

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
405 SOUTH MAIN STREET
MONDAY APRIL 22, 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
Delana Touns

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager
Gary Cox, Assistant City Manager
Christina Marez, City Secretary
Becky Sims, Assistant City Secretary
Sammy Bailey, Police Chief
Mandy Walsh, Economic Development Director
Shanda Subia, Library Director
Kristy Acevedo, Network Administrator
Van Berry, Golf Course Manager
Rickie Roy, Public Works Director
Flint Geagley, Electric Superintendent
Wayne Sanders, Electric Crew Supervisor
Justin McDonald, Apprentice IV
Micah Harry, Apprentice IV
Thomas Kelley, Apprentice II
Stephen Sewell, Plant Supervisor/Operator

**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.

2. Discussion regarding terms of Development Agreement for Stone Valley Subdivision.

Gary Cox, Assistant City Manager, explained that on March 25, 2019, City Council considered a draft development agreement for the Stone Valley Subdivision and agreed to terms of the agreement, which included installation of electrical infrastructure, reimbursement for offsite drainage construction and partial

contributions for road improvements for Rice Street. The Council decided not to include waiver of permit fees for the development. The developer, Deorald Finney, was not able attend the meeting and Council has requested an opportunity to further discuss the agreement.

Council member McCauley said that he felt that this item should not be before them again. He feels that by bringing it back to Council, you are ignoring the vote that has already been taken by Council. Once that vote was made, that's it.

Deorald Finney, Developer, was upset that this agreement went before Council when City Staff knew he would be on vacation for three months. He felt that was wrong. He made the following points:

- While on vacation, on March 20, he received an email from Assistant City Manager Cox that told him that the development agreement would be on the March 25 Council meeting agenda. A draft development agreement was attached to that email.
- On March 25, Cox sent him a revised draft agreement that the City Attorney reviewed. Both the draft and revised draft mentioned for the City to waive permitting fees. The draft said that the agreement shall be in effect for three years, but it did not directly specify that all 67 houses must be built within these three years. The revised agreement emailed on March 25 stated that he must complete 67 residential lots within three years of the date the agreement is signed.
- He recalled the July 9 Council meeting where there was discussion about the development agreement but the minutes of the meeting did not contain specific terms that were discussed. He did recall that he told Council that 50 percent construction within five years would be feasible but he did not say he could build out all 67 homes over three years.
- He said that since the July 9 meeting, he has asked two to three times a month for a development agreement. The agreement was delayed for months because the City wanted his contractor to do the Westridge drainage work in conjunction with his development. He agreed to do the Westridge work, even though it is unrelated to his project. Not only has he helped the City with the drainage issue but also has given the City an easement for a waterline extension to accommodate the VFW, has extended Rice Street and put in curb and gutter work.
- He stated that he has spent about \$1 million on this project and has not been able to borrow any money for his subdivision because he does not have a finalized development agreement.
- He asked for Council to consider waiving the building permit fees for the homes he is proposing. The electric sales from those homes would allow the City to recover the waived fees.

Council discussion included:

- Council was apologetic for the time it has taken to draft a development agreement.
- Council does not want to set a precedent of waiving building permit fees. In the Building Department, permitting fees are the only income source.
- Council suggested that Finney meet with City Staff again to provide up to date information about his development expenses related to Rice Street and the incentives he would like included in the development agreement.

Finney said that he is rejecting the proposed development agreement that Council approved on March 25.

3. Discussion regarding FY 2020 Budget Priorities, Expectations and Process.

City Manager deGraffenried explained that City Staff would like to present to Council a comprehensive budget package. The following are the topics/process that Staff would like to take when presenting their Department budget(s):

- Discussion Topics & Goals
- Priorities & Expectations
- Council/Staff Expectations
- Priorities
- Accomplishments

Gary Cox, Assistant City Manager, reviewed the following items that will also be discussed during Department budget presentations:

- On-going Projects
- Council Work Plan
- Year-end Projections
- Legislative Impacts
- Managing Public Expectations
- Capital/Fleet
- Retention/Recruitment
 - Market Study Example
- Efficiencies/Revenue Production
- Budget Goals

Mayor Talbert expressed that she wanted to ensure that there was dialog by the Department and not just a presentation and be very thorough.

4. Discussion regarding any item on the regular agenda

There was no discussion.

5. Adjourn Workshop Session

Council member Kuehne moved to adjourn the workshop session at 7:03 p.m. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

A brief break was taken before going into regular session.

<p>REGULAR SESSION 7:00 P.M.</p>
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ANNOUNCEMENTS

- A. Call to Order

Mayor Talbert called the regular session to order at 7:12 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 Lineman Appreciation Day Proclamation

Mayor Talbert read out loud the proclamation and proclaimed April 18, 2019 as “*Lineman Appreciation Day in Lampasas*” and she urged all citizens to remember the selfless work the City’s linemen do each day to keep our lights on.

D. Community Champion

Mayor Talbert recognized Mario Moreno as Community Champion for his many volunteer hours, guidance and support to the “His Kids’ of this community.

	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.

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the special joint meeting with Lampasas Economic Development Corporation on March 20, 2019

Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Kuehne and with a vote of five in favor and two abstentions (White and Touns), the motion carried.

2.2	Discussion and possible action concerning approval of minutes of the regular meeting on April 8, 2019
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Council member Kuehne moved to approve the minutes as presented. The motion was seconded by Council member White and with a vote of six in favor and one abstention (Monroe), the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action on the receipt of the Monthly Investment Report for March 2019
3.2	Discussion and possible action regarding the second reading of an Ordinance amending Chapter 50 (Offenses) of the Code of Ordinances to provide a new article III; to establish Child Safety Zones within the City’s Corporate Limits; making it unlawful for persons required to register on the Texas Department of Public Safety’s Sex Offender Database to reside within 1,000 feet of property where children assemble or meet; making it unlawful to provide residential housing to certain predatory sex offenders in prohibited areas; providing for affirmative defenses to violations; providing a severability clause; providing for penalties; and providing for publication and an effective date subsequent thereto.
3.3	Discussion and possible action regarding the second reading of an Ordinance amending Ordinance No. 1581 Section 1 to amend the polling location for the General Election to elect the expired terms of the Mayor and Council members Places One, Two, and Six for the City Council of the City of Lampasas Texas, to be held on the 4 th of May, 2019.
3.4	Discussion and possible action regarding the second reading of an Ordinance amending Ordinance

No. 1582, Exhibit “B”, to amend the polling location for the Special Local Option Election on May 4, 2019, for the purpose of submitting to the qualified voters of the City of Lampasas the following issue; whether or not to permit the legal sale of all alcoholic beverages including mixed beverages in the City of Lampasas.

Mayor Pro Tem Monroe moved to approve the consent agenda as presented. 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. Golf Course Monthly Report 2. Municipal Court Monthly Report 3. City Secretary Monthly Report 4. Police Department Monthly Report 5. Utility Billing and Collections Monthly Report 6. Public Works Monthly Report for Electric, Streets, Water/Wastewater 7. Building Official Monthly Report 8. Economic Development Monthly Report 9. Fire Department Monthly Report 10. Parks and Recreation Monthly Report 11. Information Systems Monthly Report 12. Library Monthly Report

Van Berry, Golf Course Manager, reviewed his report:

- Applied 800 pounds of Gypsum on the greens
- Applied 600 pounds of 0-0-30 Potash on the greens
- Applied 5,800 pounds of fertilizer on the fairways and rough
- Finished tree trimming for the year
- Reviewed the repairs that were made to the pump station
- He reviewed the Tournament schedules
- He reviewed the memberships from January 1, 2019 through June 30, 2019:
 - Single – 143
 - Couples – 37
 - Family – 1
 - Cart Shed rentals – 132
 - Member Trail fees -160

5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

City Manager deGraffenried the following:

- Development - Several items to report on related to commercial and residential development activity. Initial utility and site construction has commenced for Burger King and MOJO Coffee. Both Key Avenue projects appear to have aggressive construction schedules and should be operational this summer. Staff has completed plan review for the assisted living facility on south 281, and site work should begin within the next several weeks. Finally, as previously reported to

Council, an additional residential plat will be submitted to the Planning & Zoning Commission in May for the Brodie Estates Subdivision located off Brown Street, South of US Highway 190. Total residential development in the works now totals approximately 120 homes, with additional interest being expressed in undeveloped land in the southern portion of Lampasas.

- Transportation - Staff met this week with TxDOT representatives from the District office regarding projects that will, or have the potential to, impact Lampasas. Previously Council was briefed regarding improvements to South US Highway 281 to include two lanes north and south, and a center turn lane. Prior to final design, TxDOT will host a small stakeholder meeting to review plans, likely with officials from the City, School District and Chamber. Following that meeting, additional public meetings will be held to seek input from business owners and residents. District staff indicated right-of-way would need to be assessed, and that additional right-of-way may need to be obtained. Although the project is a high priority for the District, the precise construction schedule has not been determined. TxDOT staff also referenced a priority of a newly appointed Commissioner from West Texas to promote development of 281 as a north/south alternative to Highway I-35. Something we've known for a long time. Although funding could be decades away, the Commission may begin to take action to investigate possible routing and upgrades for the highway. The 1-14 corridor has received some press lately primarily in the form of support from the Congressional delegation impacted by the route. Unfortunately, support does not equal funding, but momentum will hopefully push the project forward at least in Louisiana and to various Ports, which is seen as a precursor to development in the west.
- Job Fair - Mandy Walsh, Economic Development Director, reports that the EDC sponsored Job Fair will be held on June 7, 2019 from 10:00 a.m. to 1:00 p.m. This year the venue will be moved around the corner to the Old Lampasas Middle School cafeteria. The fair typically attracts 22-30 businesses and up to 225 job seekers. Other partners include LCHEC and the Chamber.
- Early Voting - Just a quick reminder that early voting will begin on Monday April 22, 2019 and conclude on April 30. Polls will be open from 8:00 a.m. to 5:00 p.m. with the exception of April 23 and April 30 when polls will be open from 7:00 a.m. to 7:00 p.m. Election day is Saturday, May 4, 2019.
- Painted Chair - As reported previously, the Painted Chair Program at the Lampasas Library has received Statewide recognition. This week Staff received printed material for the 2019 event that will be shared at the meeting. This year the program, thanks to 13 decorated and donated chairs, raised over \$1,800.00.
- Peeps - The Peeps are back, or almost back, at the new W.M. Brook Park restrooms. The kind folks of Vision Lampasas are currently painting background shapes and outlines in preparation for the finishing touches. If you have time, swing by and say thanks; it's a great touch for our Park system.
- Water Notification - Attached in Council's packet is notification from TCEQ regarding their recent Compliance Investigation for the City's public water system. As noted in the correspondence, no violations exist and the City maintains recognition as a Superior Water System. Thanks to our Water/Wastewater and WW Plant Staff for maintaining a quality system.
- EDC - The Lampasas Economic Development Corporation held a relatively short meeting on Wednesday to discuss several items including submitting and funding an application for the USDA Reconnect program. Additionally, Mandy Walsh, Economic Development Director, discussed the decision to wait to engage a consultant to work with the City and Chamber to review economic and community development needs with stakeholders. Staff will likely utilize component modules from the same consultant to engage businesses and community members in the near term. The EDC was also briefed on the upcoming Comprehensive Planning project and encouraged to participate as a critical stakeholder.

- Nix Tank - In the recent progress report, Jones-Heroy & Associates reports that the tank is completely blasted and primed and is now ready for the final coat. The exterior tent will be removed, as the paint will be applied by roller. Gary Cox, Assistant City Manager, also reports that lettering height on the tank has been increased from 3 feet to 4 feet based on a recommendation by the contractor.

5.2	MAYOR'S COMMENTS
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Mayor Talbert explained that City Council will meet tomorrow, April 23, 2019, at 5:30 p.m. as a collaborative approach to discuss residential and commercial development incentives and utility participation. She encouraged all those interested to attend the meeting.

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
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7.1	Discussion and possible action regarding Stone Valley Development Agreement
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Mayor Talbert noted that City Staff will work with the Developer to agree on terms and any incentives.

No action was taken.

7.2	Discussion and possible action regarding agreement with HALFF Associates, Inc for Comprehensive Planning Services in the amount of \$120,000.00
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Gary Cox, Assistant City Manager, explained that on March 25, 2019, Council selected HALFF Associates, Inc. to provide professional services related the development of a Comprehensive Plan. Staff was given direction to define the scope of work and to negotiate a professional services agreement. Staff solicited input from Council at the April 8, 2019 meeting regarding components to be considered for inclusion in the plan. Based upon the feedback, Staff provided direction the HALFF in defining the scope of work, ensuring emphasis was placed on the plan being community driven. HALFF Associates has provided a proposed scope of work, which is consistent with the direction provided with a proposed fee of \$120,000.00.

City Manager deGraffenried explained that Task 5 of their services outlines Council's emphasis on Growth and Capacity; Future Land Use and Development; Mobility; Community Facilities and Services; and Community Livability.

Mayor Pro Tem Monroe moved to authorize the City Manager to execute a professional services agreement and any related documents with HALFF Associates Inc., for Comprehensive Planning services. The motion was seconded by Council member McCauley and with a unanimous vote, the motion carried.

7.3	Discussion and possible action on a user agreement between the City of Lampasas and the Western Regional Radio System for Public Safety Communications.
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Gary Cox, Assistant City Manager, explained that on March 13, 2017, Council approved the conveyance of an acre+/- of land at the City landfill site to Burnet County for the purposes of installing a radio

communications tower. Burnet County is a member of the Western Regional Radio System (WRRS), which is comprised of Burnet, Llano and Blanco Counties and the City of Marble Falls. As part of the agreement to donate the land for the tower, WRRS agreed to allow the City of Lampasas access to communications equipment installed on the tower, which will enhance public safety radio communications. The tower construction has been completed and the communications equipment is in testing phase and will be placed into service in the near future.

Cox said that the Lampasas Fire Department has acquired radio subscriber units, which are capable of utilizing the tower to increase local capabilities as well as improve interoperability with other agencies. To activate these radios to operate with the new tower, a user agreement is needed to formalize the understanding, which was previously agreed. WRRS normally assesses a fee for radios on the system, however, because of the tower site dedication, Lampasas will not be required to pay these fees. Staff is currently exploring options with vendors to provide for replacement of dispatch consoles and subscriber units for the Police Department, which would enable them to benefit from the tower and user agreement as well. These needs will be addressed in the upcoming budget process.

Council member Williamson moved to authorize the City Manager to execute a user agreement with the Western Regional Radio System for public safety radio communications. The motion was seconded by Council member McCauley.

Mayor Pro Tem Monroe asked the cost of the radios. Cox explained that the Fire Department currently has 20 radios now that can work, however the Police Department console is not compatible. Motorola is putting together a package for the City, which would be a phased approach, and contract with the County. A high cost estimate could be \$400,000.00.

After no further discussion, Mayor Talbert called for a vote on the motion made by Council member Williamson and seconded by Council member McCauley. With a unanimous vote, the motion carried. and with a unanimous vote, the motion carried.

7.4	Discussion and possible action concerning the approval of a contract with ASJ Construction, LLC. For the construction of a W/WW Building in the amount of \$1,023,790.00
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Gary Cox, Assistant City Manager, explained that on January 28, 2019, Council received the results of the sealed bids, which were received for the project and accepted the lowest qualified bid in the amount of \$1,048,200.00 submitted by ASJ Construction, LLC. City Staff received direction from Council to discuss possible savings with ASJ before finalizing the contract. Staff has worked with the architecture and engineering team, as well as ASJ, to realize a cost savings in the amount of \$24,410.00. A majority of the savings resulted from a change in finishes and fixtures used for plumbing and lighting. Additional savings were from a recommendation for a welded structural building versus a bolt up. The architectural/engineering team reviewed all changes and provided recommendations prior to their acceptance.

Cox said that based upon the revisions, the adjusted maximum contract price for the project is \$1,023,790.00. Upon execution of the contract documents and receipt of the contractor's surety bonds, Staff will issue a notice to proceed on the project. The project is contracted for 160-day construction time.

Mayor Pro Tem Monroe moved to approve a contract to ASJ Construction for the construction of a Water/Wastewater Building in the amount of \$1,023,790.00 and authorize the Mayor to execute related

contract. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.5	Discussion and request for approval to accept a Lower Colorado River Authority (LCRA) Community Development Partnership Grant
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Sammy Bailey, Police Chief, explained that the Lampasas Police Department (LPD) submitted a grant proposal to LCRA for a Community Development Partnership Grant to clean, repair, seal and paint the exterior and interior of the Police Department. The proposed total project cost is \$48,000.00 and the grant is a fifty percent (50%) match. A reputable local construction company provided a verbal quote for the project cost. The Lampasas Police Department, Citizen Police Academy Alumni Association, and various other City Departments will provide the in-kind contributions, to include labor, for this grant match.

Bailey said that on April 8, 2019, the Lampasas Police Department received an award announcement that they were a recipient of the LCRA Community Development Grant. She is seeking approval from Council for acceptance of this grant.

Council member Toups moved to approve the acceptance of a Lower Colorado River Authority (LCRA) Community Development Partnership Grant in the amount of \$24,000.00. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.6	Discussion and possible action regarding participation in the Library Park Project to include sidewalk installation; and electric and water stub outs.
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Shanda Subia, explained that as previously discussed with Council, the Library Foundation has undertaken a project to develop outdoor space east of the entrance. The Foundation has asked for City assistance in removal of existing sidewalks and installation of new sidewalks and ramps.

City Manager deGraffenried said that the City would also take the opportunity at that time to provide utility conduit and/or stub-outs to the developed area.

Council member Williamson moved to direct Staff to seek bids according to the City Purchasing Policy and engage a contractor to perform work as designed. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.7	Discussion and acceptance of the FY 2017/2018 Audit Report
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Mayor Pro Tem Monroe moved to accept the FY 2017/2018 City of Lampasas Audit Report. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.8	Discussion and possible action regarding approval of proposal for Grant Writing Services from Langford Community Services in an amount not to exceed \$10,000.00.
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Mandy Walsh, Economic Development Director, explained that based on direction provided at the Joint Council and EDC meeting, Staff reviewed grant guidelines with Langford Community Services and requested the attached proposal. Additional work will be required to determine speed deficiencies, and other providers will be given the opportunity to dispute speeds and offerings.

Walsh said that based on LEDC action on April 17, 2019 to fund one-half of these services, Council is asked to consider cost share for the remaining one-half. Cost of grant writing was quoted at \$10,000.00 based on environmental and propagation requirements. Council may consider the option to fund all or part of the proposal.

Council member McCauley moved to approve the proposal for Grant Writing Services from Langford Community Services in an amount not to exceed \$10,000.00. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

Adjourn

Mayor Pro Tem Monroe moved to adjourn the meeting at 8:08 p.m. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

PASSED AND APPROVED this _____ day of _____, 2019.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary