565.95
REPORT TOTALS:			17	885,565.95	0.00			885,565.95



City ManagerITEM NO. 3.2

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding the second reading of an Ordinance of the City of Lampasas. Lampasas County, amending Chapter 78, Traffic and Vehicles, Article III, Stopping, Standing and Parking; and amending Section 78-214, and adding Article VI prohibiting commercial vehicle parking in residential areas providing prohibitions, restrictions, temporary exceptions by permit for commercial vehicles to park upon residential streets; providing for repeal of ordinances that conflict; providing savings, severability clause; effective date and penalty not to exceed five hundred dollars for each offence; declaring an emergency and providing for related matters.

Requested By: Sammy Bailey, Police Chief

Submitted by: Sammy Bailey, Police Chief

Date Submitted: May 7, 2020

For the agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments: Ordinance

Summary Statement:

This is the second reading of an Ordinance

Recommendation

To consider a motion to approve the second reading of an Ordinance of the City of Lampasas. Lampasas County, amending Chapter 78, Traffic and Vehicles, Article III, Stopping, Standing and Parking; and amending Section 78-214, and adding Article VI prohibiting commercial vehicle parking in residential areas providing prohibitions, restrictions, temporary exceptions by permit for commercial vehicles to park upon residential streets.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LAMPASAS, AMENDING CHAPTER 78, TRAFFIC AND VEHICLES, ARTICLE III, STOPPING, STANDING, AND PARKING; AND AMENDING SECTION 78-214, AND ADDING ARTICLE VI PROHIBITING COMMERCIAL VEHICLE PARKING IN PROVIDING PROHIBITIONS, RESTRICTIONS, TEMPORARY EXCEPTIONS BY PERMIT OPTIONS FOR COMMERCIAL VEHICLES TO PARK UPON RESIDENTIAL STREETS; PROVIDING FOR REPEAL OF ORDINANCES THAT CONFLICT; PROVIDING SAVINGS, SEVERABILITY CLAUSE; EFFECTIVE DATE, AND PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS FOR EACH OFFENSE, DECLARING AN EMERGENCY; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Lampasas, Texas (the “City”) finds that parking and driving of vehicles across drainage improvements to include drainage ditches and swales damage City property and represents a threat to the health and safety of the citizens of Lampasas;

WHEREAS, the City Council of Lampasas finds that accessing and departing from private and public property within the City by use of driveways or other forms of access not approved by the City damages city property and represents a threat to the health and safety of citizens of the City of Lampasas;

WHEREAS, the City Council of Lampasas finds that the parking of certain commercial vehicles on streets within residential areas deteriorates the streets and creates safety hazards; and

WHEREAS, the parking of commercial vehicles on streets within residential neighborhoods detracts from the living environment;

WHEREAS, the City Council of Lampasas finds that there are areas in residential neighborhoods where it is safe to issue a permit for commercial vehicle parking.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purpose as findings of fact.

Section 2. Definitions. As used by this Ordinance the following terms shall have the meaning and definition as follows:

- (1.) **“Commercial Motor Vehicle”**, is as described in the Texas Transportation Code Section Title 7 Subtitle A, Chapter 501 and 522.003, as a motor vehicle or combination of motor vehicles used to transport passengers or property that:
 - (A) has a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
 - (B) has a gross vehicle weight rating of 26,001 or more pounds;
 - (C) is designed to transport 16 or more passengers, including the driver; or

- (D) is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F,
- (E) and includes a vehicle meeting the definition regardless of whether a vehicle is used for commercial purposes; or
- (F) a road tractor, truck tractor, pole trailer, semitrailer, as those terms are defined by the Texas Transportation Code section 541.201;
- (2.) **“Motor Vehicle or Vehicle”** is defined by the Texas Transportation Code, Title 7, Subtitle A, Chapter 501, Section 501.002 defines as any motor vehicle driven or propelled vehicle required to be registered under the laws of this state;
- (3.) **“Trailer”** is defined by the Texas Transportation Code, Title 7, Subtitle A, Chapter 501, Section 501.002 as a vehicle that (A) is designed or used to carry a load wholly on the trailer’s own structure; and (B) is drawn or designed to be drawn by a motor vehicle.
- (4.) **“Semitrailer”** is defined by the Texas Transportation Code, Title 7, Subtitle A, Chapter 501 as a vehicle that is designed or used with a motor vehicle so that part of the weight of the vehicle and its load rest on or is carried by another vehicle.
- (5.) **“Road Tractor”** is defined by the Texas Transportation Code, Title 7, Subtitle A, Chapter 501, Section 501.002 as a motor vehicle designed and used to draw another vehicle but not constructed to carry a load independently or a part of the weight of the other vehicle or its load.
- (6.) **“Truck Tractor”** is defined by the Texas Transportation Code, Title 7, Subtitle A, Chapter 501, Section 501.002 as a motor vehicle designed and used primarily to draw another vehicle but not constructed to carry a load other than a part of the weight of the other vehicle and its load.
- (7.) **“Person”** is defined by the Texas Transportation Code, Title 7, Subtitle C, Chapter 541 includes any individual, firm, partnership, association, corporation, or other business entity.
- (8.) **“Residential Area”** shall mean and refer to those areas within the city limits designated for residential use according to the City of Lampasas zoning codes. An area containing or bounded by public streets or parts thereof abutted by residential property occupying at least 75 percent of the front footage along the blockface, exclusive of vacant property that is not restricted by deed, covenant, plat, or otherwise to residential use. A residential area may be one or more blockfaces within a larger residential area, and a street of 500 feet in length or greater to be two blockfaces or approximately equal length.
- a. Residential means pertaining to use of land for premises such as single family homes, duplexes, condominiums, and apartment complexes with eight or fewer units, that contain habitable rooms for non-transient occupancy and are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking therein deemed to be residential in character unless it is actually occupied and used exclusively for other purposes.
 - b. Hotels, suites, motels, shall not be considered residential.

(9.) **“Residential Street”** shall mean and refer to those streets, boulevards, avenues, or alleys within the city limits located within the city’s residential areas.

(10.) **“Alley”**- is defined by the Texas Transportation Code, Title 7, Chapter 54, Sub-Chapter D, section 541.302 as a street that: (A) is not used primarily for through traffic; and (B) provides access to rear entrances of buildings or lots along a street.

(11.) **“Resident Vehicle”** means a motor vehicle parked in a residential area in which it is registered with the Texas Department of Transportation.

(12.) **“Resident Residential Commercial Exemption Permits”**-the owner/operator residing in the City and having a resident exemption permit may park in accordance with the city of Lampasas parking ordinances a commercial vehicle on a residential street.

(13.) **“Continuous Operation”** shall be defined as operating in excess of five minutes the commercial vehicle engines or accessory generators or compressors.

(14.) **“Unattended Motor Vehicle”** Texas Transportation Code 545.404 an operator may not leave a vehicle unattended without: stopping the engine; locking the ignition; removing the keys from the ignition; setting the parking brake effectively; and if standing on a grade, turning the front wheels to the curb or side of the highway. Exceptions do apply for remote start.

(15.) **“Commercial Vehicle with Non-Commercial Purpose”** Commercial Vehicle for non-business purposes.

Sec. 78-214 Parking of Commercial Motor Vehicles, Truck Tractors and Trailers

In order to establish a healthy residential neighborhood atmosphere within the community and in the best interest of public safety and welfare, commercial vehicles having a manufacturer’s gross weight 26,001 or more are prohibited from parking on any residential street or portion thereof, except with respect to making pickups or deliveries from or to any building or structure, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure located off the designated truck route.

The failure of the local street system to provide livability and safety in the residential environment can occur if the city does not mitigate traffic and parking problems. In order to identify the extent of the conflict associated with “livability” and design of residential streets, the following must be examined before a Commercial Vehicle Parking Permit can be issued.

- Efficiency of Services-public safety and utilities,
- Existing and proposed residential streets standards and regulations,
- Traffic problems associated the residential street and their causes,
- Traffic volume,
- Safety for both vehicular-pedestrian traffic,

- Land use, construction, and maintenance,
- Number of commercial vehicles parked on a residential road will be determined by the length of the street.

No Parking Zones

(a) those as defined in the Texas Transportation Code, Section 545.302. Stopping, Standing, or Parking Prohibited in Certain Places, the below list includes some of 545.302:

(b) An operator may not stop, stand, or park a vehicle:

- (1) on the roadway side of a vehicle stopped or parked at the edge or curb of a street;
- (2) on a sidewalk;
- (3) in an intersection;
- (4) on a crosswalk;
- (5) between a safety zone and the adjacent curb or within 30 feet of a place on the curb immediately opposite the ends of a safety zone, unless the governing body of a municipality designates a different length by signs or markings;
- (6) alongside or opposite a street excavation or obstruction if stopping, standing, or parking the vehicle would obstruct traffic;
- (7) on a bridge or other elevated structure on a highway or in a highway tunnel;
- (8) on a railroad track; or
- (9) where an official sign prohibits stopping.

(c) An operator may not, except momentarily to pick up or discharge a passenger, stand or park an occupied or unoccupied vehicle:

- (1) in front of a public or private driveway;
- (2) within 15 feet of a fire hydrant;
- (3) within 20 feet of a crosswalk at an intersection;
- (4) within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
- (5) within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance, if the entrance is properly marked with a sign; or
- (6) where an official sign prohibits standing.

(d) An operator may not, except temporarily to load or unload merchandise or passengers, park an occupied or unoccupied vehicle:

- (1) within 50 feet of the nearest rail of a railroad crossing; or
- (2) where an official sign prohibits parking.
- (3) A private vehicle operated by an elevator constructor responding to an elevator emergency may be exempted from these parking regulations.

(e) Subsections (a), (b), and (c) do not apply if the avoidance of conflict with other traffic is necessary or if the operator is complying with the law or the directions of a police officer or official traffic-control device.

(f) The City Council of the City of Lampasas finds it necessary for the improvement of the economic development of our downtown/public square area and it will adversely affect public safety; therefore, no commercial vehicle shall be left unattended standing, stopped, or parked at any place in downtown/public square area of the city of Lampasas.

(g) It shall be unlawful for an owner of any commercial vehicle to drive, operate, leave, park, or stand any vehicle upon any ditch, drainage easement, drainage improvement, or swale.

(h) It shall be unlawful for any person or any owner to leave, park, or stand any commercial vehicle within a residential area or on a residential street.

(i) It shall be unlawful for any person or any owner to leave, park, or stand any commercial vehicle in an alley in the city of Lampasas.

(j) It shall be unlawful for any person or any owner to leave unattended or parked overnight any vehicle with hazardous or dangerous material.

(k) It shall be unlawful for any person or any owner to leave, park, or stand any hazardous or dangerous material on any residential street overnight.

(l) It shall be unlawful to leave, park, or stand any commercial tractor trailer/semi-trailer with animals, or odors, within a residential area or on a residential street. Odors as defined by Chapter 10 Animals, Article 1, Section 10-4 Public Nuisance.

(m) It shall be unlawful to leave, park, or stand a commercial vehicle and/or trailer for non-business purposes along a city of Lampasas street.

(n) It shall be unlawful to leave, park, or stand any commercial equipment not secured and not in use for a project on a residential street.

(p) It shall be unlawful to leave, park, or stand any commercial vehicle at a city park or city facility without written permission from the City.

(q) It shall be unlawful to leave, park, or stand any over width commercial vehicle.

Section 78-214(01.): Unattached Trailer and Semi-Trailer parking prohibition. A person shall not park any trailer or semi-trailer upon any highway, street, alley, public way or public place unless the trailer or semi-trailer is, at all times while so parked, attached to a vehicle capable of moving the trailer or semi-trailer in a normal manner upon the highway, street, alley, public way or public place.

This ordinance shall not prevent the parking or standing of the following types of vehicles for the following purposes:

- (1) Commercial vehicles in residential areas for the purpose of loading and unloading passengers, freight or merchandise,
- (2) Vehicles being used to provide any municipal service; such as, installation, repair, or maintenance of any public street, asset or property, collection of garbage, grounds keeping, etc.
- (3) Vehicles being used to install, repair or maintain any public service or utility such as telephone, electricity, cable television, gas, water or sewer lines.
 - a. This does not apply to a utility employee who is on call 24 hours a day and parks at the employee's residence.
 - b. This does not apply to a wrecker employee who is on call 24 hours a day and parks at the employee's residence.
 - c. A commercial motor vehicle used for delivery or service business purposes, including but not limited to motor vehicles such as moving vans, sanitation, repair, electrical, and plumbing service motor vehicles, that was parked in a residential area while conducting business at a residence or residential area.
- (4) The vehicles mentioned in 1-3 shall not block or interfere with traffic upon a residential street;
- (5) A vehicle owned by a commercial establishment that is legally parked on the street adjacent to where the establishment is located or property owned by the commercial establishment.

Section 78-214 (02.): Residential Permit Parking

The City of Lampasas Code Enforcement Officer or designee may issue on a first-serve basis to commercial owners/operators residing within the City for the purpose of parking on prohibited residential streets to and from their residence,

The applicant must be a resident in the city of Lampasas and have proof of such.

Acceptable residency documents: The following are acceptable as long as they include the name of the applicant and their City of Lampasas, Texas residential address.

- Current deed, mortgage, monthly mortgage statement, mortgage payment booklet, or a residential rental/lease agreement
- Valid, unexpired Texas Voter Registration Card
- Texas motor vehicle registration or title
- Non-Expired Texas CDL
- Texas concealed handgun license
- An electric, water, natural gas, satellite television, cable television, or non-cellular telephone statement.

- Current homeowner's or renter's insurance policy or homeowner's or renter's insurance statement or current automobile insurance policy or an automobile insurance statement
- Texas high school, college, or university report card or transcript for the current school year
- W-2 or 1099 tax form from the current tax year
- Mail from financial institutions; including checking, savings, investment account, and credit card statement
- Mail from a federal, state, county, or city government agency showing name and address in the City of Lampasas.
- Current documents issued by the US military
- Document from the Texas Department of Criminal Justice indicating the applicant's recent release or parole
- Medical or health card

Section 78-214 (03.) Residential Commercial Vehicle Parking Permits

The City Council of Lampasas would like to assist in offering a permit type solution to those residents that are involved in the safe and efficient movement of commercial vehicles. The City of Lampasas is not immune from the commercial vehicle parking shortages that are recognized around the State of Texas. This is by no means a long term solution as the City recognizes and understands the challenges and inconveniences of our resident Commercial Vehicle Operators to find a private parking area or commercial vehicle parking area in or around the City of Lampasas; however, the City has a responsibility to the safe flow of traffic, pedestrian safety, life safety of a neighborhood, and the livability of a neighborhood; therefore, this solution is to give a Residential Commercial Vehicle Operator that can be permitted time to find a private or public commercial vehicle parking area not on city streets to park or store a vehicle.

The first thing that must be looked at is the street/road width for residential streets as this will be major concern for allowing any Commercial Vehicle to park upon a city street.

- A minimum pavement width must allow safe passage of moving traffic in each direction, exclusive of interferences, and allow for the safe passage of emergency service vehicles.
- The minimum road width for fire apparatus and/or ambulance to have safe passage with parking on either side of the public street or highway that, in the case of a two-way street or highway, has a pavement width of no less than 28 feet, or in the case of a one-way street or highway, has pavement of no less than 20 feet. 28 feet is Two-10' wide driving lanes plus 8' of parking lane/areas.
- Lane widths should be considered within the assemblage of a given street delineating space to serve all needs, including travel lanes, safety islands, bike lanes, and sidewalks,
- The street/roadway must be checked prior to ensure the granting of a permit will not result in damage to city streets or cause a pedestrian or traffic hazard or adversely affect adjacent properties,

- No hazardous material or dangerous material allowed for overnight parking. Vehicles used for the transportation of hazardous or dangerous materials shall not be issued a permit for residential parking,
- The permit shall be limited to one commercial vehicle truck and trailer or tractor and trailer combination per legal lot,
- Said vehicle shall be parked in such a manner so as to not minimize visibility from the street,
- The parking area for such vehicle shall not be less than 100 feet from any residential structure on adjoining property; however, if not practical, this condition may be waived upon written consent from the occupant of the adjoining residence,
- The applicant shall warrant that there will be no continuous operation of the commercial vehicle engines or accessory generators or compressors prior to 6:00 a.m. or after 9:00 p.m. *“Continuous operation” shall be defined as operating in excess of five minutes. Violation of this section shall be grounds for revocation of this permit at the discretion of Code Enforcement Officer,*
- Repair activity shall not be commenced before 6:00 a.m., except on Sunday and any national holiday when it shall not commence before 8:00 a.m. and after 10:00 p.m. unless repair work is done in an enclosed structure,
- Applicant shall be the property owner or renter in the City of Lampasas with written consent of the property owner. The permit shall be issued to applicant, with the permit tied to subject property, CDL driver, company and/or vehicle. The permit is not transferable, with the exception of the vehicle itself,
- The City of Lampasas has a well- established truck route. The applicant must attach proof of the known truck route and their ingress and egress by a direct route to and from the residential street the Commercial Vehicle will be parked on. Notwithstanding the provisions of this route of ingress and egress, nothing in this section authorizes or allows a commercial vehicle to operate such vehicle in violation of any provision of City Code relating to truck routes,
- The applicant must provide current Motor Vehicle Registration and Title Information,
- The applicant must provide insurance information,
- From the approved list in Section 78-216 Proof of residency,
- An approved application must be submitted and a permit fee as established by City Council must be paid. The renewal of an exemption permit required by the provisions of this ordinance shall occur on a year-to-year basis, due on the first day of October each year.
- Cul-de-Sac permit request, are influenced by the housing in the area and the need to accommodate the movement of fire apparatus, emergency services, and service trucks. A road radius of 50-foot is usually sufficient for the turning of a large fire apparatus; such as a hook and ladder, to make a safe practical turn. The Commercial vehicle driver would have to assure that no vehicles would cause a less than 50-foot road radius turn.
- Vehicles will not have more than 13 feet 6-inch vertical clearance. The use of street trees for ecological and visual benefits will outweigh higher clearance request and not be permitted.

- A permit will not be issued for parking within 1000 feet of school, place of worship, or park,
- Vehicles for which the permit is issued, shall not be loaded or off-loaded for purposes of storing or transferring materials at the residence to which the permit is issued,
- State roadways will not be issued a permit,
- Vehicle truck without trailer permits may be issued at a lesser permit fee,
- Residential streets with a speed greater than 40 mph. will not be issued a permit,
- Parking on paved driveways to park a Commercial Vehicle is not allowed, zoning ordinance regulations must be followed.
- A permitted vehicle may be parked in a gated and/or fenced property or behind a six foot high wood or privacy fence (or of permitted material of the zoning code) and shall be screened from the public view. Appropriate landscaping as additional screening is encouraged. The vehicle shall not be parked within 25 feet of the front yard property line, 25 feet from the side yard line, or 25 feet from any other property.

Only during an emergency shall any Commercial Vehicle be permitted to park on any unimproved parcel, vacant parcel or a parcel with vacant buildings in a residential area.

Only during an emergency shall a Commercial Vehicles be allowed to park overnight in any City Park in the City of Lampasas.

A permit holder shall have no more than two parking violations of this ordinance issued by the City of Lampasas Police Department.

Section 78-214 (04.): Authorized Towing

Authorized towing of a vehicle parked in violation of this article.

Should a law enforcement officer find a vehicle permitted or non-permitted that remains standing or parked upon any public or residential street, avenue, way, alley, or other public place, in violation of the provisions of this ordinance, the owner or drive of which has been given previous notice or citation for parking such vehicle in violation, may be removed by upon an order by a police officer. The officer is authorized to move such vehicle or have the vehicle removed and impounded at the expense of the owner or operator. The owner of such vehicle shall have the responsibility for the payment of any fees incurred by the towing and/or storage of the vehicle.

The provisions of a Residential Commercial Parking Permit does not give the holder any special rights to residential parking on residential streets.

The provisions of a Residential Commercial Parking Permit does not give the holder any additional parking time. The holder shall follow all laws and ordinances regarding parking.

Section 78-214 (05.): Parking Survey Requirement

Upon receipt of a completed application for designation of Residential Commercial Parking Permit, the Code Enforcement Officer shall conduct or cause to be conducted a parking survey of the proposed residential parking area. The parking survey shall be conducted in a manner

prescribed by Chief of Police. The parking survey shall determine the following information, as well as any other information that will be useful to identify any parking issues.

1. The total number of legal parking spaces in the proposed residential permit area;
2. The legal number of parking spaces that are occupied by motor vehicles;
3. The width of the roadway;
4. Hazards associated with allowing commercial parking on the requested residential street;
5. Evidence of neighborhood support, the name, address, telephone number of a resident in the proposed residential commercial parking permit;
6. Evidence of neighborhood non-support, the name, address, telephone number of a resident that is against the proposed residential parking permit;
7. The anticipated effects of the safety of the residents if a residential commercial parking permit is issued;
8. If any, the extent of air and noise pollution, hazardous conditions, and deterioration of the residential environment as a result of the residential commercial parking permit;
9. Whether the problems identified in this section can reasonably and feasibly be solved at no additional cost to the city through an alternative to the designation of a residential parking;
10. Any other identifiable issue.

Section 78-214 (06.): Petition For Revocation

The residents of a residential area may petition to the Chief of Police in which the Residential Commercial Parking Permit is issued or on a street adjacent to the residential area and within 200 feet of the property line of their residence. The petition must be signed by 25 percent of the owners or tenants of residences in the residential area sighting the reasons for the petition. No more than one person for each residence may sign the petition, and each person signing must be at least 18 years of age. Promptly after the filing of a petition with the Chief of Police a petition meeting will take place to determine the validity of the petition and the Chief of Police along with the Code Enforcement Officer will determine if the permit should be removed on the basis of the petition.

Section 78-214 (07.) Public Hearing

After determining that an application meets criteria and there is non-support for the residential commercial permit to be issued the person seeking the permit can request a public hearing by the City Council of Lampasas with an administrative fee paid prior to the hearing. The request for a Public Hearing must be made within 15 days of the determination being made that the Application meets criteria for a parking permit.

The Code Enforcement Officer shall give written notice of the public hearing by mail no less than 15 days before the date of the public hearing as follows:

1. Addressed to "Occupant" of each property within, and within 200 feet of, the boundaries of the requested Residential Commercial Parking Permit area;
2. To the owner of each property located within or within 200 feet of the boundaries of the requested Residential Commercial Parking Permit area, as shown on the most recent tax rolls of the city/county of Lampasas.

3. The boundaries shall be the rear property line, and the side property line of a corner property, of each lot or tract that abuts a blockface included in the Residential Parking Area.
4. Notice shall be prescribed by Code Enforcement Officer and placed in the local newspaper of general circulation in the city at least 10 days prior to the hearing and can be posted on the city webpage and the Lampasas Police Department social media sites.
5. The notice that is given by mail shall be deemed given when it is deposited in the United States mail, properly address, postage paid. The affidavit of a person who has knowledge of the fact that the notice was mailed is prima facie evidence that notice has been given as required by this section.
6. At the public hearing, any interested person, including a traffic engineer, may present testimony, orally or in writing with respect to the proposed residential parking permit area, the proposed regulations of this section, and the permit fees.
7. The City Council of Lampasas may establish the rules for the conduct of the public hearing.
8. The party that request the hearing, shall pay an administrative fee of \$220.00.

Section 78-214 (08.) Permit Fees: Permit fees are based on the work that has to be completed to determine if a permit can be issued, the fee is not refundable.

A permit shall be valid only in the residential parking area for which it is issued.

When the permit holder for which the permit is issued, no longer fulfills the provisions of this Ordinance or renewal of permit, they shall be directed to surrender the permit or present evidence that the permit no longer exist.

- | | |
|---|----------|
| a. The annual fee for a Residential Commercial Parking Permit | \$120.00 |
| b. The annual fee for a Tractor with no trailer | \$60.00 |
| c. One Day Visitor Hangtag Permit | \$30.00 |
| d. Replacement Cost for Lost Permit | \$10.00 |

Section 78-214 (09.) Display of Permits:

Permits shall be made in a hangtag style to hang from a rear-view mirror or placed inside the bottom driver side corner of the windshield for easy visibility. Parking of a Commercial Vehicle on Residential Street with no permit displayed shall constitute a separate violation in this section.

Section 78-214 (010.) Revocation of Permit

In addition to the penalties provided for violation of this Section, the Residential Commercial Parking Permit shall be revoked if the person issued the permit is found to have committed three or more violations of this Section within a one-year period. Upon determination by the Chief of Police or designee that a person who holds a permit has been adjudicated to have committed three or more violations, the Chief of Police shall provide a written notification to the person issued the permit by certified mail, return receipt requested, and regular mail revoking the permit and ordering the surrender of the permit.

Failure to surrender a revoked permit when requested to do so shall constitute a separate violation of this section, and a signed return receipt shall be prima facie evidence of the delivery of the notice to surrender such permit.

Section 78-214 (011.) Effect of Issuance of Permit.

- A permit shall not guarantee or reserve any parking areas or space within a residential area.
- A permit issued pursuant to this section shall not authorize the standing or parking of any motor vehicle in any place or during any time when the stopping, standing, or parking is prohibited.
- This issuance of this permit shall not excuse the observance of any traffic regulation.
- Commercial Vehicle Parking Areas Private or Public must follow zoning guidelines and rules.

Section 78-214 (012.) Defenses/Exceptions

1. This section shall not forbid deliveries by commercial vehicles in the usual course of business, and the right to park such commercial vehicles for the length of time reasonably necessary in order to make such deliveries is recognized and not prohibited.
2. A disabled Commercial vehicle which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving a disabled trailer or semi-trailer on that portion of the residential street, alley, public way, or public place ordinarily used for vehicle parking, shall make every effort to have the vehicle moved in accordance with all Texas and City of Lampasas laws and ordinances.
3. A Commercial motor vehicle owned by or operated under contract to a utility and in actual use in construction, removal or repair of utility property or facilities or engaged in authorized work in a residential area.
4. A Commercial motor vehicle clearly identified as owned by or operated under contract to a federal, state, or local governmental agency, was being used in the course of official government business, and was not parked while the operator was working at his customary office or job site;
5. An authorized emergency vehicle;
6. A Commercial vehicle experiencing a mechanical defect making it unsafe or impossible to proceed, for such period of time as emergency repairs are made or, if repairs cannot be made in a timely manner, until a tow truck arrives.
7. Extreme weather events or other unplanned emergencies that close roads create a need for emergency parking. Weather events such as flooding, sandstorms, and snow/ice can close roads on their own to contribute to crashes. This is especially true for Commercial Vehicles, the lack of authorized parking may cause a need to consider emergency commercial parking in and around our city. In the event of situation as described emergency commercial vehicle parking will be allowed for a short period time during the event. TxDOT Current and Forecasted Truck Parking Needs Assessment Memo, March 23, 2020 suggest areas that trucks can park during these times. We will work with TxDOT and other public agencies and the private sector to identify potential areas for storing large numbers of trucks that provide drivers with a safe place to park and remove the vehicles from the road during these times.

As the City develops and follows comprehensive plans for the City, all Commercial Vehicle owners and operators should be aware that this Ordinance may be reviewed and changed for the safety of all.

This ordinance shall be reviewed every five years to determine a need for Commercial Vehicle Parking Permits.

Section 3. Validity That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force.

Section 4. Prima Facie Evidence In any prosecution charging a violation of this ordinance governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of this ordinance, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Section 5 Penalty That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction by the Court/s shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense.

Section 6 Open Meetings That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and the public notice of the time, place, and purpose of said meeting was given as required by Open Meeting Act, Chapter 551, Local Government Code.

Section 7 Effective Date That the present ordinances of the City of Lampasas are inadequate to provide for the proper regulation of parking of commercial vehicles creates and urgency an emergency for preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND ADOPTED by the City Council of the City of Lampasas, Lampasas, Texas on the 13th day of July, 2020.

Approved the First Reading on the 22nd day of June, 2020.

Adopted on the Second Reading on the 13th of July, 2020.

Misti Talbert, Mayor

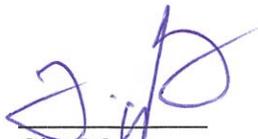
Attest:

Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney
(Signature of Attorney Provided on Separate Page, to be Attached)

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City ManagerITEM NO. 3.3

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding the second reading of an Ordinance amending Appendix A Fee Schedule of the Code of Ordinances setting a fee for Chapter 78, Traffic and Vehicle Section 78-214 thru 78-214.012 and containing a severability clause and an effective date.

Requested By: Sammy Bailey, Police Chief

Submitted by: Sammy Bailey, Police Chief

Date Submitted: May 7, 2020

For the agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments: Ordinance

Summary Statement:

This is the second reading of an Ordinance

Recommendation

To consider a motion to approve the second reading of an Ordinance amending Appendix A Fee Schedule of the Code of Ordinances setting a fee for Chapter 78, Traffic and Vehicle Section 78-214 thru 78-214.012 and containing a severability clause and an effective date.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAMPASAS, TEXAS, FOR AN ADDENDUM TO APPENDIX A OF THE CODE OF ORDINANCES SETTING A FEE FOR CHAPTER 78, TRAFFIC AND VEHICLES SECTION 78-214 THROUGH 78-214.012; CONTAINING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Lampasas has adopted numerous ordinances that provide for various fees and charges that are subject to change from time to time; and

WHEREAS, the City has determined that it would be convenient to consolidate those fees in one ordinance that can be reviewed and amended as needed from time to time; and

WHEREAS, the City has passed an Ordinance to approve the Residential Parking of Commercial Vehicles by permit; and

WHEREAS, the City has determined that the fees and charges specified herein are reasonable, necessary, fair and designed to fund the permit process for permits to be issued for Residential Commercial Parking Permits, Replacement Cost for a Lost Permit, and an Administrative Hearing Fee; and

WHEREAS, the City has determined that the fees set forth herein will promote the health, safety, and welfare of the citizens of Lampasas; and

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

Section I. Rates Imposed

The City hereby adopts the addendum to the Fee Schedule attached as Exhibit "A" hereto and imposes the fees set forth therein for Residential Commercial Parking Permits, described therein. These rates shall be collected by the City in accordance this Ordinance.

Section II. Ordinances Amended

City Ordinance Chapter 78, Traffic and Vehicle, Article III, Stopping, Standing, and Parking Article VI Prohibiting Commercial Vehicle Parking Ordinance provides permit fees, charge, or fine that is mentioned on Exhibit "A". These fees are hereby amended as shown on "Exhibit A" to be included in Appendix A-Fee Schedule as Chapter 78. Traffic and Vehicle, Article III, Stopping, Standing, and Parking and Article VI Prohibiting Commercial Vehicle Parking provides permit fees, charges, and fines.

Section III. Waive Fee Clause.

The City Manager is authorized to waive any fee contained in this Fee Schedule which is determined by the City Manager to have a public purpose and be in the best interest of the City of Lampasas, Texas.

Section IV. Providing for Severability

If any section or part of a section of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not invalidate or impair the validity, force or effect of any other section or part of a section of this Ordinance.

Section V. Conflicting Ordinances

This Ordinance supersedes and repeals all ordinances or parts of ordinances, if any, in conflict herewith; however, such currently existing ordinances shall remain in full force and effect until the effective date of this Ordinance.

Section VI. Effective Date

This Ordinance shall be effective following the final passage and publication as provided in Section 2:12 of the City Charter of the City of Lampasas, Texas.

READ and APPROVED the First Reading on the 22ND day of June 2020.

READ and ADOPTED the Second Reading on the 13TH day of July 2020.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney
[Signature of Attorney Provided on Separate Page, to be Attached]

EXHIBIT A –AMENDMENT FOR FEE SCHEDULE

Description	Amount	Section this Code
Chapter 78: Traffic and Vehicle, Article III, Stopping, Standing, and Parking; Article VI Prohibiting Commercial Vehicle Parking Ordinance; Permit and Administrative Fees.		
Fees to be charged are as follows:		
(a) Administrative Fee-Public Hearing	220.00	78-214.07
(b) Annual Fee for Residential Commercial Parking Permit	120.00	78-214.08
(c) Annual Fee for Tractor Parking with No Trailer	60.00	78-214.08
(d) One Day Visitor Hangtag Permit.	30.00	78-214.08
(e) Replacement Cost For Lost Permit	10.00	78-214.08

APPENDIX A - FEE SCHEDULE-ADDENDUM

Description	Amount	Section this Code
Chapter 78: Traffic and Vehicle, Article III, Stopping, Standing, and Parking; Article VI Prohibiting Commercial Vehicle Parking Ordinance; Permit and Administrative Fees.		
Fees to be charged are as follows:		
(a) Administrative Fee-Public Hearing	220.00	78-214.07
(b) Annual Fee for Residential Commercial Parking Permit	120.00	78-214.08
(c) Annual Fee for Tractor Parking with No Trailer	60.00	78-214.08
(d) One Day Visitor Hangtag Permit.	30.00	78-214.08
(e) Replacement Cost For Lost Permit	10.00	78-214.08

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City of Lampasas

M E M O

To: Mayor and City Council
From: Finley deGraffenried
Re: Manager's Report
Date: 10 July 2020

- 3rd Street Drainage** Based on comments received, staff has reviewed possible drainage improvements on East Third Street between Western and Live Oak. During a recent rain event, staff observed that there is some impact to drainage from the south of Third Street, however; much of the surface drainage is also directed to 4th Street. Rain generally stayed in the gutter line with the exception of Western to Live Oak, and subsequently staff has shot elevations on the south gutter line, which validated lack of fall from the alley to Live Oak. Staff will continue to monitor and investigate options with our consulting engineer and communicate possible solutions to the CIP Committee and Council.
- CPAC** As Council is aware, our recent CPAC meeting was postponed due to the spike in confirmed Covid-19 cases in the County. I believe the best engagement and input for a project of this scope remains face to face, and the best ideas are often a synthesis of group discussion. With the project nearing completion, staff seeks Council input on the possibility of a series of small group discussions related to the final parts of the Plan including recommendations and implementation. Staff remains in close contact with our consultants regarding the transition to approval and implementation.
- Sales Tax** As Council may have heard, our Sales Tax allocation for July from the Comptroller's Office is up 26.6% from the same period a year ago. Additionally, the \$193,607.00 payment represents one of the largest single month totals for the City. Receipts reflect May sales, when some of the economy was reopening. At this time, staff can only make assumptions regarding the sectors that are driving the results, and certainly many of our small businesses continue to be challenged by restrictions and reopening. If additional explanation can be found, staff will forward the information.
- Certified Roll** This week the City received the Certified Roll from the Lampasas County Appraisal District for market and taxable valuations. For 2020, total market value for the City is \$519,339,579.00, and total taxable value is \$436,253,329.00 with \$33,191,540.00 under protest. In 2019 the City's market value was \$506,231,070.00 and taxable value was \$439,307,980.00 with \$18,069,070.00 under protest.

Business Support

Yvonne reports that the *Getting Back to Business* Utility Program helped 40 Lampasas businesses at a total cost of \$40,720.22. Originally, staff communicated the total impact could be on the order of \$75,000.00.

I-Pads

Staff seeks Council input on the replacement and usefulness of I-Pads for Council meetings and agenda information. Over the past several years, most Council members have elected to receive paper packets, and as the hardware has become obsolete, staff seeks input prior to investment in new I-Pads. If other questions remain for Council, staff is pleased to provide additional information or research.

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

SUBJECT:

SELECT AND ANNOUNCE POSSIBLE WINNER OF WEB SITE PHOTO CONTEST ENTRY.

REQUESTED BY: Monica Wright, Director of Information Systems

SUBMITTED BY: Monica Wright, Director of Information Systems

DATE SUBMITTED: July 1, 2020, 2020 FOR THE AGENDA OF: July 13, 2020

Expenditure Required: \$0.00

Available Funding: \$0.00

Attachments: Memo and June photo contest entries

SUMMARY STATEMENT:

The contest winner, if selected, will receive a City of Lampasas recyclable grocery tote and posting of their photo on the website.



RECOMMENDATION:

Staff would like to recommend that you take into consideration the photo contest rules that state: “Any photos that tell part of the story or show the area of the city of Lampasas are eligible. Only photos taken within the city of limits of Lampasas will be considered. Buildings, landscapes, events and other City related scenes are all acceptable. Inappropriate material will be rejected. Pictures showing nudity or that are not viewable by a general audience are considered inappropriate. This is a photo contest. All images must be original photographs. The photo must have been taken by the contestant or a family member and all rights to the photo must be the property of the contestant or that family member. Digitally enhanced photos are acceptable. Any photo complying with the rules can be the monthly winner. The monthly winner is chosen by the City Council of the City of Lampasas. Winners receive a City of Lampasas recyclable grocery tote and posting of the photo on the City of Lampasas web site. Entries will be judged on visual appeal, color, content, and composition. Your photo can be taken with any type of camera, but we would prefer images converted to digital format (.jpg.) One photo entry per person per month.”

Entry 1

Candice Goggans

Candicemarieg30@gmail.com

“We are all in this together” was taken at the Lampasas County Chamber of Commerce in Lampasas, TX.



Entry 2

Regina Morgan

Regina.morgan@gmail.com

“Courthouse Flags” was taken downtown at the Lampasas Courthouse in Lampasas, TX.



Entry 3

Roland Johnson
Rjj2@live.com

“Courthouse” was taken downtown at the courthouse in Lampasas, TX.



Entry 4

Rachel Gill
rachelkgill@me.com

“Healing Waters of Hancock Springs: A Summer Not Lost - 2020” was taken at Hancock Springs Pool in Lampasas, TX.



Entry 5

Rachel Gill
rachelkgill@me.com

“One of Texas’ Hidden Gems” was taken downtown at Hancock Springs in Lampasas, TX.





City Manager

ITEM NO. 7.2

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request to rezone property from Single Family Residential -20 "SF-20" to Single Family Residential-8 "SF-8". The property is described as 1 acre, ABST. 0419 of the LHW Johnson Survey; commonly known as 1205 S. Willis Street, Lampasas, Texas Lampasas County.

Requested By: Becky Sims, Assistant City Secretary/Zoning Administrator

Submitted By: Becky Sims, Assistant City Secretary/Zoning Administrator

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments: P & Z Packet

Summary Statement:

The property owner is requesting to rezone 1 Acre, ABST 1419, LHW Johnson Survey, commonly known as 1205 S. Willis Street, Lampasas, Texas from Single Family Residential-20 "SF-20" to Single Family Residential-8 "SF-8". All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed eight (8) notices to property owners within 200 feet of the applicant's property, and to date have received one (1) letter in favor of the request and none in protest.

This request was heard by the Planning and Zoning Commission on July 2, 2020. The Commission recommends approval.

Recommendation:

To consider a motion to approve the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request to rezone property from Single Family Residential - 20 "SF-20" to Single Family Residential-8 "SF-8". The property is described as 1 acre, ABST. 0419 of the LHW Johnson Survey; commonly known as 1205 S. Willis Street, Lampasas, Texas Lampasas County.

ORDINANCE NO. _____

AN ORDINANCE GRANTING A REQUEST TO REZONE PROPERTY, AND ORDERING A CHANGE TO ORDINANCE NO. 878 AND THE ACCOMPANYING CITY OF LAMPASAS' ZONING MAP, AS AMENDED, TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 1205 S WILLIS STREET SPECIFICALLY BEING 1 ACRE OF THE LHW JOHNSON SURVEY, ABST 0419 OF LAMPASAS, TEXAS, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF LAMPASAS, FROM SINGLE FAMILY RESIDENTIAL-20 "SF-20" TO SINGLE FAMILY RESIDENTIAL-8 "SF-8" AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fred and Connie Cummings, Owner/Applicant, submitted a request to rezone property legally described as being 1 acre of the LHW Johnson Survey, ABST 0419 of Lampasas, Texas, which is commonly known as 1205 S Willis Street, Lampasas, Texas, Lampasas County (the "Property") that is currently located in and zoned as Single Family Residential-20 "SF-20", and which Applicant seeks to have rezoned to Single Family Residential-8 "SF-"; and

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of rezoning request was provided to all property owners located within two hundred feet (200') of the Property; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice was provided as required by law, and a public hearing was held on July 2, 2020, by the Lampasas Planning & Zoning Commission, regarding this rezoning request by the Owner/Applicant; and

WHEREAS, upon due consideration, the Lampasas Planning & Zoning Commission recommended approval of the Applicant's request for rezoning of the Property from "SF-20" to "SF-6"; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice was provided as required by law, and a public hearing was held on July 13, 2020, by the City Council, regarding the rezoning request by the Owner/Applicant and the Planning & Zoning Commission's recommended approval of same; and

WHEREAS, after consideration of the information presented, the City Council finds that it is in the public interest to approve the rezoning request of Applicant.

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

Part 1: The Property, legally described as being 1 acre of the LHW Johnson Survey, ABST 0419 of Lampasas, Texas, which is commonly known as 1205 S Willis Street, Lampasas, Texas, Lampasas County, shall be rezoned from the current designation of

Single Family Residential-20 “SF-20”, to become henceforth designated and zoned as Single Family Residential-8 “SF-8”.

Part 2: The City’s staff shall take actions necessary to reflect this revision related to the zoning designation of this Property in City documentation, including a change to the City’s Zoning map.

Part 3: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, Code of Ordinances, and the laws of State of Texas.

Passed and approved the first reading on the 13th day of July, 2020

Passed and adopted on the second reading on the 27th day of July, 2020.

APPROVED:

ATTEST:

Misti Talbert, Mayor

Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown
City Attorney’s Signature of Approval Attached on Separate Page.

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**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request for a Specific Use Permit (SUP) to allow for *permanent makeup tattooing* in an area zoned Commercial “C”, the property is described as 1.89 acres, ABST. 0419 LHW Johnson Survey; commonly known as 301 S Highway 281 Suite D (Lotus Beauty Spa & Salon), Lampasas, Texas, Lampasas County.

Requested By: Becky Sims, Assistant City Secretary/Zoning Administrator

Submitted By: Becky Sims, Assistant City Secretary/Zoning Administrator

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments: P & Z Packet

Summary Statement:

The property owner, Sandy Irvin and applicant, Marla Wimp Nier is asking the City Council to consider granting a request for a Specific Use Permit to allow for ***Permanent Makeup Tattooing*** inside Lotus Beauty Spa and Salon; located at 301 S Highway 281 Suite D, Lampasas, Texas.

STUDIO, TATTOO OR BODY PIERCING - A building or portion of a building used for selling and/or applying tattoos (**by injecting dyes/inks into the skin**), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

COMMERCIAL “C”

Permitted in District with SUP

STUDIO TATTOO OR BODY PIERCING

Staff mailed four notices to property owners within 200 feet and two were returned in favor of the request and none in protest.

This request was heard before the Planning & Zoning Commission on July 2, 2020. The Commission recommends approval.

Recommendation:

To consider a motion to approve the first reading of an Ordinance to consider approval, denial, or approval with modification(s) a request for a Specific Use Permit (SUP) to allow for *permanent makeup tattooing* in an area zoned Commercial "C", the property is described as 1.89 acres, ABST. 0419 LHW Johnson Survey; commonly known as 301 S Highway 281 Suite D (Lotus Beauty Spa & Salon), Lampasas, Texas, Lampasas County.

ORDINANCE NO. _____

AN ORDINANCE GRANTING A REQUEST FOR A SPECIFIC USE PERMIT TO ALLOW PERMANENT MAKEUP TATTOOING IN AN AREA ZONED COMMERCIAL "C"; 1.89 ACRES LHW JOHNSON SURVEY, ABST 0419 COMMONLY KNOWN AS 301 S HIGHWAY 281 SUITE D LOTUS BEAUTY SPA AND SALON, LAMPASAS, TEXAS LAMPASAS COUNTY, DETAILING RESTRICTIONS RELATED THERETO; ORDERING A CHANGE TO ORDINANCE NO. 878 AND THE ACCOMPANYING CITY OF LAMPASAS' ZONING MAP REFLECTING SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sandy Irvin, property owner, Marla Wimp Nier, applicant/business owner, filed a request for a Specific Use Permit to allow for *Permanent Makeup Tattooing* in an area zoned Commercial "C" Lampasas County, Lampasas, Texas. The property is described as 1.89 acres LHW Johnson Survey, ABST 0419, commonly known as 301 S Highway 281 Suite D, Lampasas, Texas.

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of the Specific Use Permit request was given to all property owners located within two hundred feet (200') of the property; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on July 2, 2020, by the Planning & Zoning Commission regarding the request for a Specific Use Permit by the Applicant; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on July 13, 2020, by the City Council regarding the request for a Specific Use Permit by the Applicant; and

WHEREAS, the City Council finds that it is in the public interest to approve the requested Specific Use Permit for *Permanent Makeup Tattooing* in an area zoned Commercial "C"

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

Part 1: That the Specific Use Permit requested by Sandy Irvin, property owner, Marla Wimp Nier, applicant/business owner, for *Permanent Makeup Tattooing* in an area zoned Commercial "C" Lampasas County, Lampasas, Texas. The property is described as 1.89 acres, LHW Survey, ABST 0419, commonly known as 301 S Highway 281 Suite D, Lampasas, Texas.

Part 2: The City's staff shall take actions necessary to reflect this revision in City documentation, including a change to the City's Zoning map.

Part 3: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's

Charter, Code of Ordinances, and the laws of State of Texas.

Passed and approved the First Reading on the 13th day of July, 2020.

Passed and Adopted on the Second Reading on the 27th day of July, 2020.

APPROVED:

ATTEST:

Misti Talbert, Mayor

Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney
[Signature of Attorney Provided on Separate Page, to be Attached]



City Manager

ITEM NO. 7.4

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and Possible Action regarding the renewal of the City's Health Insurance Coverage for City Employees with Scott & White Health Plan for October 1, 2020 to September 30, 2021 and authorize the City Manager to execute related documents.

Requested By: Yvonne Moreno, Finance Director

Submitted By: Yvonne Moreno, Finance Director

Date Submitted: July 8, 2020 For the Agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments:

Summary Statement:

The City has received its annual renewal rates from Scott & White Health Plan for FY 2020/2021. The proposed rate is approximately a 5% decrease in the rates compared to current rates. The renewal provides the same level of benefits for the employees as the current rates.

Recommendation:

Staff recommends approval of the renewal rates and authorize the City Manager to execute those documents.

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City ManagerITEM NO. 7.5

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding use of Joint Use Facility Fund for actuator at the 190 meter valve.

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments: KWSC Invoices

Summary Statement:

Kempner Water Supply Corporation (KWSC) has requested consideration of the use of the Joint Use Facilities Fund to cover the costs of the actuator at the 190 meter valve. This will allow KWSC to force water through 580 when water needs in the area require more water than currently provided. The attached invoices reflect the cost to be \$7,514.35 for the actuator that does not include the estimated cost of SCADA programming in the amount of \$3,000.00. The City must approve the expenditure from the Joint Use Facilities Account, which as of June 22, 2020 had a balance of \$810,719.22. Staff would like to remind Council that approval was granted in the amount of \$47,208.57 on June 22, 2020 for media replacement at the Central Texas Water Treatment Plant.

Recommendation:

To consider a motion to approve the use of the Joint Use Facility Fund for the purchase of an actuator at the 190 meter valve.

Invoice

Pumps, Valves and Equipment, Inc.
The Scruggs Company
 8530 Hansen Road
 Houston, Texas 77075
 (713) 649-2776

Invoice Number: 0026940-IN
Invoice Date: 6/24/2020

Order Number: 3901334
Order Date: 6/9/2020
Salesperson: RG
Customer Number: KEMPNER

Sold To:
 KEMPNER WSC
 12196 E Hy 190
 Kempner, TX 76539
Confirm To:

Ship To:
 KEMPNER WSC
 12196 E Hy 190
 Kempner, TX 76539

Customer P.O.	Ship VIA	F.O.B.	Terms			
RS06092020	PP&A		NET 30			
Item Number	Ordered	Shipped	Back Ordered	Price	Amount	
FLOOR STAND WITH EXTENSION S ¹ / ₂ E pedestal to mount EIM D uni	1.00	0.00	1.00	0.00	0.00	
		Whse: 000				
DERA-6M2C08H2PU40	1.00	1.00	0.00	7,415.80	7,415.80	
DERA-6M2C08H2PU40					Whse: 000	
BORE & KEY SPECIAL	1.00	1.00	0.00	0.00	0.00	
BORE & KEY SPLINE - TO CUSTOMER					Whse: 000	
/FR	1.00	1.00	0.00	99.05	99.05	
FREIGHT CENTRAL FB 884812082						

Orificator - 190 Valve

Net Invoice: 7,514.85
 Less Discount: 0.00
 Freight: 0.00
 Sales Tax: 0.00
Invoice Total: 7,514.85

THE SCRUGGS COMPANY

PUMPS, VALVES AND EQUIPMENT
8530 HANSEN ROAD . HOUSTON, TX 77075-1126
PHONE: 210~846~3584 . FAX: 713-649-1975
E-MAIL ADDRESS rgreen@scruggsco.com

Cost Share of LAMPASAS
"Facilities"

DATE: April 8, 2020

QUOTATION NO.: 2004-057

PROJECT:

BELOW YOU WILL FIND OUR QUOTATION:

ITEM	QTY	SIZE	DESCRIPTION	MFR.	UNIT	TOTAL
1	1		Model DERA-6 EIM M2CP 120V actuator with 4-20mA control and feedback. Includes 2' Carbon steel pedestal and 6' extension stem. To be mounted on existing buried BFV with Gear and 2" nut. <i>Estimated lead time is 10-12 weeks</i>	EIM	\$ 7,415.80	\$ 7,415.80

LUMP SUM BID...

\$ 7,415.80

NOTE:

Quotation Limited to Size, Quantity & Description Listed Above

Accessories such as Gaskets, Flange Bolts, Tags, Extension Stems,

Tags, Valve Boxes Etc. are NOT included Unless Otherwise Stated.

Valves Quoted with Manufacturers Standard Coatings & Materials of Construction Unless Otherwise Stated Above.

Manufacturers Start-Up & Field Services are NOT included Unless Otherwise Stated in the Above Description.

Limit Switches & Trouble Shooting for Electric, Pneumatic or Hydraulic Operators is Part of the Mfg's Start-Up.

PRICES ARE SUBJECT TO CHANGE AFTER FULL REVIEW OF PLANS AND SPECIFICATIONS.

QUOTE INCLUDES STANDARD SUBMITTALS AND OPERATION AND MAINTENANCE MANUALS.

Freight-PP&A

Unless stated above, start-up is not included in our pricing. If visits to the jobsite are required our rate is \$1200 per day / \$150 per hour, 4 hour minimum. Travel time will be billed. One Day is defined as 8 hours maximum. Over time is \$225 per hour. Field Service includes owner training, setting limit switches, and troubleshooting for electric, pneumatic or hydraulic operators

Rex Green

* Will be additional charges for SCADA programming
to also be included in Cost share w/City.
(expect total around 3K)



PRODUCT 7200

PLU # 12158185

STRAIGHT BILL OF LADING—SHORT FORM—ORIGINAL—NOT NEGOTIABLE

DESIGNATE WITH AN (X)
BY TRUCK FREIGHT

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of issue of this Bill of Lading.

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated below, which said carrier (the word carrier being understood throughout to mean as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is hereby agreed, to each carrier of any of said property over any portion of said route to destination, and as to each party at any time interested in any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading and (1) to Uniform Freight Classification in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said Bill of Lading, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

From **THE SCRUGGS CO**
8530 Hansen Rd (713) 649-2776
At **Houston, Texas 77075-1008**

DATE **6-23-20** SHIPPER'S NO. **340153410802**
CARRIER **RG**

CONSIGNEE AND DESTINATION
Kempner WSC
12196 E HY. 190
Kempner TX 76539

BY **Central**
ROUTE _____ DELIVERING CARRIER _____
CAR OR VEHICLE INITIALS & NO _____

NO. PACKAGES	WT	DESCRIPTION OF ARTICLES, SPECIAL MARKS AND EXCEPTIONS	ERG	WEIGHT (SUBJECT TO COR)	CLASS OR RATE	✓
1		(1) DERA-6m (1) Bore & Key Special PO# R506092020		285#	60	

Central Freight Lines 88481208-2
Thank you for allowing us to serve you.
Customer Service: (800) 782-5038

Subject to Section 7 of Conditions applicable to Bill of Lading, if this shipment is to be delivered to the consignee with recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.
Per _____
(Signature of Consignor)
If charges are to be prepaid, write stamp here, "To be Prepaid."
to be prepaid
Received \$ _____ to apply in payment of the charges on the property described hereon.
Agent or Cashier _____
Per _____
(The signature here acknowledges only the amount prepaid.)
Charges Advanced _____

SHIPPER'S CERTIFICATION: This is to certify that the above named merchandise is properly classified, described, packaged, marked and labeled, and is in proper condition for transportation according to the applicable regulations of the Department of Transportation.
SIGNATURE **[Signature]** TITLE _____

* If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight", if Shipper's imprints it (lbs of stamp; not a part of Bill of Lading approved by the U.S. Dept. of Transportation).
Note - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____

THIS SHIPMENT IS CORRECTLY DESCRIBED. CORRECT WEIGHT IS _____ LBS. (The two boxes used for this shipment conform to the specifications set forth in the box makers certificate thereon, and all other requirements of the National Motor Freight Classification.)

C.O.D. SHIPMENT
Total Charges _____

Shipper, Per **[Signature]** Agent, Per **4:30**
CFR 0371340 6/23/2020

Permanent post-office address of shipper _____

Scruggs Co. Picking Sheet

Warehouse: 000 MAINWAREHOUSE
 Order Number: 3801334
 Customer Number: KEMPNER

Shipped from:
 The Scruggs Company
 8530 Hansen Rd.
 Houston, TX 77075
 (713) 849-2778

Order Date: 6/9/2020
 Salesperson: RG

Sold To:
 KEMPNER WSC
 12188 E Hy 190
 Kempner, TX 78539
 Confirm To:

Ship To:
 KEMPNER WSC
 12188 E Hy 190
 Kempner, TX 78539

6-23-20

Customer P.D.	Ship VIA	F. O. B.	Terms			
RS08082020	PP&A <i>Control</i>		NET 30			
Item Number	Unit	Ordered WarehouseCode	Shipped	Backordered	Unit ItemWeight	
FLOOR STAND WITH EXTENSION STE		1.00	<u>0</u>	<u>BR</u>	<u>1</u>	0.00
Qty Ordered		1.00				
Qty On Hand	0.00					
Warehouse	000					
2' pedestal to mount EIM D unit actuator. Below the pedestal will be a 6" shaft connecting to a 2" nut						
DERA-6M2C08H2PU40		1.00	<u>1</u>	<u>BR</u>	<u>X</u>	0.00
DERA-6M2C08H2PU40		1.00				
Qty Ordered		1.00				
Qty On Hand	1.00					
Warehouse	000					
Serial # 1187230-11-1						
BORE & KEY SPECIAL		1.00	<u>1</u>	<u>BR</u>	<u>X</u>	0.00
Qty Ordered		1.00				
Qty On Hand	3.00					
Warehouse	000					
BORE & KEY SPLINE - TO CUSTOMERS SPECS						

SEE BACK OF DELIVERY RECEIPT

DATE 06/23/20

DUPLICATE

PAGE 1 OF 1

FREIGHT BILL # CFL#884812082
 SHIPPER HOU O
 SCRUGGS CO
 8530 HANSEN
 HOUSTON TX 77075



CENTRAL
 FREIGHT LINES

P.O. Box 847084
 Dallas, TX 75284-7084
 (254) 772-2120

ROUTING HOU
 0056725 FB# 884812082

CONSIGNEE WCO C
 KEMPNER WSC
 12196 E HWY 190
 KEMPNER TX 76539

REF #
 BL 10802
 #PO RS06092020 SCAC-CENF
 9908200 SHP CONTACT:
 CON CONTACT:

713-649-2776

UNITS	P	HM	DESCRIPTION	WEIGHT IN LBS	RATE	CHARGES	EXTRA SERVICE PERFORMED
1			PC BARE & KEY SPECIAL 60 SINGLE SHIPMENT/ SINGLE SHIPMENT SINGLE SHIPMENT PAPER INVOICE FEE 1 LS HANDLING UNITS 21.7% FUEL SURCHARGE FS M090112:CENF:675:102837.1210:D:03/0 BL 10802 RS06092020 SO3901334	285	M O O O		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
1			* TOTAL CHARGES --- PREPAID ** THANK YOU FOR YOUR BUSINESS AND ** * CONFIDENCE, CENTRAL FREIGHT LINES *	285			DRIVER <i>Kempner</i> <i>Miller</i>
			<i>Activator</i>				UNITS <i>1</i>
							DATE <i>6/30/20</i>
							--- TIMES --- ARRIVE <i>1:50</i>
							SORT & SEG
							FINISH
							DEPART
			RECEIVED IN GOOD ORDER EXCEPT AS NOTED	RECEIVING CO. NAME	SURCHARGE	PREPAID	AMT. COLLECTED
			X PRINT LAST NAME	SEAL #	INTACT ON RECEIPT	AMT DUE	
			X		X		

Scruggs Co. Picking Sheet

Warehouse: 000 MAIN WAREHOUSE

Shipped from:
The Scruggs Company
8530 Hansan Rd.
Houston, TX 77075
(713) 649-2775

Order Number: 3901334
Customer Number: KEMPNER

Order Date: 6/5/2020
Salesperson: RG

Sold To:
KEMPNER WSC
12198 E Hy 190
Kempner, TX 78538
Confirm To:

Ship To:
KEMPNER WSC
12198 E Hy 190
Kempner, TX 78538

6-23-20

Customer P.O.	Ship VIA	F. O. B.	Terms
RS08092020	PP&A <i>Central</i>		NET 30

Item Number	Unit	Ordered	Shipped	Backordered	Unit Item Weight
		Warehouse Code			

FLOOR STAND WITH EXTENSION STE		Qty Ordered: 1.00		<u>0</u> BR <u>1</u>	0.00
2" pedestal to mount EIM D unit actuator. Below the pedestal will be a 6" shaft connecting to a 2" nut		Qty On Hand: 0.00 Warehouse: 000			

DERA-8M2C08H2PU40		Qty Ordered: 1.00		<u>1</u> BR <u>X</u>	0.00
DERA-8M2C08H2PU40		Qty On Hand: 1.00 Warehouse: 000		Serial # 118723c-11-1	

BORE & KEY SPECIAL		Qty Ordered: 1.00		<u>1</u> BR <u>X</u>	0.00
BORE & KEY SPLINE - TO CUSTOMERS SPECS		Qty On Hand: 3.00 Warehouse: 000			

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City ManagerITEM NO. 7.6

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding specific local emergency orders related to COVID-19 Pandemic.

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

N/A

Attachments:

Summary Statement:

This item has been placed on the agenda to allow Council the opportunity to respond to the specific local emergency orders related to COVID-19 Pandemic, as provided for in Governor Abbott's Executive Order.

Recommendation:

To consider a motion regarding specific emergency orders related to COVID-19 Pandemic if deemed necessary based on discussions during workshop.

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City Manager

ITEM NO. 7.7

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding approval to declare multiple overstock and obsolete items in the Water and Wastewater inventory as surplus and allow staff to dispose of as State Law allows.

Requested By: Van Sims, Water/Wastewater Operations Manager

Submitted By: Ricky Roy, Assistant City Manager

Date Submitted: July 2, 2020

For the Agenda of: July 13, 2020

Procurement and Funding Statement:

Attachments:

Summary Statement:

The current water and wastewater inventory have multiple obsolete, overstocked, damaged, or deteriorating items in its inventory. In an effort to reduce inventory, staff requests Council deem these items as surplus and allow the department to dispose of according to State Law.

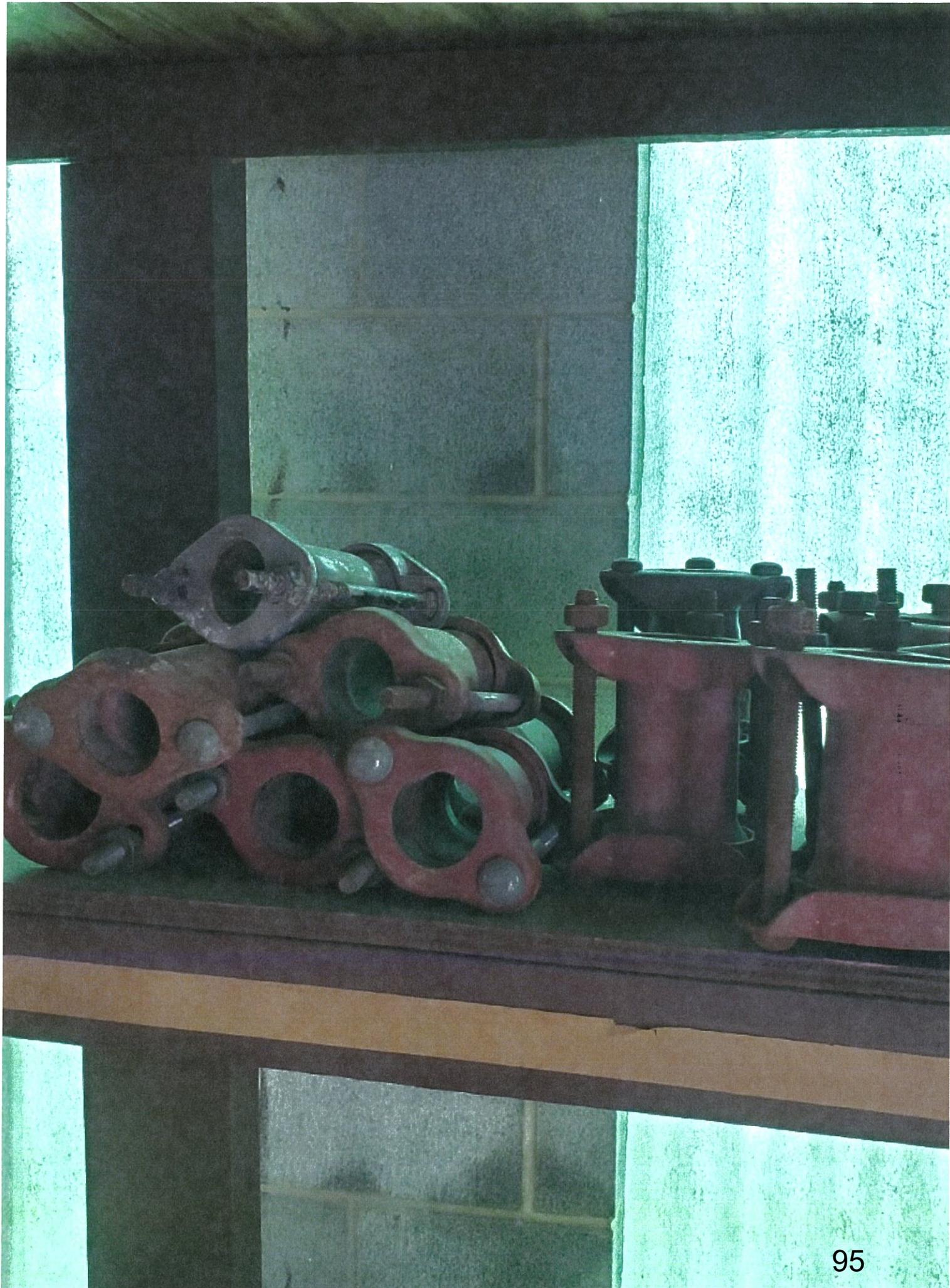
Recommendation:

To consider a motion to declare these items as surplus and allow Staff to dispose of as State law Allows.





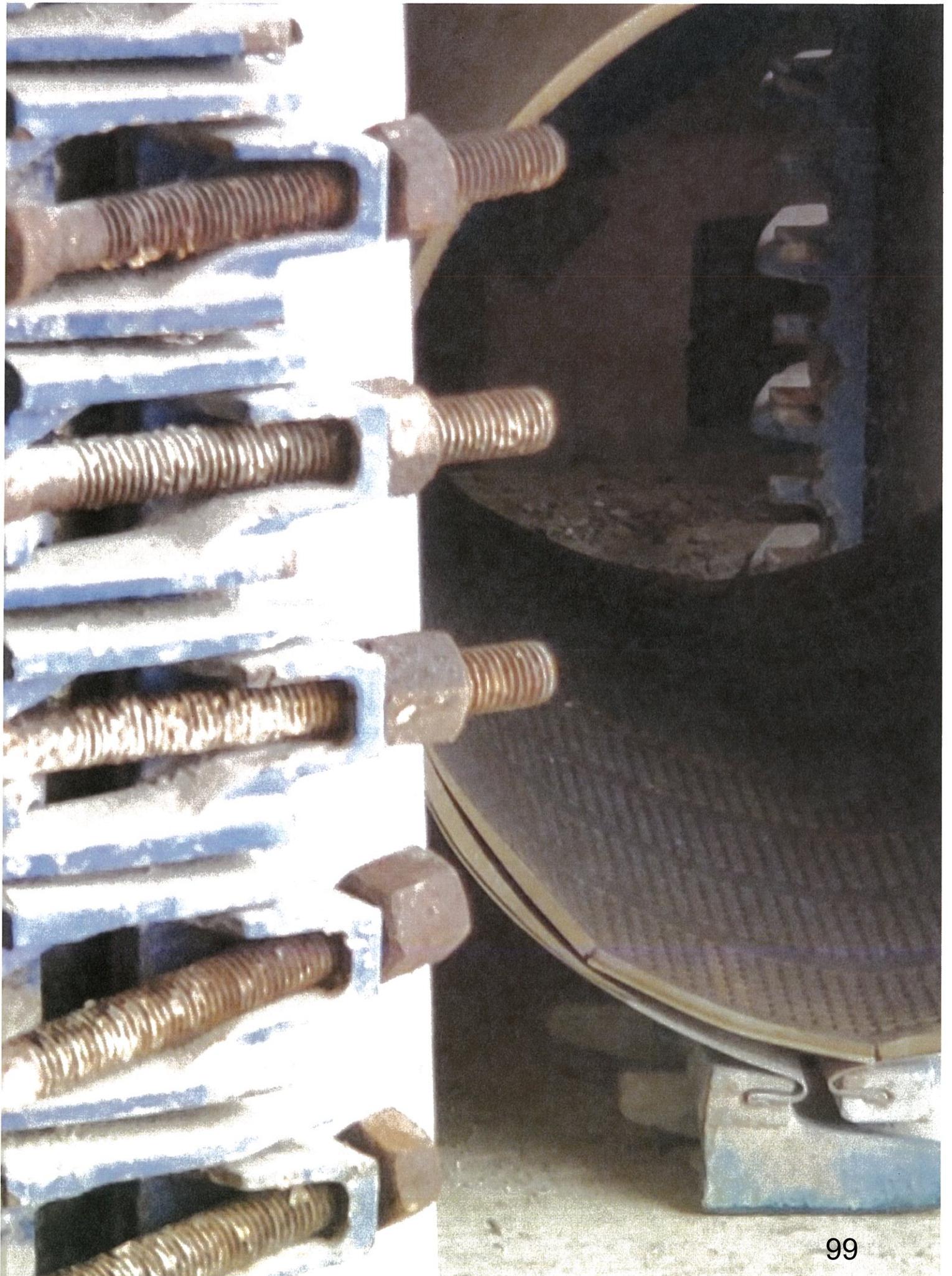








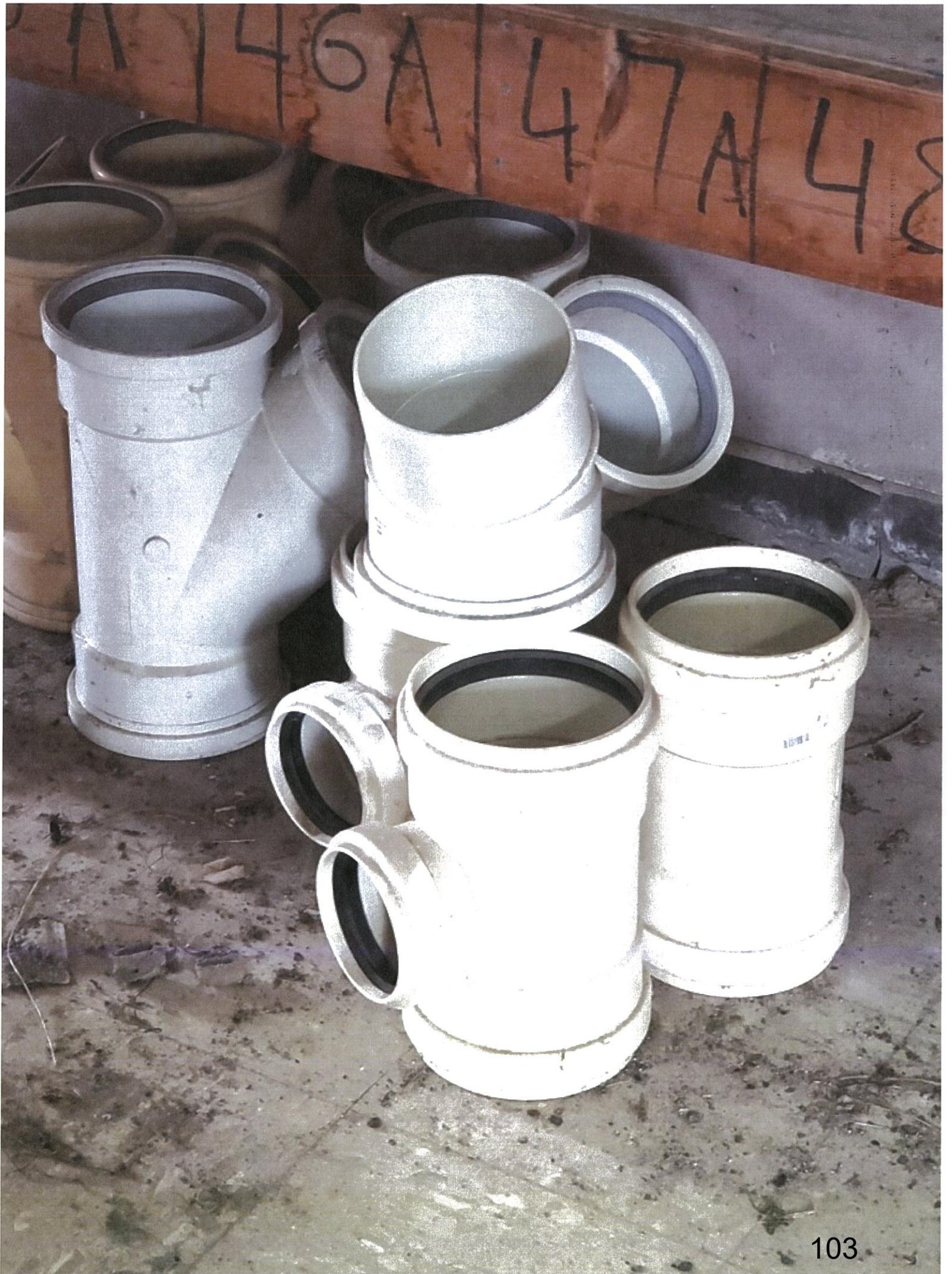
























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RM
City Manager

ITEM NO. 7.8

**BUSINESS FOR THE CITY COUNCIL
OF THE
CITY OF LAMPASAS**

Subject:

Discussion and possible action regarding the award of quote to Air-Mac for the purchase of a 60 horsepower Gardner Denver Blower Unit for the Ajinomoto Pretreatment Plant not to exceed \$10,153.00.

Requested By: Van Sims, Water & Wastewater Operations Manager

Submitted By: Rickie Roy, Assistant City Manager

Date Submitted: June 26, 2020 For the Agenda of: July 13, 2020

Procurement and Funding Statement:

The Procurement Process was followed by obtaining quotes from three (3) vendors. We received responses from Air-Mac for \$10,153.00, and Environmental Improvements Inc., for \$12,351.00 and received no response from Newman Regency Group.

Attachments: Formal Quotes

Summary Statement:

This item has been placed on the agenda for Council consideration and approval to replace a Blower Unit at the Ajinomoto Pretreatment Plant. After examining the blower unit and the motor by Staff and Electricians it was found that a bad bearing in the blower was causing the motor to trip a breaker.

Recommendation:

To consider a motion to award the quote to Air-Mac in the amount of \$10,153.00 for the purchase of a Gardner Denver Blower Unit for the Ajinomoto pretreatment plant and authorize the city manager to execute all related documents.



QUOTE

P.O. Box 561707
Dallas, TX 75356
P. 214.879.1010 F.214.879.1011
www.airmac.com

Quote Number: 0108994
Date: 6/26/2020
Quoted By: rgonzales
Salesperson: 2000
Customer Number: 00-LAMPASA

Sold To:	Ship To:
----------	----------

Lampasas, City of
 312 E. 3rd
 Lampasas, TX 76550

City of Lampasas
 100 Brown Street
 Lampasas, TX 76550

Confirm To: RANDY CLARK

Phone : (512) 556-6831

Fax : (512) 556-2074

Email : DLINSEY@CI.LAMPASAS.TX.

Customer P.O.	Ship VIA	F.O.B.	Terms
---------------	----------	--------	-------

QUOTE RRG WILL ADVISE FACTORY Net 30 Days

Item Number	Unit		Ordered	Price	Amount
GB7LVBHC	EACH		1.00	10,153.00	10,153.00

BLOWER, SUTORBILT 7LPV-BHC
 GAGLBPA
 Sutorbilt Legend Series 7L (Low Pressure)
 In / Out Connections 8" FLG
 Maximum PSI 6
 Maximum Hg 12
 CFM 1121 to 2368
 Weight 705 lbs
 Grease Drive End
 Lubricant Gear End
 Lubricant AEON PD (blower shipped dry)

Valid for 30 days

Customer is responsible for all freight, installation and taxes.

Net Order:	10,153.00
Sales Tax:	0.00
Quote Total	10,153.00

Air Mac, Inc.

Terms and Conditions of Sale

- A. The following terms and conditions ("Terms and Conditions") shall govern any sale of equipment ("Equipment") or services ("Services") by Air Mac, Inc. ("Seller") to a customer ("Buyer").
- B. These Terms and Conditions are incorporated into all purchase orders and amendments thereto together with all quotes and proposals between Buyer and Seller for Equipment or Services ("Purchase Order") and shall be the complete agreement between Seller and Buyer ("Agreement") with respect to Equipment or Services identified in the Purchase Order. All preprinted or form language of Buyer included and submitted by Buyer in Buyer's Purchase Order to Seller shall become a part of the Agreement and Buyer's standard terms and conditions of purchase if any are expressly excluded from the Purchase Order and Agreement.
- C. Seller's acceptance of Buyer's Purchase Order is expressly made conditional and subject to these Terms and Conditions herein. Seller objects to and rejects any additional or different terms and conditions contained in Buyer's Purchase Order or otherwise.
- D. Seller will not be deemed to have waived these Terms and Conditions if Seller fails to object to provisions contained in Buyer's Purchase Order, or other forms or otherwise.
- Delivery; Title and Risk of Loss:** Equipment shall be invoiced to and become the property of Buyer upon tender of delivery of the Equipment being purchased to the freight common carrier at Seller's Dallas manufacturing facility. The "Delivery Location" Buyer has the right to specify and approve the method of transportation and the common carrier to be used. Seller shall ship the Equipment by a common carrier of its own selection and invoice Buyer for all applicable charges associated with such shipment. Title and risk of loss or damage to Equipment will pass to Buyer upon tender of delivery to carrier at the Delivery Location. Until payment in full is received by Seller, Seller shall retain a first priority security interest and right of possession to all delivered Equipment regardless of mode of attachment to realty or other property.
 - Assignment:** The Purchase Order and any right or interest thereunder may not be assigned by Buyer without Seller's prior written consent.
 - Delays:** Lead times and delivery dates do not include transportation time and all shipping dates are estimates only. Seller will not be responsible for any delays in filling the Purchase Order nor liable for any losses or damages resulting from such delays. The Purchase Order will not be subject to cancellation for any such delays.
 - Force Majeure:** Seller will not be liable for delays in filling the Purchase Order or failure in the performance of any of its obligations under the Agreement caused by accident, labor disputes or disruptions, strikes, shortages of labor, materials, fuel or power, epidemic, pandemic, fires, floods or other acts of God, acts of terrorism or war or omissions of Buyer, delays in transportation or lack of transportation facilities, priorities required, requested or granted for the benefit of the government or restrictions imposed by law or any rules or regulations thereunder for any cause, whether similar to or dissimilar from those set forth herein, beyond Seller's reasonable control.
 - Modifications:** Any changes to a Purchase Order must be with prior written consent of Buyer and Seller, subject to an equitable price adjustment or delivery adjustment.
 - Payments and Prices:** Seller will invoice Buyer and Buyer will pay Seller at the prices and charges in the Purchase Order. Seller's standard procedures and charges for required or requested special packaging, crating or packing are the responsibility of Buyer. Unless otherwise agreed to in writing by Seller, payment terms are net 30 days from the date of invoice. At the event Buyer defaults in its obligations hereunder, Buyer shall be liable for Seller's costs of collection including reasonable attorneys' fees and court costs.
 - Inspection; Acceptance; Repair or Replacement:** Promptly upon delivery and receipt of the Equipment, Buyer will make a complete inspection of the Equipment for any nonconforming damage or defect. In any event, no later than 21 business days after delivery and receipt and will give Seller immediate written notice of any such nonconforming damage or defect. Any requested repair or replacement of Equipment by Buyer must be received in writing by Seller within 15 business days from date of delivery and receipt and after such date and in the absence of a formal acceptance document, the Equipment will be deemed definitively accepted by Buyer, and Buyer's failure to inspect the Equipment or to notify Seller of any nonconforming damage or defect will constitute a waiver of such nonconforming damage or defect.
 - Warranty:** Subject to the limitations and conditions contained herein and as specifically provided in Section 5, Seller warrants that the Equipment sold to Buyer at the time of shipment meets Seller's specifications and is free from defects in material and workmanship, and such warranty shall be limited to 24 months from the date of receipt and delivery of the Equipment to Buyer, or eight (8) months from the completion date of fabrication of the Equipment when ready for shipment to Buyer whichever date is earlier and occurs first. Seller's sole obligation and liability in the event of breach of warranty and Buyer's sole remedy, as determined by Seller, will be Seller's repair or replacement at the sole discretion of the Seller. Seller's nonconforming Equipment free of charge at Buyer's delivery location. Each repair or replacement at the sole discretion of the Seller shall be made

only upon return of the non-conforming Equipment, which may be returned at Seller's cost only after inspection by Seller and Buyer's receipt from Seller of definite shipping instructions. This warranty is in lieu of all other warranties or obligations, express or implied, and no person is authorized to provide any other warranties on behalf of Seller.

9. Limitation of Liability and Damages: Seller's liability under this Agreement shall be limited to repair or replacement of non-conforming Equipment and Seller shall not be liable for the cost of procurement of substitute Equipment. ~~THE SERVICES WARRANTIES, OBLIGATIONS AND LIABILITIES OF SELLER AND REMEDIES OF BUYER SET FORTH IN THESE TERMS AND CONDITIONS ARE EXCLUSIVE AND IN SUBSTITUTION FOR, AND BUYER HEREBY WAIVES, RELEASES AND RENOUNCES ALL OTHER WARRANTIES, OBLIGATIONS AND LIABILITIES OF SELLER AND RIGHTS, CLAIMS AND REMEDIES OF BUYER AGAINST SELLER, EXPRESS OR IMPLIED HOWSOEVER, ARISING BY LAW OR OTHERWISE, WITH RESPECT TO ANY EQUIPMENT OR SERVICES DELIVERED UNDER THESE TERMS AND CONDITIONS INCLUDING BUT NOT LIMITED TO: (A) ANY WARRANTY AGAINST HIDDEN DEFECTS; (B) ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS; (C) ANY IMPLIED WARRANTY ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING OR USAGE OF TRADE; (D) ANY OBLIGATION, LIABILITY, RIGHT, CLAIM OR REMEDY, WHETHER CONTRACTUAL OR TORT AND WHETHER OR NOT ARISING FROM SELLER'S NEGLIGENCE, ACTUAL OR IMPUTED; AND (E) ANY OBLIGATION, LIABILITY, RIGHT, CLAIM OR REMEDY FOR LOSS OF OR DAMAGE TO ANY EQUIPMENT. SELLER SHALL HAVE NO OBLIGATION OR LIABILITY, HOWSOEVER ARISING, FOR LOSS OF USE, REVENUE OR PROFIT OR FOR ANY OTHER DIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES WITH RESPECT TO ANY EQUIPMENT DELIVERED UNDER THESE TERMS AND CONDITIONS.~~
10. Shipping Claims: For the avoidance of doubt, claims for Equipment damaged during shipment are not covered under the warranty set forth above. All Equipment damaged during shipment and all claims relating thereto must be made with the freight carrier in accordance with such carrier's policies and procedures.
11. Termination: In the event Buyer breaches any of its obligations or fails to make payments as required by the terms of the Purchase Order, and Buyer does not provide security for future payments to the satisfaction of Seller, or in the event of a change of control of Buyer, or if Buyer becomes subject to bankruptcy or similar action or becomes insolvent, Seller may terminate any remaining obligations under the Purchase Order without any further liability to Buyer. Seller shall be entitled to exercise any or all remedies available under applicable law. Buyer may not terminate without "good cause" any Purchase Order without the prior written consent of Seller on terms and conditions satisfactory to Seller.
12. Confidentiality and Intellectual Property: All confidential and proprietary information regarding the Equipment and Services in their respective documentation relating to the design, assembly, composition, manufacture, performance, application or operation of the Equipment and Services and/or any information marked as "Proprietary/Confidential" will remain the exclusive property of Seller.
13. Governing Law; Jurisdiction: The Agreement and Purchase Order will be governed by and interpreted in accordance with the laws of the State of Texas without regard to conflict of law principles that could result in the application of the laws of any other jurisdiction. The Parties agree that any dispute arising hereunder shall be subject to the exclusive jurisdiction of any Texas state court or federal court of the United States sitting in Dallas, Texas, and the Parties hereby submit themselves to the jurisdiction thereof.
14. Severability: The invalidity in whole or in part of any provisions of the Terms and Conditions shall not void or affect the validity of any other provision.
15. Entire Agreement/No Waiver: These Terms and Conditions together with the applicable purchase order and the Purchase Order

environmental EI²
improvements inc.

PO Box 70
 Buda, TX 78610

800-374-7008
 Fax: 512-295-4028

Quotation

To: City of Lampasas	DATE: 7/1/2019
ATT: Van Sims	DELIVERY: 4-5wks
REF: Blower Replaement	TERMS: net 30
	FOB: Prepay & Add

We are pleased to have the opportunity to offer you the following quotation. Please sign and fax back along with your purchase order or alternate method of payment.

Item	Qty	Description	Unit Price	Extended Price
1	1	GAGLDPA GD blower Sutorbilt Legend 7LP – RHC LS SPL	\$12,351.00	\$12,351.00
2	1	Freight will be added to final invoice		
Total				\$12,351.00

Thank you,



Curtis Cathey

By signing below you authorize Environmental Improvements, Inc. to provide the above mentioned items.

Signature _____ Date _____

Print _____

Freight is not included in this quotation and will be added. Quotation will be good for 30 days.

Dallas

Houston

Tulsa

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Chris Felan
Vice President
Rates & Regulatory Affairs

June 29, 2020

City Official

Re: Rider GCR - Rate Filing under Docket No. 10170

Enclosed is Atmos Energy Corp., Mid-Tex Division's Statement of Rider GCR applicable for the July 2020 billing periods. This Statement details the gas cost component of the residential, commercial, and industrial sales rates for customers within your city. This filing is for informative purposes only and no action is required on your city's part.

Should you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Chris Felan" followed by a small "pn" at the end.

Chris Felan
Vice President, Rates and Regulatory Affairs
Atmos Energy, Mid-Tex Division

Attachment

ATMOS ENERGY CORPORATION
MID-TEX DIVISION
STATEMENT OF RIDER GCR
July, 2020
PREPARED IN ACCORDANCE WITH
GAS UTILITIES DOCKET NO. 10170

Part (a) - Mid-Tex Commodity Costs

Line	(a)	(b)
1	Estimated Gas Cost per Unit:	\$0.14250
2	Estimated City Gate Deliveries:	50,211,470
3	Estimated Gas Cost:	<u>\$7,155,134</u>
4	Lost and Unaccounted For Gas %	2.5932%
5	Estimated Lost and Unaccounted for Gas	\$185,547
6	Total Estimated City Gate Gas Cost:	<u>\$7,340,681</u>
7	Estimated Sales Volume:	<u>48,938,010</u>
8	Estimated Gas Cost Factor - (EGCF)	<u>0.15000</u>
9	Reconciliation Factor - (RF):	0.00000
10	Taxes (TXS):	0.00000
11	Adjustment - (ADJ):	0.00000
12	Gas Cost Recovery Factor - (GCRF)	<u>0.15000 per Ccf</u>

Part (b) - Pipeline Services Costs

Line	(a)	(b)	(c)	(d)	(e)
			Rate R - Residential	Rate C - Commercial	Rate I - Industrial Service Rate T - Transportation ¹
13	Fixed Costs				
14	Fixed Costs Allocation Factors [Set by GUD 10170]	100.0000%	64.3027%	30.5476%	5.1497%
15	a. Current Month Fixed Costs of Pipeline Services	\$32,258,982	20,743,396	9,854,346	1,661,241
16	b. Plus: Second Prior Month Recovery Adjustment	\$0	\$0	\$0	\$0
	Net Fixed Costs	<u>\$32,258,982</u>	<u>\$20,743,396</u>	<u>\$9,854,346</u>	<u>\$1,661,241</u>
17	Commodity Costs				
18	a. Estimated Commodity Cost of Pipeline Services	\$570,755	268,660	166,462	135,633
19	b. Plus: Second Prior Month Recovery Adjustment	\$0	\$0	\$0	\$0
	Net Commodity Cost of Pipeline Services	<u>\$570,755</u>	<u>\$268,660</u>	<u>\$166,462</u>	<u>\$135,633</u>
20	Total Estimated Pipeline Costs (Line 16 + Line 19)	<u>\$32,829,737</u>	<u>\$21,012,056</u>	<u>\$10,020,807</u>	<u>\$1,796,874</u>
21	Estimated Billed Volumes		64,741,934 Ccf	44,351,560 Ccf	4,628,470 MMBtu
22	Pipeline Cost Factor (PCF) [Line 20 / Line 21]		0.32460 Ccf	0.22590 Ccf	\$0.3882 MMBtu
23	Gas Cost Recovery Factor - (GCRF) [Line 12]		0.15000 Ccf	0.15000 Ccf	\$1.4648 MMBtu
24	Rider GCR		<u>0.47460 Ccf</u>	<u>0.37590 Ccf</u>	<u>\$1.8530 MMBtu</u>
25				<u>Rate I -</u>	<u>\$0.3882 MMBtu</u>

¹ Industrial Service and Transportation are reported in MMBtu. An MMBtu conversion factor of .1024 is used to convert from Ccf.