

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
405 SOUTH MAIN STREET
MONDAY MAY 13, 2019**

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

Council Members present:

T.J. Monroe, Mayor Pro Tem
Chuck Williamson
Michael White
Cathy Kuehne
Robert McCauley (outgoing)
Delana Toups
Randy Clark (incoming)

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager
Gary Cox, Assistant City Manager
Christina Marez, City Secretary
Yvonne Moreno, Finance Director
Mandy Walsh, Economic Development Director
Monica Wright, Information Systems Director
Robert Gradel, Municipal Court Judge
Sammy Bailey, Police Chief
Chuck Montgomery, Police Lieutenant
Steven Sheldon, Police Sergeant
Jacob Hummer, Police Officer
Rickie Roy, Public Works Director
Flint Geagley, Electric Superintendent
Wayne Sander, Electric Crew Supervisor
Carlos Garcia, Street Superintendent
Mike White, Street Crew Leader
Juan Tiscareno, Light Equipment Operator
Stephen Sewell, Plant Supervisor/Operator
Brandon Kepler, WWW Maintenance & Construction Crew Leader

**SPECIAL SESSION
5:30 P.M.**

I. Call to Order

Mayor Talbert called the special session to order at 5:30 p.m.

II. Conduct and accept Canvass of Votes for the City of Lampasas City Council General Election held on May 4, 2019

Christina Marez, City Secretary, explained that included in Council's packet for their review and acceptance was the election results for the City's General Election held on May 4, 2019 for Council places: Mayor, Council member Place 1, Council member Place 2 and Council member Place 6.

The results indicated the elected candidates as follows:

Misti Talbert, Mayor;
Delana Keele Toups, Council member Place 1
Randy Clark, Council member Place 2
T.J. Monroe, Council member Place 6

All elected candidates will be administered the oath of office.

Mayor Pro Tem Monroe moved to accept the canvass of vote with no objections or corrections for the City of Lampasas City Council General Election held on May 4, 2019 as presented. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

NOTE: The Canvass of votes is attached to the minutes as record of the May 4, 2019 City Council General Election results.

III. Conduct and accept Canvass of Votes for the City of Lampasas City Council Special Election held on May 4, 2019.

Christina Marez, City Secretary, explained that included in Council's packet for their review and acceptance was the election results for the City's Special Local Option Election held on May 4, 2019 for the Proposition of whether or not to permit the legal sale of all alcoholic beverages including mixed beverages in the City of Lampasas. The Proposition passed and the legalization will take effect at the time the results of the election are officially canvassed. She explained that she will submit the certified results to the Secretary of State and to the Texas Alcoholic Beverage Commission after the canvass has been accepted by Council.

Mayor Pro Tem Monroe moved to accept the canvass of votes with no objections or corrections for the City of Lampasas City Council Special Election held on May 4, 2019 for the legal sale of all alcoholic beverages including mixed beverages in the City of Lampasas. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

NOTE: The Canvass of votes is attached to the minutes as record of the May 4, 2019 Special Local Option Election results.

Outgoing Council member McCauley stepped down from the dais.

IV. Presentation to outgoing City Council member

Mayor Talbert presented outgoing Council member McCauley with a gift and certificate and thanked him for his service to the City and the community.

City Manager deGraffenried emotionally thanked outgoing Council member McCauley for his service to the community and to the employees, thanked him for being one of the Council members that hired him in 2012, and said it has been a privilege to have worked with him.

V. Administer Oath of Office to Newly Elected Council members

Robert Gradel, Municipal Court Judge, administered the oath of office to Mayor Misti Talbert and Council members T.J. Monroe and Delana Keele Touns and new Council member Randy Clark.

Mayor Talbert skipped to Item VII.

VII. Discussion and possible action concerning the reappointment of Municipal Court Judge and Administer Oath of Office

Mayor Pro Tem Monroe moved to approve the reappointment of Robert Gradel as the Municipal Court Judge. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

Mayor Talbert administered the oath of office to Municipal Court Judge Gradel.

Mayor Talbert moved back to Item VI.

VI. Discussion and possible action concerning the appointment of the Mayor Pro Tem for the 2019-2020 term

Council member Touns moved to approve the appointment of T.J. Monroe and Mayor Pro Tem for the 2019-2020 term. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

VIII. Adjourn Special Session

Mayor Pro Tem Monroe moved to adjourn the special session at 5:43 p.m. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

WORKSHOP SESSION

1. Call to order Workshop Session

Mayor Talbert called the workshop session to order at 5:44 p.m.

Mayor Talbert skipped to Item 3 due to citizens being present for this item.

3. Discussion regarding noise complaints and enforcement in regards to the City of Lampasas Noise Ordinance, Article IV Noise, Section 34-171 to Section 34-173.

Sammy Bailey, Police Chief, and Chuck Montgomery, Police Lieutenant, reviewed this item. Police Chief Bailey explained that the Lampasas Police Department is tasked with enforcing the City of Lampasas Noise Ordinance that was adopted in 2005. The Lampasas Police Department seeks to find a good neighbor balance for those impacted by noise levels, in a manner that will allow them to enjoy their homes

and property, while at the same time aiding in the support of commerce for the City and those who wish to have venues and events that have noise within the limits of the City of Lampasas Noise Ordinance.

Bailey reviewed the following:

- When the Police Department receives a phone call in reference to a noise complaint, a Police Officer goes to the area of complaint and checks the decibel level to see if there is Noise Ordinance violation.
- Recently, the Police Department received several phone calls related to outdoor music played at the Putters and Gutters business. All the times the Police Officer went there to check the decibel reading, the business was in compliance with the Noise Ordinance.
- Bailey explained that times have changed. In the past, people were able to leave their home windows open whether in the day or evening but now there are just too many noises. More restaurants open later hours, music venues, or new businesses with musicians playing. For some people it is fun to hear, to others it is disturbing.
- Bailey said that other cities face the same dilemma of noise complaints. She brought this matter to Council to see if they thought the Noise Ordinance needed to be re-evaluated. She wanted to form a balance with all involved, especially for neighbors that live next to businesses.
- Bailey reviewed the current Noise Ordinance with Council and said that maximum decibel level is 85. All times the Police Department has received any noise complaints, the levels have never exceeded this level.
- Bailey reviewed some other noise ordinances of other cities.
- Bailey said that the County of Lampasas does not have a noise ordinance.
- Bailey said that she had invited local business owners that have music venues to attend this meeting. Also present are neighbors to these businesses that want to express their concerns.

Mayor Talbert asked if current business owners would be grandfathered if they were once in the County and now in the City. Her concern was that Putters and Gutters voluntarily requested to be annexed into the City and she would hate for it to change and effect his business when the County does not have a noise ordinance and had he stayed in the County, Council would not be hearing any concerns of noise from his business establishment.

Police Chief Bailey said that it would be up to Council whether to grandfather this business from the current City Noise Ordinance. But even if not grandfathered, this business establishment has never been out of compliance of the decibel level.

Roy Cockrell, Putters and Gutters owner, informed Council that he hires a sound production crew for all his music events that keep up with the sound decibel level to ensure compliance. This crew costs him \$1,800.00 for every event. The only thing he cannot control is the band sound preference to everyone.

Andy Garcia, neighbor to Putters and Gutters and outside the City limits, expressed his complaint of noise most recently from a music event that had tejano music that was too loud. Why does the music have to be too loud was his question. He was just seeking a reasonable solution. He spoke about the Round Rock noise ordinance. He felt that the City of Lampasas Noise Ordinance maximum of 85 decibel level was too high.

Connie Hartmann, also a neighbor South of Putters and Gutters and outside the City limits, said that she appreciates all that Roy Cockrell has done for the community and she has never called the Police Department to complain about noise coming from his establishment, instead she has called Mr. Cockrell. She said that she did not want to be a bad neighbor but the last music event was too loud.

Edith Wagner Harrison, County resident that lives a quarter-mile from Putters and Gutters, also said that she is grateful for all that Roy Cockrell has done for our community and the kids but this last music event was too loud.

Police Chief Bailey said that Lampasas is growing and sounds are changing. Though there have not been any business establishments out of compliance, she just thought she should bring this item to Council's attention.

Mayor Talbert moved back to Item 2.

2. Discussion regarding draft Development Participation Policy and Process.

City Manager deGraffenried explained that on April 23, 2019, Council devoted time to discussion of the criteria that could be used in evaluating projects for City participation. Based on discussion Staff drafted the attached memo and worksheet for further discussion and recommendation prior to a formal policy being considered. Staff is of the opinion Council does have the latitude to consider participation under the concepts presented prior to formal adoption if desired.

deGraffenried reviewed his memo that included the following Council expressed consensus items:

- The developer/property receiving direct benefit from an improvement should pay for that improvement.
- Council should have the latitude to review projects and developments on a case-by-case basis. Council should have negotiating latitude to scale participation based on cost share or length of utility extensions.
- Council should base participation on available resources.

deGraffenried reviewed a proposed Development Participation Staff Report form that includes five separate considerations.

1. Project Scoring Narrative that scores the development within identified areas of Council importance. The items that Council rated highest in terms of consideration, ROI and Primary Jobs, have a higher number of possible points.
2. Council Participation Recommendations that provide assessment and recommended participation for Council consideration.
3. Public Benefits that acknowledge additional public benefits, such as water main looping, and possible participation for Council consideration.
4. Exchanges, Quid pro Quo and in lieu of, that provide an assessment of possible benefits to both the developer and City by working cooperatively.
5. Systems Impact to seek comment and assessment from City departments in the event on-going maintenance, utilities, or public safety services will be impacted.

deGraffenried has also reviewed an example report for Council to review on a QSR locating on Key Avenue. He explained that the exhibits are considered drafts and subject to Council input and modification. He also said that the thresholds are arbitrary and seeks Council input.

Council liked the fact that there is boxes to provide Council a lot of important information when items are presented to them.

4. Discussion regarding City Logo.

Mandy Walsh, Economic Development Director, explained that as part of the Council Work Plan, Staff engaged a designer to create logo options for Council review and direction. It is staff's understanding that the logo would provide a consistent message on cards, letterhead, signage, and digital media. Staff attempted to incorporate reference to our natural resources in the logo while maintaining a clear, clean and readable message. Staff is seeking Council input and further direction that will lead to a final choice

Walsh showed Council some logo examples that she has been working on with a local graphic designer. There were three examples that Council were more favorable to but wanted some slight adjustments made to them.

Walsh will work on and present back to Council.

5. Discussion regarding any item on the regular agenda

There was no discussion.

6. Adjourn Workshop Session

Council member Clark moved to adjourn the workshop session at 6:57 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.

REGULAR SESSION 7:00 P.M.
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ANNOUNCEMENTS

A. Call to Order

Mayor Talbert called the regular session to order at 7:10 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

- "National Police Week" May 12-18, 2019

Mayor Talbert read out loud the proclamation and proclaimed the week of May 12-18, 2019 as National Police Week.

- "National Public Works Week" May 19-25, 2019

Mayor Talbert read out loud the proclamation and proclaimed the week of May 19-25, 2019 as Public Works Week.

PUBLIC HEARINGS/CITIZEN COMMENTS	
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.

There were no citizen comments, however, Council member White read an email that he received from Dena Weems that praised the service she received from Frank Ellett, Building Official, and Ronnie Withers, Fire Marshal. They were very professional and she and her husband, Lyndon Weems, had wanted to express their appreciation to them by providing them a gift each as a token of appreciation. They were told that the employees were not allowed to receive those gifts and they wanted the City to consider changing that policy if possible.

1.2	Public Hearing to receive citizen input regarding the Ordinance of the City of Lampasas to adopt a Water Conservation and Drought Contingency Plan for the City of Lampasas to promote responsible use of water and establishing criteria for the initiation and termination of drought response stages including restrictions and providing for penalties and/or severability and an effective date.
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Gary Cox, Assistant City Manager, explained that in October 2018, Council approved a professional services agreement with Jones-Heroy & Associates, Inc. to update the water conservation and drought contingency plans for the city in accordance with requirements of the Texas Water Code and rules of the Texas Commission on Environmental Quality. Jones-Heroy has completed a draft of the updated plan. The plan has been reviewed by Staff and was posted on the City website with a notice of the public hearing soliciting public comment on the plan. This agenda item provides citizens and staff the opportunity to provide input regarding the draft Water Conservation Plan and Drought Contingency Plan prior to the approval of the first reading of the Ordinance.

Jason Jones, with Jones-Heroy & Associates, Inc., was present at the meeting. He reviewed some information on the Water Conservation and Drought Contingency Plan:

- He noted that the Plan establishes an overall goal of 1% reduction per year over 10 years.
- The City will attempt to eventually reduce total per capita water consumption to 140 gallons per capita per day, which reflects the statewide goals stated in the Texas Water Development Board 2016 Regional Water Plan.
- The City has established the following combination of goals to meet state and regional goals for its water conservation plan:
 - Reduce per capita consumption. The City’s 5-year average annual capita treated water use for 2014-2018 was 185 gallons per day. The City’s goals are to reduce the gallons consumed per capita per day in the next five years to 176 gallons per day, and in the next ten years to 167 gallons per day.
 - Reduce unaccounted for water. The City’s 5-year average per capita unaccounted for water for 2014-2018 was 33 gallons per day. The City’s goals are to reduce the unaccounted for water in the next five years to 31 gallons per capita, per day and in the next ten years to 30 gallons per capita per day.

Mayor Talbert opened the public hearing for any citizen comments. There were no comments.

Council member Kuehne moved to close the public hearing. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the regular meeting on April 22, 2019

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

2.2	Discussion and possible action concerning approval of minutes of the special meeting on April 23, 2019
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Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from April 1, 2019- April 30, 2019.

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

4.0	BOARDS/DEPARTMENT REPORTS
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There were no Board or Department reports.

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

- HCCAA Lease - In reviewing a request to utilize the City owned Senior Center located at 8th Street and Live Oak, Staff determined that the current lease with Hill Country Community Action Agency had reverted to rollover status. Council may recall in the last several years, at Council direction, Staff had inquired regarding the conveyance of the property to HCCAA, however; their Board declined the City's offer. During that time, the City also submitted a draft lease to their Board that was not acted on. Staff has contacted HCCAA and resubmitted the draft for their consideration and will prepare a future agenda item for Council consideration of the same.
- Fire Chief - Staff has requested writing samples from the 14 remaining Fire Chief candidates for use as the basis for interview selection. Candidates were supplied information related to the vision, culture and issues of the department and asked to respond regarding their approach and management style. Staff should be prepared to scheduled interviews after review, likely by May 17.
- Training - As a reminder, Board, Committee and Council training has been scheduled for May 20, 2019 at the Hostess House starting at 5:30 p.m. Staff has asked the City Attorney to develop an agenda related to governance, meeting management, open meeting pitfalls and dealing with the

public. Additional, follow-up trainings may also be scheduled based on needs of the individual Boards. A meal will be provided.

- Communications - With the election in the rear view mirror, Staff takes the opportunity to seek input regarding communication needs of Council. Currently, and in the past, the City Manager has set standing meetings with individual Council members, and has been available by phone or in the office. I would offer a standing meeting, with less than a quorum of members, at your convenience, or schedule time prior to meetings for individuals based on your needs.
- New Staff - Staff takes the opportunity to welcome Juan Tiscareno to the Street Department; Roy Bailon and Rodney Kepler to the Parks Department; and Marisa Moreno as new Dispatcher for the Police Department. Please feel free to introduce yourself and welcome our new staff if the opportunity arises.
- Town Hall - Staff is seeking Council input on the rescheduled Town Hall meeting. Staff inadvertently scheduled the meeting on the May 30, 2019, however; I failed to note Council conflicts with that date. The identified items for the agenda included discussion and comment on the FY 2020 Budget and the upcoming Comprehensive Planning process. After discussion, Council unanimously agreed that the Town Hall meeting be rescheduled for June 17, 2019 at 6:00 p.m.
- Budget Calendar - Attached is the draft Budget calendar for FY 2020 for Council review and comment. Staff is currently preparing year-end projections and initial departmental budgets for internal review. As indicated, the calendar also includes CIP action and reporting to be included in the 2020 budget. Recognizing previous comments from Council, staff also seeks opportunities for dialogue between elected officials and departments to understand operational needs and to set priorities.
- Local Option - With the approval of Proposition 1, Staff has asked the City Attorney to advise Council on the implementation and approval of regulations related to the sale of alcoholic beverages and the location of those businesses. The Texas Alcoholic Beverage Code only allows Cities to regulate these businesses and premises to the extent the Code specifically grants the authority to the City. As previously reported, the City has approved regulations related to late hour operation and distance to schools and churches. With the new designation, the City will also have the authority to regulate locations of businesses whose gross revenues are at least 75% alcohol; and to prohibit businesses from locating in residential areas.
- W/WW Shop/Lab - On Tuesday, Staff met with the awarded contractor and architect for the City's water and wastewater shop and lab project. The pre-construction agenda included review of the site, working conditions, submittal schedule and process, and inspections. The contractor has secured all bonding and insurance for the project and a notice to proceed will be issued with a construction commencement date of May 13, 2019. The project is contracted on a 180-day schedule.
- TxDot - As previously mentioned, representatives from TxDOT held a brief meeting with representatives from LISD, the City and the County. Discussion included the configuration of south 281 from US 183 to the County line, and the routing of improvements and connections to US 281, US 183 and US 190. South 281 major changes include the 2 North and South lanes with a left-turn center lane, and the elimination of the traffic signal at US 281 and Ohnmeiss Blvd. The current US 281 bridge over Sulphur Creek would likely be classified as a US 281 spur or business route. TxDOT has tentative plans to conduct 4 public meetings on the design with a final plan targeted for July of 2020. At this time, construction is estimated to begin during the summer of 2022.
- Personnel Policy - City Staff will provide a draft copy of the revised City of Lampasas Personnel Policy and Guidelines. The draft includes various updates to address outdated procedures and modifications for workman's compensation claims, probationary periods for promoted staff and administration of personnel information including driving records. Staff will also recommend

several ancillary policies for certification pay, use of technology and cell phone allowances. Staff provides this for Council review prior to formal discussion at a future meeting.

- COG Addressing - As Council may be aware, the Council of Governments ("COG") is the entity responsible for the 911 addressing for the City. The COG has previously assessed some addressing in the City by windshield tour, and has been tasked with addressing for new subdivisions. Of note is the new method of spacing 6 numerals between homes in the event of accessory dwelling units being constructed in the future. The inconsistent numbering scheme throughout the City will require diligent pre-planning by our first responders who may not have auto cad addressing in their units.

5.2	MAYOR'S COMMENTS
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The Mayor did not have any 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 changing the date of the 2 nd meeting in May from Monday the 27 th to Tuesday the 28 th due to Memorial Day Holiday.

Council member Kuehne moved to approve changing the date of the 2nd meeting in May from Monday, May 27, to Tuesday, May 28, due to Memorial Day Holiday. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

7.2	Discussion and possible action regarding the approval, denial or approval with modifications of the Preliminary Plat for Brodie Estates
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Gary Cox, Assistant City Manager, explained that the property is described as a replat of lots 2, 3 & 4 Brodie Estates, Burlison. J Abstract 42, City of Lampasas, Lampasas County, Texas. Mr. Stephen McDonald and Mr. Chris Harrison are asking Council to consider approval, denial or approval with modifications the Preliminary Plat of Brodie Estates.

Cox reviewed the following:

- The proposed development is 6.70 acres and they plan on building 22 homes.
- The lots meet the zoning requirements for Single Family Residential- 6 "SF-6".
- City water, sewer and electric is available.
- A drainage/detention lot has been proposed on the corner of Brown and Elijah Lane.
- Attached for Council review is the Preliminary Plat Summary Letter dated April 30, 2019 and the Engineer's Summary Letter dated May 8, 2019. The Civil Plans including drainage calculations and impact to existing subdivision is under review by third-party engineering firm in preparation for Final Plat Approval.
- The Planning and Zoning Commission heard this request on May 2, 2019 and recommended approval to City Council.

Cox informed Council that Stephen McDonald, Developer, and his Engineer, Sam Walker, were present at the meeting if there were any questions.

Council member Clark moved to approve the Preliminary Plat for Brodie Estates as presented. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding the Stone Valley Development Agreement
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Gary Cox, Assistant City Manager, explained that on April 22, 2019, the developer, Deorald Finney met with Council and rejected the previously approved agreement. After discussion, City Staff was provided direction to meet with Mr. Finney and revise terms of the agreement related to the calculations of cost for Rice Street improvements and the period for the build out of the sub-development.

Cox reviewed the following information:

- Staff reviewed historical drafts of agreements and found at least three versions of varying distances and amounts that were previously considered in regards to Rice Street.
- It also appears that costs for curb and gutter installation was not considered in previous drafts, however, is required by the current subdivision regulations.
- In 2007, Ordinance 1177 was adopted by Council dedicating ROW to the development and accepting a dedication of new ROW to provide for the connectivity of Rice Street into the development. This also allowed for lots 59 and 60, as reflected on the plat, to be included in the development as they were previously within the original ROW of Rice Street.
- Based upon the exhibits attached to the ordinance, Staff and Mr. Finney agreed to use the original property line to the terminus of the existing paved portion of Rice Street as the area subject to this discussion. The developers cost to provide improvements to this area include approximately 988 linear feet of curb/gutter and approximately 1600 sq. yds. of base/asphalt at an approximate cost of \$53,540.00.
- Additionally, since the last discussion, Mr. Finney has requested the City's participation in the installation of approximately 800 linear feet of curb/gutter along Willis Street adjacent to the development for \$21,600.00 as reflected in Exhibit E of the attached agreement.
- Staff has asked the City Engineer to review the need for curb/gutter at this location. It was recommended that we consider the installation to avoid future drainage related issues.
- The developer has already modified initial plans for the drainage and installed a curb inlet box to convey storm water into the detention ponds within the development, however curbing is need to channel the storm water into the inlet. Current plans call for an earthen berm along the rear of lots backing to Willis Street. However, these will likely erode over time, and create additional issues.
- Current street standards require curb and gutter to be installed on all new or reconstructed City streets with certain exceptions, however at the time the City constructed Willis Street, these requirements were not in place and it was not installed.
- The period for the development was also adjusted per discussion to reflect a 5-year build out of 50%. The term of the agreement and any benefits, expire at the end of five years.
- All infrastructure provided by the developer subject to this agreement is required to be completed within two (2) years per the governing ordinances.
- Should a default occur, the agreement provides for a recapture of any benefits provided including the costs for electrical system installation.
- This agreement does not waive any building permit fees.

Mayor Pro Tem Monroe asked if the 800 linear feet of curb and gutter along Willis Street is a benefit to the City or a benefit to Mr. Finney?

Assistant City Manager Cox said that the general opinion from the City Engineer is that it would be a benefit to the City to put in this curb and gutter.

Council member Kuehne moved to approve the Stone Valley Development Agreement as is and provide reimbursement to Mr. Deorald L. Finney as follows: \$75,140.00 from the Street Maintenance Fund and \$33,324.00 from the Water/Wastewater line item. The motion was seconded by Council member Toups and with a vote of five in favor and two opposed (Monroe & Talbert), the motion carried.

7.4	Discussion and possible action regarding the award of a Bid to Canales-Dibble Contractors, Inc. in the amount of \$27,850.00 for flatwork to improve the parking lot conditions behind City Hall; specifically existing curb islands to be center poured in concrete, new curb island with curb and center poured in concrete; sidewalk and curb and driveway apron
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Rickie Roy, Public Works Director, explained that this is the first phase of the City Hall parking lot rehabilitation. The request for sealed bids on this project was published on April 5, 2019 with a bid opening held on April 23, 2019. A total of three (3) bids were received in response to the solicitation. One bidder did not follow bid requirements and could not be considered. The apparent low bidder (Canales-Dibble Contractors, Inc.) is qualified and able to perform work as specified.

Council asked if this bid was for curb and gutter only. Mr. Roy replied yes.

Council member Clark asked if this parking lot project could be presented as an entire project including paving to see a total cost for this project. Mr. Roy said it could be. City Staff would have to get estimates for paving and then bring back all the information for consideration.

No action was taken.

7.5	Discussion and possible action concerning Professional Services Proposal between the City of Lampasas and Eckermann Engineering, Inc. for Live Oak water line extension in an amount not to exceed \$14,000.00.
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Gary Cox, explained that the City has received a proposal for a commercial development at the Sante Fe Depot located on Second Street. A request for utility routing was made to the City to determine availability of services. City Staff has determined that water services are available in Second Street, which fronts the development and in North Street, which is to the rear of the development. However, water is not available in Live Oak Street, which will be needed to provide domestic and fire protection to the west side of the development. Additionally, the developer owns three (3) residential lots fronting Live Oak Street, which will be served with this line extension. The extension will also benefit the water distribution system overall by providing a loop between Second Street and North Street. Traditionally the City has provided for the costs of engineering services related to the design of utility extensions.

Cox said that Staff is requesting Council consider the request for engineering of the water line extension so a probable cost of construction can be provided to facilitate the development and for the overall benefit of the water distribution system.

Mayor Talbert said that traditionally the City has paid for the engineering services related to the design work of utility extensions, however, she expressed concern that the City could bear the expense of engineering fees and the project not be done, whether this project or any other project that requires a utility

extension. She felt that a development agreement between the City and the developer should be in place before the City pays for any expenses.

Mayor Pro Tem Monroe moved to approve, contingent upon a development Agreement, the Professional Services Proposal between the City of Lampasas and Eckermann Engineering, Inc. for Live Oak water line extension in an amount not to exceed \$14,000.00. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.6	Discussion and possible action concerning Professional Services Proposal between the City of Lampasas and Eckermann Engineering, Inc. for replacement of water and wastewater lines in the alley behind the North 400 block of Key Avenue between W. Avenue C and W. Avenue D in an amount not to exceed \$10,500.00
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Gary Cox, Assistant City Manager, explained that the City has received building permit applications for a Burger King, to be constructed at 404 Key Ave between W. Ave C and W. Ave D. In reviewing the availability of utilities to serve the location, City Staff inspected the wastewater line, which is within the alley behind the location. Based upon this review, it was determined the line has aged and deteriorated to point which Staff recommends replacement. This is in the same general area in which Staff has recently replaced water/wastewater infrastructure due to age/condition and has a pending CDBG Grant project for the same within W. Ave C.

Cox said that while the alley was not identified as a project for the current FY, the Burger King development has plans to pave the alley as a public improvement. Due to the improvement of the alley, Staff recommends replacement of the water/wastewater lines to avoid additional costs in the future by having to re-pave the alley, as well as future disruption to the business and residents who utilize the alley for access to their homes. Staff is requesting Council consider the request for engineering of the water/wastewater line replacements.

Mayor Talbert reiterated that it should be contingent upon a development agreement between the City and Burger King before any costs are incurred.

Mayor Pro Tem Monroe moved to approve, contingent upon a development agreement, the Professional Services Proposal between the City of Lampasas and Eckermann Engineering, Inc. for replacement of water and wastewater lines in the alley behind the North 400 block of Key Avenue between W. Avenue C and W. Avenue D in an amount not to exceed \$10,500.00. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

7.7	Discussion and possible action regarding the composition and neighborhood representation for a Comprehensive Plan Steering Committee
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Gary Cox, Assistant City Manager, explained that the City Council approved a contract with Halff & Associates for services related to the development of a Comprehensive Plan. The Council has provided direction that citizen/community involvement is a critical component of the plan development. In discussion with Halff, it is recommended that Council consider a 12 to 15-member steering committee to participate in the process and provide recommendations to Council regarding the plan. Based upon input from Halff the following is a suggested composition of the committee: 1 – Council Member, 7 –members to provide neighborhood, community representation, 1 – Planning and Zoning member, 1- Economic Development member, 1 – Parks & Recreation member, 1 – Lampasas Independent School District representative, 1 – Extraterritorial Jurisdiction representative, 1 – County Official, and 1 – Chamber of

Commerce Official. Additional consideration should also be given to ensure representation of members with knowledge of land use, development processes, real estate (planning and zoning, zoning board of adjustments (variances), builders and/or real estate agents). The Committee should be established for an anticipated mid-June meeting.

Cox also said that some members may play dual roles if they serve on more than one Board.

City Manager deGraffenried said that all Council members can participate on the committee if they wanted to and not necessarily just one Council member as suggested. He also said that this item could be placed as a workshop item on the next Council meeting. He asked that Council consider individuals that might be interested to be on this committee and be prepared to provide their names at the meeting.

No action was taken.

7.8	Discussion and possible action regarding the first reading of an Ordinance adopting a Water Conservation and Drought Contingency Plan for the City of Lampasas to promote responsible use of water and establishing criteria for the initiation and termination of drought response stages including restrictions and providing for penalties and/or severability and effective date.
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Gary Cox, Assistant City Manager, explained that in October 2018, Council approved a professional services agreement with Jones-Heroy & Associates, Inc. to update the water conservation and drought contingency plans for the city in accordance with requirements of the Texas Water Code and rules of the Texas Commission on Environmental Quality. Jones-Heroy has completed a draft of the updated plan. The plan has been reviewed by City Staff and was posted on the City website with a notice of the public hearing soliciting public comment on the plan.

Cox indicated that a draft ordinance providing for the adoption of the plan and updating/replacing relevant provisions of Chapter 82 (Utilities) Division 3 (Conservation) of the Code of Ordinances has been provided for Council consideration.

Mayor Pro Tem Monroe moved to approve the first reading of an Ordinance adopting a Water Conservation and Drought Contingency Plan for the City of Lampasas to promote responsible use of water and establishing criteria for the initiation and termination of drought response stages including restrictions and providing for penalties and/or severability and effective date. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.9	Discussion and approval of a Resolution of the City Council of the City of Lampasas, Texas, Authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Fire, Ambulance and Services Truck Fund; and authorizing the Mayor to act as the City's Executive Officer and Authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.
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Gary Cox, Assistant City Manager, explained that the Texas Department of Agriculture requires a Resolution be approved authorizing the submission of a Texas Community Development Block Grant Program Application for the Fire, Ambulance and Services Truck Fund for a replacement fire truck in the amount of \$ 500,000.00.

Mayor Pro Tem Monroe moved to approve a Resolution of the City Council of the City of Lampasas, Texas, Authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Fire, Ambulance and Services Truck Fund; and authorizing the Mayor to act as the City's Executive Officer and Authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.10	Discussion and approval of a Resolution of the City Council of the City of Lampasas, Texas, authorizing the City Manager to act as the City's authorized representative signature certifier (Re-Sign-Cert) for the USDA Reconnect Grant Program
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Mandy Walsh, Economic Development Director, explained that the USDA requires an authorized individual to be the Representative-Signature-Certifier for the City of Lampasas in order to access the Online Application System for the USDA Reconnect Loan Grant Program. The Resolution names Finley deGraffenried, City Manager, as the assigned Representative-Signature-Certifier security role on behalf of the City and Mandy Walsh, Economic Development Director, as assigned Administrator security role.

Mayor Pro Tem Monroe moved to approve a Resolution of the City Council of the City of Lampasas, Texas, authorizing Finley deGraffenried, City Manager, to act as the City's authorized Representative-Signature-Certifier security role on behalf of the City and Mandy Walsh, Economic Development Director, as assigned Administrator security role. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.11	Discussion and approval of a Resolution of the City of Lampasas, Texas hereinafter referred to as "Applicant" designating certain officials as being responsible for, acting for, and on behalf of the "applicant" in dealing with the United States Department of Agriculture's (USDA's) Rural Development (RD) Rural Utility Service (RUS), referred to as the 'RUS', for the purpose of requesting federal assistance for Rural Development in the City of Lampasas through the RUS'S Reconnect Program, hereinafter referred to as the "Program" and certifying that the "Applicant" is eligible to receive program assistance.
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Mandy Walsh, Economic Development Director, explained that the USDA requires a Resolution from the City stating the City is to receive Federal Assistance for Rural Development through the Rural Utility Service's Reconnect Program, along with an authorized representative of the City, preferably the City Manager, to act as applicant.

Council member Kuehne moved to approve a Resolution of the City of Lampasas, Texas hereinafter referred to as "Applicant" designating certain officials as being responsible for, acting for, and on behalf of the "applicant" in dealing with the United States Department of Agriculture's (USDA's) Rural Development (RD) Rural Utility Service (RUS), referred to as the 'RUS', for the purpose of requesting federal assistance for Rural Development in the City of Lampasas through the RUS'S Reconnect Program, hereinafter referred to as the "Program" and certifying that the "Applicant" is eligible to receive program assistance. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.12	Discussion and possible action regarding selection of winner of web site photo contest entry.
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Monica Wright, Information Systems Director, explained that there was only one photo submitted:

- Entry 1 from Kouwende Cann “Pretty Skyline with Semi”

Mayor Pro Tem Monroe moved to select Entry 1 from Kouwende Cann “Pretty Skyline with Semi” as the winner of the website photo contest. The motion was seconded by Council member Clark and with a vote of six in favor and one opposed (White), the motion carried.

7.13	Discussion and possible action regarding the selection of a firm to provide administrative services for the 2019/2020 Community Development Block Grant FAST Program.
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Gary Cox, Assistant City Manager, explained that in accordance with the requirements of the CDBG FAST Grant application, City Staff requested phase two solicitations for administrative services. Solicitations were sent to five (5) firms listed on the Texas Department of Agricultural website as being prequalified to provide services. Langford Community Management Services provided the sole response to the request and is qualified to provide the services. City Staff recommends selection of their firm to provide administrative services for the 2019/2020 Community Development Block Grant FAST Program.

Council member Williamson moved to approve the selection of Langford Community Services to provide administrative services for the 2019 Community Development Block Grant FAST Program. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

Adjourn

Council member Clark moved to adjourn the meeting at 8:35 p.m. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

PASSED AND APPROVED this _____ day of _____, 2019.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary