

**NOTICE OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
405 SOUTH MAIN STREET  
MONDAY APRIL 8, 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, April 8, 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).

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

1. Call to order Workshop Session
2. Discussion regarding Code Enforcement Efforts pgs. 5-6
3. Discussion regarding Food Truck Ordinance, Music Venues, Sense of Place pgs. 7-8
4. Discussion regarding Scope of Work for City of Lampasas Comprehensive Plan pgs. 9-10
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 Public Safety Telecommunications Week
- D. Community Champion

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>	<b>PAGES</b>
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 citizens comments regarding an Ordinance amending Chapter 50 (Offenses) in the City of Lampasas Code of Ordinances to provide a new article III; Sex Offenders; making it unlawful for certain sexual offenders to reside within 1000 feet of places where children gather; providing exceptions to the Ordinance ; prohibiting property	11-12

	owners from renting real property or establishing a residence to certain sexual offenders; prohibiting certain sexual offenders from entering or loitering within 300 feet of a City Park; providing for affirmative defenses; providing for a severability clause and providing penalties for violations for the Ordinance.	
2.0	MINUTES	PAGES
2.1	Discussion and possible action concerning approval of minutes of the regular meeting on March 25, 2019	13-22
3.0	CONSENT AGENDA	PAGES
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from March 1, 2019- March 31, 2019.	23-28
4.0	BOARDS/DEPARTMENT REPORTS	N/A
5.0	ROUTINE MATTERS	PAGES
5.1	City Manager's Operational Report <ul style="list-style-type: none"> <li>• Fire Chief</li> <li>• Board Training</li> <li>• Siren Testing</li> <li>• Nix Tank</li> <li>• LCRA</li> <li>• Development Matrix</li> <li>• New Staff</li> <li>• Do You See Me?</li> <li>• Permit Activity</li> <li>• Electric Charges</li> </ul>	29-32
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 the first reading of an Ordinance amending Chapter 50 (Offenses) in the City of Lampasas Code of Ordinances to provide a new article III; Sex Offenders; making it unlawful for certain sexual offenders to reside within 1000 feet of places where children gather; providing exceptions to the Ordinance ; prohibiting property owners from renting real property or establishing a residence to certain sexual offenders; prohibiting certain sexual offenders from entering or loitering within 300 feet of a City Park; providing for affirmative defenses; providing for a severability clause and providing penalties for violations for the Ordinance.	33-44
7.2	Discussion and possible action regarding approval of Hillside Acres Preliminary Plat located in the extraterritorial jurisdiction of the City of Lampasas, Lampasas County.	45-46
7.3	Select and announce possible winner of website photo contest entry	47-52
7.4	Discussion and possible action regarding 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 <sup>th</sup> of May, 2019.	53-56
7.5	Discussion and possible action regarding an Ordinance amending Ordinance No. 1582, Exhibit "B", to amend the polling location for the Special Local Option Election on May 4,	57-60

	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.	
7.6	Discussion and possible action regarding the Amendment to the Waste Connections Contract regarding Sludge Haul for the City of Lampasas.	61-62
7.7	Discussion and possible action regarding security cameras for the 1931 Roy L Thomas Old City Hall Building.	63-64

Adjourn into Executive Session

**EXECUTIVE SESSION**

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

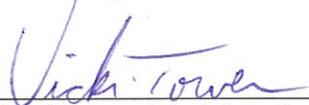
8.0	EXECUTIVE SESSION ITEMS
8.1	Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters) – Utilities
8.2	Adjourn Executive Session and reconvene Regular Session

**REGULAR SESSION**

9.0	ACTION ON EXECUTIVE SESSION
9.1	Discussion and possible action concerning items posted and discussed by Council in Executive Session

Adjourn

I, Vicki Tower, Administrative 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 5<sup>th</sup> day of April 2019 at 2:05pm

  
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 Vicki Tower, Administrative Secretary

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City Manager

ITEM NO. Workshop 2

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

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**Subject:**

Discussion and update on Code Enforcement Activities

Requested By: Gary Cox, Assistant City Manager

Submitted By: Sammy Bailey, Chief of Police

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments:

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**Summary Statement:**

The Council work plan identified code compliance as an area of focus to address health and safety as well as quality of life concerns within the community. Staff would like to discuss the status of code enforcement efforts and seek direction from Council regarding the issues of importance and the future expectations of the code enforcement process.

**Recommendation:**

Discussion Only

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City Manager

ITEM NO. Workshop 3

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

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**Subject:**

Discussion regarding Food Truck Ordinance, Music Venues, Sense of Place

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Food Truck Ordinance Overview

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**Summary Statement:**

This item is one of the tasks identified on the 2019 Council Work Plan. In 2015 Staff identified the need and adopted a Food Truck Ordinance. To date we have issued less than 5 permits. In reviewing other city requirements, the two outlining factors are permit prices and locations. For community events we allow the committee to oversee the food truck permitting process which includes the vendor fees and location. The City Fire Marshall and Building Official will inspect the food trucks to ensure they are code compliant and meet fire code but the City does not issue a permit. The intent of the Food Truck Ordinance is to allow the diversity and community engagement without affecting the brick and mortar locations that have the overhead expense. Staff feels that while the health, safety and code compliance of each food truck will still be a factor there is room to amend the Ordinance to allow more flexibility in location and permit fees. Outdoor music venues is another area of community engagement that Staff wants to explore. We want to encompass the diversity and fun of food trucks with the beauty of our parks to engage the community with live music to promote social gatherings. As Staff continues to research outdoor music opportunities there will be considerations to safety of citizens, upkeep of parks, noise ordinance, liability, appropriate locations, kid-friendly, community partnerships, local talent and possibly committees to promote and plan the events. We look forward to sharing with Council our ideas over the next few weeks.

**Recommendation:**

Discussion Only

## City of Lampasas Food Truck Ordinance Overview

- Duration
  - 14 days= \$100.00
  - 180 days= \$300.00/ renewal \$150.00
  - Annual= \$500.00/ renewal \$250.00
- Zoning
  - All Non-Residential Zoning Districts and/or City Parks
  - Must be a minimum of 50 feet from Residential Use
  - Cannot be parked on vacant lot
- Hours of Operation
  - 7:00 a.m.- Midnight
  - No seating, generator or music is allowed between 10:00 p.m. -midnight within 100 feet from residential uses.
- Must have Written Authorization from Property Owner
- Must be parked on improved surface (support structure, resist weather conditions)
- Bathroom must be available within 300 feet for employees and patrons
- Seating for up to four people may be provided
- Mobile Food Vendor Unit (MFVU) must be self-contained, cannot hook up to City Utilities
- No alcoholic beverages
- Must have self-closing trash container
- No more than 3 MFVU at one location unless City sponsored event

### Other Requirements

- Valid Motor Vehicle Operator's License
- Valid Vehicle Registration
- Proof of Vehicle Liability Insurance
- Valid DBA or LLC Certificate
- Texas Sales Tax Permit
- Valid and Current State Health Permit
- Current Food Handler's Certificate
- Fire Marshal Code Compliant Inspection

  
City Manager

ITEM NO. Workshop 4

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

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**Subject:**

Discussion regarding the scope of work to be included in the comprehensive plan.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: N/A

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**Summary Statement:**

At the March 25<sup>th</sup> Council meeting, Halff Associates, Inc was selected as the firm to provide services related to the development of a comprehensive plan. Prior to engaging Halff and negotiating the terms of a professional services agreement, a scope of work for the plan is needed. Traditionally a comprehensive plan includes key components such as existing conditions, goals and objectives, implementation strategies and future land use. However, the comprehensive plan is not limited to these components and can include other analysis of the community. Other items to be considered in the scope of work include housing, transportation, infrastructure, public services, recreation, economic development, community design, preferred areas of development, renewal or redevelopment areas, financing, tourism and historic preservation. While not exhaustive, these components represent a common core, which comprise a majority of comprehensive plans. Staff seeks Council's input in defining the scope to ensure Council's goals and objectives are met as we initiate the comprehensive planning process

**Recommendation:**

Discussion Only

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ITEM NO. 1.2

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

**Subject:**

Public Hearing to receive citizens comments regarding an Ordinance amending Chapter 50 (Offenses) in the City of Lampasas Code of Ordinances to provide a new article III; Sex Offenders; making it unlawful for certain sexual offenders to reside within 1000 feet of places where children gather; providing exceptions to the Ordinance ; prohibiting property owners from renting real property or establishing a residence to certain sexual offenders; prohibiting certain sexual offenders from entering or loitering within 300 feet of a City Park; providing for affirmative defenses; providing for a severability clause and providing penalties for violations for the Ordinance.

Requested By: Sammy Bailey, Chief of Police

Submitted By: Sammy Bailey, Chief of Police

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Draft Ordinance

**Summary Statement:**

As discussed at the March 11, 2019 City Council Meeting the Lampasas Police Department has recently taken over responsibility for the oversight of offenders residing in our community, who are required to register under Chapter 62 of the Code of Criminal Procedure for sex related crimes. This agenda item allows for citizen comments regarding an Ordinance amending Chapter 50 (Offenders) in the City of Lampasas Code of Ordinances.

**Recommendation:**

Discussion Only

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**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
405 SOUTH MAIN STREET  
MONDAY MARCH 25, 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  
Rickie Roy, Public Works Director  
Shanda Subia, Library Director  
Robert Gradel, Municipal Court Judge  
Van Berry, Golf Course Manager

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

1. Call to order Workshop Session

Mayor Talbert called the workshop session to order at 5:33 p.m.

2. Discussion with representatives from Atlas 4000 Bicycle Ride.

Joe Corcoran and representatives from Atlas 4000 reviewed the upcoming event.

3. Interviews with selected firms regarding development of a Comprehensive Plan for the City of Lampasas.

Gary Cox, Assistant City Manager, explained that on February 15, 2019, a request for qualifications (RFQ) was published soliciting proposals from firms for the comprehensive planning services. The deadline for submission of proposals was March 15, 2019 by 2:00 p.m. A total of four (4) firms submitted proposals

prior to the deadline. A fifth proposal was received, however, it was delivered after the deadline and after City Staff, had compiled and distributed the list of eligible proposals and therefore was not considered.

Proposals were received from the following firms:

- 1) HALFF Associates, Inc – Austin, TX
- 2) Design Workshop, Inc. – Austin, TX
- 3) PLACE Designers – Round Rock, TX
- 4) VERDUNITY – Dallas, TX.

Cox informed Council that a City Staff committee reviewed the proposals and evaluated the submissions based upon criteria set forth in the RFQ. Based upon the scoring of the submittals, Staff extended invitations to the two firms, who ranked the highest, to appear at the workshop and present/discuss their proposals with Council and members of other City boards.

Council had the opportunity to separately interview HALFF Associates and Design Workshop, Inc. and heard each of their presentations. Both provided information on their approach, proven results of their work and work they have done for other municipalities.

Council, Committee members present and City Staff had the opportunity to ask questions. After both presentations, Council had the opportunity to discuss their thoughts of both firms and their preference of which firm fit best for the City.

#### 4. Discussion regarding Stone Valley Development Agreement

Due to the time spent in workshop session, Gary Cox, Assistant City Manager, explained that this item is on regular session and could be discussed at that time in greater detail.

#### 5. Discussion regarding any item on the regular agenda

There was no discussion.

#### 6. Adjourn Workshop Session

Council member Toups moved to adjourn the workshop session at 7:10 p.m. The motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.

There was a brief break taken before going into regular session.

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

##### A. Call to Order

Mayor Talbert called the regular session to order at 7:20 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

- Johnny “Lam” Jones Day Proclamation - Mayor Talbert read out loud the proclamation that listed Mr. Jones’ accomplishments and generosity to young athletes and proclaimed May 14, 2019 as Johnny “Lam” Jones Day in the City of Lampasas.
- National Library Week Proclamation – Mayor Talbert read out loud the proclamation and proclaimed April 7-13, 2019 as National Library Week.
- National Fair Housing Month Proclamation –Mayor Talbert read out loud the proclamation and proclaimed the month of April as Fair Housing Month.

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>
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	<b>MINUTES</b>
2.1	Discussion and possible action regarding approval of amended minutes from the regular meeting on February 25, 2019

Christina Marez, City Secretary, explained that the amended minutes included the omitted consent agenda action that was taken.

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

2.2	Discussion and possible action concerning approval of minutes of the regular meeting on March 11, 2019
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Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Toups and with a vote of six in favor and one abstention (Kuehne), the motion carried.

3.0	<b>CONSENT AGENDA</b>
3.1	Discussion and possible action on the receipt of the Monthly Investment Report for February 2019.
3.2	Discussion and possible action regarding the 2 <sup>nd</sup> reading of an Ordinance amending Chapter 66 Streets, Sidewalks, and other Public Places, Article V- Abandonment of Streets, Alleys or Right-of-Ways

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

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

- 155 New cases
- 92 Convictions
- 39 Compliance Dismissals
- Total fines collected \$38,025.56
- In 2016, there were 2,613 violations filed
- In 2017, there were 2,388 violations filed
- In 2018, there were 1,970 violations filed
- They recently had their 3<sup>rd</sup> Warrant Roundup

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

- Library - Shanda Subia, Library Director, reports that the Lampasas Public Library has received special recognition from the Texas Library Association. The Library received the TLA Branding Iron Award in the Event category for their Painted Chair Event. The award will be presented at the May 28<sup>th</sup> City Council Meeting and will be highlighted in the summer issue of the *Texas Library Journal*.
- Development - The City has, or will receive, two preliminary plats for residential development on 580 West, and Brown Street. The total potential development from the two concepts will be approximately 50 dwellings. Currently, City Staff is reviewing the plat(s) and will prepare the item for consideration by the Planning and Zoning Commission and City Council.
- Old City Hall - The City received word this week that production for elevator equipment has been pushed back two to three weeks. The scheduled arrival time for the elevator is now projected for the first or second week of April. Crews will then take approximately two to three weeks to install, inspect and certify the unit. City Staff has conducted a follow-up walk through with the contractor and the project is generally considered 98% complete. Staff will receive training on the HVAC system this week, and O&M Manuals will be delivered in the next several days. Providing the Building Official issues a partial Certificate of Occupancy (CO), the municipal court administrative functions could move back in the next week or two.
- CIP - The CIP Committee held a lengthy meeting on March 7<sup>th</sup> to review departmental projects and equipment needs. Additionally, the Committee reviewed City Staff's new categories for projects

related to information technology and communications. The next meeting is scheduled for April 18, 2019.

- 4/8 Workshop – City Staff has begun preparing for the April 8<sup>th</sup> Workshop Session to discuss Code Enforcement and outdoor amenities. The Chief of Police, Code Enforcement Officer, Building Official and Assistant City Manager will be preparing information and opportunities related to code enforcement, and sub-standard buildings. Council will also receive the current Food-Truck Ordinance and inventory of outdoor venues prior to the Workshop to aid in that discussion. It is Staff's hope the discussion will identify specific tasks for Staff to research and implement.
- W/WW Building – City Staff is nearing the conclusion of the value engineering process for the Water/Wastewater lab and shop. Staff has been working with our design team and engineers, and the general contractor regarding possible savings. The process also includes reviewing a reduction in features/quality in relation to the overall benefit of savings and needs of the facility and Staff.
- Community Service - The City was approached last week regarding a possible supervised adult probation workforce for City clean-up projects. Rickie Roy, Public Works Director, made initial contact, and will gather additional information regarding any limitations or conditions of the arrangement. City Staff will bring a proposal back to Council for consideration as the plans are formalized.
- Water Meters - Yvonne Moreno, Finance Director, reports that new water meters were received and have been installed under contract with Core and Main. The radio read meters will provide additional time of use information and be generally more accurate. The City installed just over 400 meters under contract and approximately 120 by City Staff to complete the project for this budget year.
- Audit - This week the City received the draft audit for FY 2018. For the past several years, an ad hoc Council committee has reviewed the audit with staff from Singleton, Clark; and providing there is no objection, City Staff will proceed to schedule a meeting under that format. Generally, the City performed well, but the statements also reflect an OPEB liability which may cloud overall financial performance.
- West Ave. E - Gary Cox, Assistant City Manager, reports that preliminary estimated costs and design have been received from Eckermann Engineering for drainage, curb, gutter and pavement of West Avenue E. The project, including approximately 14,000 square yards of HMAC paving, 4,400 linear feet of curb and gutter, and drainage improvements, is estimated at \$869,798.00. Additionally, several driveways will be replaced or installed, and manhole and valve boxes will be elevated. The project is generally identified for funding through the Street Department budget, likely over two years.
- He informed Council of two TML webinars that are scheduled for April 11 and May 9 at 9:30 a.m. in the Council Chambers. Also, there is a TML Legislative Wrap-up conference in Austin on June 24 if any Council member is interested in attending any of these, please let City Staff know.

5.2	MAYOR'S COMMENTS
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The Mayor did not have any comments.

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 concerning Guthrie Library Committee Bylaws
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Judy Lansford, Library Board member and also on the Guthrie Committee, explained that the Guthrie Committee was created to provide recommendations to the City Council for expenditures of the bequeathed funds left by Tracie Guthrie. The committee has met and wishes to submit the proposed bylaws for approval. These bylaws will be used to govern the committee meetings, discussions, and recommendations, for the benefit of the library.

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

7.2	Discussion and possible action regarding request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$7,254.74 for event expenses related to the 18 <sup>th</sup> Annual Riata Roundup Rodeo April 25-27, 2019
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Melissa Unger, Chamber Director, reviewed their request for Hotel Occupancy Tax Funds for the 18<sup>th</sup> Annual Riata Roundup Rodeo event. She noted that an additional day has been added to the event and the entrance fee was increased. The event will now start on a Thursday and run through Saturday. She reviewed the proposed costs for the event.

Mayor Pro Tem Monroe moved to approve the request from the Lampasas County Chamber of Commerce for Hotel Occupancy Tax Funds in the amount of \$7,254.74 for event expenses related to the 18<sup>th</sup> Annual Riata Roundup Rodeo April 25-27, 2019. The motion was seconded by Council member Williamson and with a vote of six in favor and one opposed (McCauley), the motion carried.

7.3	Discussion and possible action regarding change order from CTEX Construction Services for Nix Tank Rehabilitation in the amount of \$3,600.00 for logo/lettering.
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Gary Cox, Assistant City Manager, explained that the City has a received change order #1 from the contractor requesting a 9-day extension to the contract and providing options for the logo and lettering to be placed on the tank. The contract extension is requested because of the contractor having to demobilize from the site due to recent water main breaks and the need to temporarily place the tank back in service. Due to circumstances beyond the control of the contractor and lost work time, City Staff recommends the approval of the 9-day extension.

Cox also said that the contractor has also submitted pricing options for painting the logo and lettering on the tower. Staff seeks direction from Council on the desired option. The cost to install the logo and lettering on both sides of the tank results in an increased cost of \$3,600.00. The cost for one side of the tank is \$1,800.00. The cost of only the logo is \$1,500.00 per side and an additional \$300.00 per side for the lettering.

Council member Williamson moved to approve the logo and lettering on both sides of the tank in the amount of \$3,600.00. The motion was seconded by Mayor Pro Tem Monroe. After some brief discussion, Mayor Talbert called for a vote. No one voted on the motion made and so the motion failed.

Council member Toups moved to approve the logo and lettering on the one side facing the town in the amount of \$1,800.00. The motion was seconded by Council member White and with a unanimous vote, the motion carried.

7.4	Discussion and possible action regarding the Stone Valley Development Agreement
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Gary Cox, Assistant City Manager, explained that in 2018, City Council approved the final plats for the development known as Stone Valley and discussed possible economic incentives to be provided by the City in support of the development and additional benefits realized by the community because of improvements to the roadway, water, wastewater and drainage systems. Staff has also worked with the developer to include the construction of an off-site drainage system benefitting a neighboring subdivision as part of the development agreement. The engineering and cost estimates for the off-site drainage have recently been received and the City is in a position to finalize the development agreement and the terms, which were previously discussed with the developer.

Council member Williamson moved to approve the Stone Valley Development Agreement as presented. The motion was seconded by Council member Toups.

Discussion included:

- In reference to waiving the building and permitting fees – Does the City do this for other builders or contractors?
- Don't these fees cover the costs of City Staff to review the building permits and do the inspections?
- Waiving these fees still costs the City money for the services provided.
- It was noted that in the Agreement there was a default clause that the Developer had to build 67 homes in three years and would be responsible for all fees that were waived.
- The proposed homes would be valued approximately \$150,000.00 to \$180,000.00 per home and would benefit the City's advalorem.
- Some Council members expressed that waiving the building and permitting fees would set a precedent.

Mayor Talbert called for a vote on the motion made by Council member Williamson and seconded by Council member Toups to approve the Stone Valley Development Agreement as presented. With a vote of two in favor (Williamson and Monroe) and five opposed, the motion failed.

Council member McCauley moved to approve the Stone Valley Agreement with the exclusion of waiving the building and permitting fees. The motion was seconded by Council member Kuehne and with a vote of five in favor and two opposed (Williamson and Monroe), the motion carried.

7.5	Discussion and direction from Council regarding City Sign Presentation
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Becky Sims, Assistant City Secretary, reviewed photos of existing City signage throughout the City.

City Manager deGraffenried explained that item was placed on the agenda to provide Council an update and an opportunity to consider consistency of signage and possibly a new brand logo.

Council expressed maintenance and upkeep to existing signage. Further research and work will be done by City Staff and revisited with Council at a future date.

7.6	Discuss and consider recommendation from LEDC and Foresite Group related to developing additional broadband capacity
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Mandy Walsh, Economic Development Director, explained that as a follow-up to the joint Economic Development Corporation and City Council meeting on March 20, 2019, this item was placed on the agenda to allow formal consideration of next steps in the possible deployment of a Fiber Optic Network. She explained that that the LEDC voted to direct staff to pursue possible grant or loan funding to support increased broadband capacity.

Council member McCauley moved to direct staff to pursue possible grant or loan funding to support increased broadband capacity. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

7.7	Discussion and possible action regarding 2019 Consumer Price Index (CPI), adjustment to Municipal Telecommunications Right-of-Way access line rates.
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City Manager deGraffenried, explained that this item is considered annually by Council as a pass through rate to telephone customers. For the past six years the City has opted not to increase access line rates to consumers and due to the relative small impact.

Council member McCauley moved to not raise right-of-way access line rates. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.8	Discussion and possible action regarding the purchase of an MPC Door Retrofit for the pump station at Hancock Park Golf Course
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Van Berry, Golf Course Manager, explained that there are some components on the pump station that are out and the system is shutting down on low discharge. The gauge on the discharge line is showing the correct pressure but the computer system is not recognizing the correct pressure and is causing the whole system to shut down. Our system is a Flowtronex system and was installed in 2004 by PMT Pump Services. Ric Martinez with PMT, who installed the system and is a certified technician for Flowtronex, said the components that we need are obsolete and have been for eight years. Flowtronex has since made retrofit components that are compatible with our existing components and this is what we need for our system to work. Without this item, we are unable to water the golf course. PMT Pump Services is on Buyboard.

Mayor Pro Tem Monroe moved to approve the purchase of the MCP Door Retrofit to PMT Pump Services in the amount of \$25,817.31. The motion was seconded by Council member Toups and with a unanimous vote, the motion carried.

7.9	Discussion and possible action regarding the selection of a firm to provide comprehensive planning services.
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Gary Cox, Assistant City Manager, explained that this item was reviewed in workshop session and interviews were held with the two highest ranked firms: HALFF Associates, Inc. and Design Workshop Inc., both from Austin, Texas.

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

Adjourn

Council member Kuehne moved to adjourn the meeting at 8:28 p.m. The motion was seconded by Mayor Pro Tem Monroe and with a unanimous vote, the motion carried.

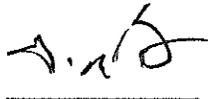
PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
Christina Marez, City Secretary

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City Manager

ITEM NO. 3.1

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

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**Subject:**

Discussion and Possible Action regarding purchases and charges in excess of \$4,000 from March 1, 2019 to March 31, 2019

Requested By: Yvonne Moreno, Finance Director

Submitted By: Yvonne Moreno, Finance Director

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: A/P History Check Report

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**Summary Statement:**

The Check History Report presents the detail of individual charges and amounts for all checks over \$4,000 for the period of March 1, 2019 to March 31, 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.							
I-17521175294	FEBRUARY ABP BILL	E	3/18/2019	53,066.67		000006	O	53,066.67
56260	LOWER COLORADO RIVER AUTHORITY							
I-EW15126	FEBRUARY LCRA BILL	E	3/18/2019	412,333.69		000007	O	412,333.69
27050	IRS-PAYROLL TAXES							
I-T1 201902287875	FEDERAL WITHHOLDING	D	3/01/2019	15,904.50		000008	O	
I-T3 201902287875	FICA TAX	D	3/01/2019	24,435.24		000008	O	
I-T4 201902287875	MEDICARE TAX	D	3/01/2019	5,714.68		000008	O	46,054.42
27050	IRS-PAYROLL TAXES							
I-T1 201903147878	FEDERAL WITHHOLDING	D	3/15/2019	18,331.87		000010	O	
I-T3 201903147878	FICA TAX	D	3/15/2019	25,566.26		000010	O	
I-T4 201903147878	MEDICARE TAX	D	3/15/2019	5,979.18		000010	O	49,877.31
37050	IRS-PAYROLL TAXES							
I-T1 201903287880	FEDERAL WITHHOLDING	D	3/29/2019	14,384.77		000011	O	
I-T3 201903287880	FICA TAX	D	3/29/2019	23,068.96		000011	O	
I-T4 201903287880	MEDICARE TAX	D	3/29/2019	5,395.20		000011	O	42,848.93
17865	COLONIAL LIFE & ACCIDENT							
C-AC1201902287875	ACCIDENT INSURANCE	R	3/05/2019	0.01CR		147644	O	
I-AC1201902147873	ACCIDENT INSURANCE	R	3/05/2019	188.32		147644	O	
I-AC2201902287875	ACCIDENT INSURANCE	R	3/05/2019	188.27		147644	O	
I-AC3201902147873	ACCIDENT INSURANCE	R	3/05/2019	623.92		147644	O	
I-AC3201902287875	ACCIDENT INSURANCE	R	3/05/2019	589.94		147644	O	
I-CN1201902147873	CANCER INSURANCE	R	3/05/2019	251.15		147644	O	
I-CN2201902287875	CANCER INSURANCE	R	3/05/2019	251.16		147644	O	
I-HO3201902147873	HOSPITAL INCOME - PRETAX	R	3/05/2019	83.05		147644	O	
I-HO3201902287875	HOSPITAL INCOME - PRETAX	R	3/05/2019	83.05		147644	O	
I-LF3201902287875	UNIV/COL LIFE AFTER TAX	R	3/05/2019	338.62		147644	O	
I-LF7201902147873	NON-PRETAX LIFE INSURANCE	R	3/05/2019	338.60		147644	O	
I-LF8201902147873	AFTER TAX COLONIAL PRODUCTS	R	3/05/2019	703.81		147644	O	
I-LF8201902287875	AFTER TAX COLONIAL PRODUCTS	R	3/05/2019	703.81		147644	O	
I-LP3201902147873	LPSD DISABILITY AFTERTAX	R	3/05/2019	142.69		147644	O	
I-LP3201902287875	LPSD DISABILITY AFTERTAX	R	3/05/2019	142.69		147644	O	4,629.07
02860	FUELMAN							
I-201902267874	CITY GAS	R	3/05/2019	8,564.64		147663	O	8,564.64
52200	LAMPASAS PUBLIC UTILITIES							
I-02282019	FEBRUARY 2019	R	3/05/2019	32,460.36		147700	O	32,460.36

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
74775	SCOTT & WHITE HEALTH PLAN							
I-201903047877	SCOTT & WHITE HEALTH PLAN	R	3/05/2019	7,939.25		147725	O	
I-CCC201902287875	HEALTH INSURANCE PREMIUM	R	3/05/2019	4,037.40		147725	O	
I-CCE201902287875	HEALTH INSURANCE PREMIUM	R	3/05/2019	14,688.26		147725	O	
I-CCF201902287875	HEALTH INSURANCE PREMIUMS	R	3/05/2019	6,071.58		147725	O	
I-CCS201902287875	HEALTH INSURANCE PREMIUM	R	3/05/2019	6,229.09		147725	O	
I-HE1201902287875	HEALTH INSURANCE PREMIUM	R	3/05/2019	7,358.33		147725	O	
I-HEA201902147873	EMPLOYEE SHARE HEALTH INSURANC	R	3/05/2019	11,064.57		147725	O	
I-HEA201902287875	EMPLOYEE SHARE HEALTH INSURANC	R	3/05/2019	82.94		147725	O	
I-HEC201902147873	EMPLOYEE SHARE HEALTH INSURANC	R	3/05/2019	45.31		147725	O	
I-HEC201902287875	EMPLOYEE SHARE HEALTH INSURANC	R	3/05/2019	10,888.94		147725	O	
I-HI1201902287875	CITY HEALTH INSURANCE	R	3/05/2019	17,907.50		147725	O	
I-HID201902287875	CITY HEALTH INSURANCE	R	3/05/2019	12,031.30		147725	O	
I-HIE201902287875	EMPLOYEE CITY HEALTH CONTRIB	R	3/05/2019	21,147.67		147725	O	119,492.14
84250	TEXAS MUNICIPAL RETIREMENT SYS							
I-TMR201901317869	RETIREMENT CONTRIBUTIONS	R	3/05/2019	46,471.11		147734	O	
I-TMR201902017871	RETIREMENT CONTRIBUTIONS	R	3/05/2019	578.18		147734	O	
I-TMR201902147873	RETIREMENT CONTRIBUTIONS	R	3/05/2019	45,503.81		147734	O	92,553.10
02122	TRAC-N-TROL INC							
I-7333	PROGRAM CHANGE	R	3/05/2019	4,886.25		147735	O	4,886.25
00365	USA BLUE BOOK							
I-804978	HAND TOOLS	R	3/05/2019	918.75		147738	O	
I-812116	HOSE AND GASKET	R	3/05/2019	134.45		147738	O	
I-812756	PUMP W/ MANUAL SPEED	R	3/05/2019	907.63		147738	O	
I-814525	HAMMER DRILL	R	3/05/2019	337.95		147738	O	
I-814860	AIR RELEASE VALVE	R	3/05/2019	386.90		147738	O	
I-814861	MATERIAL	R	3/05/2019	1,331.27		147738	O	
I-816655	PRESSURE GAUGES	R	3/05/2019	358.80		147738	O	
I-816957	4" SS GAUGE/CASE	R	3/05/2019	139.19		147738	O	
I-818328	FH PARTS	R	3/05/2019	733.31		147738	O	5,248.25
03049	ALTEC INDUSTRIES INC							
I-8214466	WINCH TRUCK	R	3/11/2019	179,980.00		147748	O	179,980.00
03206	CTEX CONSTRUCTION							
I-NO 1 02282019	NIX TANK REPAIR	R	3/11/2019	18,000.00		147756	O	18,000.00
03193	MCCREARY, VESELKA, BRAGG & ALL							
I-186829	COLLECTION AGENCY	R	3/11/2019	907.53		147784	O	
I-186830	COLLECTION AGENCY	R	3/11/2019	3,621.54		147784	O	4,529.07

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01456	S & M VACUUM & WASTE, LTD							
I-116435	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-119788	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-119926	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-119929	SLUDGE HAUL	R	3/11/2019	500.00		147795	O	
I-120431	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-120632	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-120643	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-120994	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	
I-121057	SLUDGE TRANSPORTATION	R	3/11/2019	500.00		147795	O	4,500.00
02976	WASTE CONNECTIONS							
I-836535	COMMERCIAL SERVICE	R	3/11/2019	48,615.50		147817	O	
I-836631	ROLL-OFFS AT COLLECTION S	R	3/11/2019	758.50		147817	O	49,374.00
03127	ASJ CONSTRUCTION							
I-NO 7 03112019	OLD CITY HALL REHAB	R	3/11/2019	45,162.06		147820	O	45,162.06
01401	TSM CONSULTING SERVICES INC							
I-1524475	0365 RENEWAL	R	3/11/2019	8,594.07		147821	O	8,594.07
02976	WASTE CONNECTIONS							
I-864260	RESIDENTIAL SOLID WASTE	R	3/11/2019	43,580.58		147822	O	43,580.58
47585	KEMPNER WATER SUPPLY CORP							
I-03192019	TWDB SEMI-ANNUAL DEBT	R	3/19/2019	127,996.63		147870	O	127,996.63
03134	AZBELL ELECTRONICS							
I-190713	AV EQUIP/ INSTALL	R	3/20/2019	47,337.28		147888	O	47,337.28
03207	CLARK CAGES							
I-115132	ASSEMBLE CAGES	R	3/20/2019	5,400.00		147895	O	5,400.00
01680	ECKERMANN ENGINEERING INC							
I-1165	WESTRIDGE DRAINAGE CONTRA	R	3/20/2019	2,500.00		147898	O	
I-1166	W. AVE. E ROAD, CURB, DRA	R	3/20/2019	17,500.00		147898	O	
I-1167	VULNERABLE POPULATION	R	3/20/2019	720.00		147898	O	20,720.00
01029	LANGFORD COMMUNITY MANAGEMENT							
I-3689	ESTAB RECORD KEEPING	R	3/20/2019	9,000.00		147925	O	9,000.00
82300	TECHLINE, INC							
I-109508100	25 KVA SB TRANSFORMERS	R	3/20/2019	97.00		147944	O	
I-126188300	25 KVA SB TRANSFORMERS	R	3/20/2019	8,298.00		147944	O	
I-126188500	25 KVA SB TRANSFORMERS	R	3/20/2019	3,364.58		147944	O	
I-126188501	25 KVA SB TRANSFORMERS	R	3/20/2019	116.82		147944	O	
I-126188502	25 KVA SB TRANSFORMERS	R	3/20/2019	64.90		147944	O	
I-126188503	25 KVA SB TRANSFORMERS	R	3/20/2019	410.50		147944	O	12,351.80

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
33574	GRAVES DOUGHERTY HEARON & MOOD							
I-349837	FILE A17501.10 CENTEX DIS	R	3/25/2019	3,432.72		147971	O	
I-350387	FILE A17501.10 CENTEX DIS	R	3/25/2019	7,207.11		147971	O	
I-351094	FILE NO. A17501-10 CENTEX	R	3/25/2019	7,276.91		147971	O	
I-351095	FILE A17501.5 KEMPNER CON	R	3/25/2019	3,468.00		147971	O	21,384.74
47585	KEMPNER WATER SUPPLY CORP							
I-02282019	WATER FEB 2019	R	3/25/2019	60,442.70		147972	O	60,442.70
02316	NEWGEN STRATEGIES AND SOLUTION							
I-7568	LAMPASAS WHOLESALE STUDY	R	3/25/2019	6,267.50		147975	O	6,267.50
01344	CORE & MAIN LP							
I-0969407	NEPTUNE AMR WATER METERS	R	3/28/2019	47,610.00		148012	O	
I-K184518	REPLACEMENT MATERIALS	R	3/28/2019	1,593.20		148012	O	49,203.20
01298	STUART C IRBY CO							
I-S011227408001	METER RESETTER	R	3/28/2019	494.00		148049	O	
I-S011046033001	9S METERS	R	3/28/2019	7,200.00		148049	O	
I-S011156852001	9S METERS	R	3/28/2019	5,400.00		148049	O	
I-S011156852002	9S METERS	R	3/28/2019	1,080.00		148049	O	14,174.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	26	995,831.44	0.00	995,831.44
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	3	138,780.66	0.00	138,780.66
EFT:	2	465,400.36	0.00	465,400.36
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 99	BANK: FSB	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			31	1,600,012.46	0.00	1,600,012.46
BANK: FSB		TOTALS:	31	1,600,012.46	0.00	1,600,012.46
REPORT TOTALS:			31	1,600,012.46	0.00	1,600,012.46

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## City of Lampasas

## M E M O

To: Mayor and City Council  
From: Finley deGraffenried  
Re: Manager's Report  
Date: 4 April 2019

- Fire Chief** Applications for the position of Fire Chief closed on March 29<sup>th</sup>. At that time, the City received 26 applications, of which 15 were culled for the next phase of review. The City has been aided in the process by outside agencies including the Chief of the Marble Falls Fire Department, and the Chief of Travis County ESD 1. The next phase of selection will include additional background review, phone interviews and possibly a request for writing samples. Our target dates for on-site interviews is the week of April 22<sup>nd</sup>. The City will utilize a familiar interview format including introduction of Department personnel, elected official meeting, and formal interview Board.
- Board Training** Staff has confirmed May 6<sup>th</sup> for elected and appointed board training. Staff has asked the City Attorney to develop an agenda to include governance; open meetings; conducting public hearings; and public interaction. Additionally, staff has discussed a follow-up training for Boards that have zoning or land use responsibility related to specific statutory authority and case law.
- Siren Testing** Fire Marshal Withers reports no incidents or complaints regarding the City's siren testing the last couple of Fridays. All sirens operated as designed and were audible from outside locations in all areas of town. The warnings are an indication to shelter in place and may not be heard inside homes or businesses. The time of testing was changed to 4:30 p.m. due to previous complaints from late night shift workers. Ronnie reports that in the event of a tornado sighting the sirens will remain audible until the threat passes. The City will continue to provide education on severe weather and what to do in the event sirens are activated.
- Nix Tank** Attached is the latest progress report on the Nix Tank. As indicated, the exterior is approximately 95% blasted and primed; and the interior bowl is 70% blasted and primed. Additionally, Jason Jones has made site visits to the tank and Spring Street Pump Station, and has specified SCADA modifications to ensure efficient pump operation and to reduce pressure fluctuations.
- LCRA** LCRA team members and staff will be in Lampasas on April 5<sup>th</sup> as part of their "give back" day. Chris Eicher has outlined several park's projects including installation of mulch and playground clean up at Brook Park. LCRA has provided this service to the City for the past 4 years.

Development Matrix	At the request of the Mayor, staff is currently preparing a draft Development Incentive Matrix to provide Council policy guidance when assessing utility and financial participation in a residential or business expansion. Staff will provide the draft at least by meeting time and will include the item on the April 22 Workshop agenda. Staff sees a wide range of utility extension policies in other communities, and will prepare the draft to include considerations such as increased valuation, credit for additional public benefit, and ROI on infrastructure installation. This is placed as a report item to allow Council the opportunity to thoroughly review the draft prior to the next meeting.
New Staff	Staff takes the opportunity to introduce Mancho Coronado, Parks Department; and Kyle Harrison, Electric Department as new members of our staff team. Additionally, staff welcomes back our returning and new Pool staff for the 2019 season.
Do You See Me?	The Do You See Me motorcycle rally is scheduled to come into Lampasas on April 28 <sup>th</sup> according to Chief Bailey. The annual event attracts several hundred motorcyclists from communities to the east and terminates in Lampasas. As in year's past, the Police Department will provide escort services for the group.
Permit Activity	Frank Ellet reports that permit activity is seeing an up-tick with weather improving. Activity was slightly depressed due to fall rains, however; the City is seeing additional activity in both residential and business development. Work is on the table for a new assisted living facility, new fast food restaurant and new drive through coffee business.

## Finley deGraffenried

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**From:** Gary Cox  
**Sent:** Tuesday, April 2, 2019 9:41 AM  
**To:** Finley deGraffenried  
**Subject:** Fwd: Lampasas Nix Road Update

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**From:** Stacy Brack <StacyB@jones-heroy.com>  
**Sent:** Tuesday, April 2, 2019 9:16:12 AM  
**To:** Van Sims; Stephen Sewell; Shirley Elders; Gary Cox; Rickie Roy  
**Cc:** Jason Jones; John Konzen; justin@hotinspection.com  
**Subject:** FW: Lampasas Nix Road Update

**EXTERNAL email: Exercise caution when opening.**

All,

See below for an update on the Nix EST. If you pass these pictures along please make sure to reference HOT Inspections as the source.

Thank you,  
Stacy

**From:** Justin Konzen [mailto:justin@hotinspection.com]  
**Sent:** Sunday, March 31, 2019 9:32 PM  
**To:** Jason Jones <JasonJ@jones-heroy.com>  
**Cc:** Stacy Brack <StacyB@jones-heroy.com>; John Konzen <john@hotinspection.com>  
**Subject:** Lampasas Nix Road Update

All,

As of the EOW on sat, the crew had finished blasting and priming the entire exterior of the tank, blasted and primed 95% of the interior bell and dry riser, and blasted and primed 70% of the interior bowl. On Monday the crew plans to clean out all of the abrasive from the interior floor and be ready to finish the last bit of blasting on Tuesday. There was about a 6' x 20' section that was left on the shell & the bottom 5' of the wet riser. Attached are a few pictures of the progress.



Justin T. Konzen

HOT Inspection Services  
P.O. Box 1208  
Round Rock, TX 78680  
Office: (512) 244-2523  
Mobile: (254) 718-5674  
Email: [justin@hotinspection.com](mailto:justin@hotinspection.com)



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ITEM NO. 7.1

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

**Subject:**

Discussion and possible action regarding an Ordinance amending Chapter 50 (Offenses) in the City of Lampasas Code of Ordinances to provide a new article III; Sex Offenders; making it unlawful for certain sexual offenders to reside within 1000 feet of places where children gather; providing exceptions to the Ordinance ; prohibiting property owners from renting real property or establishing a residence to certain sexual offenders; prohibiting certain sexual offenders from entering or loitering within 300 feet of a City Park; providing for affirmative defenses; providing for a severability clause and providing penalties for violations for the Ordinance.

Requested By: Sammy Bailey, Chief of Police

Submitted By: Sammy Bailey, Chief of Police

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Draft Ordinance

**Summary Statement:**

As discussed at the March 11, 2019 City Council Meeting the Lampasas Police Department has recently taken over responsibility for the oversight of offenders residing in our community, who are required to register under Chapter 62 of the Code of Criminal Procedure for sex related crimes. Staff has prepared a draft Ordinance based on Council recommendations; which has been submitted to legal counsel for review.

**Recommendation:**

To consider a motion to approve the first reading of an Ordinance amending Chapter 50 (Offenses) in the City of Lampasas Code of Ordinances to provide a new article III; Sex Offenders; making it unlawful for certain sexual offenders to reside within 1000 feet of places where children gather; providing exceptions to the Ordinance ; prohibiting property owners from renting real property or establishing a residence to certain sexual offenders; prohibiting certain sexual offenders from entering or loitering within 300 feet of a City Park; providing for affirmative defenses; providing for a severability clause and providing penalties for violations for the Ordinance.

**ORDINANCE NO. 2019- \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LAMPASAS, TEXAS, AMENDING CHAPTER 50, OF THE CODE OF ORDINANCES ADDING 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**

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**WHEREAS**, the City of Lampasas, Texas (herein the "City") is a home-rule municipality authorized by the State of Texas and empowered by its Charter to enact regulations, in the form of local ordinances, to ensure and protect the health, safety and general welfare of the citizens and residents of Lampasas; and

**WHEREAS**, the Lampasas City Council is deeply concerned about the numerous and recent documented occurrences in our State and elsewhere in which registered sex offenders, who have been convicted of sexual offenses involving children, have been released from incarceration and/or custody, only to repeat the heinous and unlawful acts for which they had been originally convicted in the communities in which they settle; and

**WHEREAS**, the Lampasas City Council has reviewed evidence and statistical reports that have revealed to it that the reported recidivism rate for released sexual offenders, is alarmingly high, and especially so, for those who commit their crimes against children; and

**WHEREAS**, the Council is aware and pleased, in general, that the City is welcoming to and becoming an increasingly attractive place for parents with young children to live, educate and raise their families; and

**WHEREAS**, due to a child's innate vulnerability, the City Council feels compelled to take a protective role by adopting regulations that are designed to attempt to better protect the City's children from convicted and registered sexual predators; and

**WHEREAS**, the Lampasas City Council finds that establishing an ordinance to carefully identify, control and regulate the real properties that are available for residential use, vis-à-vis their proximity to areas frequented by children who meet, gather, or assemble in

certain areas of the community, such as parks and schools, by identifying those areas used by children as 'safety zones" for children and restricting the presence of those individuals who are required to register on the Texas Department of Public Safety's Sex Offender Data base (the "Database"), because they have been convicted of past sexual crimes involving a child therefrom, will provide better protection for the City's children and their families; ; and

**WHEREAS**, the City Council of the City of Lampasas intends and has determined that the residency restrictions set forth in this ordinance, will help limit the contact between the convicted sexual predators who are registered in the State's Database as having offended against children of the City of Lampasas, thereby reducing the temptation to reoffend and, in turn, reducing opportunities for recidivism; and

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

**PART 1:** Chapter 50 of the Code of Ordinances of the City of Lampasas, Texas is hereby amended to add a new Article III, to be entitled "Regulation of Sex Offender Residency", as follows:

**Article III. Regulation of Sex Offender Residency**

**Section 50-50 Findings and Purpose**

The Lampasas City Council finds that recidivistic sexual crimes against children poses serious grounds for concern and a need for the City to exercise a protective role toward children in the community, by enacting regulations related to same. Further, the City has found that some convicted and previously incarcerated sex offenders, will repeat their crimes in the communities in which they reside.

The Purpose of this ordinance is to serve the City's compelling interest to promote, protect, and improve the health, safety and welfare of all its citizens, including the children and families who choose to reside in the corporate limits of the City. By creating designated child safety zones, which are area identified as those in which children regularly congregate in numbers for their activities, the City seeks to enhance the safety of our children by prohibiting certain sex offenders and sexual predators from establishing temporary and/or permanent housing and residences in those areas.

**Section 50-51 Definitions**

The following words, terms, and phrases, when used in this Article III, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

Permanent Residence shall mean a place where a person houses, lodges, dwells or resides for fourteen (14) or more consecutive days.

Temporary Residence shall mean a place where a person houses, lodges, dwells or resides for a period of fourteen (14) or more days, in the aggregate during any calendar year, and which is not the person's permanent address, or a place where a person routinely houses, resides, dwells or lodges for a period of four (4) or more consecutive or nonconsecutive days, in any month, and which is not the person's permanent residence.

Recurring Visitor as provided by Chapter 62.059, shall mean a person who, on at least three (3) occasions during any month, spends more than 48 consecutive hours in the city.

Registered Residence shall mean the dwelling place/housing establishment within the city that a person registers or verifies under Texas Code of Criminal Procedure 62.152, as the person's residence, i.e., where a person intends to reside in the city for more than seven (7) consecutive days.

Original Domicile shall mean the permanent residence, which is located within a Child Safety Buffer Zone, that a registered offender owns and resided in at the time of the conviction for the offense, which triggered the requirement to register in the database and to which the offender intends to return after release from incarceration, to continue/re-establish his/her permanent residency.

Sex Offender Registration Program-referred to as the Data Base is the Texas Sex Offender Registration program, detailed in the Texas Code of Criminal Procedure Chapter 62, which requires local law enforcement agencies to gather specific demographic, identifying, and other information from sex offenders located in their communities. Chapter 62 of the Code also requires that the Texas Department of Public Safety (DPS) maintain a sex offender data base, compilation of the registration information submitted by the local agencies.

The majority of the registration information is public and available on the DPS website at <https://records.txdps.state.tx.us/SexOffenderRegistry>.

Child Safety Zone shall mean an area (or zone) identified by the City of Lampasas wherein those individuals who are registered in the Sex Offender Registration Data Base are not allowed to go, pursuant to the City's ordinance. Additionally, registered sex offenders are prohibited by this ordinance from being within a specified distance of the child safety zones, which include premises where children commonly meet, gather and assemble, such as: (1) schools, day-care facilities, playgrounds, public or private youth centers, video arcade facilities, as defined by Texas Health and Safety Code 481.134, 508.224 and the Texas Government Code 508.187 (2) public parks, and (3) privately and publicly owned recreational facilities, including but not limited to parks, pools, playgrounds, community pools, child water play areas, skate parks, skate rinks, public or private buildings for civic or cultural activities for youth, libraries, hike and bike trails that children younger than 17 frequent, or youth athletic fields where an entrance, admission or rental fee is charged.

Registered Sex Offender is an individual who has a reportable conviction or adjudication or who is otherwise required to register as a condition of parole, release to mandatory supervision, or community supervision, as a requirement under Chapter 62 of the Code of Criminal Procedures.

Playground means an outdoor facility that is not on the premises of a public or private school. It is intended for recreation, is open to the public, and contains three (3) or more play stations intended for the recreation of children, such as slides, swing sets, and teeterboards, etc.

Schools and Daycares include the following:

Schools are educational facilities that can be either private or public, and include levels from elementary through secondary school.

Daycares (a/k/a pre-schools and childcare facilities) include facilities that provide licensed to care for seven (7) or more children, which provide care for families and children, for a fee, for less than 24 hours per day.

Video Arcades are facilities that are open to the public, including patronage by persons who are younger than 17 years of age and are intended, generally, for the use of pinball, video machines, etc., which contains at least three pinball or video machines in a pay-for-play type arcade.

Premises means a building or portion of a building and the grounds upon which the building is located, including any public or private driveway, street, sidewalk or walkway, parking lot, or parking garage associated with the building and premises.

Recreational Facility/Youth Center is a building or gymnasium that is intended primarily for use by persons who are younger than 17 years of age, which regularly provides activities that are offered for the enjoyment, amusement, or pleasure of children and are considered to be "fun" and/or include athletic, civic, team and cultural activities.

Public Swimming Pool/Community Pools includes any swimming pool operated for the use of the general public, with or without charge, or for the use of the members and guests of a private club/resort, including any swimming pool located on the grounds of a hotel, motel, inn, an apartment complex, or any residential setting other than single-family home where children younger than 17 years of age gather.

Loiter means idly standing or sitting, whether or not the person is in a vehicle or remaining in or around an area.

Child shall mean a person that is younger than 17 years of age in accordance with Penal Code 22.011 (c) (1)

**Section 50-52 Offenses Residency Requirements**

~~(a)~~ It shall be unlawful for any person who is required by law to register with the Texas Department of Public Safety Sexual Offender Data Base to establish a permanent residence or temporary residence within 1000 feet of any *Child Safety Zone* It shall be unlawful for any property owner or renter to let, rent, assign or sub-let any place, structure or part thereof, to a person who is required by law to register with the Texas Department of Public Safety Sexual Offender Data Base, when such place is located within 1000 feet of any Child Safety Zone.

~~(a).~~<sup>1</sup>.

~~3~~ <sup>1</sup>. It shall be an affirmative defense to prosecution under this section that the property owner or renter/assignor is able to provide dated written evidence of his/her due diligence performed prior to renting/assigning or sub-leasing the property, that s/he conducted a check with the Texas Department of Public Safety and the Texas Department of Public Safety Sexual Offender Data Base on the tenant/sub-lessee/assignee's criminal history, prior to entering into the lease/sublease/assignment, and

~~2.~~

~~2) that t~~The evidence provided by the violator demonstrates that the offender was not listed in the Texas Department of Public Safety Sexual Offender Data Base at the time the property owner/renter/assignee conducted the criminal history check and reviewed the Texas Department of Public Safety Sexual Offender Data Base.

~~3.~~

~~3).~~A person who violates this section shall be subject to citation and penalty pursuant section 50-58~~9~~, below.

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**Section 50-53 Halloween**

Any person that is registered with the Texas Department of Public Safety Sexual Offender Data Base involving a victim or an intended victim who was younger than 17 years of age shall not have their exterior light on, shall not display seasonal decorations or sound effects, or otherwise invite, tempt or lure a child, Trick-or-Treaters, or anyone younger than 17 years of age onto or into their Permanent Residence, Temporary Residence, or where they are a Recurring Visitor on October 31 each year, or on the date celebrating Halloween in the city.

**Section 50-54 Public Parks**

It shall be unlawful for any person to enter a public park if they are required to register with the Texas Department of Public Safety Sexual Offender Data Base because of a violation of law involving a victim or an intended victim who was younger than 17 years of age, if they are currently on probation or parole. Registered sex offenders residing within the corporate limits of the City, who are no longer on probation or parole, who ~~desire~~ desire to enter/use public parks must submit a written request for permission to do so, and may not enter public parks within the City, until provided express written permission by the Chief of Police, pursuant to their request, if such is granted. The request and reply will be maintained in the Sex Offenders Registration file.

**Election Policing Places in Public Parks:** If a recreation/civic facility in a public park is used as a 'polling place' for an election, the registered sex offender may enter the facility for the limited purpose of voting, if he/she is a qualified and registered voter for the election being held.

This limited privilege to enter the park for voting shall extend only to those parts of the park and/or recreation/civic facility that is designated for polling and any registered sex offender found outside of those specified areas shall be considered in violation of this section of this ordinance, and shall be subject to citation and penalties, provided for herein..

**Official Public Meetings Held in Public Parks:** A registered sex offender who has the right to be present at an official public meeting, convened by a governing body, shall have the limited privilege of entering the public park or recreational/civic facility for such time as is necessary to attend the posted public meeting or function but only on the site identified for the meeting, and not on other surrounding public park property. A registered sex offender shall leave the public park immediately after the meeting is closed. Any form of loitering or lingering shall be a violation of this section of this ordinance punishable by citation and penalty.

The privilege shall only extend to those parks of the public park or recreation/civic facility that are commonplace for meetings of that kind. Any registered sex offender found outside those areas mentioned for the official meeting shall be in violation of this section of this ordinance.

**Section 50-55 Loitering**

It is unlawful for any person to loiter on a public way or premises within 500 feet of any Child Safety Zone if the person is required by law to register with the Texas Department of Public Safety Sexual Offender Data Base because of a violation of law involving a victim or an intended victim who was younger than 17 years of age.

**Section 50-56 Evidentiary**

For the purpose of this ordinance and to determine the minimum distance of separation under this Article, the distance shall be measured by following a perpendicular line from the outer property line of the property to the nearest property line of the Child Safety Zone.

- (a) The City of Lampasas Police Department shall maintain a map showing the Child Safety Zones.
- (b) This map is to be reviewed and updated annually for changes, and
- (c) The map shall be made available to the public on the City of Lampasas website.
- (d) In cases of dispute over measured distances, it shall be incumbent upon the person(s) challenging the measurement to prove evidence of measurement contrary to that stated by the City on its official Child Safety Zone Map.

**Section 50-57 Affirmative Defenses**

Nothing in this ordinance shall be interpreted to modify or reduce (1) Texas Government Code 508.187 Child Safety Zone or Criminal Code of Procedures Chapter 42A (2) or the Texas Department of Criminal Justice Parole Division guidelines established against released offenders who are under supervision.

A person, as described in this Article that is required to register and is registered in the Texas Department of Public Safety Sexual Offender Data Base and residing within 1000 feet of a Child Safety Zone, as specified herein, does not commit a violation of this ordinance if any of the following apply:

- (1) The person established the permanent or temporary residence and has complied with all sex offender registration laws of the State of Texas, prior to the date of the adoption of this Ordinance;
- (2) The person was a child when he/she committed the offense and was not convicted as an adult;
- (3) The person is a minor;
- (4) The premises where the Child Safety Zone is established, as specified herein, within 1000 feet of the person's permanent or temporary residence was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the State of Texas; or
- (5) The person proves that the information on the Texas Department of Public Safety Sexual Offender Data Base is incorrect and that, if corrected, this Article would not apply to the person.
- (6) The person was, at the time of violation, subject to Community Services Supervision pursuant to Article 42A of the Texas Code of Criminal Procedure and the court reduced or waived the footage restriction for the Child Safety Zone for (1) specific locations and (2) during specific dates and times.
- (7) The person required to register is required to serve a sentence at a jail, prison, juvenile facility or other correctional institution located within one thousand (1,000)

feet of the real property comprising a school, child care facility, child care institution, park or play ground or other places where children regularly congregate.

- (8) The person required to register, claims an Original Domicile as defined by this article and can provide clear and convincing evidence of same and can demonstrate the offender has not established a permanent residence at another location after release from incarceration (not including a court ordered residency in any type of half-way house or probationary housing). If it is shown the person has established a permanent residence at another location then the affirmative defense no longer applies. A person claiming this affirmative defense under this section shall provide the Chief of Police or designee with any documents or information required to verify the Original Domicile.

#### **Section 50-58 Penalty Provisions**

Any violation of this ordinance may be enjoined by a suit filed in the name of the City of Lampasas, Texas in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of Ordinances of the City of Lampasas.

- (1) Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision contained in this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

#### **Section 50-59 Appeal Process/Exemption Hearing**

- (1) A person who is required to register on the Sex Offender Registration Program (referred to herein as the Data Base) due to a violation involving a victim younger than 17 years of age may petition the City Council of Lampasas, in writing, for an appeal/exemption from the requirements in this article.
  - (2) The City Council may authorize an exemption from the application of this article to the registered individual when, in its opinion, excessive hardship, not financial in nature, will result to the registered individual from compliance with the ordinance and the registered individual provides the Council with documentation that s/he poses no danger to the children of the community, e.g. provides a satisfactory professional, individualized, recidivist assessment which sufficiently demonstrates to the Council that the exemption sought should be granted, in the case brought. In granting an exemption, the Council shall take into account the probable effect the exemption will have upon the public health, safety and welfare of the children and families of the community.
- (a) No exemption shall be granted without first having held a public hearing on the exemption petition.

(b) No exemption shall be granted unless the City Council makes written findings assessing the following factors:

- (1) The person lives with his/her family in the only home available and affordable to the family;
- (2) Compelling medical reason exists for the registered individual to reside in the home with the family ;
- (3) The number of victims of the appealing registered individual;
- (4) The diversity of victims;
- (5) The person's relationship to the victims;
- (6) A history of juvenile sex offenses;
- (7) A history of adult sex offenses;
- (8) A history of abuse or neglect;
- (9) A history of long-term separation from parents and/or spouse;
- (10) A history of family violence;
- (11) Past and current Employment status;
- (12) A history of substance abuse problems; and
- (13) Evidence of a chaotic, antisocial and/or criminal lifestyle indicated by their contact with law enforcement history and/or arrest record.

Fact findings of the City Council pertaining to the pertinent issues, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the City Council meeting at which such exemption is granted. Exemptions may be granted only when in harmony with the general purpose and intent of this Article, health, safety and general welfare of the citizens, and the children of the city shall be of paramount concern and importance when making a determination on appeals for exemptions.

**Section 50-60** Council decisions relating to exemption requests shall be in the sole discretion of the City Council, and are final and non-appealable.

**Section 50-61** A registered individual may only a single submit request for an exemption, once within any 12-month period.

**PART 2:** All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of a conflict herewith. In the event of a conflict between another ordinance of the City and this Ordinance, this Ordinance shall control.

**PART 3:** Severability

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications

hereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**PART 4: Open Meeting**

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

**PART 5:** The Secretary of the City of Lampasas is hereby directed to publish this Ordinance, or its caption and penalty clause, in the official city newspaper, prior to this Ordinance taking effect, in accord with State law.

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**PART 6:** If any provision or part of a provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not invalidate or impair the validity, force or effect of any other part or provisions of this ordinance or Code of Ordinances, of the City of Lampasas, Texas.

**PART 7:** This Ordinance supersedes and repeals all ordinances or parts of ordinances, if any, in conflict herewith, however, such present ordinances shall remain in full force and effect until the effective date of this Ordinance.

**PART 8:** This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

Passed and Approved on First Reading on this, the \_\_ Day of \_\_\_\_\_, 2019.

Passed and Enacted Second Reading on this, the \_\_\_\_\_ Day of \_\_\_\_\_, 2019.

ENACTED:

ATTEST:

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

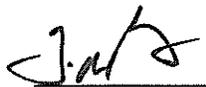
\_\_\_\_\_  
Christina Marez, City Secretary

ORDINANCE NO. \_\_CHAPTER 50, ARTICLE III, Regulation of Sex Offender Residency

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APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney (on Separate Page)

  
City Manager

ITEM NO. 7.2

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

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**Subject:**

Discussion and possible action regarding approval of Hillside Acres Preliminary Plat located in the extraterritorial jurisdiction of the City of Lampasas, Lampasas County

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Preliminary Plat

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**Summary Statement:**

Eckermann Engineering presented the Hillside Acres Preliminary Plat on behalf of their clients MD Homes. The Preliminary Plats meets the requirements defined in Chapter 70 Subdivisions, Division 2- Preliminary Plat Sec. 70-126 thru Sec. 70-136. The 36.76 acre tract will be developed into 28 one- acre lots. The site will be developed in three phases with each phase resulting in the submittal of a final plat for that phase. The subdivision complies with the City of Lampasas Subdivision Regulations as defined in the Lampasas Code of Ordinances Chapter 70 Subdivisions. Each one acre lot will meet the required 150 feet of frontage to alleviate the need for curb and gutter as defined in Sec. 70-7 C. Exceptions. The homes will have city water and electric. Wastewater will be provided by an onsite sewage facility (OSSF) and each home will be equipped with 13D Sprinkler Systems with booster pumps for fire protection. The site will have two detention ponds. One is identified as Block 2, Lot 1 and the other will be located behind Block 1, Lots 10-14. The proposed development is located within the Extraterritorial Jurisdiction (ETJ) and will be annexed into the City once the build out is complete. The Planning and Zoning Commission is scheduled to meet Thursday, April 4, 2019 to discuss. Their recommendations to approve, deny or approve with modifications of the Preliminary Hillside Acres Plat will be presented to City Council at the meeting.

**Recommendation:**

To consider a motion to approve the Hillside Acres Preliminary Plat

NO.	DIRECTION	LENGTH
L1	N 87°20'57" W	103.83'
L2	S 03°31'47" W	69.28'
L3	N 02°31'47" E	70.15'
L4	S 02°45'28" W	24.98'
L5	S 89°12'27" W	32.88'
L6	N 17°33'10" W	21.13'

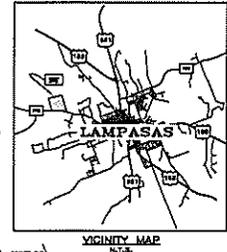
Remainder of  
ROBERT B. VIKTORIN & CHARLOTTE A.  
VIKTORIN  
(Called 236.63 ACRES)  
VOL. 308, PG. 91 D.R.L.C.

PRELIMINARY PLAT OF  
**HILLSIDE ACRES**  
A REPLAT OF A LOT 1, 2, 3 AND 4, HILLSIDE SUBDIVISION,  
IN THE E.T.J. OF THE CITY OF LAMPASAS, LAMPASAS COUNTY, TEXAS

CURVE TABLE				
NO.	DELTA	RADIUS	ARC	CHORD
C1	87°20'14"	1482.32'	243.70'	N 82°38'09" W 243.48'
C2	20°18'38"	100.00'	35.45'	N 07°23'51" W 33.28'
C3	87°42'37"	90.00'	103.50'	N 31°19'39" E 139.80'
C4	78°34'35"	90.00'	123.43'	S 08°50'36" E 113.98'
C5	24°44'45"	110.00'	47.51'	N 08°50'36" E 47.14'
C6	24°44'45"	30.00'	21.89'	N 08°50'36" W 21.43'
C7	78°34'35"	30.00'	41.14'	N 80°30'18" W 37.99'
C8	97°45'37"	30.00'	51.10'	S 31°18'39" W 48.20'
C9	20°18'38"	160.00'	56.72'	S 07°23'51" E 56.42'
C10	20°18'38"	100.00'	35.45'	S 07°23'51" E 35.26'
C11	48°31'50"	80.00'	73.61'	S 05°23'39" W 71.57'
C12	85°53'08"	80.00'	79.85'	S 04°48'28" W 77.30'
C13	38°47'55"	80.00'	80.94'	N 80°23'38" W 59.79'
C14	38°48'40"	80.00'	82.48'	N 41°08'18" W 61.24'
C15	24°44'45"	110.00'	47.51'	N 08°50'36" W 47.14'
C16	8°13'11"	1482.02'	238.58'	N 82°30'08" W 236.30'
C17	20°18'38"	160.00'	56.72'	N 07°23'51" W 56.42'
C18	97°45'37"	30.00'	51.10'	N 31°18'39" W 48.20'
C19	78°34'35"	30.00'	41.14'	S 08°50'36" E 37.99'
C20	24°44'45"	90.00'	21.59'	S 08°50'36" E 21.43'



- REMARKS:**
- TOTAL ACRES: 3476 ACRES
  - NO. OF LOTS: 28
  - LAND RESIDENTIAL (SINGLE FAMILIAR)
  - OWNER/DEVELOPER: M2 HOMES, LLC  
101 NORTH BLANCKE STREET  
LAMPASAS, TEXAS 76850
  - ELECTRICAL SERVICE PROVIDED BY THE CITY OF LAMPASAS.
  - WATER PROVIDED BY THE CITY OF LAMPASAS.
  - SEWER SERVICE PROVIDED BY GLENN.
  - LOTS IN THIS SUBDIVISION ARE SHOWN TO BE WITHIN ZONE R PER TEXA MAP #28888-0225 AS DATED JANUARY 2, 1991.
  - ALL LOTS ARE WITHIN THE E.T.J. OF THE CITY OF LAMPASAS.
  - ZONING ORDINANCE DOES NOT APPLY TO THESE LOTS DUE TO THE LOCATION WITHIN THE E.T.J.
  - THIS TRACT IS SUBJECT TO THE SUBDIVISION ORDINANCES IN PLACE AT THE TIME OF THE PLAT (LATE 2016).
  - THE PROTECTION FOR EACH LOT WILL BE PROVIDED BY A 1/2" SPRINKLER SYSTEM IN CONFORMANCE WITH ORDINANCE NO. 1596.
  - LOT 1, BLOCK 1 IS RESERVED FOR DRAINAGE/RETENTION IMPROVEMENTS. THIS LOT WILL BE DEDICATED TO THE LOCAL JURISDICTION WHO SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE DETENTION POND.
  - A 60-FOOT DRAINAGE/RETENTION EASEMENT ALONG THE REAR OF LOTS 11-14, BLOCK 1 IS RESERVED FOR DRAINAGE/RETENTION IMPROVEMENTS. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE EASEMENT.
  - IN CONFORMANCE WITH SECTION 70-7 OF THE CODE OF ORDINANCES, THE SUBDIVISION IS EXEMPT FROM CURB AND GUTTER REQUIREMENTS SINCE IT MEETS THE FOLLOWING CRITERIA:  
A. EACH LOT WITHIN THE SUBDIVISION MUST CONTAIN A MINIMUM OF ONE ACRE.  
B. EACH LOT MUST BE SUBJECT TO THE MANDATORY PROHIBITION AGAINST FUTURE SUBDIVISION OF ANY LOT, TRACT OR PARCELS INTO A LOT, TRACT OR PARCELS CONTAINING LESS THAN ONE ACRE.
  - PREVIOUS EASEMENTS DEDICATED BY PLAT WILL BE REPLACED WITH THE EASEMENTS SHOWN HEREON.



THIS DOCUMENT WAS PREPARED FOR REVIEW PURPOSES ONLY AND SUBSTANTIALLY COMPLIES WITH THE CITY OF LAMPASAS, TEXAS SUBDIVISION REGULATIONS.  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELED UPON AS A FINAL SURVEY  
CLYDE C. CASTLEBERRY, JR.  
RPLS NO. 4833  
4/1/2019

**TRIPLE C SURVEYING CO.**  
P.O. Box 844 - Lampasas, Texas 76850  
(817) 845-8440  
email: admin@triplecsurveying.com  
www.triplecsurveying.com Firm No. 10193818

JOB NO. 180720  
DRAWN: ADW  
SHEET: 1 OF 1

J. Wright

ITEM NO. 7.3

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

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**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: April 1, 2019 FOR THE AGENDA OF: April 8, 2019

Expenditure Required: \$0.00

Available Funding: \$0.00

Attachments: Memo and March photo contest entries

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**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.



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**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

Trish Argumaniz

[Grindanger.76@gmail.com](mailto:Grindanger.76@gmail.com)

“Spring 2019” was taken at WM Brook Park in Lampasas, TX.



## Entry 2

Amy Barrett

[amyrb73@hotmail.com](mailto:amyrb73@hotmail.com)

“Sulphur Spring” was taken at W.M. Brook Park in Lampasas, Texas.



### Entry 3

Kimberly Brown

[Kimberlybrown1123@hotmail.com](mailto:Kimberlybrown1123@hotmail.com)

“1 jump, 2 jump” was at Kline Whitis Elementary in Lampasas, TX.



## Entry 4

Vannetta Chapman

[Vannettachapman@msn.com](mailto:Vannettachapman@msn.com)

“Butterfly Garden” was at Cooper Springs Nature Park in Lampasas, TX.

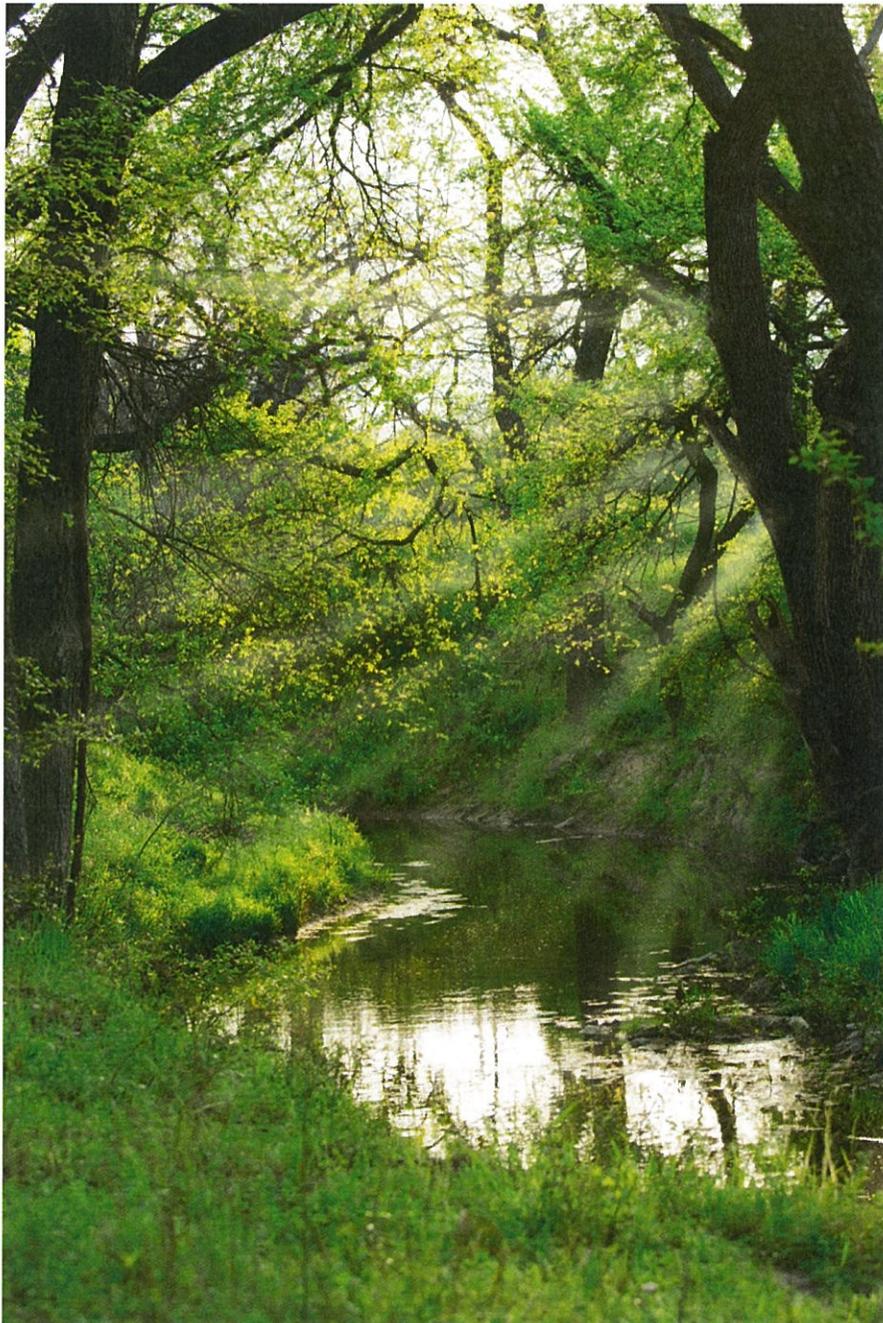


## Entry 5

Michelle Quarles

[Michellequarles.19@gmail.com](mailto:Michellequarles.19@gmail.com)

“Cooper Springs Nature Trail” was at Cooper Springs Nature Park in Lampasas, TX.





City Manager

ITEM NO. 7.4

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

**Subject:**

Discussion and possible action regarding 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<sup>th</sup> day of May, 2019

REQUESTED BY: Christina Marez, City Secretary

SUBMITTED BY: Christina Marez, City Secretary

DATE SUBMITTED: March 29, 2019 FOR THE AGENDA OF: April 8, 2019

**Procurement and Funding Statement:**

Not applicable

Attachments: Ordinance, email from Elections Administrator

**Summary Statement:**

Mark Bishop, Lampasas County Elections Administrator, has made me aware that he had to change the polling location in Kempner, Texas, due to an unforeseen scheduling issue at the First Baptist Church.

The new polling location in Kempner, Texas on Election Day, May 4, 2019, will be at the Kempner Fire Department Training Center located at 315 Pecan Street.

As a reminder, Early voting by personal appearance begins April 22, 2019 through April 30, 2019 at the Elections Administrator's Office, 407 S. Pecan, Suite 102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. However, on Tuesday, April 23, 2019, and Tuesday, April 30, 2019, Early voting by personal appearance will run from 7:00 a.m. until 7:00 p.m.

**Recommendation:**

Motion to approve the 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<sup>th</sup> day of May, 2019

ORDINANCE NO. \_\_\_\_\_

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<sup>TH</sup> DAY OF MAY, 2019

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

WHEREAS, in accordance with the provisions of the law, the City Council hereby orders an election for the Mayor and Council members Places One (1), Two (2) and Six (6) of the City Council of the City of Lampasas, Texas, to be held on Saturday, May 4, 2019, and the following provisions are made thereof:

1. Said election shall be held at the Elections Administrator Office, located at 407 S. Pecan, Suite 102, in Lampasas, Texas and at the *Kempner Fire Department Training Center, located at 315 Pecan Street, Kempner, Texas.*

WHEREAS, this Ordinance shall be effective from and after its passage, and the Elections Administrator is hereby directed and authorized to take such steps as is necessary to accomplish said election.

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

Date of 1st reading: \_\_\_\_\_

Date of 2nd reading: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

(Signature of Attorney Provided on Separate Page to be attached)

## Christina Marez

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**From:** Mark Bishop (EA) <elections.administrator@co.lampasas.tx.us>  
**Sent:** Monday, March 25, 2019 11:59 AM  
**To:** Christina Marez; 'TISCHLER, BENJIE'; 'Stacy Roberts'  
**Subject:** Election Day Location-Kempner

**EXTERNAL email: Exercise caution when opening.**

The Election Day Kempner location has been changed to:

Kempner Fire Dept. Training Center  
315 Pecan Street  
Kempner, TX 76539

Thanks,

**Mark Bishop**  
Elections Administrator  
Lampasas County, Texas  
512-556-8271 ext 206  
ea@co.lampasas.tx.us

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City ManagerITEM NO. 7.5

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

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**Subject:**

Discussion and possible action regarding 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

REQUESTED BY: Christina Marez, City Secretary

SUBMITTED BY: Christina Marez, City Secretary

DATE SUBMITTED: March 29, 2019 FOR THE AGENDA OF: April 8, 2019

**Procurement and Funding Statement:**

Not applicable

Attachments: Ordinance, email from Elections Administrator

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**Summary Statement:**

Mark Bishop, Lampasas County Elections Administrator, has made me aware that he had to change the polling location in Kempner, Texas, due to an unforeseen scheduling issue at the First Baptist Church.

The new polling location in Kempner, Texas on Election Day, May 4, 2019, will be at the Kempner Fire Department Training Center located at 315 Pecan Street.

As a reminder, Early voting by personal appearance begins April 22, 2019 through April 30, 2019 at the Elections Administrator's Office, 407 S. Pecan, Suite 102, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. However, on Tuesday, April 23, 2019, and Tuesday, April 30, 2019, Early voting by personal appearance will run from 7:00 a.m. until 7:00 p.m.

**Recommendation:**

Motion to approve the 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.

ORDINANCE NO. \_\_\_\_\_

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

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

WHEREAS, in accordance with the provisions of the law, the City Council hereby orders an election for the Mayor and Council members Places One (1), Two (2) and Six (6) of the City Council of the City of Lampasas, Texas, to be held on Saturday, May 4, 2019, and the following provisions are made thereof:

EXHIBIT "B"

Location	Address	City/State	
Lampasas County Elections Office	407 S. Pecan, Suite 102	Lampasas, TX 76550	
<i>Kempner Fire Department Training Center</i>	<i>315 Pecan Street</i>	<i>Kempner, TX 76539</i>	

WHEREAS, this Ordinance shall be effective from and after its passage, and the Elections Administrator is hereby directed and authorized to take such steps as is necessary to accomplish said election.

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

Date of 1st reading: \_\_\_\_\_

Date of 2nd reading: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

(Signature of Attorney Provided on Separate Page to be attached)

**Christina Marez**

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**From:** Mark Bishop (EA) <elections.administrator@co.lampasas.tx.us>  
**Sent:** Monday, March 25, 2019 11:59 AM  
**To:** Christina Marez; 'TISCHLER, BENJIE'; 'Stacy Roberts'  
**Subject:** Election Day Location-Kempner

**EXTERNAL email: Exercise caution when opening.**

The Election Day Kempner location has been changed to:

Kempner Fire Dept. Training Center  
315 Pecan Street  
Kempner, TX 76539

Thanks,

**Mark Bishop**  
Elections Administrator  
Lampasas County, Texas  
512-556-8271 ext 206  
ea@co.lampasas.tx.us

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ITEM NO. 7.6

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

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**Subject:**

Discussion and possible action concerning amendments to the solid waste contract for the sludge haul services with Waste Connections.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Bid Proposals

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**Summary Statement:**

On January 28, 2019, presented proposals for sludge haul services to Council and recommended the acceptance of an alternate proposal from Waste Connections to amend the solid waste contract to include sludge haul services. Upon initial review, staff based the recommendation upon the apparent cost savings of \$16,200.00, which could be realized in the sludge haul services. However, upon further evaluation staff made an error in the initial calculations of the solid waste rates, which were presented. Instead of a cost reduction the proposed terms for the integration of the sludge haul services actually results in a rate increase of 73 cents per month for residential customers. Based upon this review, Staff recommends the sludge haul proposals and amendments to the solid waste contract with Waste Connections be rejected. Staff will begin the process to re-advertise the proposals for sludge haul services.

**Recommendation:**

Motion to reject bids received for sludge haul services and reject the contract amendment received from Waste Connections for solid waste and sludge haul services.

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City Manager

ITEM NO. 7.7

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

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**Subject:**

Discussion and possible action regarding security cameras for the 1931 Roy L. Thomas Old City Hall Building.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox, Assistant City Manager

Date Submitted: April 3, 2019

For the Agenda of: April 8, 2019

**Procurement and Funding Statement:**

Funding for the equipment would be from the 2016 CO funds as part of the building renovations.

Attachments: N/A

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**Summary Statement:**

As the renovations of the Municipal Court and City Hall building near completion, staff is reviewing other features, which should be considered to enhance and preserve the investment, which has been made. In completing the renovation in municipal court, cameras previously installed in the court were removed. In evaluating this equipment staff recommends replacement due to the age and limitations of the equipment (unable to network) to provide for security within the municipal court. Additionally with the installation of public restrooms on the mezzanine of the City Hall building, the building will be open to the public during court hours, however will not be staffed or monitored regularly. Because of these concerns staff recommends the installation of security cameras at various locations within the building to provide a safeguard in the event an incident should occur. Due to the updated technology which has been installed within the buildings, staff has identified a camera solution which can be integrated with the existing network and accomplish the goal at a minimal cost. Staff has procured one (1) camera and tested it to provide proof of concept and recommends moving forward with the purchase of additional cameras, which will be installed by Staff. The cost of the cameras is estimated to be approximately \$1,500.00

**Recommendation:**

Motion to authorize the purchase of security cameras for Municipal Court and the 1931 Roy L. Thomas Old City Hall Building.

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Chris Felan  
Vice President  
Rates & Regulatory Affairs

March 27, 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 April 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,

Attachment

ATMOS ENERGY CORPORATION  
MID-TEX DIVISION  
STATEMENT OF RIDER GCR  
April, 2019  
PREPARED IN ACCORDANCE WITH  
GAS UTILITIES DOCKET NO. 10170

**Part (a) - Mid-Tex Commodity Costs**

Line	(a)	(b)
1	Estimated Gas Cost per Unit:	\$0.15372
2	Estimated City Gate Deliveries:	86,378,990
3	Estimated Gas Cost:	\$13,278,178
4	Lost and Unaccounted For Gas %	2.5932%
5	Estimated Lost and Unaccounted for Gas	\$344,330
6	Total Estimated City Gate Gas Cost:	\$13,622,508
7	Estimated Sales Volume:	113,517,500
8	Estimated Gas Cost Factor - (EGCF)	0.12000
9	Reconciliation Factor - (RF):	0.00000
10	Taxes (TXS):	0.00000
11	Adjustment - (ADJ):	0.00000
12	Gas Cost Recovery Factor - (GCRF)	0.12000 per Ccf

**Part (b) - Pipeline Services Costs**

Line	(a)	(c)	(d)	(e)
		Rate R - Residential	Rate C - Commercial	Rate I - Industrial Service Rate T - Transportation <sup>1</sup>
13	<u>Fixed Costs</u>			
14	Fixed Costs Allocation Factors [Set by GUD 10170]			
15	a. Current Month Fixed Costs of Pipeline Services	100.0000%	30.5476%	5.1497%
16	b. Plus: Second Prior Month Recovery Adjustment	\$31,146,992	20,028,357	1,603,977
	Net Fixed Costs	\$31,146,992	\$20,028,357	\$0
17	<u>Commodity Costs</u>			
18	a. Estimated Commodity Cost of Pipeline Services	(\$6,968,570)	(4,579,436)	(250,274)
19	b. Plus: Second Prior Month Recovery Adjustment	\$0	\$0	\$0
	Net Commodity Cost of Pipeline Services	(\$6,968,570)	(\$4,579,436)	(\$250,274)
20	<b>Total Estimated Pipeline Costs (Line 16 + Line 19)</b>	\$24,178,422	\$15,448,921	\$1,353,703
21	Estimated Billed Volumes	76,960,840 Ccf	48,172,740 Ccf	4,813,319 MMBtu
22	Pipeline Cost Factor (PCF) [Line 20 / Line 21]	0.20070 Ccf	0.15310 Ccf	\$0.2812 MMBtu
23	Gas Cost Recovery Factor - (GCRF) [Line 12]	0.12000 Ccf	0.12000 Ccf	\$1.1719 MMBtu
24	Rider GCR	0.32070 Ccf	0.27310 Ccf	\$1.4531 MMBtu
25				Rate I - Rate T -

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