

**NOTICE OF REGULAR MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
405 SOUTH MAIN STREET
MONDAY MAY 13, 2019
5:30 p.m. Workshop Session
7:00 p.m. Regular Session**

Notice is hereby given that a regular meeting of the City Council of the City of Lampasas, Texas will be held on Monday, May 13, 2019 in the City Council Chambers located at 405 South Main Street, Lampasas, Texas. The City Council of Lampasas, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), and Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters).

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

- I. Call to Order
- II. Conduct and accept Canvass of Votes for the City of Lampasas City Council General Election held on May 4, 2019 *(pgs. 5-8)*
- III. Conduct and accept Canvass of Votes for the City of Lampasas City Council Special Election held on May 4, 2019. *(pgs. 9-12)*
- IV. Presentation to outgoing City Council member
- V. Administer Oath of Office to Newly Elected Council members
- VI. Discussion and possible action concerning the appointment of the Mayor Pro Tem for the 2019-2020 term
- VII. Discussion and possible action concerning the reappointment of Municipal Court Judge and Administer Oath of Office
- VIII. Adjourn Special Session

WORKSHOP SESSION

1. Call to order Workshop Session
2. Discussion regarding draft Development Participation Policy and Process. *(pgs. 13-26)*
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. *(pgs. 27-34)*
4. Discussion regarding City Logo. *(pgs. 35-36)*
5. Discussion regarding any item on the regular agenda
6. Adjourn Workshop Session

REGULAR SESSION
7:00 P.M.

ANNOUNCEMENTS

- A. Call to Order
- B. Invocation and Pledge of Allegiance
- C. Presentations and Proclamations
 - “National Police Week” May 12-18, 2019 *(pgs. 37-38)*
 - “National Public Works Week” May 19-25, 2019 *(pgs. 39-40)*

	PUBLIC HEARINGS/CITIZEN COMMENTS	PAGES
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter not included on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.	N/A
1.2	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.	41-44

2.0	MINUTES	PAGES
2.1	Discussion and possible action concerning approval of minutes of the regular meeting on April 22, 2019	45-54
2.2	Discussion and possible action concerning approval of minutes of the special meeting on April 23, 2019	55-58

3.0	CONSENT AGENDA	PAGES
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from April 1, 2019- April 30, 2019.	59-64

4.0	BOARDS/DEPARTMENT REPORTS	N/A
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5.0	ROUTINE MATTERS	PAGES
5.1	City Manager’s Operational Report <ul style="list-style-type: none"> • HCCAA Lease • Fire Chief • Training • Communications • New Staff • Town Hall • Budget Calendar • Local Option • W/WW Shop/Lab • TxDot • Personnel Policy • COG Addressing 	65-72

5.2	MAYOR'S COMMENTS	N/A
6.0	UNFINISHED BUSINESS	N/A
7.0	NEW BUSINESS	PAGES
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.	73-74
7.2	Discussion and possible action regarding the approval, denial or approval with modifications of the Preliminary Plat for Brodie Estates	75-82
7.3	Discussion and possible action regarding the Stone Valley Development Agreement	83-104
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	105-108
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.	109-116
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	117-124
7.7	Discussion and possible action regarding the composition and neighborhood representation for a Comprehensive Plan Steering Committee	125-126
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.	127-128
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.	129-132
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	133-134
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.	135-136
7.12	Discussion and possible action regarding selection of winner of web site photo contest entry.	137-138
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.	139-142

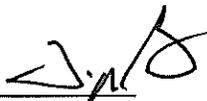
Adjourn

I, Becky Sims, Assistant City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 10 day of May 2019 at

2:53pm



Becky Sims, Assistant City Secretary


City Manager

ITEM NO. Special Session II

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

Subject:

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

Requested By: Christina Marez, City Secretary

Submitted By: Christina Marez, City Secretary

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

Attachments: Election results and Summary of Precinct Returns

Summary Statement:

Attached for review and acceptance is 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 indicate the elected candidates:

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.

Recommendation:

Accept Canvass of Votes for the City of Lampasas General Election held on May 4, 2019

MAYOR Lampasas
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day	Test
Bob Goodart	162	20.96%	2	117	43	0
Dr. Brandin P. Lea	68	8.80%	2	42	24	0
Misti Talbert	543	70.25%	7	396	140	0

COUNCILPERSON, PLACE ONE Lampasas
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day	Test
Delana Keele Touns	665	100.00%	10	480	175	0

COUNCILPERSON, PLACE TWO Lampasas
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day	Test
Jason Glass	164	22.65%	0	117	47	0
Randy Clark	410	56.63%	8	307	95	0
Jim Crozier	150	20.72%	3	104	43	0

COUNCILPERSON, PLACE SIX Lampasas
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day	Test
T.J. Monroe	666	100.00%	11	483	172	0

SUMMARY OF PRECINCT RETURNS

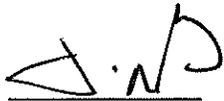
I, the undersigned, the presiding officer of the canvassing authority for General Election, held on the 4th day of May 2019, Lampasas, Texas, do hereby certify that the following is a total of all votes received by each candidate as shown by the precinct returns. I further certify that the following vote totals include early voting votes by precinct received under Section 87.1231 of the Texas Election Code.

Name of Office/ Or Proposition	Name of Candidate	Total Votes Received
<u>Mayor</u>	<u>Misti Talbert</u> Early 396 / Absentee 7 Election Day 140	<u>543</u>
<u>Mayor</u>	<u>Bob Goodart</u> Early 117 / Absentee 2 Election Day 43	<u>162</u>
<u>Mayor</u>	<u>Dr. Brandin P. Lea</u> Early 42 / Absentee 2 Election Day 24	<u>68</u>
<u>Councilmember, Place 1</u>	<u>Delana Keele Toups</u> Early 480 / Absentee 10 Election Day 175	<u>665</u>
<u>Councilmember, Place 2</u>	<u>Randy Clark</u> Early 307 / Absentee 8 Election Day 95	<u>410</u>
<u>Councilmember, Place 2</u>	<u>Jason Glass</u> Early 117 / Absentee 0 Election Day 47	<u>164</u>
<u>Councilmember, Place 2</u>	<u>Jim Crozier</u> Early 104 / Absentee 3 Election Day 43	<u>150</u>
<u>Councilmember, Place 6</u>	<u>T.J. Monroe</u> Early 483 / Absentee 11 Election Day 172	<u>666</u>

DATED, this _____ day _____, 2019.

Presiding Officer

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City ManagerITEM NO. Special Session III

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

Subject:

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

Requested By: Christina Marez, City Secretary

Submitted By: Christina Marez, City Secretary

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

Attachments: Election results and Summary of Precinct Returns

Summary Statement:

Attached for review and acceptance is 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. I will submit the certified results to the Secretary of State and to the Texas Alcoholic Beverage Commission after the canvass.

Recommendation:

Accept Canvass of Votes for the City of Lampasas Special Local Option Election held on May 4, 2019 to permit the legal sale of all alcoholic beverages including mixed beverages in the City of Lampasas.

PROPOSITION 1 Lampasas

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day	Test
For	580	73.79%	6	407	167	0
Against	206	26.21%	5	158	43	0

SUMMARY OF PRECINCT RETURNS

I, the undersigned, the presiding officer(s) of the canvassing authority for the Special Local Option Election for the purpose of submitting to the qualified voters of the City of Lampasas the issue of whether or not to permit the legal sale of all alcoholic beverages including mixed beverages in the City of Lampasas, held on the 4th day of May 2019, Lampasas, Texas, do hereby certify that the following is a total of all votes received by each proposition and votes received “for” and “against” each measure as shown by the precinct returns. I further certify that the following vote totals include early voting votes by precinct received under Section 87.1231 of the Texas Election Code.

Name of Office/ Or Proposition	Numbers of Voters	Total Votes Received
<u>Proposition 1 - For</u>	Absentee 6 Early 407 Election Day 167	<u>580</u>
<u>Proposition 1 - Against</u>	Absentee 5 Early 158 Election Day 43	<u>206</u>

DATED, this _____ day _____, 2019.

Presiding Officer

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City ManagerITEM NO. Workshop-2

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

Subject:

Discussion regarding draft Development Participation Policy and Process

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments:

Summary Statement:

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.

Recommendation:

Discussion and Direction

City of Lampasas

M E M O

To: Mayor and City Council
From: Finley deGraffenried 
Re: Workshop Agenda Item 2
Date: 10 May 2019

On April 23rd Council reviewed participation criteria for various types of development in the City. Based on input from the meeting, staff developed the attached draft ranking and assessment tool to aid in Council deliberation regarding City participation.

During the meeting, Council also expressed consensus that:

- 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.

The attached draft staff reports include 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.

Staff has also included an example report for Council to review on a QSR locating on Key Avenue.

The item and exhibits are considered drafts and subject to Council input and modification.

City of Lampasas Development Participation Staff Report

Project Description

Project Location

I. Project Scoring Narrative

1. Project/Development provides ROI on extension of electric utility, capital outlay or fee waivers \leq 5 years or term of agreement

Score (max 5 pts)

2. Project/Development creates primary jobs. >5 jobs at \$18/hr plus benefits

Score (max 5pts)

3. Project is redevelopment of a distressed property or is located in area of high vacancy rates

Score (max 3pts)

4. Project is a Council identified need (Industrial, Commercial, Retail, Housing, Entertainment)

Score (max 3pts)

5. Development represents significant investment in infrastructure and fixed assets.

Infrastructure \geq \$5,000,000.00

Assets \geq \$5,000,000.00

Score (max 3pts)

Project Ranking

Total Points

15-19 pts - High

5-14 pts - Medium

0-4 pts - Low

Ranking Summary - Notes

II. Council Participation Recommendations

Low - Ranking

- A. Consideration of Row Improvements (Sidewalk, Curb & Gutter, Approaches, Intersection Improvements)
- B. Consideration of cost share for utility extensions for platted in-fill lots

Recommendation

Medium - Ranking

- A. Consideration of extension of electric service including 3ph.
- B. Consideration of cost share of utility extensions

Recommendation

High - Ranking

- A. Consideration of waiver of tap fees
- B. Consideration of waiver of meter cost
- C. Consideration of waiver of permit fees

Recommendation

III. Public Benefits

Council Considerations

- A. Participation in incremental cost in water extensions for system looping
- B. Participation in incremental cost for main sizing for future capacity
- C. Participation in incremental costs for projects that improve actual flows and velocity of drainage from current/undeveloped conditions

Identified incremental public benefits, beyond direct benefits to property

IV. Exchanges – Quid Pro Quo – in lieu of

Considerations for

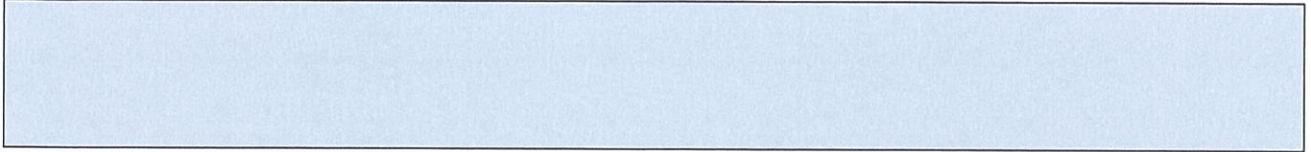
- A. Easements with public benefit
- B. Property acquisition
- C. Additional public work at City's request
- D. Reimbursement for public work at City's request

Description/Recommendation

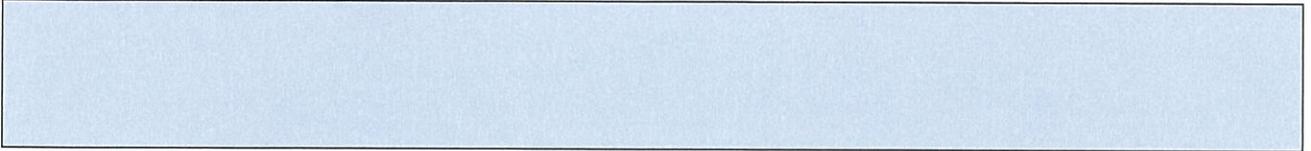
V. Systems Impact

Public Safety Comment

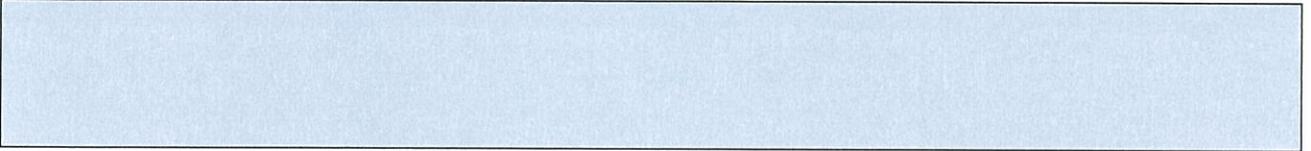
Traffic/Congestion Comment



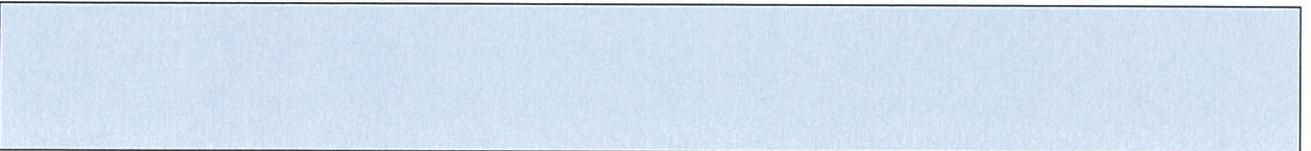
Water/Wastewater Comment



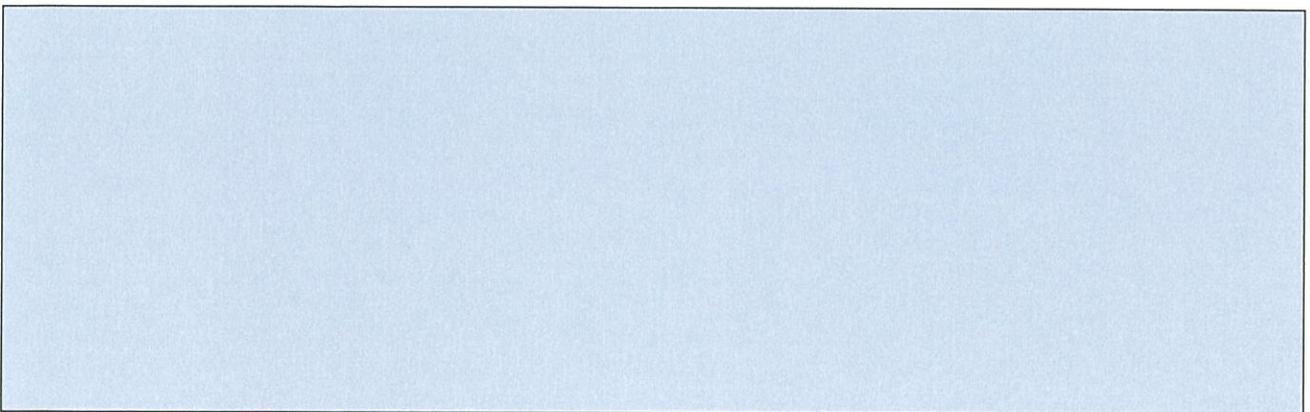
Drainage Impact Comment
System Impact Summary/Recommendation



Maintenance Comment



VI. Recommendation/Summary



Submitted by: _____ Date: _____

**City of Lampasas
Development Participation
Staff Report**

EXAMPLE

Project Description

The project is an approximately 3300 square foot Quick Service Restaurant (“QSR”) with seating for 56 and a pick-up window. The developer anticipates employment of 40-45 (mixed PT/FT) with annual sales of approximately \$1,200,000.00 resulting in gross City Sales tax proceeds of approximately \$18,000.00. Capital outlay for the building is \$975,000.00. The building will have a moderate electric commercial load of approximately 22,500 kWh per month (\$2531.25 plus readiness to serve). The project will include demolition of a vacant building and redevelopment of an adjacent lot.

Project Location

The Project is located on the northwest corner of Key Avenue and Avenue C

I. Project Scoring Narrative

1. Project/Development provides ROI on extension of electric utility, capital outlay or fee waivers ≤ 5 years or term of agreement

Estimated cost of extension of electricity, including transformer, is \$15,649.00. Other fees and costs provide limited or extended ROI and are not scored.

Score (max 5 pts)

4

2. Project/Development creates primary jobs. >5 jobs at \$18/hr plus benefits

The Project does not create any primary jobs

Score (max 5pts)

0

3. Project is redevelopment of a distressed property or is located in area of high vacancy rates

The project does represent the redevelopment of an area of high vacancy rates, and removes a aging structure.

Score (max 3pts)

2

4. Project is a Council identified need (Industrial, Commercial, Retail, Housing, Entertainment)

The project is not an identified need

Score (max 3pts)

0

5. Development represents significant investment in infrastructure and fixed assets.

Infrastructure \geq \$5,000,000.00

Assets \geq \$5,000,000.00

The project does not meet the investment thresholds

Score (max 3pts)

0

Project Ranking

Total Points

6

15-19 pts - High

5-14 pts - Medium

0-4 pts - Low

Ranking Summary - Notes

The project does improve the conditions in the Key Avenue corridor and provides a ROI on the extension of electric service. The project will have positive economic impacts to Lampasas, however; does not meet the threshold for additional participation based on ranking alone.

II. Council Participation Recommendations

Low - Ranking

- A. Consideration of Row Improvements (Sidewalk, Curb & Gutter, Approaches, Intersection Improvements)
- B. Consideration of cost share for utility extensions for platted in-fill lots

Recommendation

The developer will configure ROW improvements to meet the needs of the QSR. Utilities are available with the exception of Electric.

Medium - Ranking

- A. Consideration of extension of electric service including 3ph.
- B. Consideration of cost share of utility extensions

Recommendation

Based on anticipated load and cost of build-out, the project would qualify for a waiver of electric service fees and electric taps.

High - Ranking

- A. Consideration of waiver of tap fees
- B. Consideration of waiver of meter cost
- C. Consideration of waiver of permit fees

Recommendation

This project is not ranked in this category.

III. Public Benefits

Council Considerations

- A. Participation in incremental cost in water extensions for system looping
- B. Participation in incremental cost for main sizing for future capacity
- C. Participation in incremental costs for projects that improve actual flows and velocity of drainage from current/undeveloped conditions

Identified incremental public benefits, beyond direct benefits to property

Staff does not anticipate incremental public benefits related to this project.

IV. Exchanges – Quid Pro Quo – in lieu of

Considerations for

- A. Easements with public benefit
- B. Property acquisition
- C. Additional public work at City's request
- D. Reimbursement for public work at City's request

Description/Recommendation

The project will utilize the alley as part of the "escape route" of the pick-up window. The developer intends to pave the portion of the alley to meet their needs. Prior to paving the City will replace the existing sewer line due to age and condition at City expense. Council could consider additional waiver of tap fees or permit fees in exchange for an additional 80-100 linear feet of pavement for the entire alley between Ave C and Ave D.

V. Systems Impact

Public Safety Comment

There is no additional impact on public safety services based on this project

Traffic/Congestion Comment

Staff anticipates some additional congestion at the intersection of Key and Ave C, however; it should not adversely impact traffic flow.

Water/Wastewater Comment

The QSR is required to install and maintain a grease trap and should comply with discharges into the City sanitary sewer system. The City will need to replace an aging sewer line that serves the project

Drainage Impact Comment

There is no calculated impact to drainage. The development is on a platted lot and the QSR should not increase the amount of impervious cover at the site.

Maintenance Comment

The project will not require on-going City maintenance.

Systems Impact Summary

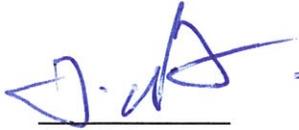
The development will have minimal impacts to City systems or services.

VI. Recommendation/Summary

Based on investments by the developer and the electric load, Council may consider waiving of electric upgrades, and may consider further waiver of fees in exchange of City requested paving.

Submitted by:  Date: 5/9/2019

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City ManagerITEM NO. Workshop-3

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

Subject:

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

Requested By: Sammy Bailey, Police Chief

Submitted By: Sammy Bailey, Police Chief

Date Submitted: May 7, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: City of Lampasas Noise Ordinance

Summary Statement:

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.

Recommendation:

As we anticipate the growth of commercial and entertainment businesses in Lampasas, we believe based on the current issues regarding noise and outdoor music venue complaints that this is a good time for discussion. We'd like to discuss noise, nuisance noise complaints, and the effectiveness of our current ordinance.

ARTICLE IV. - NOISE

Sec. 34-171. - General prohibition.

- (a) The following are generally prohibited:
- (1) Any unreasonably loud, disturbing, unnecessary noise that causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.
 - (2) Any noise of such character, intensity, and continued duration that substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance and is hereby prohibited.
 - (3) The use of any stationary loud speaker, amplifier, musical instrument or electronic equipment including: radio, television, phonograph, computer and other electronic equipment in such a manner or with such volume that annoys and disturbs persons of ordinary sensibilities in the immediate vicinity or is between the hours of 11:00 p.m. and 7:00 a.m., unless a permit and/or waiver is obtained pursuant to subsection (b)(1) and/or (2) below.
 - (4) The use of "engine brakes" or similar mechanical/vehicular devices in such a manner or resulting in noises of a volume that a person of ordinary sensibilities is annoyed and/or otherwise disturbed by them, while operating equipment and/or vehicles within the city's municipal boundaries, is hereby prohibited.
- (b) Exceptions to general prohibitions granted by noise permit and/or council waiver.
- (1) *Noise permit(s) granted by city manager.* The use of stationary loud speakers, amplifiers, musical instruments or electronic equipment including: radios, television, phonographs, computers and other electronic equipment, which is generally prohibited as noted in paragraph (3) above, (i.e., between the hours of 11:00 p.m. and 7:00 a.m.) may be permitted during any hour(s) of the day or night for areas identified in subsection (c)(2) and/or (3) below, if such activity is the subject of a city noise permit authorized by and obtained from

the city manager, after the city manager has confirmed that the maximum noise levels that will be generated do not exceed the levels noted below. No exceptions shall be granted for areas noted in subsection (c)(1), below.

- (2) *Waivers of distance and/or decibel levels by resolution of council.* If an applicant seeks permission to generate noises either at distances or decibel levels that vary from those noted below, in subsection (c)(2) and/or (3), related to the use of stationary loud speakers, amplifiers, musical instruments or electronic equipment including: radios, television, phonographs, computers and other electronic equipment, which is otherwise generally prohibited by this ordinance, the applicant may petition the city council for an exception/waiver applicable to the specific activity or event. Such waivers must be sought by the applicant in advance of the proposed event or activity so that the council may make its evaluation, and issue its decision at a regularly scheduled council meeting. If, upon consideration and evaluation of the request for a waiver, the council members determine that a special exemption or exception of the prohibitions noted below in subsection (c)(2) and/or (3) should be made, because such waiver will serve the public welfare and best interest of the community and its citizens as a whole, then the council may, by resolution, grant a waiver and state within the resolution any applicable conditions or other requirements related to the noise that will be generated by the activity or event.
- (3) *Waivers of distance and/or decibel levels applicable to Lampasas Independent School District, by action and approval of council.* Lampasas Independent School District ("LISD") may seek permission to generate noises either at distances or decibel levels that vary from those noted below, in subsection (c)(1), for school and community activities that are held on LISD school property that is located in a residential zoning district, and in subsections (c)(2) and/or (3) for other districts. Such waiver, if granted, will allow for the use of stationary loud speakers, amplifiers, musical instruments or electronic equipment including: radios, television, phonographs, computers and other electronic equipment, which is otherwise generally prohibited by ordinance. LISD may petition the city council for a waiver applicable to the specific school or community activity or event. Such waivers must be sought by LISD in advance of the proposed event or activity so that

the council may make its evaluation, and issue its decision at a regularly scheduled council meeting. If, upon consideration and evaluation of the request for a waiver, the council members determine that a waiver from the prohibitions noted below in subsections (c)(1) for school and community activities that are held on LISD property that is located in a residential zoning district, and in subsections (c)(2) and/or (3), for other districts, should be made, because such waiver will serve the public welfare and best interest of the community and its citizens as a whole, then the council may, by resolution, grant a waiver and state within the resolution any applicable conditions or other requirements related to the noise that will be generated by the activity or event. Notwithstanding anything contained in this provision to the contrary, routine school activities on LISD property that are related to LISD band and/or sports activities shall not require a waiver from the city, except in the event that the city receives repeated noise complaints from the public concerning same.

- (c) It shall be presumed that a noise does in fact annoy, distress, or disturb the quiet, comfort, or repose of persons of reasonable nervous sensibilities, and therefore violates this article, when any of the following exists or occurs:
 - (1) Noise is made on property that is zoned as residential and/or multi-family districts, as those districts are defined by the city's zoning ordinance, which exceeds the decibel level hereafter stated, when the noise level is measured from a property line that is under separate ownership or occupancy.
 - a. Seventy decibels in the daytime;
 - b. Seventy decibels in the evening; and
 - c. Sixty-three decibels in the nighttime.
 - (2) Noise is made on property that is zoned for any type of district other than residential or industrial districts, as those districts are defined by the city's zoning ordinance, which exceeds the decibel level hereafter stated, when the noise level is measured at a distance of 200 feet from the source of noise (for example, loudspeakers, boomboxes, bullhorns, etc.)
 - a. Eighty-five decibels in the daytime;
 - b. Eighty-five decibels in the evening; and
 - c. Eighty-five decibels in the nighttime.

- (3) Noise is made on property that is zoned for industrial districts, as those districts are defined by the city's zoning ordinance, which exceeds the decibel level hereafter stated, when the noise level is measured at a distance of 200 feet from the source of noise (for example, loudspeakers, boomboxes, bullhorns, etc.)
 - a. Eighty-five decibels in the daytime;
 - b. Eighty-five decibels in the evening; and
 - c. Eighty-five decibels in the nighttime.
- (4) For purposes of interpreting and enforcing the regulations shown above in subsections 34-171(c)(1)–(3), temporal terms are defined as follows:
 - The term "*daytime*" is defined to mean the period of time that extends from sunrise until one hour before sunset, and at which time "evening" begins.
 - The term "*evening*" is defined to mean a time of day that extends from one hour before sunset, until one hour after sunset, at which time "evening" begins.
 - The term "*nighttime*" is defined to mean the period of time that extends from one hour after sunset until sunrise of the next day.

(Ord. No. 1092, § 1, 3-28-2005; Ord. No. 1098, § 1, 5-9-2005; Ord. No. 1339, § 1, 2-27-2012)

Sec. 34-172. - Specific acts.

The following acts, activities, occurrences and/or uses of instruments, among others, are declared to be nuisances in violation of section 34-171, but such enumeration shall not be deemed to be exclusive.

- (1) *Animals and birds*. The keeping of any animal or bird which by causing frequent or continual noise shall disturb the comfort and repose of any person of ordinary sensibilities in the immediate vicinity.
- (2) *Compressed air*. The use of any mechanical device operated by compressed air, unless the noise to be created is reduced so as not to cause discomfort to persons of ordinary sensibilities.
- (3)

Motor vehicle horn. The sounding of any horn or signal device on any motor vehicle, except when the use of the horn or signal device is done as a warning device or for public safety reasons.

- (4) *Operation of vehicles.* The running of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create unreasonably loud or unnecessary grinding, grinding, breaking, jarring or rattling noise or vibrations.
- (5) *Mufflers.*
 - a. The discharge into the open air of the exhaust of any stationary internal combustion engine, motor vehicle, or boat engine except through a muffler or other device that will effectively prevent loud or explosive noises therefrom.
 - b. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and no person shall use a muffler cut out, bypass, or similar device upon a motor vehicle on a highway. All available and reasonable sound deadening and muffling devices and practices shall be employed.
- (6) *Construction work.* Excessive noise that disturbs people of reasonable sensibilities caused by the erection, including excavation, demolition, alteration, or repair work on any residential building, or in any residential area, at any time other than between the hours of 6:00 a.m. and 7:00 p.m. in the winter and between the hours of 5:00 a.m. and 8:00 p.m. in the summer, based on the daylight savings calendar, except in cases of urgent necessity or in the interest of public safety and convenience and then only by permit from the city manager or his/her designee which permit may be renewed by the council during the time the emergency exists.
- (7) *Noise near schools, churches, and hospitals.* The creation of any excessive noise adjacent to any church, school or institution of learning while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, provided conspicuous signs or other evidence are displayed in such manner as to indicate that such is a church, school or hospital.
- (8)

Unloading. The creation of any unreasonably loud and excessive, prolonged noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers in a residential or multi-family zoning district.

- (9) *Utility and roadway repairs and maintenance.* Any utility or roadway maintenance or repairs in residential areas are prohibited from the hours of 11:00 p.m. and 7:00 a.m. except in cases when the repairs are emergency repairs that are necessitated by public health, safety and welfare of the residents.

(Ord. No. 1076, § 1, 10-25-2004; Ord. No. 1092, § 2, 3-28-2005)

Sec. 34-173. - Exemptions.

- (a) The emission of sound for the purpose of alerting persons to an emergency;
- (b) Sound produced by emergency vehicles;
- (c) Sound produced by a vehicle motor in good working order while the vehicle is moving on a public right-of-way, public waterway, airport runway, or railroad;
- (d) Sound produced by any governmental body in the performance of a governmental function;
- (e) Sound generated at a scheduled stadium event held by a political subdivision; by parade spectators and participants in the parade route during a permitted parade; any events approved by the city through a contractual agreement;
- (f) Sound generated at a religious event held on premises that are regularly used for worship services and no earlier than 7:00 a.m. and no later than 11:00 p.m.;
- (g) Amplifiers used on vehicles to attract patrons that are operated by ice cream and snow cone vendors that produce jingles or music;
- (h) The use and operation of bells or an amplified, mechanical bell system in connection with the use and occupancy of a church structure; and
- (i) Sound generated from persons of reasonable behavior playing at a park or playground.

(Ord. No. 1092, § 3, 3-28-2005)

Sec. 34-174. - Enforcement, violation and penalty.

- (a) The provisions of sections 34-171 and 34-172 may be enforced by peace officers, code enforcement officers and such other persons as are designated by the city.
- (b) It shall be unlawful for any person to interfere with, obstruct, resist or oppose any person authorized to enforce the provisions of sections 34-171 and 34-172.
- (c) Any person who violates the provisions of sections 34-171 and 34-172 shall be charged with a class C misdemeanor; and upon conviction shall be fined as provided for in section 1-15 of this Code for each day that a violation exists, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- (d) Revocation of noise permit. The city shall have the authority to revoke any noise permit, issued hereunder if, at any time, in the sole judgment of the city it appears that:
 - (1) The permit holder or activities covered under the permit are not in full compliance with all applicable permit standards;
 - (2) The permittee does not agree to comply with the conditions of the permit;
 - (3) In the sole judgment of the city, a breach of the peace has occurred;
 - (4) Conditions indicate that a breach of the peace is imminent; or
 - (5) Noncompliance with any city rule, law or ordinance.

(Ord. No. 1092, § 4, 3-28-2005)



City Manager

ITEM NO. Workshop-4

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

Subject:

Discussion regarding City Logo

Requested By: Mandy Walsh, Economic Development Director

Submitted By: Mandy Walsh, Economic Development Director

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Logo Designs

Summary Statement:

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.

Recommendation:

Discussion Only





PROCLAMATION

**A PROCLAMATION TO DESIGNATE, THE WEEK OF MAY 12-18, 2019, AS
“NATIONAL POLICE WEEK”**

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the City of Lampasas has declared law enforcement officer safety and wellness a top priority, and the City of Lampasas promotes the importance of individual, agency, family and community safety and wellness awareness; and

WHEREAS, the members of law enforcement agency of the City of Lampasas plan an essential role in safeguarding the rights and freedoms of the citizens of Lampasas; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the police department of Lampasas has grown to be modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW, THEREFORE, I, Misti Talbert, Mayor of the City of Lampasas, on behalf of the Lampasas City Council, call upon all citizens of Lampasas and upon all patriotic, civil and educational organizations to observe the week of May 12th – May 18th, 2019 as Police Week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

BY MY HAND, this 13th day of May, 2019

Misti Talbert, Mayor

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PROCLAMATION

***WHEREAS**, public works services provided in our community are an integral part of our citizen's everyday lives; and*

***WHEREAS**, the support of an understanding and informed public is vital to the efficient operation of public works systems and programs including water, sewer, streets, public buildings, wastewater disposal, and engineering to provide these essential services to our citizens; and*

***WHEREAS**, the health, safety and comfort of this community greatly depends on these facilities and services; and*

***WHEREAS**, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skills of public works officials; and*

***WHEREAS**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding the importance of the work they perform.*

***NOW, THEREFORE**, I, Misti Talbert, Mayor of the City of Lampasas, do hereby proclaim the week of May 19-25, 2019 as*

Public Works Week

in the City of Lampasas, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Lampasas to be affixed this 13th day of May, 2019.*

Misti Talbert, Mayor

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City Manager

ITEM NO. 1.2

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

Subject:

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.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Draft Water Conservation and Drought Contingency Plans are available via the City website and the draft Ordinance is attached to this document.

Summary Statement:

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.

Recommendation:

Discussion Only

ORDINANCE ____

ORDINANCE NO. _____

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 AN EFFECTIVE DATE

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WHEREAS, the City of Lampasas, Texas (City), recognizes that the amount of water available to its citizens and customers is limited; and

WHEREAS, the City recognizes that drought, system failure and other acts of God may occur and that the City cannot guarantee an uninterrupted water supply, for all purposes at all times; and

WHEREAS, the City desires to conserve water resources and prepare for drought; and

WHEREAS, the City desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which require [the adoption and implementation of these Water Conservation and Drought Contingency Plans](#) for all public water supply systems; and

WHEREAS, the City desires to comply with the rules of the Texas Water Development Board, should it decide to avail itself of various financial assistance programs found in Title 31, Texas Administrative Code Chapter 363, [in the future](#); and

WHEREAS, pursuant to [the authority provided by its Home Rule Charter and by the State of Texas in, the Chapter 54 of the Local Government Code, Chapter 54, et seq.,](#) and in the best interests of its citizens, the City ~~is authorized to adopt Ordinances~~ [hereby adopts this Ordinance below, deeming it to be -it deems are necessary to protect the health, welfare and safety of the citizens of the Lampasas community,](#) and expedient to preserve and conserve ~~its~~ [the City's and citizens'](#) water resources and to prepare for drought, [if in, in the future](#);

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

Part 1. Repealer. Chapter 82 (Utilities). Division 3 (Conservation) of the Code of Ordinances is hereby repealed in its entirety.

Part 2. City Code Amended. Chapter 82 (Utilities), Division 3 (Conservation) of the Code of Ordinances is replaced in whole by the text amended as reflected in the updated "Water Conservation and Drought Contingency Plan," attached hereto.

Part 3: All ordinances and resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

Part 4: If any provision of this Ordinance or application thereof to any person or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions, or application thereof, and other valid portions of this Ordinance which can be given effect without the invalid provisions or application shall be given same, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Part 5: Penalty. Any person who violates, or causes or permits the violation of, any provision of this Ordinance shall be punishable under section 1-15 of this Code, or as otherwise noted in the Plans attached hereto. A fine not exceeding two thousand dollars (\$2,000.00) may be imposed for violation of provisions in the ordinance that govern fire safety or public health and sanitation. With respect to violations of this Ordinance that are continuous with respect to time, each day the violation continues is deemed to be a separate offense. Proof of a culpable mental state is not required for conviction of an offense under this ordinance.

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Part 56: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND APPROVED on First Reading this _____ day of _____, 2019

READ AND ADOPTED on Second Reading this _____ day of _____, 2019

ADOPTED:

ATTEST:

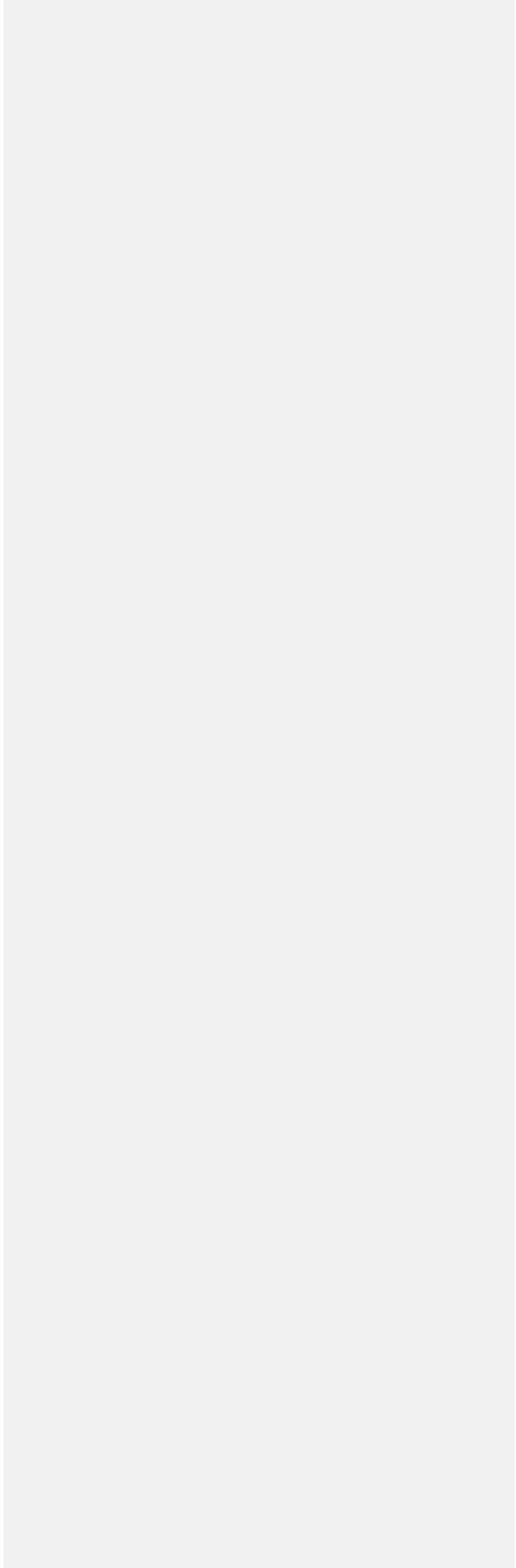
Misti Talbert, Mayor

Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown

City Attorney's Signature of Approval Provided on Separate Page.



**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 Toups), 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.
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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

**NOTICE OF SPECIAL MEETING OF THE GOVERNING BODY
OF THE CITY OF LAMPASAS, TEXAS
CITY COUNCIL CHAMBERS
405 SOUTH MAIN STREET
TUESDAY APRIL 23, 2019
5:30 p.m. Special Session**

The City Council of the City of Lampasas met in special 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
Sammy Bailey, Police Chief
Frank Ellett, Building Official
Flint Geagley, Electric Superintendent
Ronnie Withers, Fire Marshal
Vans Sims, Water/Wastewater Operations Manager
Mandy Walsh, Economic Development Director

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

I. Call to Order

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

II. Discuss and consider residential & commercial development incentives, and utility participation.

City Manager deGraffenried reviewed the following presentation:

- Starting Point
 - Expectations, Matrix, Guidelines and Unfinished Business
 - A Series of Discussion Statements – What is Important, Alignment on Issues, Non-Negotiable Positions, Agree or Disagree
 - Discussion Regarding Public Benefits, Incremental Costs
 - Discussion and Ranking of Participation Tools
 - Process, Performance Standards, If and Then, Some Ideas

- Questions – Public Policy
 - The Guiding Principal when assessing City financial or utility participation is that the individuals/developers directly benefitting from the improvement should fund the improvement
 - The City has an important role in promoting, nurturing and supporting economic development and development in general
 - Economically robust communities have a well-trained/educated workforce, available quality commercial real estate, housing availability, primary jobs, technology infrastructure, responsive local government and excellent quality of life
 - The City should incrementally participate in development where there is a demonstrated Public or System benefit beyond the development itself
 - Council should have the ability to review development and development participation on a case by case basis

- Incremental Public Benefits
 - Increased distance of water mains to loop system
 - Increased diameter of water mains for future capacity
 - Improvement in flows and drainage compared to undeveloped/current conditions. Participation in drainage projects that decrease peak flows and/or modeled on a greater than 25-year event.
 - Increased access and interconnection to transportation system/streets at request of City or as indicated in City’s Comprehensive Plan
 - Increased fire suppression above code requirements at request of City

- Considerations – Ranking
 - The need for Specific Development – Commercial, Retail, Housing
 - Development or Participation provides a ROI – Electric, Sales Tax
 - Development provides significant increase in valuation
 - Development represents significant capital investment
 - Development represents significant increase in Sales Tax
 - Development utilizes City utilities – Electric only
 - Development results in creation of Primary Jobs – Total Employment
 - Redevelopment of distressed property or area with high vacancy rates – Key Avenue, Downtown
 - Development occurs in areas that has been previously platted
 - Area is in Corporate City limits prior to development

- Participation – Ranking
 - Waiver of Building Permit Fees
 - Waiver of Tap Fees
 - Extension and Build-out of Electric Service including 3ph
 - Extension of Water Main > 50 feet
 - Extension of Sewer Main > 50 feet
 - ROW Improvements including sidewalks, curb and gutter, approaches, intersections

- Other Participation
 - Exchanges
 - Quid pro Quo
 - Easements unrelated to development
 - Waiver of Demolition Permits

- Nuisance Abatement – Dump Fees
- Non-Profit
- Process
 - Project Assessment by Staff based on Council ranked considerations
 - Possible participation in project recommended by Staff based on Council ranked levels
 - The greater the score (number of affirmative considerations) the greater level of participation
 - Council review and consideration
- Other Stuff
 - Subdivision Regulations
 - Modifications to increase requirements
 - Additional leverage to negotiate
 - Additional Fees to Address Drainage, Thoroughfares, Parks, Extensions
 - Currently budgeting for System Extensions
 - Major CIP Extension generally completed – Hoffpauir, North Interceptor, Coleman
 - Additional Needs Identified through Comprehensive Planning Process

Discussions included:

- If the City allows for any incentives, it has to make financial sense
- Creation of jobs should be a ranking consideration
- Need to consider how does the City continue to offer City services without any revenue
- Discussion on impact fees for new development
- Discussion on the City’s role in promoting, nurturing and supporting economic development and development in general
- The City should incrementally participate in development
- City Staff will work on a project ranking form and present to Council

III. Adjourn Special Session

Mayor Pro Tem Monroe moved to adjourn the meeting at 7:35 p.m. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

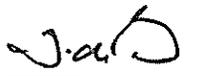
PASSED AND APPROVED this _____ day of _____, 2019.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary

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City Manager

ITEM NO. 3.1

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

Subject:

Discussion and Possible Action regarding purchases and charges in excess of \$4,000 from April 1, 2019 to April 30, 2019

Requested By: Yvonne Moreno, Finance Director

Submitted By: Yvonne Moreno, Finance Director

Date Submitted: May 9, 2019 For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: A/P History Check Report

Summary Statement:

The Check History Report presents the detail of individual charges and amounts for all checks over \$4,000 for the period of April 1, 2019 to April 30, 2019.

Recommendation:

Motion to approve by consent.

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02856	AEP ENERGY PARTNERS, INC. MARCH AEP BILL	E	4/19/2019	58,947.17		000008		58,947.17
56260	LOWER COLORADO RIVER AUTHORITY MARCH LCRA BILL	E	4/19/2019	407,055.51		000009		407,055.51
27050	IRS-PAYROLL TAXES							
I-T1 201904117883	FEDERAL WITHHOLDING	D	4/12/2019	15,106.74		000013		
I-T3 201904117883	FICA TAX	D	4/12/2019	23,893.10		000013		
I-T4 201904117883	MEDICARE TAX	D	4/12/2019	5,587.88		000013		44,587.72
27050	IRS-PAYROLL TAXES							
I-T1 201904257884	FEDERAL WITHHOLDING	D	4/26/2019	15,547.79		000014		
I-T3 201904257884	FICA TAX	D	4/26/2019	24,161.42		000014		
I-T4 201904257884	MEDICARE TAX	D	4/26/2019	5,650.72		000014		45,359.93
02692	APSCO INC./BROWNWOOD PLUMBING							
I-S1151497002	2" X 300' ROLL BLUE CTS	R	4/04/2019	60.54		150509		
I-S1153551001	WATER MATERIAL FOR STOCK	R	4/04/2019	833.13		150509		
I-S1153551002	WATER MATERIAL STOCK	R	4/04/2019	9.22		150509		
I-S1154608001	WATER MATERIAL FOR STOCK	R	4/04/2019	1,006.80		150509		
I-S1154608002	2" X 300' ROLL BLUE CTS	R	4/04/2019	529.15		150509		
I-S1154616002	WATER MATERIAL FOR STOCK	R	4/04/2019	1,347.09		150509		
I-S1154616003	2" X 300' ROLL BLUE CTS	R	4/04/2019	465.00		150509		
I-S1160746001	WATER MATERIAL SUPPLIES	R	4/04/2019	697.65		150509		4,948.58
4100	AVFUEL INC							
I-011970174	AIRPORT 100LL FUEL	R	4/04/2019	13,592.43		150517		13,592.43
00602	CANALES-DIBBLE CONTRACTORS, IN							
I-03262019	CURB WORK ON WALNUT	R	4/04/2019	1,985.00		150524		
I-03262019*	CURB WORK ON WALNUT	R	4/04/2019	2,617.00		150524		
I-03292019	CANALES-DIBBLE CONTRACTORS, IN	R	4/04/2019	2,765.00		150524		7,367.00
17865	COLONIAL LIFE & ACCIDENT							
I-AC1201903147878	ACCIDENT INSURANCE	R	4/04/2019	188.31		150527		
I-AC2201903287880	ACCIDENT INSURANCE	R	4/04/2019	188.27		150527		
I-AC3201903147878	ACCIDENT INSURANCE	R	4/04/2019	606.93		150527		
I-AC3201903287880	ACCIDENT INSURANCE	R	4/04/2019	606.93		150527		
I-CN1201903147878	CANCER INSURANCE	R	4/04/2019	251.15		150527		
I-CN2201903287880	CANCER INSURANCE	R	4/04/2019	251.16		150527		
I-HO3201903147878	HOSPITAL INCOME - PRETAX	R	4/04/2019	83.05		150527		
I-HO3201903287880	HOSPITAL INCOME - PRETAX	R	4/04/2019	83.05		150527		
I-LF3201903287880	UNIV/COL LIFE AFTER TAX	R	4/04/2019	338.62		150527		
I-LF7201903147878	NON-PRETAX LIFE INSURANCE	R	4/04/2019	338.60		150527		
I-LF8201903147878	AFTER TAX COLONIAL PRODUCTS	R	4/04/2019	703.81		150527		
I-LF8201903287880	AFTER TAX COLONIAL PRODUCTS	R	4/04/2019	703.81		150527		
I-LP3201903147878	LPSD DISABILITY AFTERTAX	R	4/04/2019	142.69		150527		
I-LP3201903287880	LPSD DISABILITY AFTERTAX	R	4/04/2019	142.69		150527		4,629.07

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01344	CORE & MAIN LP							
I-K241561	HYMAX LONG COUPLING	R	4/04/2019	3,829.00		150530		
I-K288759	CHLORINE	R	4/04/2019	870.00		150530		
I-K300968	RUBBER METER WASHERS	R	4/04/2019	111.00		150530		4,810.00
03206	CTEX CONSTRUCTION							
I-NO 2 03262019	NIX TANK REPAIR	R	4/04/2019	45,000.00		150533		45,000.00
02860	FUELMAN							
I-201903267879	CITY FUEL	R	4/04/2019	8,657.53		150543		8,657.53
52200	LAMPASAS PUBLIC UTILITIES							
I-03292019	MARCH 2019	R	4/04/2019	31,317.46		150585		31,317.46
74775	SCOTT & WHITE HEALTH PLAN							
I-201904047882	S&W RETIREE INSURANCE	R	4/04/2019	6,996.75		150608		
I-CCC201903287880	HEALTH INSURANCE PREMIUM	R	4/04/2019	4,037.40		150608		
I-CCE201903287880	HEALTH INSURANCE PREMIUM	R	4/04/2019	14,688.26		150608		
I-CCF201903287880	HEALTH INSURANCE PREMIUMS	R	4/04/2019	6,071.58		150608		
I-CCS201903287880	HEALTH INSURANCE PREMIUM	R	4/04/2019	6,229.09		150608		
I-HE1201903287880	HEALTH INSURANCE PREMIUM	R	4/04/2019	7,358.33		150608		
I-HEA201903147878	EMPLOYEE SHARE HEALTH INSURANC	R	4/04/2019	10,888.94		150608		
I-HEC201903287880	EMPLOYEE SHARE HEALTH INSURANC	R	4/04/2019	10,888.94		150608		
I-HI1201903287880	CITY HEALTH INSURANCE	R	4/04/2019	17,907.50		150608		
I-HID201903287880	CITY HEALTH INSURANCE	R	4/04/2019	12,031.30		150608		
I-HIE201903287880	EMPLOYEE CITY HEALTH CONTRIB	R	4/04/2019	21,147.67		150608		118,245.76
02095	SOUTHERN STAR COMMUNICATION LC							
I-2814	PHONE EXTENSION OCH	R	4/04/2019	3,886.79		150611		
I-2815	CITY HALL PHONE MAINT	R	4/04/2019	1,980.00		150611		5,866.79
84250	TEXAS MUNICIPAL RETIREMENT SYS							
I-TMR201902287875	RETIREMENT CONTRIBUTIONS	R	4/04/2019	47,266.44		150616		
I-TMR201903017876	RETIREMENT CONTRIBUTIONS	R	4/04/2019	551.88		150616		
I-TMR201903147878	RETIREMENT CONTRIBUTIONS	R	4/04/2019	49,278.45		150616		
I-TMR201903287880	RETIREMENT CONTRIBUTIONS	R	4/04/2019	44,439.92		150616		141,536.69
00365	USA BLUE BOOK							
I-840213	BLUE-WHITE PUMP	R	4/04/2019	3,890.55		150621		
I-841413	HAMMER DRILL KIT	R	4/04/2019	362.95		150621		
I-842858	PETRI DISH WITH PAD	R	4/04/2019	99.21		150621		4,352.71
02976	WASTE CONNECTIONS							
I-873782	COMMERCIAL SOLID WASTE	R	4/04/2019	48,451.26		150624		
I-873783	RESIDENTIAL SOLID WASTE	R	4/04/2019	43,580.58		150624		
I-873968	RECYCLE DISPOSAL FEE	R	4/04/2019	352.50		150624		92,384.34

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02692 I-S1151497001	APSCO INC./BROWNWOOD PLUMBING WATER MATERIAL FOR CR3420	R	4/17/2019	6,634.11		150679		6,634.11
03127 I-113 04022019	ASJ CONSTRUCTION RECEPTION DESK-CITY HALL	R	4/17/2019	11,310.00		150682		11,310.00
03127 I-NO 8 04112019	ASJ CONSTRUCTION OLD CITY HALL REHAB	R	4/17/2019	45,714.89		150684		45,714.89
03127 I-NO 8 04112019*	ASJ CONSTRUCTION OLD CITY HALL REHAB	R	4/17/2019	45,514.27		150685		45,514.27
03127 I-NO 8 04112019**	ASJ CONSTRUCTION OLD CITY HALL REHAB	R	4/17/2019	26,000.00		150686		26,000.00
01680 I-1175 I-1176 I-1177 I-1178	ECKERMANN ENGINEERING INC COLEMAN WATER LINE W. AVE. E ROAD, CURB, DRA REPALCEMENT P.O. HETHERLY SEWER EXTENSION	R R R R	4/17/2019 4/17/2019 4/17/2019 4/17/2019	700.00 14,000.00 4,200.00 4,500.00		150708 150708 150708 150708		23,400.00
02209 I-11340 I-11341 I-11342 I-11343	JONES-HEROY & ASSOCIATES INC REPLACEMENT P.O. WATER CONSERVATION/DROUGH WW PLANT PERMIT SULFUR CREEK DAM VALVE	R R R R	4/17/2019 4/17/2019 4/17/2019 4/17/2019	5,420.00 5,400.00 345.00 140.00		150732 150732 150732 150732		11,305.00
03063 I-R30200316501	KYRISH TRUCK CENTER OF TEMPLE ENGINE ONE	R	4/17/2019	18,691.88		150733		18,691.88
02754 I-000002150G I-00630G I-00636G I-00716G I-00793G I-01859G I-02048G I-02252019 I-02503G I-02787G I-02834G I-02850G I-03012019 I-03112019 I-03182019 I-03212019 I-1018786004	MASTERCARD WASTEWATER LICENSE FOOD FOR CREW ON LINE BRE GIFT BAGS/TISSUE PAPER BOWMAN SUPPLIES STORMS MEALS SERGEANT ACADEMY JOINT SESSION-DINNER WEBSITE STOCK PHOTOS 20T AIR HYD JACKS MAYOR-LODGING REECE'S RETIREMENT REECE'S RETIREMENT TLA DUES, CONF REG TML WEBINARS DRONE PILOT GROUND SCHOOL GFOAT CONF/PFI TRAINING LIFEGUARD INSTRUCTOR TRA	R R R R R R R R R R R R R R R R R	4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019 4/17/2019	111.00 75.90 9.00 28.92 28.51 550.00 64.25 29.00 239.98 365.70 94.72 29.23 603.00 120.00 224.00 750.00 200.00		150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744 150744		

5/09/2019 11:32 AM
 VENDOR SET: 99 CITY OF LAMPASAS
 BANK: FSB BANCORPSOUTH
 DATE RANGE: 4/01/2019 THRU 4/30/2019

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-11151288215338658	PRIVACY SCREEN/HDMI	R	4/17/2019	78.97		150744		
I-11191946671478654	SECURITY CAMERA	R	4/17/2019	130.00		150744		
I-11216355955202658	WALL PLATES/SWITCH	R	4/17/2019	95.24		150744		
I-11251480050874659	LEVITON SINGLE SWITCH	R	4/17/2019	39.60		150744		
I-11265956134797069	WALL PLATES AT OCH	R	4/17/2019	37.34		150744		
I-11277898810832261	2 GANG WALL PLATE	R	4/17/2019	4.46		150744		
I-2111868301	HOTEL HYATT PLACE	R	4/17/2019	335.61		150744		
I-219654868	NEWSLETTER DELIVERY	R	4/17/2019	50.00		150744		
I-40558	FOURS SEASONS ROOM	R	4/17/2019	538.53		150744		
I-7001676146	AWWA MEMBERSHIP	R	4/17/2019	218.00		150744		
I-7001676156	BOOKS	R	4/17/2019	685.87		150744		
I-9002343238	TREAD MILL	R	4/17/2019	99.38		150744		
I-915676182	COMMUNITY HEALTH SUMMIT	R	4/17/2019	25.00		150744		
I-F2NH28MMCWJ	SHELTER MEDICINE TRACK	R	4/17/2019	250.00		150744		6,111.21
01305	PUMP MECHANICAL TECHNICAL SERV							
I-111003322	RETROFIT-PUMP STATION	R	4/17/2019	25,817.31		150765		25,817.31
02203	T MORALES COMPANY ELECTRIC & C							
I-9442S	REPAIR PUMP 2 VFD	R	4/17/2019	12,650.00		150776		12,650.00
16371	AUSTIN TURF AND TRACTOR							
I-948766	TRACTOR W/BUCKET LOADER	R	4/25/2019	28,318.95		150857		
I-948835	EXTENSON SPRING	R	4/25/2019	55.07		150857		28,374.02
16468	CATERPILLAR FIN SER CORP							
I-1972863204122019	APRIL RENTAL	R	4/25/2019	2,751.32		150863		
I-19780381	APRIL RENTAL	R	4/25/2019	1,660.70		150863		
I-19786357	RENTAL FOR APRIL	R	4/25/2019	2,463.86		150863		6,875.88
01344	CORE & MAIN LP							
I-J998851	PROCORDER	R	4/25/2019	198.00		150865		
I-K279926	MATERIAL FOR THE ASSISTED	R	4/25/2019	4,524.58		150865		
I-K384421	TAPPING SADDLE	R	4/25/2019	427.90		150865		
I-K396198	WATER METERS	R	4/25/2019	14,680.00		150865		
I-K407898	WATER MATERIAL	R	4/25/2019	194.58		150865		20,025.06
33574	GRAVES DOUGHERTY HEARON & MOOD							
I-351464	CENTRAL TX DISPIUTE	R	4/25/2019	89.25		150881		
I-351465	FILE NO.A17501.5 KEMPNER	R	4/25/2019	12,669.05		150881		12,758.30
00647	HOLT CAT							
I-PIMO0409521	HOSE AS, HYDO 10 4X19	R	4/25/2019	163.56		150884		
I-RIES30600030	GENERATOR RENTAL	R	4/25/2019	2,320.90		150884		
I-WIMO0080606	REPAIR FOR 07 BACKHOE	R	4/25/2019	6,421.98		150884		8,906.44

VENDOR SET: 99 CITY OF LAMPASAS
 BANK: FSB BANCORPSOUTH
 DATE RANGE: 4/01/2019 THRU 4/30/2019

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
03199	RCI TECHNOLOGIES INC							
I-39111	RECORDS RETENTION	R	4/25/2019	4,286.00		150896		4,286.00
82300	TECHLINE, INC							
I-126235300	37.5 KVA TRANSFORMER	R	4/25/2019	2,230.00		150903		
I-126235500	37.5 KVA TRANSFORMER	R	4/25/2019	4,506.95		150903		
I-126235501	37.5 KVA TRANSFORMER	R	4/25/2019	27.00		150903		
I-126235502	37.5 KVA TRANSFORMER	R	4/25/2019	277.60		150903		
I-126235503	37.5 KVA TRANSFORMER	R	4/25/2019	825.00		150903		
I-126235600	37.5 KVA TRANSFORMER	R	4/25/2019	184.00		150903		
I-126235700	37.5 KVA TRANSFORMER	R	4/25/2019	77.00		150903		
I-126254900	BULLET TEETH	R	4/25/2019	574.34		150903		
I-126255000	BULLET TEETH	R	4/25/2019	10,758.00		150903		
I-310319700	37.5 KVA TRANSFORMER	R	4/25/2019	1,074.00		150903		
I-310336200	BULLET TEETH	R	4/25/2019	900.00		150903		21,433.89
00647	HOLT CAT							
I-WA79097	LOADER REPAIR	R	4/30/2019	8,185.09		150927		8,185.09
47585	KEMPNER WATER SUPPLY CORP							
I-03312019*	MARCH WATER	R	4/30/2019	56,703.36		150932		56,703.36
52200	LAMPASAS PUBLIC UTILITIES							
I-04102019	17 PARK LANE	R	4/30/2019	39.00		150933		
I-04302019	APRIL 2019	R	4/30/2019	37,104.91		150933		37,143.91

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	34	920,548.98	0.00	920,548.98
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	2	89,947.65	0.00	89,947.65
EFT:	2	466,002.68	0.00	466,002.68
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00		
		0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 99 BANK: FSB TOTALS:	38	1,476,499.31	0.00	1,476,499.31
BANK: FSB TOTALS:	38	1,476,499.31	0.00	1,476,499.31
REPORT TOTALS:	38	1,476,499.31	0.00	1,476,499.31

City of Lampasas

M E M O

To: Mayor and City Council
From: Finley deGraffenried
Re: Manager's Report
Date: 9 May 2019

- HCCAA Lease In reviewing a request to utilize the City owned Senior Center on 8th 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 20th 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 30 th , however; I failed to note Council conflicts with the date. The identified items for the agenda included discussion and comment on the FY 2020 Budget and the upcoming Comprehensive Planning process.
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 th . 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 281 and Ohnmeiss. The current 281 bridge over Sulphur Creek would likely be classified as a 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

At Monday's meeting staff will distribute a draft 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.

**CITY OF LAMPASAS
PRELIMINARY BUDGET CALENDAR
FISCAL YEAR 2019-2020 BUDGET
(Subject to Change) Including CIP**

May 2019

May 1 (Mon)	Estimated last day (or as soon as possible) for the Chief Appraiser to mail notices of appraised value and notices of denial of exemptions or special appraisal.
May 4 (Sat)	Election Day
May 13 (Mon)	Regular City Council Meeting and Workshop
May 15 (Wed)	CIP Meeting
May 17 (Fri)	Projections <u>Due to Finance Department</u>
May 27 (Mon)	Memorial Day Holiday
May 28 (Tues)	Regular City Council Meeting and Workshop
May 31 (Fri)	Budgets due to Finance Department (No Exceptions, Budgets <u>MUST</u> be turned in by this date, please) Budgets Due to Finance

June 2019

June 3 – June 14	Staff Budget hearings with City Manager and Finance Director. Each department director must have departmental forecasts for proposed budget revenues and expenditures, with supporting documentation, prepared for these meetings. Include any New Personnel Request Forms. Also, any capital outlay requests for items over \$5,000 which were not included in the CIP Report are due to the Finance Department at this time. Departmental Meetings with City Manager and Finance
June 10 (Mon)	Regular City Council Meeting and Workshop.
June 24 (Mon)	Regular City Council Meeting and Workshop Budget Roll Out – Address current needs, workshop issues, and dates. Discuss and consider any modifications to 2020 Budget
June 18 (Mon)	Special Called Meeting Budget Workshop Departmental Presentations to Council

July 2019

July 4 (Thur)	July 4 Holiday
July 8-14	Spring Ho Week
July 8 (Mon)	Regular City Council Meeting and Budget Workshop .

**CITY OF LAMPASAS
PRELIMINARY BUDGET CALENDAR
FISCAL YEAR 2019-2020 BUDGET
(Subject to Change) Including CIP**

- July 8-12 Appraisal District - Calculate effective and roll back tax rates, provide City with copy
- July 15 (Mon) **Special Called Council Budget Workshop (if needed)**
- July 22 (Mon) Regular City Council Meeting and Budget Workshop.
Discuss any consider modifications to 2020 Budget.
- July 24 (Wed) (Approximate) Last day for Chief Appraiser to certify an appraisal roll to each taxing unit's assessor.
- July 25 (Thur) Take to newspaper for publication on Friday, August 2nd : the Notice of effective and rollback tax rates; statements and schedules; submission to governing body.
- Take to newspaper for publication on Friday, August 2nd and Friday, August 9th, Public Hearing on citizen input on Proposed Budget for meeting on August 12th.
- July 31 (Wed) City Manager files Proposed Budget with Council and City Secretary per City Charter or earlier

August 2019

- Aug.2nd (Fri) Publication of the notice of effective and rollback tax rates; statements and schedules; submission to the governing body.
(Must be done by August 7th or soon thereafter)
Also post on web site
- Publication of Public Hearing on citizen input on FY 19-20 proposed budget.
Also post on web site
- August 9 (Fri) Publication of Public Hearing on citizen input on FY 19-20 proposed budget.
Also post on web site
- August 12 (Mon) Regular City Council Meeting and Workshop.
Meeting of governing body to discuss tax rate; if proposed tax rate will exceed the rollback rate or the effective tax rate (whichever is lower), must take record vote and schedule 1st and 2nd Public Hearings. Proposed date for the 1st Public Hearing is Monday, August 26, 2019. (At each hearing, the governing body must announce the date, time, and place of the meeting at which it will vote on the tax rate)
Proposed date for 2nd Public Hearing is September 3, 2019 at 5:30 pm -Special Meeting. **(2nd Public Hearing can be scheduled on Aug 30th or Sept. 3rd)**
(The second hearing may not be held earlier than the third day after the date of the first hearing...the meeting to vote on the tax rate must take place no less than three days and no more than 14 days after the second public hearing.)
- Public Hearing for citizen input on FY 19-20 proposed budget

**CITY OF LAMPASAS
PRELIMINARY BUDGET CALENDAR
FISCAL YEAR 2019-2020 BUDGET
(Subject to Change) Including CIP**

- August 13 (Tues) Take “Notice of Public Hearing on Tax Increase” to newspaper (new form) for Publication on Friday, August 16th and Friday, August 23rd . 1st Public Hearing Aug. 26 @ 7:00; 2nd Public Hearing September 3rd @ 5:30 pm (2nd Public Hearing can be scheduled on August 30th or Sept. 3rd)
- August 16 (Fri) Put on Web Page, “NOTICE OF PUBLIC HEARING ON TAX INCREASE”
- August 16 (Fri) Publication of “Notice of Public Hearing on Tax Increase” (1st quarter-page notice) must be published at least **seven (7)** days before Public Hearing.- 1st Hearing Aug. 26th (10 days) ; 2nd Hearing September 3rd @ 5:30 pm.
- August 19th (Mon) Take Notice of 2019 Tax Year Proposed Property Tax Rate for City of Lampasas” – New Form per SB 1510, must be published by Sept. 1st. Will be published on Friday, August 23rd (Must be published by September 1, 2019)
- August 23rd (Fri) 2nd Publication of “Notice of Public Hearing on Tax Increase” (Quarter Page Notice) must be published at least **seven (7)** days before Public Hearing -2nd Hearing September 3rd , (11 days) at 5:30 pm.
- August 23rd (Fri) Publication of Notice of 2019 Tax Year Proposed Property Tax Rate of City of Lampasas” (Must be published by September 1, 2019)
Also put on web page,
“NOTICE OF 2019 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF LAMPASAS”
- August 26 (Mon) Regular City Council Meeting and Workshop.
Public Hearing on proposed tax increase-**1st Hearing**. (Must announce the date, time, and place of the meeting at which the governing body will vote on the tax rate – September 9, 2019, Council Chambers,7:00 pm)
- August 30 (Fri) Taxing units must adopt a 2019 tax rate by this date (or soon after).
- September 2019**
- September 2 (Mon) Labor Day Holiday
- September 3rd (Tues) Public Hearing on proposed tax increase-**2nd Hearing. Special Meeting** (Must announce the date, time, and place of the meeting at which the governing body will vote on the tax rate- September 9, 2019 (must be at least three days but no more than 14 days from last public hearing) (6 days)

**CITY OF LAMPASAS
PRELIMINARY BUDGET CALENDAR
FISCAL YEAR 2019-2020 BUDGET
(Subject to Change) Including CIP**

- September 3 (Tues) Take "Notice of Tax Revenue Increase" (new) to newspaper for publication on September 6th
- September 6 (Fri) Publish "Notice of Tax Revenue Increase"- must be published after the public hearings and before the meeting to vote on the tax rate. (Also post on website)
- September 9 (Mon) Regular City Council Meeting and Workshop
Meeting to adopt the budget and adopt a tax rate. (This falls within the guidelines of 3-14 days after the 2nd Public Hearing-September 3rd and before the 15th as stated by Charter.)
First reading of ordinances adopting the budget and tax rate.
Verbiage when adopting the tax rate must be "I move that property taxes be increased by the adoption of a tax rate of \$0."
- September 10 (Tues) PUT ON INTERNET (HOME PAGE) UNTIL NEXT YEAR--
CITY OF LAMPASAS ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAT LAST YEARS TAX RATE.

THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$_____.
- September 23 (Mon) Regular City Council Meeting and Workshop.
Second reading of ordinances adopting the budget and tax rate.

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City Manager

ITEM NO. 7.1

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

Subject:

Discussion and possible action regarding changing the date of the 2nd meeting in May from Monday the 27th to Tuesday the 28th due to Memorial Day Holiday

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments:

Summary Statement:

The second monthly meeting for May falls on May 27, 2019; which is the Memorial Day Holiday. Staff is asking that we change the meeting to Tuesday May 28, 2019

Recommendation:

To consider a motion to change the Monday May 27, 2019 meeting to Tuesday May 28, 2019

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ITEM NO. 7.2

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

Subject:

Discussion and possible action regarding the approval, denial, approval with modifications the Preliminary Plat of Brodie Estates

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Preliminary Plat

Summary Statement:

The property is described as a replat of lots 2, 3 & 4 Brodie Estates, Burleson. 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. 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 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.

Planning and Zoning heard this request on May 2, 2019 and recommend approval to City Council.

Recommendation:

To consider a motion to approve the Preliminary Plat of Brodie Estates.



April 30, 2019

Gary Cox
Assistant City Manager
City of Lampasas
312 E Third Street
Lampasas, TX 76550

**Re: *Preliminary Plat Summary Letter
Brodie Estates Subdivision
Lampasas, Texas***

Dear Mr. Cox:

Please accept this preliminary plat summary letter, on behalf of the Owner/Developer S2M2, Inc., for a residential subdivision, Brodie Estates, in Lampasas, Texas. The project site consists of 6.70 acres described as Lots 2, 3, and 4 of Brodie Estates and is proposed to be re-subdivided into 23 lots with the same subdivision name. The site is generally located to the east of Brown Street between the intersection of Brown Street with Cloud Street and Hillcrest Drive within the full-purpose jurisdiction of the City of Lampasas. The site is currently zoned SF-6 (Single Family Residential 6) which allows for the proposed use.

The preliminary plat proposes to subdivide the property into 22 residential lots and one (1) drainage/detention lot. Two asphalt residential streets with curb and gutter are proposed to support the subdivision. The roadways will be named Elijah Lane and Blain Circle as shown on the preliminary plat. Water, wastewater, and electric will be provided by the City of Lampasas. Water will connect to an existing 6-inch water main within Brown Street and extend down Elijah Lane and Blain Circle to provide domestic and fire coverage for the proposed development. Wastewater will also connect to a 6-inch wastewater main within Brown Street and extend gravity wastewater service within the proposed roadways to serve the proposed lots.

The site conveys on-site and off-site flows from east to west via an existing drainage swale located in the middle of the property. There is approximately 25 acres upstream of the development that flows across the site prior to entering the Brown Street right-of-way and conveying north down the roadway to Cloud Street. In proposed conditions, off-site flows will be captured by on-site storm sewer and conveyed to a detention facility located on Lot 1, Block 1 prior to being released into the Brown Street right-of-way. Existing and proposed conditions flows will be analyzed to verify



Mr. Gary Cox, April 30, 2019, page 2

that peak flows are not increased above existing conditions flows and downstream properties are not adversely impacted. During the development of the preliminary plat, EEI noted that curb and gutter has been installed along Brown Street changing the historical drainage pattern downstream of the subject development. This condition has been assumed to be adequate and will be utilized as the existing condition in the drainage analysis. Conveyance downstream of the subject development will not be analyzed as part of this project.

In summary the proposed Preliminary Plat application substantially conforms to the City of Lampasas requirements.

If you should have any questions or need additional information regarding the Brodie Estates development, please feel free to contact us at 512-556-8160.

Sincerely,

ECKERMANN ENGINEERING, INC.

A handwritten signature in blue ink that reads 'Sam Walker'.

Sam N. Walker, P.E.
Vice President

Attachments: Preliminary Plat
Preliminary Plat Application (Previously Submitted)
Application Fee (Previously Paid)





May 8, 2019

Gary Cox
Assistant City Manager
City of Lampasas
312 E. 3rd Street
Lampasas, TX 76550

**Re: *Engineer's Summary Letter
Brodie Estates
Lampasas, Texas***

Dear Mr. Cox:

Please accept this letter as a project summary for the proposed Site Development of the Brodie Estates project located within the city limits of Lampasas, Texas. The 6.706-acre project site consists of Lots 2, 3, and 4 of the Brodie Estates Subdivision as recorded in Plat Cabinet 2, Slide 28 of the Official Plat Records of Lampasas County. The site is generally located along the east side of Brown Street and is south of the intersection of Brown Street and Cloud Street.

The subject site will be developed for residential use, which is an allowed use within the current subdivision zoning of Single-Family Residential-6 (SF-6). The subject tract is shown to be within zone "C", areas of minimal flooding, as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on Map No. 4804300005B, dated June 15, 1982 for the City of Lampasas, Lampasas County, Texas.

The preliminary plat proposing to subdivide Brodie Estates into 23 lots was recommended for approval by the Planning and Zoning Commission of the City of Lampasas on May 2, 2019 and will be on an upcoming City Council agenda for final approval. The final plat will be approved and recorded prior to a home being occupied. The development plans propose a detention pond located on Lot 1 of Block 1 and two 60-foot right-of-way access drives (Elijah Lane and Blain Circle) that will terminate as cul-de-sacs. The site is bound on the west by Brown Street, the north and south by residential lots, and the east by undeveloped land. The site will be accessed by a 31-foot public roadway off Brown Street known as Elijah Lane.

A drainage analysis which included the subject area was provided by EEI to the City via a letter dated August 30, 2017. The intent of this previous study was to investigate existing drainage issues at Dent Street and determine what improvements could be

made to alleviate ponding in the area. In conclusion, due to the existing nature of the storm water flows, diversion or re-routing of drainage was determined to be cost prohibitive. Within this drainage study, EEI noted a large section of roadway along the west side of Brown Street that was lacking curb. EEI recommended against adding curb along this section noting the concerns of negatively impacting existing structures and property along Brown Street near the intersection of Cloud Street. Upon site investigation for the development of Brodie Estates, EEI noted that a curb has been installed along the west side of Brown Street thus redirecting and channelizing flows along the roadway towards the intersection of Brown Street and Cloud Street. In response to this drainage alteration, EEI has assumed that downstream conveyance altered by the city is adequate. Additionally, a detention pond to decrease flows leaving Brodie Estates has been proposed by the development in an effort to better drainage conditions along Brown Street from existing conditions.

There are generally two existing drainage patterns on the site. Currently, off-site drainage from the southeast of the property and the eastern portion of the site generally slopes from east to west towards Brown Street (Analysis Point 1). The remainder of the site drains to the northwest towards the intersection of Brown Street and Cloud Street (Analysis Point 2). To ensure that the peak flow rate at Analysis Point 2 will not be increased in proposed conditions, the site will be graded to send more drainage to the detention facility and Analysis Point 1. In proposed conditions, the drainage area of Analysis Point 1 will be captured by an on-site storm sewer system (designed for the 25-year storm event) and conveyed to a proposed detention pond. A drainage analysis/timing study demonstrates that a detention pond was not warranted to support this development in proposed conditions; however, as stated above, the construction of a drainage facility was included to decrease flows entering the curbed Brown Street right-of-way. The drainage/timing study was performed utilizing Pond Pack Version 08.11.01.56. The detention facility has been sized to reduce proposed conditions flows to levels below existing conditions flows in the 2-year, 10-year, 25-year, and 100-year storm events at Analysis Point 1. The proposed detention facility will decrease flows by approximately 6 cfs and 10 cfs in the 25-year and 100-year events, respectively. A copy of the Pond Pack output report is attached to this letter.

Water service for the development will be provided by an existing 6-inch water line running along the east side of Brown Street. An 8-inch water line will tap into the existing 6-inch line and will run to the intersection of Elijah Lane and Blain Circle where it will reduce to a 6-inch water line along the remainder of Elijah Lane to serve a proposed fire hydrant and domestic service taps for each adjacent residential lot. A 6-inch water line along Blain Circle will tee into the proposed line along Elijah Lane to serve the other proposed fire hydrant and residential lots. Wastewater service to the subdivision will be provided by a proposed 6-inch gravity wastewater line that will tie into an existing 6-inch wastewater line running along the west side of Brown Street. Electric service is anticipated to extend overhead along utility easements from an existing overhead electric line along the east side of Brown Street. An existing guy

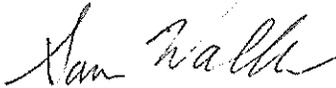
wire and electric pole will need to be relocated according to the site civil plans to facilitate the construction of the proposed entry into the subdivision.

Temporary erosion and sedimentation controls will consist of silt fences, rock berm, and stabilized construction entrances. Permanent erosion and sedimentation controls will consist of hydro-mulched areas, sodded areas, and paved areas. Tree protection will also be utilized to protect existing trees located on the site.

In summary the proposed Civil Site Development set substantially complies with the published requirements of the City of Lampasas. If you should have any questions regarding the Brodie Estates development, please feel free to contact us at 512-556-8160.

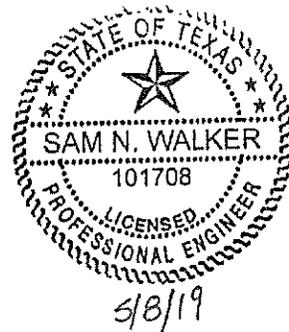
Sincerely,

ECKERMANN ENGINEERING, INC.



Sam N. Walker, P.E.
Vice President

Attachments: Drainage Calculations
Pond Pack Calculations and output



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City Manager

ITEM NO. 7.3

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

Subject:

Discussion and possible action regarding Stone Valley Development Agreement.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

Any funding required for the terms of the agreement would be allocated through the budget process.

Attachments: Draft Agreement

Summary Statement:

On April 22, 2019, the developer, Deorald Finney met with Council and rejected the previously approved agreement. After discussion 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.

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, 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.

Recommendation:

Motion to authorize the City Manager to enter into a Chapter 380 Economic Development Agreement regarding the Stone Valley Subdivision and to execute all related documents.

**ECONOMIC DEVELOPMENT INCENTIVE PROGRAM
AND AGREEMENT**

This Economic Development Incentive Program and Agreement ("Agreement") is made and entered into by and between the City of Lampasas, Texas ("City"), a Texas Municipal Corporation, and Deorald L. Finney ("DLF"), a private developer. On the _____ day of May 2019 ("Effective Date"). The City and DLF are hereinafter referred to as Parties to the Agreement.

RECITALS

WHEREAS, the City desires to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City desires to offer incentives for the location of the Stone Valley Subdivision and capital investment related to same within the corporate boundaries of the City; and

WHEREAS, the City has identified a shortage in the availability of single family homes in Lampasas, which has and will continue to impact economic development opportunities within the community; and

WHEREAS, DLF desires to construct a residential development, investing approximately \$881,000.00 in infrastructure that will benefit the development and the surrounding areas of the community, consisting of sixty-seven (67) single family residential dwellings within the corporate limits of the City of Lampasas (the "Project") which Project is referred to herein as the Stone Valley Subdivision (a/k/r "Subdivision"); and

WHEREAS, as a part of the work to be done on the Subdivision, DLF shall be obligated to make a improvements to the public infrastructure, including drainage, water, wastewater and public roadways ("Public Improvements"), which combined are estimated to have a current, approximate value of eight hundred eighty one thousand U.S. Dollars (\$881,000.00), all of which will be required to serve the Project; and

WHEREAS, in addition to providing utility and access to the Project, the Public Improvements will provide benefits to other areas of the City and benefit the community and it's future expansion, as a whole, including specifically the development to the water, wastewater and drainage systems; and

WHEREAS, accordingly, after evaluation and careful assessment, the City has determined that a substantial economic benefit to the local economy will result from the development of this Project; and

WHEREAS, City is authorized by §380.001, et seq., Texas Local Government Code, to promote state and local economic development and to stimulate business and commercial activity within the City; and

WHEREAS, as an economic incentive to DFL, the City desires to: (1) install at the City's cost, certain electrical infrastructure to each platted lot in the Subdivision, and (2) reimburse DLF for certain Project expenses, pertaining to DFL's costs for construction of the Subdivision roadway and drainage improvements, which will benefit the Subdivision, but will also provide benefits to the general area of the in terms of reliability, redundancy, and access.

NOW, THEREFORE, in consideration of the foregoing and the covenants, agreements, representations, and warranties hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and DLF agree as follows:

AGREEMENT

Section I. Recitals and Consideration

The Recitals set forth above are agreed by the Parties to be accurate and, thus, are incorporated herein by reference, as if fully set forth in this Agreement.

The Parties acknowledge and agree that pursuant to the terms of this Agreement each has provided and received adequate legal consideration for entering into this Agreement and for it to have a binding effect, as agreed between them.

Section 2. City Economic Contributions to DLF

The City's obligations to the Project are as follows:

1. **Electrical Infrastructure:** In consideration of DLF's investment of approximately \$one million five hundred thousand dollars (\$1,500,000.00) in the development of the Subdivision within the City's corporate limits and DFL's satisfactory performance of all other acts and obligations hereinafter described, the City shall extend residential electric utility infrastructure from the existing distribution system to each of the Subdivision's platted residential lot. The total City financial contribution to DLF for this contribution to the Project is currently estimated to be at a cost of \$71,346.36 to the City. The Plans and Cost summary related to this expenditure and City contribution is set forth on Exhibit C.
2. ~~Waive Building Permitting Fees. The City agrees to waive any permitting fees for the development of the Subdivision, which value to DLF and the Project is currently estimated to between \$29, 815.00 and \$32,160.00. This waiver of fees does not apply to the actual costs of water utility meters or fees related to the establishment of utility service accounts.~~
3. The City shall reimburse DLF for the construction of off-site drainage infrastructure that that benefits the Westridge Subdivision, in the actual amount of construction costs, but not to exceed \$33,324.00. The diagram and cost summary of this off-site construction work to be performed by DLF and reimbursed by the City not to exceed \$33,324.00 is set forth on Exhibit B.

4. The City agrees to reimburse DLF \$ _____ or _____ % for improvements to Rice Street as memorialized in Ordinance 1177 (adopted February 2007) and attached hereto as exhibit D. Said improvements will consists of the installation of approximately 988 linear feet of curb and gutter and approximately 1600 square yards of compacted base and asphalt from the original property line of DLF to the existing pavement section of Rice Street. The projected costs for the roadway improvements is \$53,540.00.00 for construction and material costs for improvements made by DLF to Rice Street related to its connectivity to the Project Subdivision.

5. The City agrees to reimburse DLF \$ _____ or _____ % for the installation of approximately 800 linear feet of curb and gutter along the east side of Willis Street to improve overall drainage for the development and the local area. The estimated cost of this public improvement is \$21,600.00 as reflected hereto the attached exhibit E.

6. City's Economic Incentive Payment Schedule and Process: The City's Economic Contributions for DLF'S Project Expenses shall be paid as follows:

a. City shall reimburse DLF up to a maximum of \$33,324.00 for the construction of the Public Improvement off-site drainage, which benefits the Westridge Subdivision. Release and payment of these funds by the City shall occur upon DLF's completion of the drainage construction, , submission of complete documentation and invoices detailing actual public improvement expenses pertaining to this phase of the Project only, and receipt of the City Engineer's Final Letter of Concurrence, providing the City's final acceptance of the Public Improvement infrastructure for which these City funds are apportioned.

b. City shall reimburse DLF up to a maximum of \$ _____ for expenses related to construction by DLF done to complete connectivity between Rice Street and the sub development, to improve public roadway infrastructure within the City. Release and payment of these funds by the City shall occur upon DLF's completion of the construction of the roadway improvements, submission of complete documentation and invoicing detailing actual public improvement expenses pertaining to this phase of the Project only, and receipt of the City Engineer's Letter of Concurrence, providing the City's final acceptance of the Public Improvement infrastructure for which these City funds are apportioned.

c. City shall reimburse DLF up to a maximum of \$ _____ for expenses related to construction by DLF of approximately 800 linear feet of curb and gutter along a portion of the eastern side of Willis Street to benefit drainage for the development and improve overall drainage in the surrounding area. Release and payment of these funds by the City shall occur upon DLF's completion of the construction of the curb and gutter improvements, submission of complete documentation and invoicing detailing actual public improvement expenses pertaining to this phase of the Project only, and receipt of the City Engineer's Letter of Concurrence, providing the City's final acceptance of the Public Improvement infrastructure for which these City funds are apportioned.

c. It is acknowledged and agreed by both DLF and the City that the maximum total amount of all Economic Development Incentive Funding provided by the City to DLF, not including the value of fees and permits waived in the approximate amount between \$29,815 and \$32,160 shall not exceed \$ _____.

d. DLF further acknowledges and agrees that the purpose of the City in

entering into this Agreement is to encourage development of the Property, as the Project, as the residential development proposed by DLF, with ancillary public improvements and, therefore, DLF agrees to develop the Project, and to complete construction on at least 50% of the residential lots within the development, as the Project, and solely for the use and purpose as a residential Property, on or before the of the 60th month after the execution date of this Agreement..

Section 3. DLF Contractual Obligations

In consideration of the City agreeing to provide the above noted consideration and Economic Incentives to DLF for construction of the Project, DLF shall:

- (a) Initiate and/or continuously proceed with all necessary planning activities on the Project within 30 days of approval of this Agreement; and
- (b) Continue, without interruption the development of the Project, referred to herein as the Stone Valley Subdivision, consisting of sixty-seven (67) single-family residential lots, as proposed and approved by the City, until fully completed, with 50% completion to occur within five (5) years after the execution of this Agreement; and
- (c) Make, over the term of this Agreement, the improvements to public infrastructure, detailed on Exhibit A, attached hereto and incorporated herein for all purposes, with such improvements having estimated current total value of eight hundred eighty one thousand U.S. Dollars (\$881,000.00); DLF shall provide documentation to the City demonstrating the actual investment prior to final acceptance of the public infrastructure as well as an engineer's certification that all public infrastructure was installed per City standards;
- (d) Begin initial phase of construction on the Project, consisting of a minimum of four (4) single-family residences in the Subdivision, on or before October 31, 2019; and
- (e) Provide a semi-annual report , (on November 30th and June 30 beginning the first year after) of all construction activities related to the Project and Subdivision, through build-out, ad to provide interim status reports to the City manager and/or his assignee, as requested by the City on a more frequent basis, if asked by the City; and
- (f) Construct and bid all Public Improvement infrastructure components of the Project, strictly to City specifications; and
- (g) Agrees to maintain maintenance bonds on all public infrastructure for a minimum of twenty-four (24) months after the final acceptance by the City.
- (h) Agrees to repair any infrastructure, which fails or is damaged as result of usage by DLF or associates for the duration of the development.
- (i) Promptly notify the City Manager, in writing, at any time that DLF identifies issues that may cause a delay in the ongoing development of the Project or otherwise cause DLF to miss any of the deadlines set forth herein for the Project; and
- (j) For property owned by DLF, keep current on the payment of any and all taxes owed to any taxing jurisdiction in which the Property is located; and
- (k) Keep current in the payment of all charges and fees for utility services provided by the City to the Property; and
- (l) Comply with all Federal, State and Local regulations and laws pertaining to the construction of the Project; and
- (m) Cooperate with the City in promptly providing requested documentation to

confirm compliance with the terms of this Agreement.

Section 4. Recapture/Termination

In the event that DLF allows ad valorem taxes on the Property owned by DLF to the City or other taxing entity to become delinquent by more than 90 days, then in such event this Agreement shall automatically terminate, with no opportunity for appeal or redress by DLF.

In the event that the City determines that DLF is in default *of any* of its responsibilities, noted herein, or of any of the terms, provisions, or conditions contained in this Agreement, then in such event the City shall give DLF thirty (30) days written notice to cure such default. In the event such default is not cured within the 30 day cure period, or if DLF has not commenced and prosecuted with continuous and sufficient diligence a satisfactory cure of the default(s) to the approval of the City, within the thirty (30) days cure period, then this Agreement shall automatically terminate, with no opportunity for appeal or redress by DLF.

The date of termination as a result of default, as that term is used in this Section 4., shall, in every instance, be the 30th day after the day the City sends notice of default(s), in the mail to the address shown in this Agreement to DLF, or by hand delivery, or by transmission that is documented as delivered. Should the default be cured by DLF within the thirty (30) day cure period, DLF shall be responsible for so advising the City and for obtaining a written 'release from the default by cure' from the City, failing in which, the Agreement will be considered to be terminated.

In every case of termination by breach, as set forth above: (1) the City shall determine in its sole discretion whether the default has occurred by DLF in the terms and conditions of this Agreement, which determination shall not be unreasonably withheld or delayed; (2) if default has occurred and is not timely and fully cured to the City's satisfaction, then DLF will forfeit any and all Economic Development incentive payments it has received from the City, under this Agreement and DLF shall return such funds to the City, within 30 days, after the City notifies s DLF of the termination of the Agreement for breach and provides DLF with the amount that is being recaptured by the City from DLF. Further, after default, DLF shall not be entitled to any further funding from the City under this Agreement, or any future funding agreement. Maximum amounts required to be repaid to the City pursuant to this Agreement shall be no more than the amounts outlined in Section 2 of this agreement. Further, in the event of default, DLF shall pay the City the full value of the electrical system installation and any expenses, which would have otherwise been realized by the City without the benefit of this agreement.

Section 5. Certification of Compliance by DLF

On written request by City, at least once per year DLF shall certify in writing to the City its compliance with all provisions of this Agreement. Such certification shall include all documentation establishing that all taxes related to the Property have been timely and fully paid, as required by law, and that the Project and the Subdivision development targets have been satisfied. The City, at any reasonable time, shall have the right to review all records of DLF related to the provisions of this Agreement, and DLF shall cooperate with such review, as required.

In accordance with Chapter 2264, Texas Government Code, DLF certifies that neither DLF, nor any branch, division, subcontractor or department of DLF will or does knowingly employ any undocumented workers. DLF further certifies that in the event that DLF, or any branch, division, subcontractor or department of DLF is convicted of a violation under 8 U.S.C. Section 1324a (f), DLF shall repay the amounts previously provided to DLF by the City pursuant to this Agreement .. Should such conviction occur during the term of this Agreement, then such a conviction shall be cause for the immediate termination of this Agreement.

Section 6. Term

This Agreement shall be effective for a period of ~~three (3)~~ five (5) years from its effective date, i.e., the date that it is approved by the City Council of the City of Lampasas, Texas, as shown by the signature of the City Manager hereon below, unless otherwise terminated pursuant to the provisions otherwise set forth herein. Any benefits not realized within five (5) years of the date of this agreement shall expire unless an extension is granted by City Council.

Section 7. Entire Agreement

This Agreement contains the entire agreement between the City and DLF with respect to the Project and the incentives offered to DLF by the City, as set forth and contemplated herein. This Agreement may only be amended, altered, or revised by the mutual approved written instrument signed by both the City and DLF.

Section 8. Successors and Assigns

This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns. DLF may assign all or part of its rights and obligations hereunder only upon prior written approval of the City, which approval shall be at the sole discretion of the City council of Lampasas.

Section 9. Notices

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such addresses provided by the parties in writing hereafter:

DLF: Deorald L. Finney
P.O. Box 209
Lampasas, Texas 76550

City: City Manager
City of Lampasas
312 E 3rd Street
Lampasas, Texas 76550

Section 10. Interpretation

Regardless of the actual drafter of this Agreement, this Agreement shall, in the event of dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party

Section 11. Applicable Law

This Agreement is made and shall be construed and interpreted under the laws of the State of Texas and exclusive venue for any claim, dispute, lawsuit or other legal proceeding arising out of this Agreement shall lie in Lampasas County, Texas.

Section 12. Dispute Resolution

The parties hereto agree that prior to filing legal claims and actions; the parties will make good faith efforts to resolve any disputes that arise through mediation and negotiations, with the costs of such mediations to be shared equally by the parties, except that each party shall bear their own attorney costs, if any are incurred.

Section 13. Severability

In the event that any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then and in that event it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the _____ Day of May 2019.

THE CITY OF LAMPASAS

ATTEST:

Finley deGraffenried, City Manager

Christina Marez, City Secretary

Approved as to Form

J.C. Brown, City Attorney

Deorald L. Finney

ATTEST:

Deorald L. Finney

STATE OF TEXAS

§

COUNTY OF LAMPASAS

§
§

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by Finley deGraffenried, known to me to be the City Manager of the City of Lampasas, Texas.

Notary Public

My Commission expires: _____

STATE OF TEXAS

§

COUNTY OF LAMPASAS

§
§

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Deorald L. Finney.

Notary Public

My Commission expires: _____

Exhibit A

DLF Public Improvements

Water Distribution

1120 LF 6" C900 Water Pipe
2180 LF 8" C900 Water Pipe
Fire Hydrants, Valves, casings, fittings, etc

Estimated Value: \$ 200,000.00

Waste Water

3940 LF SDR-26 Sewer Pipe
18 Manholes

Estimated Value: \$ 227,000.00

Drainage

1363 LF 18" HDPE Pipe
189 LF 24" HDPE Pipe
210 LF 36" HDPE Pipe
10'x4' Precast inlet boxes x 4
Precast Headwalls x 6
Connections/Fittings
Detention Pond Construction

Estimated Value: \$117,000.00

Roadway

7000 LF of Curb/Gutter
10,400 yards Asphalt
Compacted Road Base
Final Subgrade

Estimated Value: \$337,000.00

Total: \$ 881,000.00

Exhibit B

Off Site Drainage Improvements

Westridge Drainage:

- Installation of 134 LF 18"HDPE Pipe
- Construction of 18" Headwall with Energy Dissipaters
- Installation of 4 x Grate inlet
- Trench Safety
- Removal/Replace Fence
- Tree Removal
- Erosion control at rear property line

Developer Contractor Installation quote:

\$ 33,324.00

Exhibit C

City Estimated Cost of Electrical Infrastructure Installation

ESTIMATED COST TO BUILD OVERHEAD LINES IN STONE VALLEY

CONSTRUCTION OF NEW LINES	\$ 1,396.36	
UPGRADE OF OLD LINES	\$15,200.00	
COST OF TRANSFORMERS	\$22,000.00	
COST OF STREET LIGHTS	<u>\$ 2,750.00</u>	
	\$ 71,346.36	TOTAL

ALL LINES WILL BE BUILT ON THE STREET SIDE
EXCEPT WHERE ALREADY EXSISTING

ORDINANCE NO. 1177

AN ORDINANCE PROVIDING FOR THE VACATION, ABANDONMENT, CLOSURE AND REALIGNMENT OF AN UNOPENED PUBLIC RIGHT-OF-WAY, OR A PORTION THEREOF, BEING A PORTION OF A PUBLIC RIGHT OF WAY KNOWN LOCALLY AS RICE STREET AND REALIGNMENT OF PORTIONS OF SUCH, AS A PUBLIC THOROUGHFARE; AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED AND TAKE OTHER NECESSARY ACTIONS TO ACCOMPLISH THE ABANDONMENT, LOSING AND REALIGNMENT OF RICE STREET; AND, CALLING A PUBLIC HEARING FOR SAME.

WHEREAS, the City of Lampasas, Texas, as a city incorporated and operating under the laws of the State of Texas, has the authority under Chapters 282 and 253 of the Local Government Code, as amended, to vacate and abandon and close municipal rights-of-way, streets or alleys, by ordinance when such action is in the best interest of and serves the public purpose; and

WHEREAS, the City of Lampasas has received an Application for the Abandonment of an unopened portion of a street, alley, and/or public right-of-way and the closing of such as a public thoroughfare and realignment of same, with the closed/abandoned portion being legally described as 0.271 acres of the L.H.W. Johnson Survey, Abstract 419 as recorded in Plat Cabinet 1, Slide 35 of the Plat Records of Lampasas County, Texas of the inner ell of Lot 1, Block 2 the Goforth Addition, described in Plat Cabinet 1, Slides 349 through 353 of the Plat Records of the City and County of Lampasas; and

WHEREAS, the Applicant has requested of the abandonment of the unopened portion of Rice Street that is at its most northern end, approximately 60 feet wide, and being approximately 245.58 feet long on its longest edge, the majority of which unopened right-of-way is located on and over Lot 59 and a small portion of Lot 60 in the Stone Valley Subdivision Development, Phase 1; and

WHEREAS, in exchange for the abandonment of the unopened portion of Rice Street, the owner/developer of Stone Valley subdivision desires to donate and convey a tract of land that will allow for a realignment of Rice Street in the Stone Valley Subdivision, as shown on the attached Exhibit "B," ("Realigned Rice Street"), which donation the City has determined will more safely and adequately accommodate traffic flows resulting from the development and, the donation of which will, in all respects, adequately compensate the City for the value and use of the unopened/abandoned portion of Rice Street; and

WHEREAS, the City currently has public utilities located on and under existing, unopened portions of Rice Street, which utilities and access easements related thereto will be located on, above and across, Lot 59 and Lot 60, in Phase 1 of the Stone Valley Subdivision, and the Parties hereto intend to provide for ongoing future utility easements for same, as shown on the attached plat of the Subdivision, as Exhibit "B," attached and incorporated herein for all purposes; and

WHEREAS, upon considering the Application and additional information pertaining to the Application, the City Council now finds that the utilities existing in the area of the alley and public right-of-way, if any, will be sufficiently protected by being either relocated or by being placed into easements provided to the City of Lampasas and that the utility companies serving the area including and surrounding the alley and right-of-way have determined that their utilities, if existing, will also be sufficiently protected by the same means; and

WHEREAS, the abandonment and realignment of Rice Street will improve the traffic flow and patterns in the area; and

WHEREAS, the City Council accepts the donation of a tract of land, that will allow for the realignment of Rice Street, in lieu of the fair market value price for the abandoned right-of-way.

WHEREAS, upon considering the Application and additional information pertaining to the Application, the City Council now finds that the portion of unopened Rice Street is not needed for public purposes now or in the foreseeable future and that it is in the best interest of the City to abandon the identified portion thereof, and to provide for its Realignment as set forth there, and that the donation of the land given to the City for the Realignment is agreed to be equal to or more than the fair market value for the public right-of-way that will be abandoned and vacated and transferred to developer/owner.

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

PART 1: That the following described unopened portion of Rice Street, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, save and except any past, present and future utility easement shown on Exhibit No. "B," or that will be granted by the abutting property owners which shall remain with the City.

PART 2: That said requested abandoned portion of Rice Street is not needed for public purposes now or in the foreseeable future and it is in the public interest of the City of Lampasas to abandon said described portion of Rice Street and to Realign it as shown on Exhibit "B," which realignment will be placed upon and across land donated to the City by the developer/owner, and that the value of the donated land is equal to or exceeds the fair market value of the abandoned portions of Rice Street.

PART 3: That the City Manager is hereby authorized and directed to convey and transfer by quitclaim deed for the unopened portions of Rice Street, as set forth herein, and to take actions as necessary to accomplish same and to accommodate the realignment of Rice Street within the Stone Valley Subdivision, Phase 1, and to take actions as necessary to acquire and exchange of real property to fully accommodate all necessary public utility easements that now exist, or that might have existed in the future for the benefit of the citizens of Lampasas, Texas, in the abandoned portion of Rice Street, and to reserve all necessary utility easements for the benefit and use of the City and other utility providers, if any.

PART 4: That the abandonment and transfer provided for herein creates ownership in fee simple to the develop/owner in the described unopened portions of Rice Street.

PART 5: That the abandonment, transfer and realignment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in this Ordinance, and shall be construed only to that interest the governing body of the City of Lampasas may legally and lawfully abandon.

A Public Hearing was held, on the 19th day of December, 2006, in accordance with the State law.

FIRST READING PASSED ON THIS 22ND day of January, 2007.

SECOND READING PASSED ON THIS 12TH day of February, 2007.

APPROVED:


MAYOR JACK CALVERT

ATTEST:


STACY BRACK, CITY SECRETARY

APPROVED AS TO FORM:


SUEZANE FAULKNER, CITY ATTORNEY

Ord. No. 1177

Maples & Associates, Inc.

www.maplesinc.com • P.O. Box 893 • Lampasas, Texas 76550 • (512) 558-2078 • (512) 556-0500 fax

LEGAL DESCRIPTION OF A TRACT OF LAND IN THE CITY AND COUNTY OF LAMPASAS, TEXAS.

Being 0.271 acres of the L.H.W. Johnson Survey, Abst. No. 419 in Lampasas County, Texas, and being a portion of the right of way of Rice Street as shown on a subdivision plat of the L.H.W. Johnson Survey, as recorded in Plat Cabinet 1, Slide 35 of the Plat Records of Lampasas County, Texas; said 0.271 acres being more particularly described as follows;

BEGINNING at a 1/2 inch iron pin found on the north line of said Johnson Survey for the northwest corner of said Rice Street right of way and the northeast corner of Outlot 3 of said subdivision, being an inner ell corner of Lot 1, Block 2 of the Goforth Addition to the City and County of Lampasas, Texas, as recorded in Plat Cabinet 1, Slides 349-353 of said plat records;

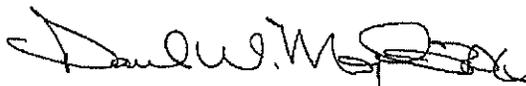
THENCE North 70° 56' 05" East, with the north line of said Rice Street right of way and a south line of said Lot 1, 60.14 feet to a 1/2 inch iron pin found for the northeast corner of said Rice Street right of way, being on the west line of a 0.801 acre tract of land described in a deed to Martin E. Centunzi, et ux, as recorded in Vol. 316, Page 513 of the Deed Records of Lampasas County, Texas;

THENCE South 19° 15' 55 East, with the east line of said Rice Street, 245.58 feet to a 1/2 inch iron pin set on the west line of a 1.43 acre tract of land described in a deed to the International Church of the Foursquare Gospel, as recorded in Vol. 223, Page 881 of said deed records;

THENCE South 70° 41' 00" West, 18.79 feet to a 1/2 inch iron pin set;

THENCE 134.62 feet counterclockwise along the arc of a circular curve with a radius of 645.00 feet (long chord = North 37° 08' 20" West, 134.38 feet) to a 1/2 inch iron pin set on the west line of said Rice Street and the east line of said Lot 1;

THENCE North 19° 18' 50" West, with the west line of said Rice Street and the east line of said Lot 1, 117.92 feet to the PLACE OF BEGINNING, as surveyed on the ground on November 7, 2006, by MAPLES & ASSOCIATES, INC., and as shown on an accompanying plat of even survey date herewith.



Paul W. Maples, RPLS
©2006 All rights reserved.



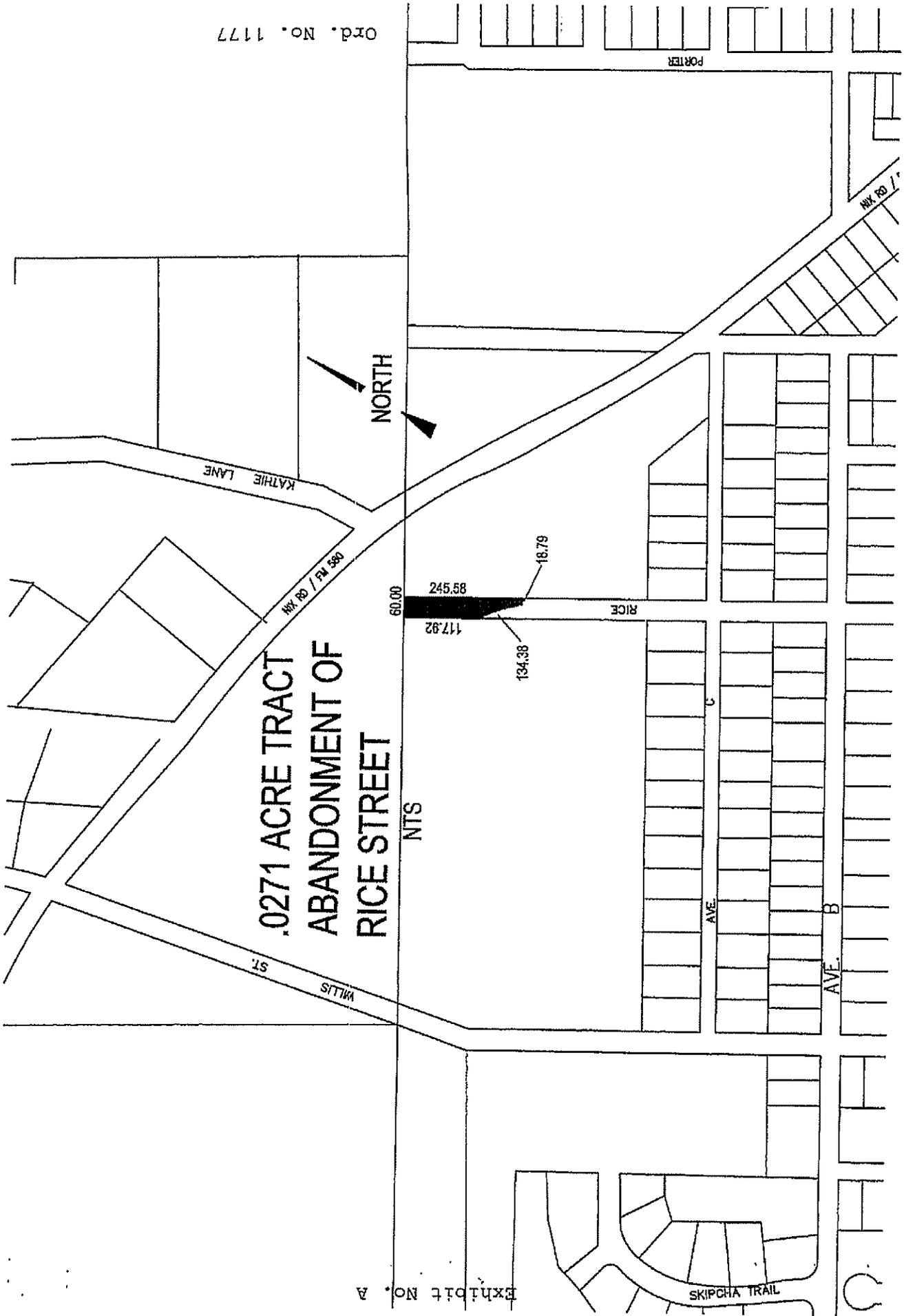


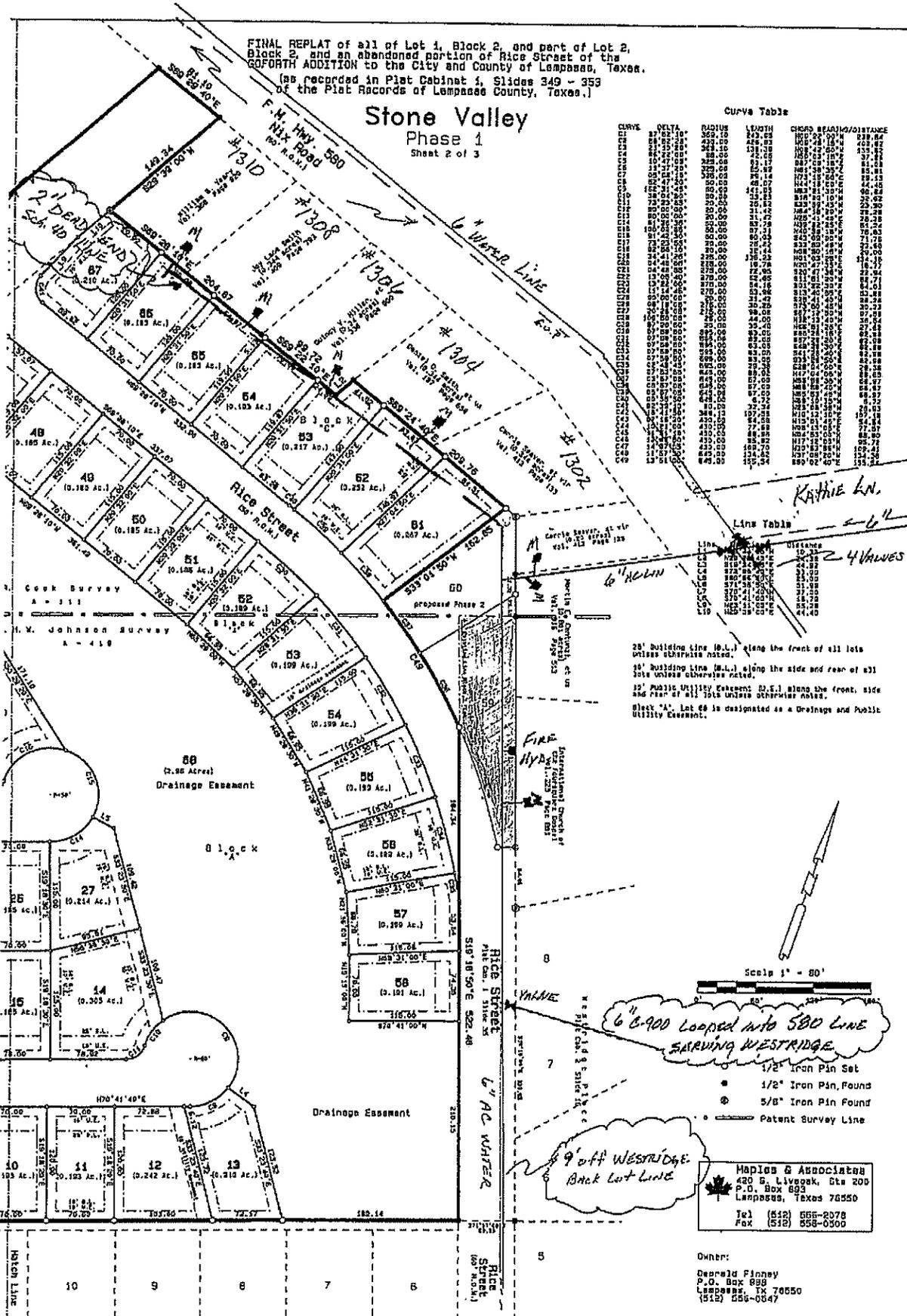
Exhibit No. A

FINAL REPLAT of all of Lot 1, Block 2, and part of Lot 2, Block 2 and an abandoned portion of Rice Street of the SOUTHWEST ADDITION to the City and County of Lampasas, Texas. (as recorded in Plat Cabinet 1, Slides 349 - 353 of the Plat Records of Lampasas County, Texas.)

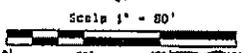
Stone Valley
Phase 1
Sheet 2 of 3

Curve Table

CURVE	DELTA	CHORD	LENGTH	CHORD BEARING	CHORD DISTANCE
C101	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C102	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C103	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C104	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C105	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C106	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C107	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C108	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C109	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C110	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C111	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C112	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C113	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C114	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C115	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C116	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C117	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C118	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C119	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C120	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C121	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C122	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C123	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C124	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C125	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C126	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C127	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C128	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C129	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C130	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C131	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C132	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C133	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C134	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C135	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C136	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C137	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C138	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C139	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C140	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C141	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C142	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C143	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C144	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C145	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C146	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C147	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C148	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C149	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C150	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C151	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C152	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C153	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C154	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C155	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C156	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C157	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C158	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C159	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C160	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C161	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C162	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C163	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C164	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C165	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C166	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C167	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C168	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C169	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C170	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C171	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C172	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C173	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C174	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C175	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C176	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C177	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C178	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C179	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C180	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C181	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C182	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C183	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C184	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C185	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C186	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C187	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C188	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C189	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C190	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C191	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C192	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C193	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C194	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C195	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C196	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C197	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C198	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C199	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00
C200	17° 00' 00"	100.00	100.00	S 83° 00' 00" W	100.00



20' Building line (B.L.) along the front of all lots unless otherwise noted.
 10' Building line (B.L.) along the side and rear of all lots unless otherwise noted.
 10' Public Utility Easement (P.U.E.) along the front, side and rear of all lots unless otherwise noted.
 Block "A", Lot 68 is designated as a Drainage and Public Utility Easement.



6" C-900 LOADED INTO 580 LINE SERVING WESTRIDGE

- 1/2" Iron Pin Set
- 1/2" Iron Pin Found
- 5/8" Iron Pin Found
- Patent Survey Line

HADLES & ASSOCIATES
 420 S. Liveoak, Dts 209
 P.O. Box 693
 Lampasas, Texas 76750
 Tel (512) 656-2078
 Fax (512) 656-0300

Owner:
 Deborah Finney
 P.O. Box 898
 Lampasas, TX 76750
 (512) 256-0647

Demarick Corporation
P.O. Box 295
Kempner, TX 76539
(254) 290-4575
demarickcorp@gmail.com
www.demarick.com



Demarick Corporation
Site Work & Utility Installation

ESTIMATE

ADDRESS

Willis Street Improvements
P.O. Box 988
Lampasas, TX 76550

ESTIMATE # 1126

DATE 04/18/2019

ACTIVITY	AMOUNT
Cut out subgrade to pour curb on the east side of Willis Street, adjacent to Stone Valley Subdivision	3,800.00
Pour curb on the east side of Willis Street, including tying in to the inlet box	9,200.00
Backfill curb	2,400.00
Patch in front of curb with asphalt	6,200.00
TOTAL	\$21,600.00

Accepted By

Accepted Date

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City ManagerITEM NO. 7.4

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

Subject:

Discussion and possible action regarding the award of 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.

Requested By: Carlos Garcia, Street Superintendent

Submitted By: Rickie Roy, Public Works Director

Date Submitted: May 8, 2019 For the Agenda of: May 13, 2019

Procurement and Funding Statement:

The procurement process was followed for this project through the solicitation of sealed bids. Funding for this project is allocated from fund 10-551-5545

Attachments: Bids Tabulation Sheet of bids considered with site drawing

Summary Statement:

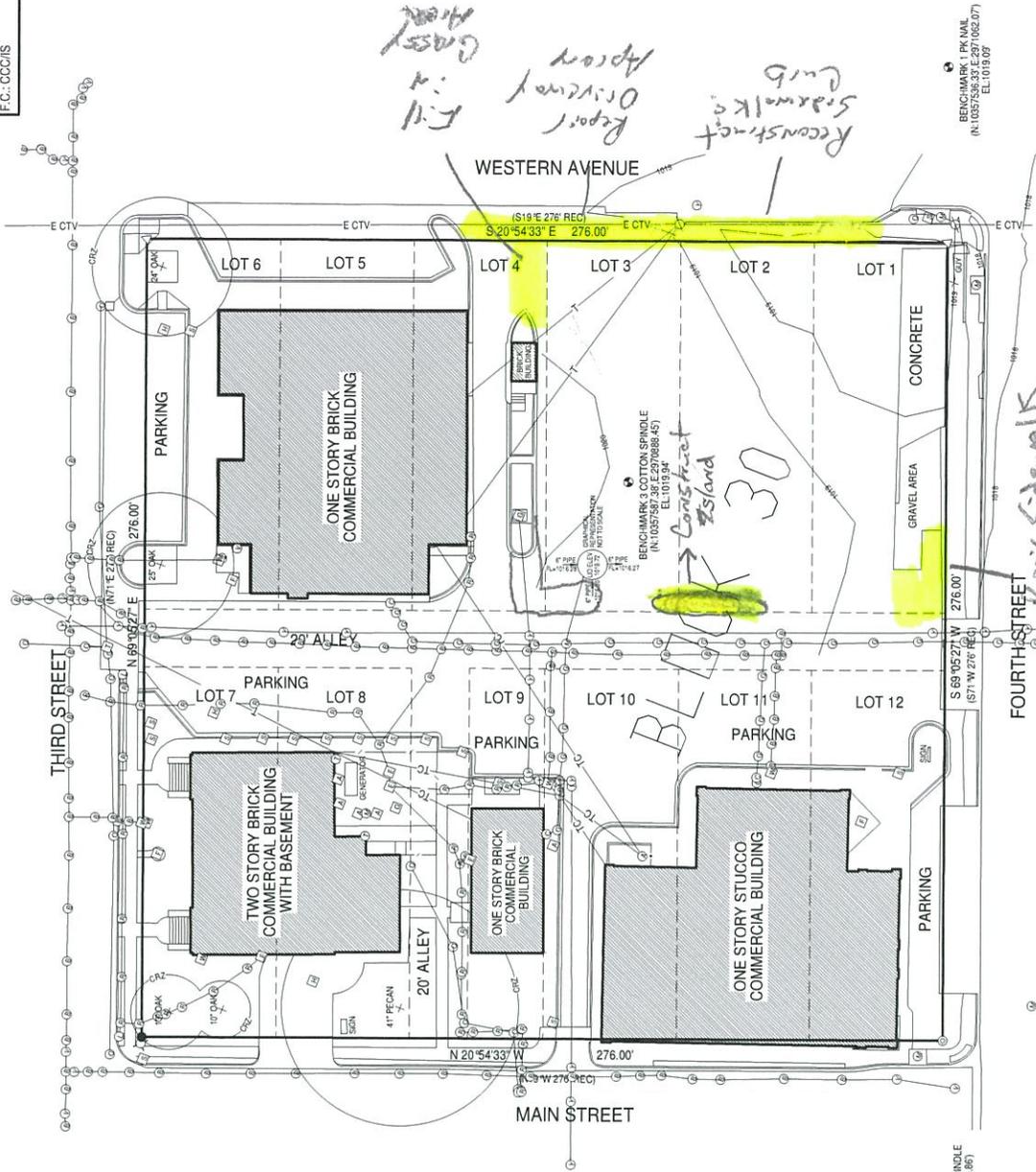
This is the first phase of the City Hall parking lot rehabilitation. The request for sealed bids on this project was published on April 5, 2019 with a bid opening on April 23, 2019. A total of three (3) bids were received in response to the solicitation. One bidder did not follow bid requirements and could not be considered. The apparent low bidder (Canales-Dibble Contractors, Inc.) is qualified and able to perform work as specified.

Recommendation:

To consider a motion to award the bid contract to Canales-Dibble Contractors, Inc. in the amount of \$27,850.00

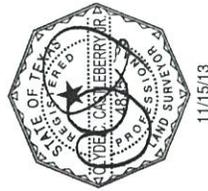
BLOCK 30, A.H. BARNES ADDITION, A SUBDIVISION IN LAMPASAS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 1, SLIDE 25, PLAT RECORDS, LAMPASAS COUNTY, TEXAS.

JOB NO. 131025
 DRAWN BY: CCC
 F.C.: CCC/IS



BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83(03)

- LEGEND**
- 1/2" IRON PIN SET YELLOW CAP
 - △ INSCRIBED "CCC 4835"
 - ▽ MAG NAIL SET IN CONCRETE
 - △ SPINDLE SET IN CONCRETE
 - ▽ SPINDLE SET IN CONCRETE
 - BENCHMARK
 - MANHOLE
 - UTILITY POLE
 - SIGN POST
 - WATER METER
 - AIR CONDITIONER
 - MAILBOX
 - VENT
 - ELEC BOX
 - TELE PEDESTAL
 - GAS METER
 - SIGN AS NOTED
 - LIGHT POLE
 - FLAG POLE
 - TELE MOUNT
 - HANDICAP SYMBOL
 - FIRE HYDRANT
 - TREE
 - OVERHEAD TELE LINE
 - OVERHEAD CABLE TV
 - OVERHEAD TELEPHONE CABLE
 - OVERHEAD TELEPHONE LINE
 - CHAIN LINK FENCE
 - WOOD FENCE
 - CRZ CRITICAL ROOT ZONE
 - LOT MARK BLUE - WATER
 - LOT MARK ORANGE - TELE
 - PAINT MARK RED - ELEC
 - PAINT MARK YELLOW - GAS



DATE OF SURVEY: NOVEMBER 15, 2013

Triple C Surveying Co.
 21214 FM 963 - Lampasas, Texas 76550
 (512) 845-5440 email: admin@triplecsurveying.com
 www.triplecsurveying.com

BENCHMARK 1 PK NAIL (N: 10327536.33 E: 2971062.07) EL: 1019.09
 BENCHMARK 2 COTTON SPINDLE (N: 10351510.51 E: 2970690.06) EL: 1018.86
 BENCHMARK 3 COTTON SPINDLE (N: 10357587.36 E: 2970898.45) EL: 1019.94
 Report Driveway
 Reconstruct Sidewalk
 Grassy Area
 30
 Report Sidewalk

*C*anales - *D*ibble *C*ontractors, Inc.

*P. O. Box 789
Lampasas, Texas 76550*

*(512) 556-5508
Fax (512) 556-6472*

******BID BREAKDOWN******

Date: April 23, 2019
To: Carlos
City of Lampasas
312 East Third
Lampasas, Texas 76550
Re: Bid Breakdown for
Curb & Gutter at Parking Lot behind City Hall, Lampasas, Texas

This is the breakdown of our bid as requested:

1. Existing curb islands to be center poured in concrete	\$ 4,625.00
2. New curb island w/curb & center poured in concrete; Sidewalk; curb & driveway apron	<u>\$ 23,225.00</u>
TOTAL BID.....	<u>=====</u> \$ 27,850.00

Thank you,

Canales-Dibble Contractors, Inc.

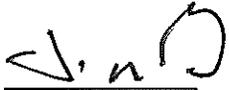
/s/

Lisa Canales-Dibble
President

**The City of Lampasas
312 East Third
Lampasas, Texas 76550**

Bid	Curb and Gutter for City Hall Parking Lot
Bid Date	4/23/2018
Open Date	4/23/2018
Time	2:00 P. M.

Open #	Name/Address	Total
1	Canales-Dibble Contractors, Inc. Lampasas, Texas	\$27,850.00
2	M W Hail Construction, Inc. Lampasas, Texas	\$44,305.00
3		
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18		
19		
20		


City Manager

ITEM NO. 7.5

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

Subject:

Discussion and possible action concerning Professional Services Proposal between the City of Lampasas and Eckermann Engineering, Inc. for Live Oak water line extension.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 1, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

Funding for this project would be allocated from 520-5530 (Water Extensions & Upgrades) in an amount of \$14,000.00.

Attachments: Professional Service Proposal

Summary Statement:

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.

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.

Recommendation:

Motion to approve a professional services agreement with Eckerman Engineering for the design of a water line extension on Live Oak Street in the amount of \$14,000.00.



March 26, 2019

Mr. Gary Cox
Assistant City Manager
City of Lampasas
312 E. 3rd Street
Lampasas, Texas 76550

RE: **Professional Services Proposal**
2018 General Engineering Services Contract, Task Order 14
Santa Fe Depot - Live Oak Water Line Extension
City of Lampasas

Dear Mr. Cox:

Eckermann Engineering, Inc. is pleased to submit the following proposal for professional surveying and civil engineering services associated with the design of a water line extension along Live Oak Street from North Avenue to 2nd Street.

A. Topographic Survey for Design

E EI will have a topographic survey performed by a subconsultant to support the preparation of the design plans. A limited boundary survey is included in this proposal to establish the right-of-way (ROW) lines along Live Oak from North Avenue to 2nd Street. The limits of the survey will be defined by EEI and will generally include ROW to ROW along the identified project limits. Additional survey outside of these limits, if needed, will be provided as an additional service.

The vertical datum will be based upon immediately adjacent City, FEMA, or USGS monuments. If a datum cannot be established, then the datum will be assumed, and the Client will be notified that additional services may be required to complete this task.

EEI will have provided:

1. A topographic map that depicts contours at 1.0' contour elevations within the streets.
2. The survey will identify ROW lines along Live Oak, fences, curb lines, edges of pavement, driveways, trees, visible existing utilities and one-call paint marks, manhole inverts, sidewalks, etc.
3. Two (2) on-site temporary bench marks.
4. Per conversations with the Client, subsurface utility services are not anticipated; however, EEI can provide those services as an additional service.

B. Easement Documents

At the time of this proposal, no easements are expected to be required to support this project. However, if easements are needed, the Client pre-authorizes EEI to prepare these documents for a lump sum price of \$1,250 each. EEI will have prepared the necessary metes and bounds description to support the standard Lampasas dedication documents. Upon execution of the documents, EEI will process the documents for recordation.

C. Construction Documents (Water Line Extension)

Based upon our general understanding of the Project, EEI will prepare construction documents for the following water line improvements:

1. Design of approximately 750 linear feet of an 8-inch water line along Live Oak Street from North Avenue to 2nd Street. A profile will not be provided as part of this task.

The design of the water line includes the crossing of an existing storm culvert made of pylons and railroad ties. Upon completion of the survey, EEI will assess the crossing and make a recommendation for the construction of the water line across the drainage structure.

EEI intends to use the City of Lampasas's Standard Construction Specifications and Details for the Project. If adequate specifications are not available the City of Austin Standard Construction Specifications will be referenced to supplement the project specifications. Individual specifications can be prepared for the Project as an Additional Service.

If the final scope of work differs from the above listed items, EEI reserves the right to reevaluate the scope and fee for this task. The preparation of easements to support this task, if required, will be provided under a separate task.

D. Bid Phase Services

1. EEI will assist the City in advertising and soliciting bids for the construction of the proposed improvements.
2. Attend up to one (1) pre-bid meeting with City of Lampasas representatives and contractors.
3. Review contractor bids that are received and submit a letter to the City of Lampasas with contractor recommendations. The Client shall have the sole responsibility in selecting a qualified contractor.

E. Construction Phase Services

EEI will provide the Client with the construction phase services listed below, which is only related to the civil improvements under this contract. The Client will administer all construction contracts. EEI will:

1. Attend up to one (1) pre-construction meeting with City of Lampasas representatives and selected contractor.
2. Make weekly visits to the project site in order to observe the progress and quality of the civil aspects of the work of the construction contractor. Based on EEI's site visits, EEI will inform the Owner as to the progress of the work and advise the Owner of any substantial defects and deficiencies in the work of the contractor which are discovered by EEI or are otherwise brought to EEI's attention.
3. Attend up to one (1) construction meeting with the Owner, Contractor, or other members of the project team. Additional meetings, if required, will be invoiced on an hourly basis.
4. Consult with and advise the Owner and issue instructions to the contractor on civil engineering items requested by the Owner.
5. Review samples, catalog data, schedules, shop drawings, tests of materials, and other civil engineering-related data the contractor submits.
6. Conduct, in company with the Owner, a final site walk through of the civil facilities of the project for conformance with the design concept of the project and in general compliance with the Contract.

EEI shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor or the safety precautions and programs incidental to the work of the Contractor. EEI shall not guarantee the performance of the Contractor nor be responsible for the acts, errors, omissions, or the failure of the Contractor to perform the construction work in accordance with the Contract Documents.

Client agrees to include in all construction contract provisions for Contract indemnification of both the Owner and EEI for Contractor's negligence and to name both the Owner and EEI as additional insured on applicable contractor's insurance policies.

F. General On-Call Civil Engineering Consulting

EEI has prepared this general "on-call" task to address the Client's periodic requests that are not specifically included in another task or letter agreement regarding this Project. This task shall include items such as preparation of applications, opinions of probable construction cost, preparation of exhibits, coordination with state or county agencies, bid phase and construction phase services not already included in previous items, meetings, or any other general "on-call" services not previously authorized. All services provided under this task shall be provided on an hourly basis per the approved rates included in the 2018 General Engineering Services Contract between the EEI and the City of Lampasas.

INFORMATION PROVIDED BY THE OWNER

The Owner will provide the following information, upon which EEI will rely:

1. Rights of Entry to all properties prior to performing any survey field work or site visits.
2. Title information for the properties along the subject alignment.
3. Executed copy of this agreement.

ADDITIONAL SERVICES

The following services are not included in the Scope of Services, but can be provided as Additional Services if authorized by the Owner.

1. Surveying services not specifically outlined in the above Scope of Services.
2. Civil Engineering design services not specifically outlined in the above Scope of Services.
3. Assistance to the Owner or Owner as an expert witness in any litigation with third parties arising from the development or construction of the project.
4. Soil, foundation, and paving investigation, including field and laboratory tests, borings, related engineering analyses and recommendations.
5. Easement and/or deed research
6. Subsurface Utility Engineering Services
7. Endangered species issues or environmental studies.
8. Design of electric, gas, telephone, cable or lighting utilities.
9. Negotiations with the City or other parties to resolve protracted disputes regarding the Project.
10. Preparation of easement documents or exhibits.
11. Easement Acquisition Services
12. Preparation of a Storm Water Pollution Prevention Plan (SWPPP)

FEE AND BILLING

EEI will provide the services identified herein based upon the summary below:

Lump Sum (LS) – EEI’s labor is included and will be billed based upon the lump sum amount identified.

Cost Plus (CP) – EEI’s labor will be billed on an hourly basis in accordance with the approved rates per the 2018 General Engineering Services Contract.

Task	Task Description	Fee Type	Budget
A	Topographic Survey for Design	LS	\$ 3,500
B	Easement Documents	EA	TBD
C	Construction Documents (Water)	LS	\$ 6,000
D	Bid Phase Services	LS	\$ 1,500
E	Construction Phase Services	LS	\$ 3,000
F	General On-Call Consulting	CP	Hourly
	<i>Project Total</i>		<i>\$ 14,000</i>

Items not specifically identified in the above Scope of Services will be considered an additional service.



Mr. Gary Cox, March 26, 2019

CLOSURE

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in Attachment "A" of the 2018 General Engineering Services Contract between EEI and the City of Lampasas, which are incorporated by reference.

If you concur in all the foregoing and wish to direct us to proceed with the services, please have an authorized person execute this Agreement in the space provided below and return a copy to us.

We appreciate the opportunity to provide this proposal to you. If you have any questions, please call me at (512) 556-8160.

Sincerely,

ECKERMANN ENGINEERING, INC.

A handwritten signature in blue ink that reads "Derrek Eckermann". The signature is fluid and cursive, with the first name "Derrek" being more prominent than the last name "Eckermann".

Derrek Eckermann, P.E.
President

APPROVED:

Client: CITY OF LAMPASAS

Signature: _____

Typed or Printed Name: _____

Title: _____

Date: _____

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City Manager

ITEM NO. 7.6

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

Subject:

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 400 block of Key Avenue between W. Avenue C and W. Avenue D.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 1, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

Funding for this project would be allocated from 530-5540 (Sewer Extension & Upgrades) 520-5530 (Water Extensions & Upgrades) in an amount of \$10,500.00.

Attachments: Professional Service Proposal
Staff Report

Summary Statement:

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, 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. 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.

Recommendation:

Motion to approve a professional services agreement with Eckerman Engineering for the design of water/wastewater line replacements within the alley in the 400 block of Key Avenue in the amount of \$10,500.00.



February 27, 2019

Mr. Gary Cox
Assistant City Manager
City of Lampasas
312 E. 3rd Street
Lampasas, Texas 76550

**RE: Professional Services Proposal
2018 General Engineering Services Contract, Task Order 16
Burger King Water and Wastewater Line Replacement
City of Lampasas**

Dear Mr. Cox:

Eckermann Engineering, Inc. is pleased to submit the following proposal for professional surveying and civil engineering services associated with the design of water and wastewater line replacements within the alley between Key Avenue and Walnut Street from Avenue C to Avenue D.

A. Topographic Survey for Design

EEI will have a topographic survey performed by a subconsultant to support the preparation of the design plans. A boundary survey is not included in this proposal. The limits of the survey will be defined by EEI and will generally include approximate property line to property line within the alley along the identified project limits. Additional survey outside of these limits, if needed, will be provided as an additional service.

The vertical datum will be based upon immediately adjacent City, FEMA, or USGS monuments. If a datum cannot be established, then the datum will be assumed, and the Client will be notified that additional services may be required to complete this task.

EEI will have provided:

1. A topographic map that depicts contours at 1.0' contour elevations within the streets.
2. The survey will identify approximate property lines along the alley, fences, curb lines, edges of pavement, driveways, visible existing utilities and one-call paint marks, manhole inverts, sidewalks, etc.
3. Two (2) on-site temporary bench marks.
4. Per conversations with the Client, subsurface utility services are not anticipated; however, EEI can provide those services as an additional service.

B. Easement Documents

At the time of this proposal, no easements are expected to be required to support this project. However, if easements are needed, the Client pre-authorizes EEI to prepare these documents for a lump sum price of \$1,250 each. EEI will have prepared the necessary metes and bounds description to support the standard Lampasas dedication documents. Upon execution of the documents, EEI will process the documents for recordation.

C. Construction Documents (Water and Wastewater Line Replacements)

Based upon our general understanding of the Project, EEI will prepare construction documents for the following water line improvements:

1. Design of up to 400 linear feet of a small diameter wastewater line replacement within the alley between Key Avenue and Walnut Street from the south side of Avenue C to the north side of Avenue D. A wastewater plan and profile will be provided as part of this task.
2. Design of up to 400 linear feet of a small diameter water line replacement within the alley between Key Avenue and Walnut Street from the south side of Avenue C to the north side of Avenue D. A water line profile is not included as part of this task.

EEI intends to use the City of Lampasas's Standard Construction Specifications and Details for the Project. If adequate specifications are not available the City of Austin Standard Construction Specifications will be referenced to supplement the project specifications. Individual specifications can be prepared for the Project as an Additional Service.

If the final scope of work differs from the above listed items, EEI reserves the right to reevaluate the scope and fee for this task. The preparation of easements to support this task, if required, will be provided under a separate task.

D. Bid Phase Services

It is understood that this project will be installed by the Burger King developer's contractor and will not be publicly bid by the City of Lampasas. Therefore, bid phase services are not included in this proposal. If this project is to be competitively bid by the City, EEI reserves the right to reevaluate the scope and fee for this task.

E. Construction Phase Services

EEI will provide the Client with the construction phase services listed below, which is only related to the civil improvements under this contract. The Client and/or developer's general contractor will administer all construction contracts. EEI will:

1. Attend up to one (1) pre-construction meeting with City of Lampasas representatives and selected contractor.

2. Make up to six (6) weekly visits to the project site in order to observe the progress and quality of the civil aspects of the work of the construction contractor. Based on EEI's site visits, EEI will inform the Owner as to the progress of the work and advise the Owner of any substantial defects and deficiencies in the work of the contractor which are discovered by EEI or are otherwise brought to EEI's attention. Additional meetings, if required, will be invoiced on an hourly basis.
3. Attend up to one (1) construction meeting with the Owner, Contractor, or other members of the project team. Additional meetings, if required, will be invoiced on an hourly basis.
4. Consult with and advise the Owner and issue instructions to the contractor on civil engineering items requested by the Owner.
5. Review samples, catalog data, schedules, shop drawings, tests of materials, and other civil engineering-related data the contractor submits.
6. Conduct, in company with the Owner, a final site walk through of the civil facilities of the project for conformance with the design concept of the project and in general compliance with the Contract.
7. Provide the Owner with an Engineer's Concurrent Letter for Acceptance of Public Improvements upon final completion of the project, if required.

EEI shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor or the safety precautions and programs incidental to the work of the Contractor. EEI shall not guarantee the performance of the Contractor nor be responsible for the acts, errors, omissions, or the failure of the Contractor to perform the construction work in accordance with the Contract Documents.

Client agrees to include in all construction contract provisions for Contract indemnification of both the Owner and EEI for Contractor's negligence and to name both the Owner and EEI as additional insured on applicable contractor's insurance policies.

F. General On-Call Civil Engineering Consulting

EEI has prepared this general "on-call" task to address the Client's periodic requests that are not specifically included in another task or letter agreement regarding this Project. This task shall include items such as preparation of applications, opinions of probable construction cost, preparation of exhibits, coordination with state or county agencies, bid phase and construction phase services not already included in previous items, meetings, or any other general "on-call" services not previously authorized. All services provided under this task shall be provided on an hourly basis per the approved rates included in the 2018 General Engineering Services Contract between the EEI and the City of Lampasas.

INFORMATION PROVIDED BY THE OWNER

The Owner will provide the following information, upon which EEI will rely:

1. Rights of Entry to all properties prior to performing any survey field work or site visits.
2. Title information for the properties along the subject alignment.
3. Executed copy of this agreement.

ADDITIONAL SERVICES

The following services are not included in the Scope of Services, but can be provided as Additional Services if authorized by the Owner.

1. Surveying services not specifically outlined in the above Scope of Services.
2. Civil Engineering design services not specifically outlined in the above Scope of Services.
3. Assistance to the Owner or Owner as an expert witness in any litigation with third parties arising from the development or construction of the project.
4. Soil, foundation, and paving investigation, including field and laboratory tests, borings, related engineering analyses and recommendations.
5. Easement and/or deed research
6. Subsurface Utility Engineering Services
7. Endangered species issues or environmental studies.
8. Design of electric, gas, telephone, cable or lighting utilities.
9. Negotiations with the City or other parties to resolve protracted disputes regarding the Project.
10. Preparation of easement documents or exhibits.
11. Easement Acquisition Services
12. Preparation of a Storm Water Pollution Prevention Plan (SWPPP)

FEE AND BILLING

EEI will provide the services identified herein based upon the summary below:

Lump Sum (LS) – EEI’s labor is included and will be billed based upon the lump sum amount identified.

Cost Plus (CP) – EEI’s labor will be billed on an hourly basis in accordance with the approved rates per the 2018 General Engineering Services Contract.

Task	Task Description	Fee Type	Budget
A	Topographic Survey for Design	LS	\$ 2,000
B	Easement Documents (\$1,250 each)	LS	TBD
C	Construction Documents	LS	\$ 6,000
D	Bid Phase Services (Not in Contract)	NA	NA
E	Construction Phase Services	LS	\$ 2,500
F	General On-Call Consulting	CP	Hourly
<i>Project Total</i>			<i>\$ 10,500</i>

Items not specifically identified in the above Scope of Services will be considered an additional service.



Mr. Gary Cox, February 27, 2019

CLOSURE

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in Attachment "A" of the 2018 General Engineering Services Contract between EEI and the City of Lampasas, which are incorporated by reference.

If you concur in all the foregoing and wish to direct us to proceed with the services, please have an authorized person execute this Agreement in the space provided below and return a copy to us.

We appreciate the opportunity to provide this proposal to you. If you have any questions, please call me at (512) 556-8160.

Sincerely,

ECKERMANN ENGINEERING, INC.

A handwritten signature in blue ink that reads "Derrek Eckermann".

Derrek Eckermann, P.E.
President

APPROVED:

Client: CITY OF LAMPASAS

Signature: _____

Typed or Printed Name: _____

Title: _____

Date: _____

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City Manager

ITEM NO. 7.7

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

Subject:

Discussion and possible action on the composition of a Comprehensive Plan Steering Committee.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 9, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: N/A

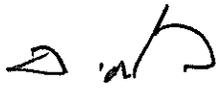
Summary Statement:

The City Council has 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 the 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.

Recommendation:

Staff seeks direction from Council on the establishment of the Comprehensive Plan Steering Committee.

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City ManagerITEM NO. 7.8

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

Subject:

DISCUSSION REGARDING AN ORDINANCE OF THE CITY OF LAMPASAS, TEXAS, 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 AN EFFECTIVE DATE.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox Assistant City Manager

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Draft Water Conservation and Drought Contingency Plans are available via the City website and the draft Ordinance is attached to this document.

Summary Statement:

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.

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 is provided for Council consideration.

Recommendation:

To consider a motion to approve the first reading of the Ordinance adopting a Water Conservation and Drought Contingency Plan for the City of Lampasas.

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City Manager

ITEM NO. 7.9

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

Subject:

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.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Resolution

Summary Statement:

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

Recommendation:

To consider a motion to approve the Resolution authorizing submission of the grant application.

RESOLUTION

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.

WHEREAS, the City Council of the City of Lampasas County desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and WHEREAS, certain conditions exist which represent a threat to the public health and safety; and WHEREAS, it is necessary and in the best interests of the City of Lampasas to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the (Fire, Ambulance and Services Truck Fund) is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the (Fire, Ambulance and Services Truck Fund).
3. That the application be for (\$500,000.00) of grant funds to provide (replacement fire truck).
4. That the City Council directs and designates (the Mayor) as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

6. That it further be stated that the City of Lampasas is committing (\$5,000.00) from its (General Fund) as a cash contribution toward the administration activities of this (replacement fire truck) project.

Passed and approved this 13th day of May, 2019

Misti Talbert
Mayor, City of Lampasas

Attest:

Christina Marez
City Secretary, City of Lampasas, Texas

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City Manager

ITEM NO. 7.10

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

Subject:

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

Requested By: Mandy Walsh, Economic Development Director

Submitted By: Mandy Walsh, Economic Development Director

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Resolution

Summary Statement:

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.

Recommendation:

To consider a motion to approve the Resolution assigning Finley deGraffenried, City Manager as the Representative-Signature-Certifier Security Role on behalf of the City; while Economic Development Director, Mandy Walsh assumes the Administrator Security Role on behalf of the City.

RESOLUTION No _____

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 (REP-SIGN-CERT) FOR THE USDA
RECONNECT GRANT PROGRAM.

WHEREAS, the City Council of the City of Lampasas desires to submit an application for funding from the USDA ReConnect Program; and

WHEREAS, applicants are required to authorize an individual to be the Rep-Sign-Cert in order to access the Online Application System;

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

1. That Finley deFraffenried, City Manager of the City of Lampasas, have the assigned Representative-Signature-Certifier security role on behalf of the City, who shall be responsible for entering/updating an application, providing signatures, authorizing certifications, submitting the application for consideration, and assigning access to new users in USDA's ReConnect Program Online Application System.
2. That Mandy Walsh, Economic Development Director of the City of Lampasas, have the assigned Administrator(s) security role on behalf of the City, who shall be responsible for entering/updating an application and assigning access to new users in USDA's ReConnect Program Online Application System.

Passed and approved by the City Council of the City of Lampasas this 13th day of May, 2019.

Misti Talbert, Mayor

ATTEST:

Christina Marez, City Secretary


City ManagerITEM NO. 7.11

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

Subject:

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.

Requested By: Mandy Walsh, Economic Development Director

Submitted By: Mandy Walsh, Economic Development Director

Date Submitted: May 8, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

N/A

Attachments: Resolution

Summary Statement:

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 City Manager, to act as applicant.

Recommendation:

To consider a motion to approve the Resolution authorizing application.

RESOLUTION AUTHORIZING APPLICATION

**United States Department of Agriculture Rural Development Rural Utilities Service
Proposal for Federal Assistance under ReConnect Program**

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.

WHEREAS, the Federal Legislature has approved the "Program" for rural development; and

WHEREAS, the "Applicant" is fully eligible to receive assistance under the "Program"; and

WHEREAS, the "Applicant" is desirous of authorizing an official to represent and act for the "Applicant" in dealing with the "RUS" concerning the "Program";

BE IT RESOLVED BY THE "APPLICANT":

SECTION 1: That the "Applicant" hereby certifies that they are eligible to receive assistance under the "Program".

SECTION 2: That the "Applicant" hereby authorizes and directs its City Manager to act for the "Applicant" in dealing with the "RUS" for the purpose of the "Program", and the City Manager is hereby officially designated as the representative in this regard.

SECTION 3: That the "Applicant" hereby specifically authorizes the official to make application to the "RUS" concerning rural development grant funding for the City of Lampasas.

Introduced, read and passed by the affirmation vote of the "Applicant" on this 13th day of May, 2019.

ATTEST:

Misti Talbert
Mayor

Christina Marez
City Secretary

Handwritten initials

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

SUBJECT:

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

REQUESTED BY: Monica Wright, Director of Information Systems

SUBMITTED BY: Monica Wright, Director of Information Systems

DATE SUBMITTED: May 1, 2019 FOR THE AGENDA OF: May 13, 2019

Expenditure Required: \$0.00

Available Funding: \$0.00

Attachments: Memo and April photo contest entries

SUMMARY STATEMENT:

The contest winner, if selected, will receive a City of Lampasas insulated tumbler w/straw and posting of their photo on the website.



RECOMMENDATION:

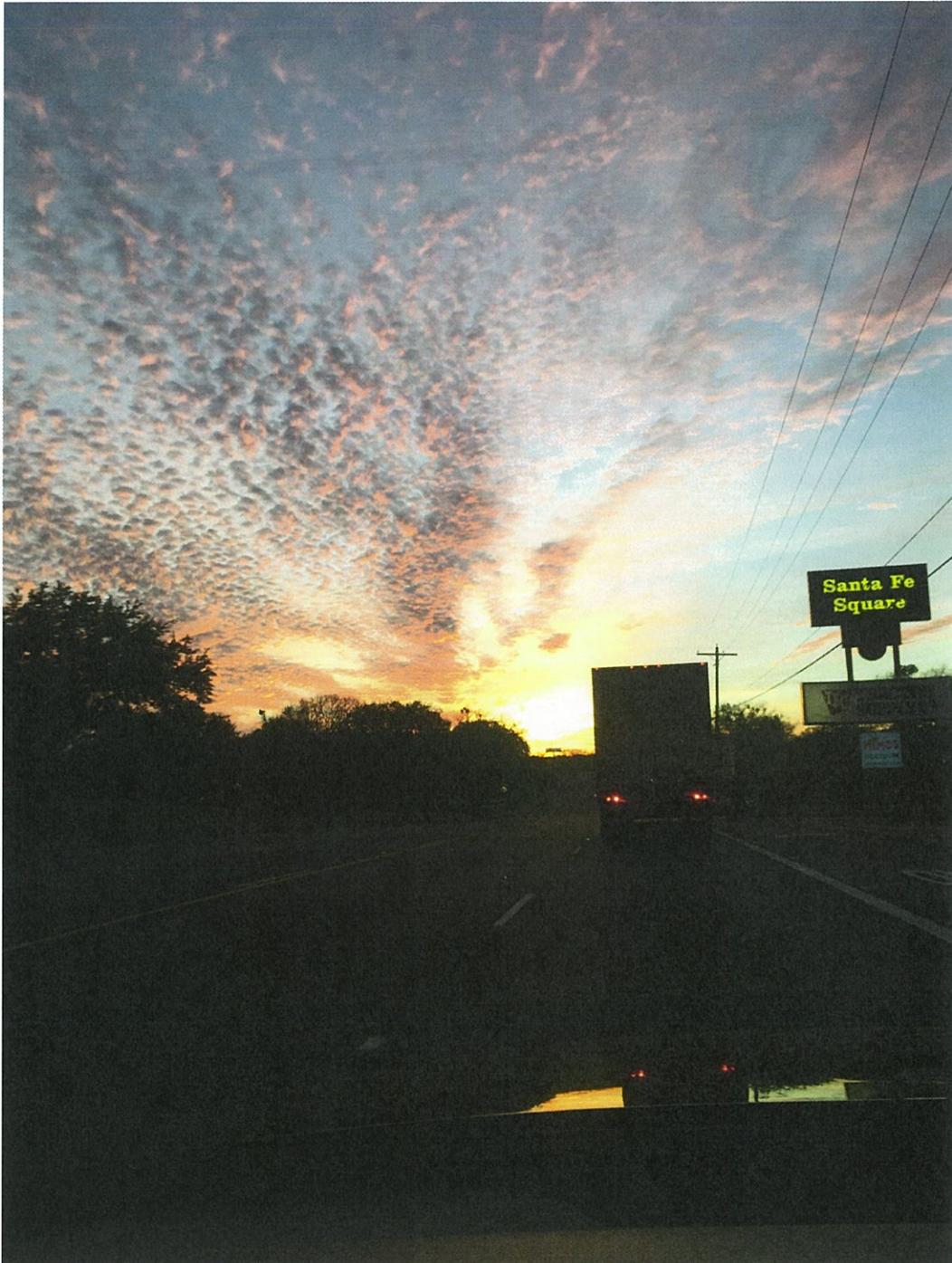
Staff would like to make the recommendation that you take into consideration the photo contest rules that state: “Any photos that tell part of the story or show the area of the city of Lampasas are eligible. Only photos taken within the city of limits of Lampasas will be considered. Buildings, landscapes,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

Entry 1

Kouwende Cann

Kcann22@icloud.com

“Pretty Skyline with Semi” was taken in Lampasas, TX.




City ManagerITEM NO. 7.13

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

Subject:

Discussion and possible action regarding the selection of a firm to provide administrative services for the 2019/2020 Community Development Block Grant FAST Program.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: May 10, 2019

For the Agenda of: May 13, 2019

Procurement and Funding Statement:

If grant funding is awarded, services would be funded through the CDBG FAST program/matching funds. Pre-grant services will be allocated from existing budgets.

Attachments: N/A

Summary Statement:

In accordance with the requirements of the CDBG FAST grant application process, 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.

Recommendation:

Staff recommends selection of Langford Community Services to provide administrative services for the 2019 Community Development Block Grant FAST.

Texas Community Development Block Grant

2018 TxCDBG Program Year

Phase Two Solicitation for Administrative Services

Response from Service Provider (Optional Format)

Applicant Community:	City of Lampasas	Name of Firm Providing Proposal:	Langford Community Management Services, Inc.
Fund Category:	TxCDBG FAST Program	Firm Point of Contact:	Judy Langford, President
Date Proposal Submitted:	May 6, 2019	Total Proposed Cost:	\$22,000.00
Conflict of Interest: (identify any actual or potential conflict of interest that must be addressed)	<input checked="" type="checkbox"/> No employee, officer or agent of the Grant Recipient or Applicant/Service Provider shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. <input type="checkbox"/> The following potential or actual conflict of interest must be addressed: <ul style="list-style-type: none"> o Owner or employee of the firm has a familial relationship with a local official, including the utility provider. o Owner or employee of the firm has financial interest in the utility provider intended to benefit from the project. o Other _____ 		
Cost Category		Proposed Fee	Self-Performed or Subcontracted
Pre-application Costs (not payable or reimbursable with TxCDBG funds)			
Preparation and submittal of grant application		\$0.00	Self-performed
Basic Services (all grant administration contracts)			
Environmental review		\$3,000.00	Self-performed
Assistance in procurement process		\$5,000.00	Self-performed
Preparation and submittal of drawdown requests		\$4,000.00	Self-performed
Record keeping		\$4,000.00	Self-performed
Preparation and submittal of reports as required		\$2,800.00	Self-performed
Contract management		\$1,000.00	Self-performed
Preparation and submittal of close-out documents		\$2,200.00	Self-performed
Other Services (include only applicable services)			
Housing activities			N/A
OSSF activities			N/A
Acquisition of real property services			N/A
Labor standards			N/A

TxCDBG Applicant: City of Lampasas
Firm Responding: Langford Community Management Services, Inc.
2018 Phase Two Solicitation for Administrative Services – Response
Page 1

Other Fees

List any other fees necessary to successfully complete a project (add rows as necessary).

Proposed Scope of Services

Check services proposed for the anticipated TxCDBG project (add rows as necessary).

Application Preparation Services

- Provide general advice and technical assistance in preparing the application in conformance with TxCDBG program requirements;
- Prepare beneficiary documentation in conformance with TxCDBG program requirements; and
- Ensure the completed application is submitted to TDA on or before the application deadline.
- Other:

Basic Contract Implementation Services

- Provide general advice and technical assistance on regulatory matters and implementing project activities included in the approved grant application in conformance with TxCDBG program requirements;
- Assist in the procurement process such as preparing notices and solicitation of bids for engineering, construction activities, or other grant-related services;
- Assist in meeting financial, administrative, and bookkeeping requirements of the TxCDBG program, including review of invoices received for payment, preparation of grant fund drawdown requests and retention of all pertinent records and documents sufficient to reflect all charges submitted;
- Assist in meeting record keeping requirements of the TxCDBG program, including the establishment and maintenance of an acceptable filing system;
- Assist in contract administration and monitoring requirements of the TxCDBG program, including enforcement of compliance requirements;
- Assist in the environmental review process for the proposed project, including preparing and submitting necessary documentation to the appropriate agency for clearance or approval, and preparing Request for Release of Funds and required certifications and submitting them to TDA;
- Assist in meeting all special condition requirements stipulated in the grant contract;
- Act as a liaison between the local government, construction contractors, and TDA to ensure an efficient, smoothly managed program; **Will act as liaison between the local government, supplier, and TDA to ensure an efficient smoothly managed program.**
- Monitor the work of authorized contractors and subcontractors. **This does not apply to this program.**
- Furnish necessary forms and submit all required reports as outlined in the grant contract;

- Prepare and submit any program amendments, including re-assessments of environmental clearances, as necessary during the duration of the project; and
- Prepare and coordinate the submission of appropriate documents for TxCDBG contract close-out and completion.
- Assist in developing, implementing and documenting new activities to affirmatively further fair housing during the grant term;
- Other: **Langford Community Management Services, Inc. (LCMS) works diligently to administer a TxCDBG project completely. With the funding of a project, we provide the City a set of files to keep at the City, which we will maintain during visits. LCMS then keeps a duplicate set of files at our offices to seamlessly administer the program with the City. We provide a level of service that reduces the City's staff time with the program.**

Assistance for Acquisition of Real Property

- Provide guidance regarding real property acquisition activities and assistance in meeting real property acquisition/URA requirements, including preparation of correspondence to property owners, and preparation and submission of required reports to TDA.
- Other: **Acquisition of Real Property does not apply to this program.**

Compliance with federal Labor Standards

- Provide guidance regarding federal labor standards and assistance in meeting Davis-Bacon Act and related federal labor laws; and
- Serve as Labor Standards Officer for the project.
- Other: **Compliance with federal Labor Standards does not apply to this program.**

MISC.



May 1, 2019

To the Honorable Mayor and
Members of the City Council
City Of Lampasas, TX

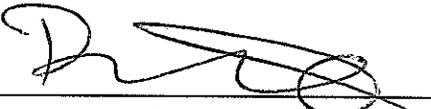
Re: Atmos Energy Franchise Payment

In accordance with the provisions of the franchise agreement between Atmos Energy and the City Of Lampasas, TX, enclosed is a franchise payment for the rights and privileges from April 01, 2019 through June 30, 2019 in the amount of \$13,639.29.

This payment is based on the period January 01, 2019 through March 31, 2019 and is due on or before May 15, 2019. The attached report contains supporting information for this payment.

Should you have any questions, please feel free to contact me.

Enclosure



Randy Hartford
Atmos Energy

Atmos Energy
Franchise Payment Report

City Of Lampasas, TX

Revenue Period: January 01, 2019 through March 31, 2019

Date Due: 5/15/2019

Date Paid:

Category	Gross Revenue	Rate	Payment
Residential Sales	251,795.36	3.0000	7,553.86
Misc. Service Charges - Residential	5,654.85	3.0000	169.65
Commercial Sales	93,848.71	3.0000	2,815.46
Misc. Service Charges - Commercial	208.00	3.0000	6.24
Commercial Governmental Sales	22,037.79	3.0000	661.13
Transportation Sales	16,407.94	3.0000	492.24
3rd Party Value of Gas			1,940.71
	\$ 389,952.65		\$ 13,639.29

The undersigned, acting on behalf of Atmos Energy, does certify and state that this statement of the receipts of the Company is true and correct to the best of his knowledge and belief.

May 1, 2019



Brian Conner

Dir State & Local Tax



Chris Felan
Vice President
Rates & Regulatory Affairs

April 26, 2019

City Official

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

Enclosed is Atmos Energy Corp., Mid-Tex Division's Statement of Rider GCR applicable for the May 2019 billing periods. This Statement details the gas cost component of the residential, commercial, and industrial sales rates for customers within your city. This filing is for informative purposes only and no action is required on your city's part.

Should you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Chris Felan".

Attachment



April 16, 2019

To: ERCOT Wholesale Transmission Customers

RE: Docket No. 49421 - CenterPoint Energy Houston Electric, LLC's Amended Proposed Notice

Enclosed please find CenterPoint Energy Houston Electric, LLC's Amended Proposed Notice that was filed with the Public Utility Commission on April 15, 2019.

Alice S. Hart

NOTICE OF RATE CHANGE REQUEST

On April 5, 2019, CenterPoint Energy Houston Electric, LLC (“CenterPoint Houston” or the “Company”) filed with the Public Utility Commission of Texas (“Commission”) a Statement of Intent and Application for Authority to Change Rates (“Application”). The Company is filing the Application in compliance with the rate review scheduling requirements under 16 Texas Administrative Code § 25.247(c)(2)(B) and the Company’s commitment to the timing of a rate filing in Project No. 47945, *Proceeding to Investigate and Address the Effects of the Tax Cuts and Jobs Act of 2017 on the Rates of Texas Investor-Owned Utility Companies*. The Application has been assigned Docket No. 49421.

The Application is based on a 12-month test year ending December 31, 2018, as adjusted for known and measurable changes. The Application supports a net increase in retail transmission and distribution rates of approximately \$154 million over adjusted test year revenues, which is an increase of around 7.4%. It also supports an approximately \$6.8 million increase for wholesale transmission service, which is an increase of around 1.8%. If approved and implemented through the Company’s rates for Retail Delivery Service, the impact on a residential customer using 1,000 kilowatt-hours (“kWh”) per month would be an increase of approximately \$2.38 or 5.19% per month. A customer with a retail plan that charges 12.5 cents per kWh would see their rate go to 12.75 cents per kWh, or a 1.91% increase in their total bill. The extent to which these additional charges would be passed on by Retail Electric Providers (“REPs”) is a function of the competitive market. The Company’s proposed effective date of the requested rate change is May 10, 2019.

The Company’s rates and revenues in the Application also reflect the inclusion of a limited-term rider, Rider UEDIT, related to the Tax Cuts and Jobs Act of 2017, which will return approximately \$97 million of unprotected excess accumulated deferred federal income taxes over a period of 3 years. After that period, the increase in retail transmission and distribution rates attributable to the Application would be approximately \$187 million over adjusted test year revenues, which is an increase of about 8.9%. These figures do not take into account any other changes to rates or revenues that may occur during that 3-year period. Changes that might occur during that period include, for example, the Company’s filing related to its Energy Efficiency Cost Recovery Factor, Distribution Cost Recovery Factor, and Transmission Cost Recovery Factor.

CenterPoint Houston proposes to change delivery charges to reflect the revenue

CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC
SUMMARY OF REVENUES BY RATE CLASS

Rate Class Description	Number of Customers	Present Revenues ¹	Proposed Revenues	Revenue Change Without Rider UEDIT	Pct Change Without Rider UEDIT	Rider UEDIT	Revenue Change With Rider UEDIT	Pct Change With Rider UEDIT
Residential	2,198,225	\$ 1,130,553,347	\$ 1,217,814,820	\$ 87,261,473	7.7%	\$(17,253,347)	\$ 70,008,125	6.2%
Secondary <= 10kva	148,123	\$ 32,594,719	\$ 30,607,020	\$ (1,987,699)	-6.1%	\$(431,501)	\$(2,419,200)	-7.4%
Secondary > 10Kva	137,862	\$ 654,965,407	\$ 739,867,066	\$ 84,901,659	13.0%	\$(10,489,328)	\$ 74,412,331	11.4%
Primary	999	\$ 66,701,177	\$ 70,089,549	\$ 3,388,372	5.1%	\$(992,514)	\$ 2,395,858	3.6%
Transmission	204	\$ 143,211,958	\$ 162,433,957	\$ 19,221,999	13.4%	\$(2,313,022)	\$ 16,908,977	11.8%
Miscellaneous Lighting	12,698	\$ 3,843,864	\$ 3,126,732	\$ (717,132)	-18.7%	\$(44,200)	\$(761,332)	-19.8%
Lighting	5,100	\$ 63,729,997	\$ 58,264,534	\$ (5,465,463)	-8.6%	\$(834,750)	\$(6,300,214)	-9.9%
Retail Electric Delivery Revenues	2,503,211	\$ 2,095,600,469	\$ 2,282,203,678	\$ 186,603,209	8.9%	\$(32,358,663)	\$ 154,244,545	7.4%
Wholesale Transmission Revenue		\$ 388,968,021	\$ 395,796,573	\$ 6,828,552	1.8%		\$ 6,828,552	1.8%
Total Cost of Service		\$ 2,484,568,490	\$ 2,678,000,251	\$ 193,431,761	7.8%	\$(32,358,663)	\$ 161,073,097	6.5%

¹ Test Year revenues have been adjusted to normalize billing units and adjust for DCRF and TCRF

CenterPoint Houston’s proposed tariff for Wholesale Transmission Service includes CenterPoint Houston’s proposed wholesale transmission rate and the terms under which wholesale transmission service will be provided. The Company proposes changes to this tariff to reflect CenterPoint Houston’s current cost of providing this service. The result of the change will update the Company’s wholesale transmission service rate from \$5.781925 per kW to \$5.705672 per kW.

In addition to new rates, CenterPoint Houston requests a prudence determination on all capital investment made in the system since January 1, 2010, the establishment of Rider UEDIT to continue returning to customers approximately \$97 million for the excess deferred federal income tax unprotected balance resulting from the enactment of the Tax Cuts and Jobs Act of 2017, and updated depreciation rates. CenterPoint Houston also seeks permission to install voltage regulation battery assets when necessary and cost-effective situations permit and the amendment of its Facilities Extension Policy to facilitate electric vehicle charging station development.

Additional non-rate changes intended to improve the readability and clarity of the Company’s tariffs are addressed in the direct testimony of Company witness Matthew A. Troxle. The Company is also proposing Rider RCE to recover rate case expenses determined to be reasonable by the Commission in this case. Finally, CenterPoint Houston proposes to update the charges for Discretionary Services to reflect CenterPoint Houston’s current cost of providing such services, including its Non-Standard Metering Service Recurring Fee, of which the Company is