

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
405 SOUTH MAIN STREET  
Monday, September 9, 2019**

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

Council Members present:

Misti Talbert, Mayor (present for regular session only)  
T.J. Monroe, Mayor Pro Tem  
Chuck Williamson  
Randy Clark  
Cathy Kuehne  
Delana Toups  
Michael White

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  
Yvonne Moreno, Finance Director  
Mandy Walsh, Economic Development Director  
Sammy Bailey, Police Chief  
Monica Wright, Information Systems Director  
Kristy Acevedo, Network Administrator  
Jeffry Smith, Fire Chief  
Van Berry, Golf Course Manager  
Van Sims, Water/Wastewater Operations Manager

Mayor Pro Tem Monroe announced that Council will be moving the executive session to the end of the meeting and Council would begin with the workshop session instead.

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

- I. Call to Order Special Session
- II. Adjourn into Executive Session

**EXECUTIVE SESSION**

The City Council of the City of Lampasas, Texas will meet in closed Executive Session pursuant to the Texas Government Code, Chapter 551, as follows:

1. Section 551.076 - Deliberations regarding security devices or security audits (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit

<b>SPECIAL SESSION</b>
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- III. Discussion and possible action concerning items posted and discussed by Council in Executive Session
- IV. Adjourn Special Session

<b>WORKSHOP SESSION</b>
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1. Call to order Workshop Session

Mayor Pro Tem Monroe called the workshop session to order at 5:30 p.m.

2. Discussion regarding Brodie Estates Development Agreement

Gary Cox, Assistant City Manager, reviewed the following information related to this item. On May 28, 2019, City Council approved a development agreement with S2M2, Inc., in which the City agreed to provide funding for electrical infrastructure and a water line loop for the Brodie Estates Subdivision. At the time, the developer had designed and submitted a drainage detention pond as part of the preliminary plat and requested a cost share for the construction of the pond, which was declined by the City.

On August 26, 2019, the Council discussed the subdivision and drainage plan with the developer and engineer. City Staff was given direction to work with the developer to amend the terms of the development agreement to include provisions for the on-site drainage/detention pond as well as consider working with the developer to construct additional off-site drainage for the benefit of the surrounding area.

The developer had additional requests to provide for an alternative performance bond guarantee for the construction of public infrastructure as provided for in City Codes and to delay the requirement of the final plat being recorded within 90 days. As well as, to include a not to exceed value for the water line loop, which was included in the original agreement. City Staff has worked with the City Attorney to incorporate these items into the agreement.

The developer has submitted the Final Plat for the subdivision for approval and has requested to have the terms of the agreement approved prior to the final plat approval. City Staff has worked with the developer and City Attorney to incorporate the terms and amendments, which were discussed/requested, however given the short time frame to incorporate the changes, understands that there may be need to tweak the language to ensure it conveys the intent of all parties.

Cox reviewed some of the following proposed modifications to the subdivision agreement with the developer:

- The City has agreed to fund certain surveying, engineering and construction costs related to on-site drainage infrastructure to serve the subdivision, which drainage improvements this Council finds will also benefit the area adjacent to the subdivision, with maximum funding from the City for the component of economic incentive to be not more than \$150,000.00 or the actual cost of such engineering, surveying and construction work, whichever is less.

- He reviewed the changes to Section 1. S2M2 Contractual Obligations which one requirement stated that the developer must construct all Public Improvement infrastructure components of the project with 24 months and strictly to City specifications and provide inspections as required by City Codes.
  - He reviewed the changes to Section 2. Alternative Performance Guarantee.
  - He reviewed the changes to Section 3. City Economic Contributions to S2M2, specifically Item 2, which includes the language that the City agrees to contribute to S2M2 an amount equal to S2M2's actual costs not to exceed \$40,000.00 for the engineering, easement acquisition, construction and materials required for the water line improvements from Cloud Street to the subject development. He also reviewed Item 3. Engineering and Construction Costs for On-Site Drainage not to exceed \$150,000.00.
  - He reviewed Exhibit B which outlined S2M2 Public Improvement costs and Exhibit C which was the City's estimated cost of electrical infrastructure installation in the amount of \$24,500.00.
3. Discussion regarding Off-Site Drainage Improvements related to Brodie Estates Subdivision along Brown and Cloud Streets.

Gary Cox, Assistant City Manager, explained that on August 26, 2019, the Council discussed the Brodie Estates subdivision and drainage plan with the developer and engineer. Two (2) options were presented for consideration to aid in improving drainage conditions in the areas surrounding the development. The area has historically suffered from drainage issues and localized flooding. Staff was given direction to have the City engineer further evaluate the options and costs associated with the information presented.

Cox said that the City Engineer has provided the opinion of costs and evaluation of the proposed options. These costs are preliminary as we are unable to project the costs for land acquisition if needed and legal fees associated with those acquisitions if necessary. A formal engineering proposal will follow upon further direction.

Cox reviewed the pros and cons of both options.

Option A —48" HDPE pipe (at assumed minimum 1% slope) collecting flows at or near the proposed Brodie Estates detention pond and running along Brown and Cloud to Sulphur Creek. Assumed 25-year flows are based upon preliminary outfall flows from Brodie Estates flows.

Pros:

1. Removes a significant amount of surface water flow along Brown and Cloud and allows for installation of curb inlets along Cloud
2. Removes significant amount of storm water runoff to Dent Street from drainage area east of Brown
3. No property acquisition required

Cons:

1. Higher cost
2. Higher potential for conflicts to existing utilities with Brown and Cloud ROW's
3. Ponding will still occur upstream of Dent Street, although the total volume and frequency would be reduced significantly. Culvert under Dent and channel to Sulphur Creek is still required to completely alleviate all ponding on the Milligan property east of Dent Street.

Option B — 48" culvert under Brown Street to the vacant property west of Brown, approximate 10' wide channel (bottom width) with 4:1 side slopes, 18 inches to 2' deep from Brown to Dent street. Double 48" culverts under Dent Street with channel then continuing to Sulphur Creek.

Pros:

1. Lower design and construction cost
2. Conveys storm flows along what appears to be the more natural drainage way up to Dent Street
3. Removes a significant amount of surface water flow along Brown and Cloud

Cons:

1. Dependent on significant amount of property/easement acquisition, potentially increasing overall costs and extending time to completion

Council member Clark commented that before the City spends any money on engineering services, the City should contact the affected property owners and get their comment/concern and/or interest.

City Manager deGraffenried said that he knows it will be a challenge with property owners that may be affected.

Council member Clark said that he knew it would be a huge undertaking to visit with all the affected property owners, but it would be a larger affect to the City if eminent domain and legal expenses had to be taken. After identifying all the affected property owners, starting a conversation with those owners would be the most direct route to take

4. Discussion regarding project updates related to replacement of sewer line; and the Water/Wastewater Shop and Lab.

Van Sims, Water/Wastewater Operations Manager, informed Council that the new Water/Wastewater Shop and Lab is 95% complete. He indicated that the contractor is behind four days and their projected completion date is October 30.

Sims also provided updates on the sewer line replacement in the west alley of the 400 block of North Key Avenue.

5. Discussion regarding Pole Attachment Standards.

Gary Cox, Assistant City Manager, explained that in consultation with Local Government Services (Pole Audit Consultant), it has been recommended that the City consider adopting design and specification criteria for attachments to City utility poles and infrastructure prior to renegotiating pole attachment agreements. Currently, the City does not have any formal processes in place related to the permitting, installation or design of attachments to our systems, but rather relies upon standards set forth in the National Electric Safety Code. Chapter 284 LGC and Chapter 66 Utilities Code provide that a municipality has the authority to exercise police powers and enact standards related to wireless and wired attachments to poles and other public infrastructure. Based upon research, City Staff found numerous examples of pole attachment and design processes, which have been adopted by municipalities and utility providers. In consultation with our Electric Department and Public Works Director, Rickie Roy, City Staff recommends that Council consider adopting the design and specifications in place for CPS Energy (San Antonio) as it provides for a comprehensive manual addressing design standards, make ready, applications, permitting, violations and fees for the various types of pole attachments and provides for enforcement authority for provisions of the manual.

A draft ordinance, which was prepared in consultation with and reviewed by the City Attorney, Jo Christy Brown, was provided for Council’s consideration in regular session to adopt pole attachment standards and specifications to the Code of Ordinances.

The CPS Manual is available for Council to review if desired, however has not been included in the packet due to volume.

Discussions included:

- This ordinance will provide for enforcement issues.
- The last audit of Suddenlink attachments was in 2011.
- Currently, Suddenlink pays \$7.62 per attachment per pole and AT&T pays \$3.00 per attachment.
- Currently, the City collects approximately \$18,000.00 annually.
- There was discussion of the formula that Pedernales Electric Coop uses to calculate the cost of rate to connect.
- Currently, there are 5,200 poles in the City.
- There is potential of additional revenue for the City with this ordinance.

Council member Clark asked if this would affect the school fiber on the City’s poles. Assistant City Manager Cox said that it wouldn’t but an agreement would also be done with LISD.

6. Discussion regarding any item on the regular agenda

There was no discussion.

7. Adjourn Workshop Session

Council member Clark moved to adjourn the workshop session at 6:10 p.m. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried. (Talbert absent)

A break was taken before going into regular session.

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

A. Call to Order

Mayor Talbert called the regular session to order at 7:00 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

- Introduction of Colton Baker- Promotion to FD Driver Pump Operator

City Manager deGraffenried announced that Mr. Baker was unable to be present.

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter <b>not included</b> 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.

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

1.3	Public Hearing to receive citizen comments regarding a request to consider approval, denial, or approval with modification(s) the Pecan Street Final Replat of a part of the East ½ of Block 25, Old Town of Lampasas, Texas as recorded in Cabinet 1, Slide 33, Plat records of Lampasas County, commonly known as 802 S Pecan.
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Becky Sims, Assistant City Secretary, explained Ron Farr is asking to consider approval, denial or approval with modification(s) the Pecan Street Final Replat with variances.

Sims reviewed the following:

- The lots will meet the Single Family Residential-8 “SF-8” Zoning Regulations based on the variances approved August 20, 2019 through the Zoning Board of Adjustment.
- SF-8 is an allowed use in Two-Family Residential District (Duplex).
- Staff mailed eighteen (18) notices to property owners within 200 feet of the property. No letters have been received either approving or protesting the request.
- The Planning & Zoning Commission recommended approval of the Pecan Street Replat with variances on September 5, 2019.

Mayor Talbert opened the public hearing for any citizen comments. There were none.

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

1.4	Public Hearing to receive citizen comments regarding a request to consider approval, denial, or approval with modification(s) of the Brodie Estates Final Replat of lots 2, 3 & 4 in Lampasas Texas, Lampasas County.
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Becky Sims, Assistant City Secretary, explained Stephen McDonald, S2M2, Inc. is asking Council to consider approval, denial or approval with modification(s) of the Brodie Estates Final Replat.

Sims reviewed the following:

- The lots will meet the Single Family Residential-6 “SF-6” Zoning Regulations
- The proposed development is 6.70 acres and the developer plans on building 22 homes and one drainage pond.
- Staff mailed thirty-seven (37) notices to property owners within 200 feet of the property. Two (2) letters have been received approving the request and one (1) in protest.

- The Planning & Zoning Commission recommended approval of the Brodie Estates Replat on September 5, 2019.

Mayor Talbert opened the public hearing for any citizen comments. There were none.

Mayor Pro Tem Monroe moved to close the public hearing. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

1.5	Public Hearing to receive citizen comments regarding an Ordinance of the City Council of Lampasas, Texas, amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”
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Becky Sims, Assistant City Secretary, explained that the City of Lampasas Food Truck Ordinance was adopted in March 2015. Since the Ordinance was adopted, the City has only issued a few permits. In the past two years, the interest in food trucks in Lampasas outside of community events has become more popular. In reviewing the Ordinance, fee schedule and listening to citizen’s feedback, City Staff felt that it was in the City’s best interest to modify the temporary permit timeframe.

Sims said that currently it reads that the temporary permit must be issued for 14 consecutive days. The cost for the 14-day permit is \$100.00. City Staff is proposing to alleviate the consecutive days stipulation to allow more flexibility based on the needs of the vendor. In order to regulate and monitor the 14-day usage, City Staff will keep a calendar of when the 14 days will be used. This of course can be modified; however, it will be used as an accountability measure to ensure compliance with the City’s Zoning Regulations.

Mayor Talbert opened the public hearing for any citizen comments. There were none.

Mayor Pro Tem Monroe moved to close the public hearing. The motion was seconded by Council member Clark 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 August 26, 2019

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

2.2	Discussion and possible action concerning approval of minutes of the Special Meeting on September 3, 2019
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Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Clark 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 August 1, 2019- August 31, 2019

Mayor Pro Tem Monroe moved to approve the consent agenda. The motion was seconded by Council member Clark 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:

- Refunding - As discussed with the City's Financial Advisor, Specialized Public Finance, the City does currently have an opportunity to refund approximately \$1,400,000.00 General Obligation Bonds at a slight savings to the City. Based on estimates from Jennifer Ritter, the City would potentially save approximately \$192,000.00 through the term in 2036. Not a huge savings per year, but a savings, nonetheless. City Staff has engaged FTN Financial, as recommended by Ms. Ritter, as the Bidding Agent, with their \$4,000.00 fee contingent on the closing of the transaction. Council will have the opportunity to formally review and approve bids at the September 23, 2019 Council meeting.
- Food Trucks – City Staff had the opportunity to discuss food trucks with one of our brick and mortar restaurateurs this past week, who raised questions regarding the requirements, fees and certifications of the vendors. He expressed his concern that the units do not compete on a level field, and that establishments, such as his, support the community with jobs, donations and taxes. I informed him I would express his concerns to Council.
- Citizen Comments - Council has, by this agenda item, learned that the public must have the opportunity to make comment on agenda, and non-agenda items. Council may wish to discuss whether to allow comment when each item is brought up, or as in tonight's agenda, provide the opportunity to hear testimony on any item at one time. City Staff will also provide Council with a bullet list of newly enacted legislation impacting City operations.
- Chestnut – Staff has discussed street and gutter conditions with the Contractor of the Presbyterian Church on Chestnut. When the pavement was installed, edges were not milled, which results in a "lip" between the pavement and the gutter line. The City, for many years, did not require milling, and Council may, or may not, notice many of our hot-mix streets contain this lip. The issue relates to parishioner's ability to navigate the gutter when attending services or meetings, and possible drainage. Although the project is not on the CIP, City Staff is seeking Council direction to place the item on the agenda for further investigation.
- Comprehensive Plan - If you have not had the opportunity to see or review the draft Chapter 1, City Staff has copies available. Additionally, the survey deadline has been extended through September 13, 2019. Additional notifications will be pushed through social media, and Council is encouraged to share. City Staff will conference with our consultants next week and will forward future meeting dates afterwards.
- He informed Council that he would be out of town on vacation next Monday through Wednesday but was available by phone.

5.2	MAYOR'S COMMENTS
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Mayor announced that her absence from workshop session was due to the opportunity of attending the Mother/Daughter Jr. Pierien dinner with her only daughter.

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 approval, denial or approval with modifications regarding an amended development agreement for Brodie Estates Subdivision.

Gary Cox, Assistant City Manager, explained that this was discussed in workshop session.

Council member Williamson moved to approve the Brodie Estates Subdivision with the modifications as discussed and authorize the City Manager to amend language within the agreement as needed to reach final concurrence. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

7.2	Discussion and possible action regarding approval, denial or approval with modification of the Brodie Estates Final Replat of lots 2,3 & 4 in Lampasas, Texas, Lampasas County
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Becky Sims, Assistant City Secretary, explained that this item was discussed in public hearing.

Mayor Pro Tem Monroe moved to approve the Brodie Estates Final Replat of lots 2,3 & 4 in Lampasas, Texas, Lampasas County. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

7.3	Discussion and possible action regarding approval, denial, or approval with modification(s) the Pecan Street Final Replat of a part of the East ½ of Block 25, Old Town of Lampasas, Texas as recorded in Cabinet 1, Slide 33, Plat records of Lampasas County, commonly known as 802 S Pecan.
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Becky Sims, Assistant City Secretary, explained that this item was discussed in public hearing.

Council member Toups moved to approve the Pecan Street Final Replat of a part of the East ½ of Block 25, Old Town of Lampasas, Texas as recorded in Cabinet 1, Slide 33, Plat records of Lampasas County, commonly known as 802 S Pecan with the variances as noted. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.4	Discussion and possible action regarding the first reading of an Ordinance of the City Council of Lampasas, Texas, amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”
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Becky Sims, Assistant City Secretary, explained that this item was discussed in public hearing.

Council member Williamson moved to approve the first reading of an Ordinance amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.5	Discussion and possible action regarding the approval of cart trail paving at Hancock Park Golf Course in the amount of \$27,192.00
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Van Berry, Golf Course Manager, explained that there were two quotes received for cart trail improvements.

All Star Paving, Liberty Hill, Texas	\$27,192.00
Hinds Paving, Burnet, Texas	\$40,126.68

Berry explained that the Golf Course budgets \$10,000.00 annually for the cart trail improvement program. The Hancock Park Golf Association is going to fund the remainder of the balance \$17,192.00.

Council member Toups moved to approve the cart trail improvements at Hancock Park Golf Course to All Star Paving of Liberty Hill, Texas in the amount of \$27,192.00. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.6	Discussion and selection of possible winner of website photo contest.
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Monica Wright, Information Systems Director, explained that there were six (6) photo entries:

- Entry 1: "Some of the Resident Bucks!" by Loida Stephenson
- Entry 2: "Lampasas Police Department Flag and Lampasas County Courthouse" by Jody Cummings
- Entry 3: "Lampasas Reflection" by Crystal Moon
- Entry 4: "Fly Fishing" by Jared Payne
- Entry 5: "Hometown Sunset" by Maria Castruita
- Entry 6: "Pure Happiness" by Phyllis Stillwell

Council member Toups moved to select Entry 1 "Some of the Resident Bucks!" submitted by Loida Stephenson as the winner of the website photo contest. The motion was seconded by Council member White and with a vote of five in favor and two opposed (Clark & Kuehne), the motion carried.

7.7	Discussion and possible action regarding the ratification of the emergency expenditure of replacement computers in the amount of \$6,216.36
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Monica Wright, Information Systems Director, explained that due to the recent impact by the ransomware attack that occurred on the City's network on August 16, 2019, City Staff is requesting ratification of the emergency expenditure of replacement computers in the amount of \$6,216.36 from SHI Government Solutions.

Wright explained that rather than re-building the six (6) computers, City Staff felt it was best to replace them due to the operating system on them would not be supported beginning January 2020. She also noted that the replacement computers were already budgeted items included in the FY 19-20 budget.

Wright also noted that included in the purchase, is a regular budgeted replacement item for monitors and these items are covered under the State DIR and Choice Partners contract.

Council member Clark moved to approve the ratification of the emergency expenditure of replacement computers in the amount of \$6,216.36 from SHI Government Solutions. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.8	Discussion and possible action concerning a professional services agreement with Local Government Services to conduct a utility pole attachment audit on behalf of the City of Lampasas in an amount not to exceed \$25,000.00.
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Gary Cox, Assistant City Manager, explained City Staff has recently reviewed the agreements with AT&T and Suddenlink regarding utility pole attachments. The review revealed a need to update the terms of the agreements, as well as recalculation of attachment fees and updating of the pole attachment inventory. Through the Texas Municipal League, City Staff has contacted Local Government Services, who provides similar services to numerous Texas municipalities. Local Government Services provided City Staff with an engagement letter to conduct an audit of pole attachments, assist in compiling financial data and calculating pole attachment rates as well as drafting and negotiating amended pole attachment agreements with AT&T and Suddenlink.

Cox indicated that the pole audit inventory was identified as a need through the CIP Committee and as a recommendation from the Electric Department Staff. It is anticipated that the audit and updated attachment agreements/rates will result in additional revenues due to the City, however, City Staff is not able to estimate the additional benefits until the audit is completed.

Cox said that this agreement qualifies as a professional service for engineering and is exempt from bid processes. If approved, funding would be allocated from the Electric Department Fund Balance for FY 19/20. City Staff anticipates recovering a percentage of the audit costs from AT&T and Suddenlink upon completion of the audit.

Council member Clark moved to authorize the City Manager to execute a professional services agreement with Local Government Services to conduct pole attachment audit and associated services not to exceed \$25,000.00. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

7.9	Discussion and possible action concerning the first reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the Fiscal Year Beginning on October 1, 2019 and ending on September 30, 2020; Appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal Sinking Fund requirements on all indebtedness; providing a severability clause; providing a repealer clause for the repeal of all Ordinances and Appropriations in conflict with the provisions of this Ordinance; and Establishing an Effective Date.
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Yvonne Moreno, Finance Director, explained that the attached ordinance will formally adopt the proposed budget for the 2019-2020 Fiscal Year. She also indicated that a record vote by the City Secretary was necessary.

Council member Clark moved to approve the first reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the Fiscal Year Beginning on October 1, 2019 and ending on September 30, 2020; Appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal Sinking Fund requirements on all indebtedness; providing a severability clause; providing a repealer clause for the repeal of all Ordinances and Appropriations in conflict with the provisions of this Ordinance; and Establishing an Effective Date. The motion was seconded by Council member White and with a record vote by the City Secretary, Christina Marez, as follows:

Council member Williamson	Yes
Council member Clark	Yes
Mayor Pro Tem Monroe	Yes
Mayor Talbert	Yes

Council member White                    Yes  
 Council member Kuehne                Yes  
 Council member Toups                 Yes, and with a unanimous vote, the motion carried.

7.10	Discussion and possible action concerning the first reading of an Ordinance setting the Tax Rate and Levying a tax upon all property subject to taxation within the City of Lampasas, Texas for the 2019 Tax Year for the use and support of the Municipal Government of the City of Lampasas for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020; Apportioning said levy among the various funds and items for which revenue must be raised including providing a Sinking Fund for the retirement of the Bonded Debt for the City of Lampasas; and establishing an Effective Date.
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Yvonne Moreno, Finance Director, explained that the attached ordinance adopts a total tax rate of \$0.395218 cents for the 2019 tax year. The tax rate is divided between \$0.309420 cents for general fund maintenance and operations and \$0.085798 cents for debt service (interest and sinking fund). Again, a record vote by the City Secretary must be taken.

Mayor Pro Tem Monroe moved that the property tax rate be increased by the adoption of a tax rate of \$0.395218, which is effectively a 1.72 percent increase in the tax rate. The motion was seconded by Council member White and with a record vote by the City Secretary, Christina Marez, as follows:

Council member Williamson            Yes  
 Council member Clark                 Yes  
 Mayor Pro Tem Monroe                Yes  
 Mayor Talbert                          Yes  
 Council member White                 Yes  
 Council member Kuehne                Yes  
 Council member Toups                 Yes, and with a unanimous vote, the motion carried.

7.11	Discussion and possible action regarding ratifying the property tax revenue increase reflected in the fiscal year 2019-2020 budget.
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Yvonne Moreno, Finance Director, explained that Local Government Code, Section 102.007 requires a separate vote of the governing body of a city to ratify the property tax revenue increase reflected in the budget. The tax rate of \$0.395218 will increase revenues this fiscal year by \$55,072.00 over last fiscal year. The separate vote is in addition to and separate from the vote to adopt the budget or a vote required to set the tax rate. Again, a record vote by the City Secretary is necessary.

Council member Williamson moved to approve ratifying the property tax revenue increase reflected in the fiscal year 2019-2020 budget. The motion was seconded by Council member Clark and with a record vote by the City Secretary, Christina Marez, as follows:

Council member Williamson            Yes  
 Council member Clark                 Yes  
 Mayor Pro Tem Monroe                Yes  
 Mayor Talbert                          Yes  
 Council member White                 Yes  
 Council member Kuehne                Yes  
 Council member Toups                 Yes, and with a unanimous vote, the motion carried.

7.12	Discussion and possible action regarding the first reading of an Ordinance amending the Lampasas Code of Ordinances, Chapter 82 (Utilities) by adding new article VIII to be entitled “Pole Attachment, Standards and Specifications”, providing comprehensive pole attachment regulations; establishing the permitting and approval process for pole attachments; establishing design standards and criteria for same; adopting a fee schedule for pole attachments; providing a severability clause; and providing an effective date.
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Gary Cox, Assistant City Manager, explained that this item was discussed in workshop session.

The attached draft ordinance, which was prepared in consultation with and reviewed by the City Attorney, Jo Christy Brown, is provided for Council’s consideration to adopt pole attachment standards and specifications to the Code of Ordinances.

The CPS Manual is available for Council to review if desired, however has not been included in the packet due to volume.

Council member Clark moved to approve the first reading of an Ordinance amending the Lampasas Code of Ordinances, Chapter 82 (Utilities) by adding new article VIII to be entitled “Pole Attachment, Standards and Specifications”, providing comprehensive pole attachment regulations; establishing the permitting and approval process for pole attachments; establishing design standards and criteria for same; adopting a fee schedule for pole attachments; providing a severability clause; and providing an effective date. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

7.13	Discussion and possible action concerning the first reading of an Ordinance Amending Appendix A (Fee Schedule), Chapter 62 (Solid Waste), Article III (Billing, Rates, and Fees) related to the collection of Solid Waste of the Code of Ordinances of the City of Lampasas. Providing for an increase in the rates to be charged for Residential Solid Waste collection; Providing for repeal of conflicting ordinances; providing a severability clause and providing an effective date.
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Yvonne Moreno, Finance Director, explained that this ordinance addresses the rate increase that was discussed and approved by Council during the 2019-2020 proposed budget workshop. As discussed, the rate will increase by \$1.25 for residential pickup only and will go into effect the first billing in October 2019.

Council member Williamson moved to approve the first reading of an Ordinance Amending Appendix A (Fee Schedule), Chapter 62 (Solid Waste), Article III (Billing, Rates, and Fees) related to the collection of Solid Waste of the Code of Ordinances of the City of Lampasas. Providing for an increase in the rates to be charged for Residential Solid Waste collection; Providing for repeal of conflicting ordinances; providing a severability clause and providing an effective date. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.14	Discussion and possible action regarding the award of quote for two replacement servers in the amount of \$14,393.58
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Monica Wright, Information Systems Director, explained that City Staff is recommending the approval of an accelerated purchase of two (2) replacement servers at a 64% savings that the vendor is offering to agencies affected by the ransomware attack that occurred on August 16, 2019. The two (2) replacement servers were already budgeted items (\$40,000.00) in the FY 19-20 budget.

Wright indicated that the servers will replace two (2) existing servers located at City Hall. Currently, one of the existing servers is inoperable due to ransomware, and rather than rebuilding it, City Staff would like to make a recommendation to proceed with purchase of the new servers due to the substantial savings and the need to get the other server operational. These items are covered under the State DIR-TSO-3763 contract. In addition, the City of Lampasas account was approved to be sold at net terms.

Council member Toups moved to approve the award of quote to DELL EMC for two replacement servers in the amount of \$14,393.58. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.15	Discussion and possible action regarding the purchase of a replacement SCADA computer/software in the amount of \$15,995.00
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Van Sims, Water/Wastewater Operations Manager, was seeking Council approval of the purchase of a replacement SCADA computer/software in the amount of \$15,995.00 from TraC-n-Trol, Inc. He explained that the current SCADA computer was compromised in the recent ransomware incident and is not operational. While the computer was not planned for replacement for the current Fiscal Year, City Staff has been informed that due to the age of the device and the operating system (Windows 7) reaching end of life and no longer supported, it would be more cost effective to replace versus attempting to restore the existing device.

Sims indicated that the bulk of the costs of the replacement device result from a newer version of the SCADA software, which is required due to the update in the operating system to Windows 10. The quote also includes installation and programming of the SCADA software to operate with our systems. He informed Council that TraC-n-Trol, Inc. has provided the City with a loaned computer to maintain operational functions of our systems, however, only minimal functionality is provided.

Sims said that TraC-n-Trol, Inc. is a sole source provider of the Supervisory Control and Data Acquisition (SCADA) system for the City. Funding will be allocated from the year-end budget projections balance.

Also noted by Gary Cox, Assistant City Manager, was that City Staff has consulted with the TML Risk Pool regarding insurance coverage for the equipment and is awaiting a response.

Mayor Pro Tem Monroe moved to approve the purchase of a replacement SCADA computer and associated services from TraC-n-Trol, Inc. in the amount of \$15,995.00. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

7.16	Discussion and possible action regarding the award of a contract through the TX Community Development Block Grant Program (CDBG) for the replacement of a water line in W. Avenue C between Porter and Ridge Streets and consideration of add alternates to the project.
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Gary Cox, Assistant City Manager, explained that this project was procured through a sealed bid process and in accordance with CDBG requirements. The base project as identified in the CDBG bid solicitation will be funded through the CDBG Grant (\$265,000.00), local match funds (\$55,000.00) and funds from 520-5530 (Water Extensions & Upgrades) (\$50,759.60) for a total of \$370,759.60. This funds the base project and fees due for professional services. Funding for alternate proposals is recommended as outlined by City Staff.

Cox noted that this project was advertised for bid in accordance with the CDBG grant program for the replacement of a water line in W. Avenue C from Ridge to Porter, as well as three alternate bids for work to complete connectivity to Key Avenue. Four (4) bids were received.

Bidders:	Royal Vista Inc.	A& S Underground LLC	QRO-MEX	M&C Fonseca
Base Bid	\$442,221.00	\$417,726.50	\$350,759.60	\$432,262.00
Alternate 1	\$40,230.00	\$44,135.70	\$39,148.00	\$44,888.00
Alternate 2	\$55,639.00	\$56,692.10	\$49,951.00	\$60,400.00
Alternate 3	\$61,916.00	\$61,347.95	\$52,742.00	\$67,187.00
Total Bid Amount	\$600,006.00	\$579,902.25	\$492,600.60	\$604,737.00

Based on the bid tabulations and the engineer’s verification of qualifications, QRO-MEX Construction Co., Inc. is the apparent low bidder on the base project as well as the alternates. QRO-MEX has previously performed satisfactory work for the City within the past 24 months.

The Community Development Block Grant provides for \$265,000.00 in funding and the City has dedicated \$55,000.00 (520-5530 Water Extensions & Upgrades) in local match for the project. These funds total \$320,000.00. Based upon contractual obligations for grant administrative services and engineering expenses, a balance of \$20,000.00 is due (\$15,000.00 Langford Community Management & \$5,000.00 Eckermann Engineering). This leaves \$300,000.00 available for the completion of the project and a balance of \$50,759.60 needed to fund the base project costs without consideration of the alternate bids.

City Staff has identified funding within the Water Department, Water Extensions & Upgrades account, to cover the \$50,759.60 needed for the cover the base project. This will leave a projected balance in this account of \$49,240.00 for the remainder of FY 19/20.

Cox said that the Base Bid includes replacement of the water line and associated connections from Porter Street to Ridge Street along W. Avenue C and a section along W. Avenue A from Porter Street to FM 580.

The Alternate bids reflect a block-by-block extension of the base project from Ridge to Key Avenue along W. Avenue C. In discussions with Staff, if funding could be allocated for the alternates, the priority would be in numerical order of the alternate project bids starting with Alternate 1.

Alternate 1 = Ridge to Broad	\$39,148.00
Alternate 2 = Broad to Walnut	\$49,951.00
Alternate 3 = Walnut to Key	\$52,742.00
Total:	\$141,841.00

Staff would recommend funding the alternates if funds can be identified so as not to leave three blocks of the line incomplete. The funds remaining in the Water Extensions & Upgrades account, \$49,240.00 could be used to fund Alternate 1. However, would not leave a balance for any other projects, which may arise. These funds are not specifically allocated for any project, however are used to address needs which arise for line extensions and or replacements which occur throughout the FY. Staff would seek Councils direction on other funds available for use.

Other Potential sources for the funding are: 2016 Certificates of Obligation (Approximate balance \$682,000.00 after accounted encumbrances) and Fund Balance Reserves.

Council member Clark moved to approve the award of a contract through the TX Community Development Block Grant Program (CDBG) for the replacement of a water line in W. Avenue C between Porter and Ridge Streets to Qro Mex in the amount of \$492,600.60 with funding of Alternate 1 to be paid with the Water Extensions & Upgrades account and Alternates 2 & 3 to be paid from the 2016 CO Fund and consideration of add alternates to the project. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.17	Discussion and possible action regarding approval of Lampasas Economic Development Corporation FY 2019/2020 Budget
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Mandy Walsh, Economic Development Director, explained that the Lampasas Economic Development Corporation approved the attached budget for FY 2019-2020 at their meeting on August 21, 2019.

Council member Toups moved to approve the Lampasas Economic Development Corporation FY 2019/2020 Budget. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.18	Discuss and consider a possible nomination for the Lampasas Central Appraisal District Board of Directors.
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City Manager deGraffenried explained that this item has been placed on the agenda to discuss and consider a possible nominee for the Lampasas Central Appraisal District Board of Directors. The election will be for the term of January 1, 2020 through December 31, 2021. The City of Lampasas will have a total of 299 votes to cast in the election of the Board.

The Mayor asked for Council members to consider names as a possible nominee and consider at the next Council meeting.

No action was taken.

7.19	Discussion and possible action regarding award of contract for flatwork and accessibility ramp at the 1931 Roy L Thomas Old City Hall Building.
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City Manager deGraffenried explained that after several designs and review by the Project Accessibility Consultant, the attached plan was distributed for quotation. Bidders were asked to prepare pricing based on 6"depth, #4 on 12", for driveways; and 4"depth, #3 on 12", for sidewalks. Bidders were advised the City would provide demo, haul off and base material. Bidders were advised to not include demo and haul off or to itemize the cost.

deGraffenried said that on September 3, 2019 ASJ was awarded the bid for this project, however, on September 5, 2019 they have pulled themselves from this project. We have brought this item back before Council to award the bid to Canales-Dibble Contractors, Inc. whom, was the second lowest bid.

Mayor Pro Tem Monroe moved to approve flatwork contract with Canales-Dibble Contractors, Inc. in the amount of \$16,866.00 under terms in the attached draft contract, and further, that the City Manager be authorized to increase the contract amount 25% for additional repair adjacent to Old City Hall. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

Mayor Pro Tem Monroe moved to adjourn into executive session at 7:53 p.m. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

City Manager deGraffenried requested that Gary Cox, Assistant City Manager; IT Staff; and TSM Security Network Consultant be allowed in executive session. Council allowed.

**EXECUTIVE SESSION**

The City Council of the City of Lampasas, Texas will meet in closed Executive Session pursuant to the Texas Government Code, Chapter 551, as follows:

1. Section 551.076 Deliberations regarding security devices or security audits (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit

Adjourn executive session

Executive session was adjourned at 8:52 p.m.

**REGULAR SESSION**

III. Discussion and possible action concerning items posted and discussed by Council in Executive Session

No action was taken, however, Mayor Talbert made the following statement: Council appreciates the opportunity to review the generalities of the event and will continue to take steps to strengthen our Network Security.

The actions and preparation by staff prior to the event enabled Lampasas to recover faster than any other community.

Adjourn

Mayor Pro Tem Monroe moved to adjourn the meeting at 8:53 p.m. The motion was seconded by Council member Williamson and with a unanimous vote, the motion carried.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Misti Talbert, Mayor

ATTEST:

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Christina Marez, City Secretary