

**NOTICE OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CITY COUNCIL CHAMBERS  
405 SOUTH MAIN STREET  
Monday, September 23, 2019  
5:30 p.m. Special 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, September 23, 2019 in the City Council Chambers located at 405 South Main Street, Lampasas, Texas. The City Council of Lampasas, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), and Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters).

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

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

**EXECUTIVE SESSION**

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

1. Section 551.086 (Relating to the authority of public power utility governing bodies to deliberate regarding competitive matters) – Utilities

**SPECIAL SESSION**

- III. Discussion and possible action concerning items posted and discussed by Council in Executive Session
- IV. Adjourn Special Session

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

1. Call to order Workshop Session
2. Discussion regarding Advisory Board term expirations and vacancies (*pgs. 5-20*)
3. Discussion and update regarding Comprehensive Planning Process (*pgs. 21-56*)
4. Discussion and update regarding operation and marketing of Hostess House (*pgs. 57-58*)
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

- Proclamation to designate the week of October 6-12, 2019 as “Fire Prevention Week” (pgs. 59-60)\`

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

2.0	MINUTES	PAGES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on September 9, 2019	61-78

3.0	CONSENT AGENDA	PAGES
3.1	Discussion and possible action regarding the second reading of an Ordinance of the City Council of Lampasas, Texas, amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”	79-80
3.2	Discussion and possible action regarding the second reading of an Ordinance amending the Lampasas Code of Ordinances, Chapter 82 (Utilities) by adding new article VIII to be entitled “Pole Attachment, Standards and Specifications”, providing comprehensive pole attachment regulations; establishing the permitting and approval process for pole attachments; establishing design standards and criteria for same; adopting a fee schedule for pole attachments; providing a severability clause; and providing an effective date.	81-82
3.3	Discussion and possible action concerning the second reading of an Ordinance Amending Appendix A (Fee Schedule), Chapter 62 (Solid Waste), Article III (Billing, Rates, and Fees) related to the collection of Solid Waste of the Code of Ordinances of the City of Lampasas. Providing for an increase in the rates to be charged for Residential Solid Waste collection; Providing for repeal of conflicting ordinances; providing a severability clause and providing an effective date.	83-84

4.0	BOARDS/DEPARTMENT REPORTS	PAGES
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4.1	<ol style="list-style-type: none"> <li>1. Economic Development Monthly Report</li> <li>2. Fire Department Monthly Report</li> <li>3. Parks and Recreation Monthly Report</li> <li>4. Information Systems Monthly Report</li> <li>5. Library Monthly Report</li> <li>6. Golf Course Monthly Report</li> <li>7. Municipal Court Monthly Report</li> <li>8. City Secretary Monthly Report</li> <li>9. Police Department Monthly Report</li> <li>10. Utility Billing and Collections Monthly Report</li> <li>11. Public Works Monthly Report for Electric, Streets, Water/Wastewater</li> <li>12. Building Official Monthly Report</li> </ol>	85-108
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5.0	<b>ROUTINE MATTERS</b>	<b>PAGES</b>
5.1	<p>City Manager's Operational Report</p> <ul style="list-style-type: none"> <li>• Citizen's Academy</li> <li>• National Night Out</li> <li>• Noise Ordinance</li> <li>• CDBG</li> <li>• Brodie Estates</li> <li>• Goats</li> </ul>	109-110
5.2	<b>MAYOR'S COMMENTS</b>	N/A

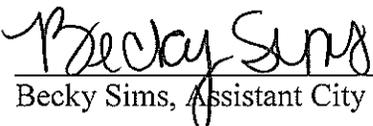
6.0	<b>UNFINISHED BUSINESS</b>	N/A
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7.0	<b>NEW BUSINESS</b>	<b>PAGES</b>
7.1	Discussion and possible action regarding the first reading of an Ordinance authorizing the issuance of City of Lampasas, Texas general obligation refunding bond, series 2019; authorizing the levy of an ad valorem tax in support of the bond; approving a paying agent/registrar agreement and an escrow agreement; awarding the sale of the bond; calling certain obligations for redemption; and authorizing other matters relating to the issuance of the bond	111-136
7.2	Discussion and possible action concerning a request from the Kiwanis Club for approval of a license application to operate a Carnival, Circus and similar event within the city limits of the City of Lampasas and to grant a waiver for operations near schools, churches and private residences.	137-146
7.3	Discussion and Possible Action Concerning the Second Reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the Fiscal Year Beginning on October 1, 2019 and ending on September 30, 2020; Appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal Sinking Fund requirements on all indebtedness; Providing a severability clause; Providing a repealer clause for the repeal of all Ordinances and Appropriations in conflict with the provisions of this Ordinance; and Establishing an Effective Date.	147-148
7.4	Discussion and possible action concerning the second reading of an Ordinance setting the Tax Rate and Levying a tax upon all property subject to taxation within the City of Lampasas, Texas for the 2019 Tax Year for the use and support of the Municipal Government of the City of Lampasas for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020; Apportioning said levy among the various funds and items for	149-150

	which revenue must be raised including providing a Sinking Fund for the retirement of the Bonded Debt for the City of Lampasas; and establishing an Effective Date.	
7.5	Discussion and possible action regarding ratifying the property tax rate revenue increase reflected in the fiscal year 2019-2020 Budget.	151-152
7.6	Discussion and possible action regarding approval of a request for HOT funds by the Courtyard Square Association	153-160
7.7	Discussion and request for approval to accept an estimate provided to repair and paint the interior of the Lampasas Police Department building, as proposed in a Lower Colorado River Authority (LCRA) Community Development Partnership Grant funding that the department previously received.	161-164
7.8	Discussion and possible action regarding the first reading of an Ordinance amending Chapter 54, Article II. Administration, Division 2. Parks and Recreation Advisory Board, Section 54-51. Created; Membership; Terms; Vacancies; Compensation; of the Code of Ordinances, City of Lampasas; repealing any inconsistent provisions; and providing an effective date.	165-168
7.9	Discussion and possible action to declare a 2001 Dodge pickup with 111875 miles used by the Lampasas Animal Shelter as surplus and to authorize disposal as allowed by state law.	169-170
7.10	Discuss and consider a possible nomination by Resolution for the Lampasas Central Appraisal District Board of Directors.	171-172

Adjourn

I, Becky Sims, Assistant City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 20th day of September, 2019 at 1:15pm

  
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 Becky Sims, Assistant City Secretary



City Manager

ITEM NO. WORKSHOP-2

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

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**Subject:**

Discussion regarding board term expirations and current vacancies

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: September 17, 2019      For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Various Board Documents

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**Summary Statement:**

This is a follow up item regarding board term expirations and vacancies. We currently have 21 board members with their term expiring on September 30, 2019. Of the 21, we have received 9 applications for renewal and several verbal commitments. We have 6 vacancies and have 9 applications from citizens interested in joining one or more boards.

**Recommendation:**

Discussion and guidance from Council

<b>Advisory Board</b>	<b>Term Expirations (September 2019)</b>	<b>Number of Vacancies</b>	<b>Applications Received</b>
Airport Board	Mark O’Hair Robert Lansford Wayne Harbin (resigned)	1	Robert Lansford
Construction Board of Adjustment & Appeals (CBAA)	Bill Burns (resigned) Ron Farr Richard Proctor Johnny Sanders	1	Johnny Sanders
Golf Course Advisory Board	Joe Bell Patsy Graves Richard Stockman Jane Bumpus	0	Joe Bell Patsy Greaves Richard Stockman Jane Bumpus
Lampasas Economic Development (LEDC)	Roland Schaub Steve Hudson Ronnie Vineyard Charlie Pratus	0	Roland Schaub Steve Hudson Ronnie Vineyard Charlie Pratus
Library Board	Jennifer Walker Ruth Martin D’Anne Willis	0	D’Anne Willis
Parks & Recreation	N/A	1	
Zoning Board of Adjustment (ZBA)	Jordan Felkner (resigned) Laurie Henderson	3 alternates 1 regular	
Planning & Zoning (P&Z)	Marisa Canales Jeff Jackson Jimmie Allison (resigned)	1	Marisa Canales Jeff Jackson

### New Applications Received

<b>Applicant</b>	<b>Advisory Board Preference</b>
Bob Caughron	<b>Zoning Board of Adjustment, Planning &amp; Zoning</b>
Danielle Shepard	<b>Planning &amp; Zoning, Construction Board of Adjustment &amp; Appeal</b>
Robert McCauley	<b>Planning &amp; Zoning, Zoning Board of Adjustment</b>
Kevin B Smith	<b>Airport Advisory Board</b>
Charley Kennington	Capital Improvement Program Committee, Economic Development Corporation, <b>Construction Board of Adjustment and Appeal, Parks and Recreation Board, Planning &amp; Zoning Board, Zoning Board of Adjustment</b>
Mike Watson	<b>Airport Advisory Board</b>
Tasha Bates (2018)	Economic Development Board, <b>Parks &amp; Recreation Board, Planning &amp; Zoning Board</b>
Tracy Luscombe (2018)	Library Advisory Board
John Fingerhut (2018)	<b>Airport Advisory Board</b>
Heather Beaver (2018)	Capital Improvement Program Committee
Lesley Greer	Golf Course Advisory Board, <b>Construction Board of Adjustment and Appeals</b>



# City of Lampasas Advisory Boards



# *“Volunteers are not paid because they are worthless, but because they are priceless”*

- Do you feel led to volunteer?
- Do you want to make a difference?
- Do you want to learn about City Government?
- Do you want to be a part of the decision making that improves the Quality of Life?
- *If so, we have some great opportunities for you*



# Airport Advisory Board

- The Airport Advisory Board shall advise the City Council, City Manager and Airport Manager on matters relating to the airport. This board meets the 2<sup>nd</sup> Wednesday of the month at 6:00 p.m.
- The Board shall be composed of five members, who are licensed pilots, appointed by the City Council. Each board member shall be appointed for a five-year term with one term expiring each year on September 30.
- *Currently there is one vacancy  
(this is subject to change at any given time)*



# Capital Improvement Program Committee

- Meets as needed during City of Lampasas Budget preparation time. This board meets on Thursday's at noon.
- The purpose of the CIP committee is to assist the City Manager in conducting research, planning, and related work necessary to provide the City Council with a long term Capital Improvement Program plans for the city.
- 8 member committee
- *Currently there are no vacancies (this is subject to change at any given time)*



# Construction Board of Adjustments and Appeals

- This Board consists of five members who shall be appointed to serve by the City Council. This board meets once a month as needed on the 3<sup>rd</sup> Thursday at 8:00 a.m. The members shall, when possible, be representative of the following trades, groups, and professions:
  - (1) Mechanical contractor.
  - (2) Financial/mortgage lender/real estate.
  - (3) General contractor/builder.
  - (4) Electrical contractor.
  - (5) Plumbing contractor.
- The Construction Board of Adjustments and Appeals shall hear appeals and requests for variances from construction code requirements, as provided in this chapter. The board shall have no authority to waive requirements of the construction standards adopted in this chapter.
- The board shall submit to the City Council such recommendations for the adoption of the construction codes as it may from time to time deem necessary and to establish the minimum requirements to safeguard the public health, safety and general welfare, and provide safety to life and property from fire and other hazards attributed to the building environment.
- This Board is also responsible for approving abatement of substandard buildings
- *Currently 1 mechanical vacancy and 1 (alternate) (this is subject to change at any given time)*



# Golf Course Advisory Board

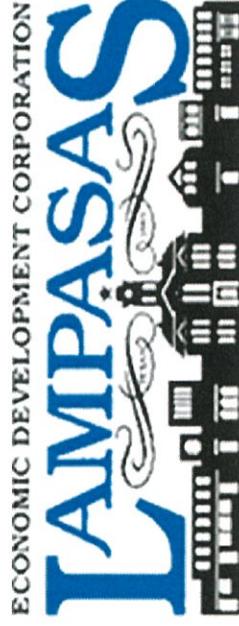
- The Golf Course Advisory Board makes recommendations to the city regarding matters pertaining to the golf course. This board meets as needed.
- The Board shall be advisory in nature, and shall review recommend golf course policy to the City Council for ultimate implementation by the City staff. The Board shall make approved copies of its minutes available to the City Council, upon request. The Board shall also review the proposed five-year golf course capital improvements plan and make recommendations for same to insure the conformance of the golf course facilities and programs to modern standards.
- The Board shall consist of five members to be appointed by the City Council,
  - one member to be nominated by the Lampasas Golf Association (must be member of the Hancock Golf Course)
  - one member to be nominated by the Lampasas Ladies Golf Association (must be member of the Hancock Golf Course)
  - two positions shall be comprised of members of City Council and
  - one member shall be an at-large member
- *Currently there are no vacancies but we always take applications*

*(this is subject to change at any given time)*



# Lampasas Economic Development Corporation

- The Lampasas Economic Development Corporation is responsible for promoting the economic development of the community through the coordinated actions of the City and the Chamber of Commerce. This board meets on the 3<sup>rd</sup> Wednesday of each month
- The Lampasas Economic Development Corporation is composed of seven members who serve two year terms. The business and affairs of the Corporation shall be managed by the Board of Directors (7). Directors shall be appointed by the City Council, and at least three directors shall be persons who are not employees, officers, or members of the City Council. Each director shall be a resident of the City and/or County, or as otherwise provided by applicable State law, and each is entitled to one vote upon the business of the Corporation.
- The governing body of the Lampasas County Commissioners Court and the Lampasas Independent School Board of Trustees may, at their discretion, appoint and/or reappoint, on an annual basis, a representative of their respective governmental units who shall participate in the work of the Board in an "ex officio" capacity. Each ex officio representative shall serve on the Board for a term of (1) one year. Ex officio representatives shall be encouraged to attend and participate fully in the discussions of and work of the Board but, as per the limitations of the State law, ex officio members shall not have voting rights or responsibilities on the Board.
- *Currently there are no vacancies but we always take applications.  
(this is subject to change at any given time)*



# Library Advisory Board

- The Board shall be advisory in nature, and shall review and recommend library policy to the City Council for ultimate implementation by the City staff. The Board shall make approved copies of its minutes available to the City Council, upon request. The Board shall also review the proposed five-year library capital improvements plan and make recommendations for same to insure the conformance of the library facilities and programs to modern standards promulgated by the Texas State Library and Archives Commission.
- The Board shall consist of nine members, all of which shall be residents of the library service area as outlined in the library circulation policy. A majority of the board shall be made up of members who reside within the city limits. Members shall serve without compensation. The library director, or their designated representative, shall serve as an ex-officio member of the board. This board meets on the 2<sup>nd</sup> Monday of each month at 9:00 a.m.
- *Currently there are no vacancies but we always take applications  
(this is subject to change at any given time)*



# Parks and Recreation Advisory Board

- The Board shall consist of nine members appointed by the City Council of which five members shall be residents and qualified voters of the city and four members may be residents and qualified voters of Lampasas County. This Board meets once a month on the 3<sup>rd</sup> Thursday at 6:00pm.
- Where possible, board membership shall consist of at least one representative from each of the following organizations:
  - Adult Softball Association or Lampasas County Little League Association
  - Lampasas Chamber of Commerce
  - Lampasas Independent School District;
  - the Oran Milo Roberts Chapter of the Daughters of the Republic of Texas;
  - the Boys and Girls Club of Coryell and Lampasas Counties; and the
  - Lampasas Spring Ho Festival, Inc.
  - The remaining three places shall be at large.
- *Currently- 1 vacancy (Boys and Girls Club) (this is subject to change at any given time)*



# Parks and Recreation Advisory Board Cont.

The Parks and Recreation Advisory Board shall have the power and it shall be its duty to:

- Make studies and project plans for the improvement of all existing and proposed public parks and recreation facilities and any lots or land, heretofore or hereafter devised or bequeathed to the City or purchased by such City for parks and recreation use, and make recommendations to the City Council for the development and improvement of such parks and recreation facilities.
- Aid and assist the City administration in procuring financial and other assistance for the improvement of public parks and recreation facilities from the state and federal government and their agencies.
- Conduct hearings, studies and surveys and make recommendations as directed by the City Council, City Manager, or City Community Development Director with regard to the use or acquisitions of assets, recreation programs, construction or upgrade of facilities, setting fees or making rules for facilities.
- Provide input to the annual budget process by developing estimates of costs for capital improvements and operations for existing or planned facilities in accordance with an agenda previously approved by the City Council.



## Parks and Recreation Advisory Board Cont.

- Develop, and annually update, a comprehensive plan for parks, recreation facilities and cemeteries for the city; prioritize projects; determine funding; and project locations and timelines.
- Consult with representatives of athletic or other recreational organizations, cemetery associations, etc., who will be affected by the city recreation, parks or cemetery programs or facilities; negotiate, develop, review and amend contracts with associations, as necessary; and evaluate existing recreation programs and make recommendations for new programs.
- Consider other parks and recreation policies and capital issues as assigned by the City Council.



# Planning and Zoning Commission

- In general, the Planning and Zoning Commission shall be an advisory body to the City Council, and shall make recommendations regarding amendments to the Comprehensive Plan, changes of zoning and zoning to be given to newly annexed areas, and shall make recommendations regarding the approval of plats of subdivisions as may be submitted to it for review and other planning related matters. The Planning and Zoning Commission shall conduct an annual review of the City's Comprehensive Plan and shall be prepared to make recommendations to the City Council as deemed necessary to keep the City's Comprehensive Plan current with changing conditions and trends and with the planning needs of the City. The Planning and Zoning Commission shall serve in an advisory capacity on any planning related item(s) in the City.
- City of Lampasas the "Planning and Zoning Commission", hereafter sometimes referred to as the "Commission", which shall consist of seven (7) members who are resident citizens, taxpayers and qualified voters of the City of Lampasas or Extraterritorial Jurisdiction (ETJ) and own real property inside the Lampasas City Limits. This board meets on the 1<sup>st</sup> Thursday of the month.
- *Currently there is one vacancy (this is subject to change at any given time)*



# Zoning Board of Adjustments

- The Board of Adjustment meets on the 3<sup>rd</sup> Tuesday of the month at 7:00 p.m. and consists of (5) regular members and (4) alternate members who are resident citizens, taxpayers and qualified voters of the City of Lampasas or reside in the Extraterritorial Jurisdictions (ETJ) and own real property inside the City Limits and shall have the authority, subject to the standards established in Sections 211.008 to 211.011 of the Texas Local Government Code and those established herein, to exercise the following powers and perform the following duties:
  - A. Hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this Ordinance;
  - B. Authorize the expansion or continuation of a nonconforming use or structure; and
  - C. Authorize in specific cases a variance (see Section 9.6) from the terms of this Ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship, and so that the spirit of this Ordinance is observed and substantial justice is done.
  - D. In exercising its authority under Subsection A above, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision or determination from which an appeal is taken and make the correct order, requirement, decision or determination, and for that purpose the Board has the same authority as the administrative official.
  - E. The concurring vote of at least four (4) members of the Board is necessary to:
    - 1. Reverse an order, requirement, decision or determination of an administrative official;
    - 2. Decide in favor of an applicant on a matter on which the Board is required to review under this Zoning Ordinance; or
    - 3. Authorize a variance from the terms of this Zoning Ordinance.

- *Currently there is one vacancy and (3) alternate vacancies (this is subject to change at any given time)*

  
**City Manager**ITEM NO. WORKSHOP-3

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

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**Subject:**

Discussion and update regarding Comprehensive Planning Process

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: September 20, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Final Survey Results

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**Summary Statement:**

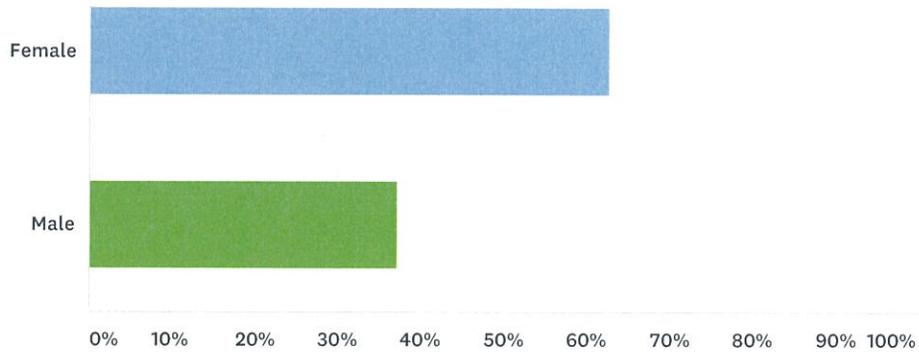
This item has been placed on workshop to provide Council with an update to the Comprehensive Planning Process. Wednesday, August 28, 2019 the Stakeholder Focus Group Meetings and CPAC kickoff meeting was held. There were approximately 45 citizens in attendance. The consultants received great feedback and participation from citizens. The Open House was held on Thursday August 29, 2019; where close to 50 residents took the opportunity to provide verbal feedback, recommendations and interacted with the various presentation boards. 3,000 postcards were sent to utility customers inviting them to attend the Open House and participate in the survey. The survey closed on the September 16, 2019 with 753 responses. Our next CPAC meeting is tentatively scheduled for October 22, 2019.

**Recommendation:**

Discussion and direction from Council

### Q1 Are you male or female?

Answered: 745 Skipped: 0



**ANSWER CHOICES**

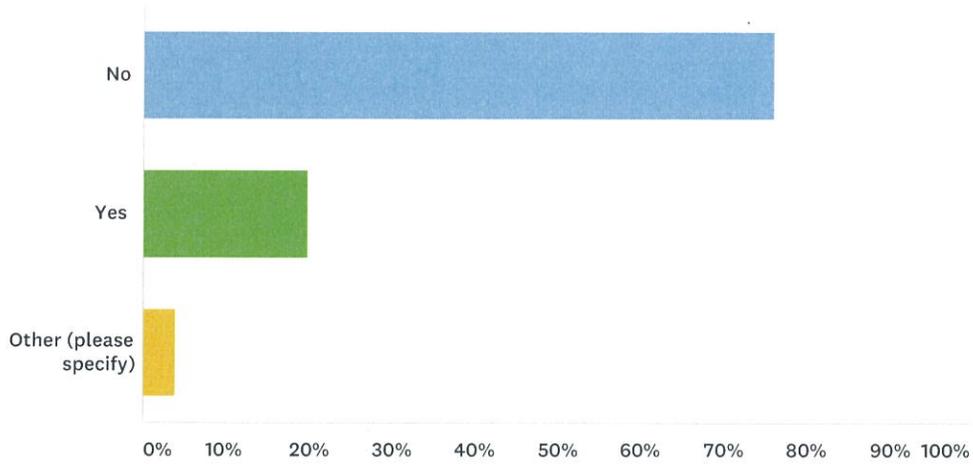
Female  
Male  
TOTAL

**RESPONSES**

Female	62.82%	468
Male	37.18%	277
TOTAL		745

## Q2 Do you own a business in Lampasas?

Answered: 743 Skipped: 2



### ANSWER CHOICES

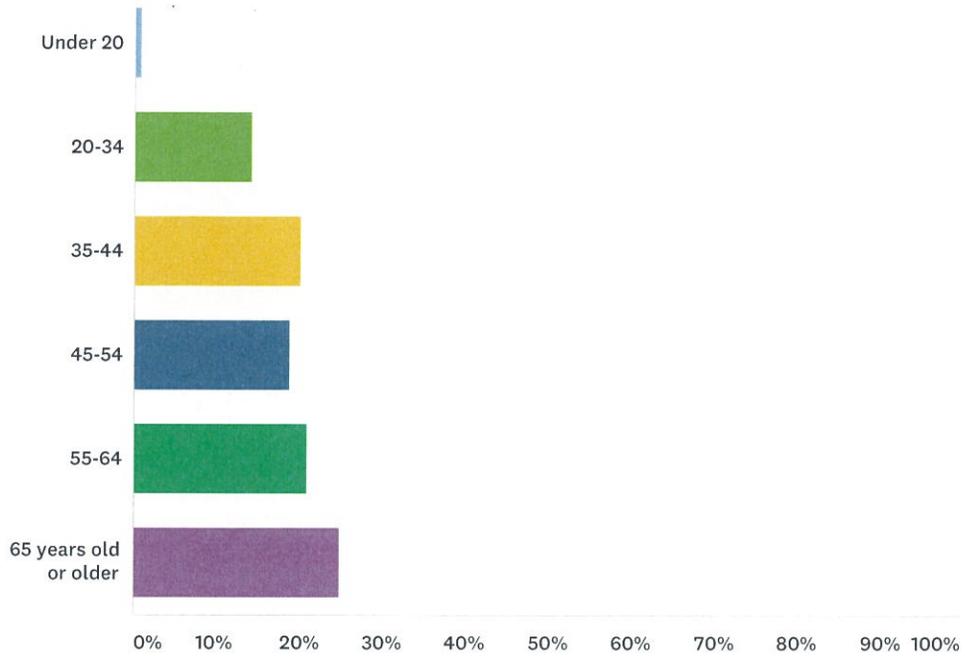
No  
Yes  
Other (please specify)

### RESPONSES

76.18%	566
19.78%	147
4.04%	30
TOTAL	743

### Q3 What is your approximate age?

Answered: 741 Skipped: 4



**ANSWER CHOICES**

Under 20  
20-34  
35-44  
45-54  
55-64  
65 years old or older  
TOTAL

**RESPONSES**

0.81%	6
14.30%	106
20.11%	149
18.89%	140
20.92%	155
24.97%	185
	741

Q4 If you are a resident, please tell us in your own words why you chose to live in Lampasas.

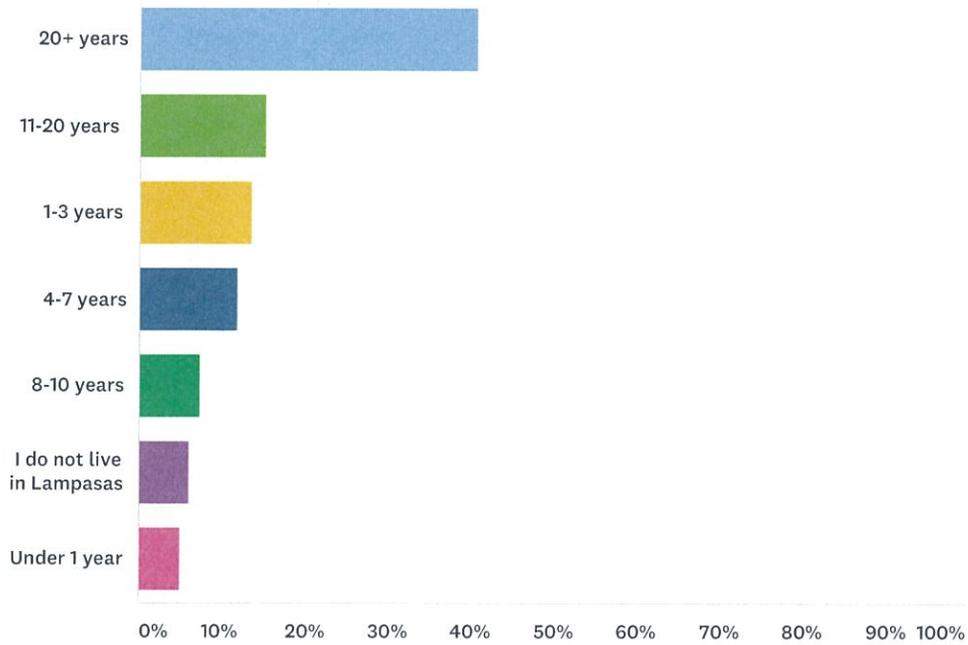
Answered: 607 Skipped: 138

A word cloud of responses for the question "Q4 If you are a resident, please tell us in your own words why you chose to live in Lampasas." The words are arranged in a roughly rectangular shape, with the most prominent words being "Small town", "Lampasas", "family", "community", "friendly", "good", "hometown", "years", "nice", "affordable", "quiet", "Austin", "raised", "great place", "work", "local", "come", "live", "Lampasas", "stay", "knew", "go", "Killeen", "raise", "family", "parks", "safe", "reasonable", "born", "moved", "back", "beautiful", "lived", "also", "town", "grew", "atmosphere", "Lampasas", "moved back", "family", "friendly people", "Small town", "beautiful", "lived", "also", "town", "big cities", "community", "school district", "moved", "left", "born", "home", "found", "good", "raise children", "hometown", "looking", "city", "place", "raise children", "years", "lots", "nice", "affordable", "friendly", "Great community", "quiet", "visit", "Austin", "places", "raised", "house", "great place", "raise", "good place", "raise", "kids", "older", "work", "local", "come", "live", "Lampasas", "stay", "knew", "go", "Killeen", "raise", "family", "parks", "safe", "reasonable".



### Q6 How long have you lived in Lampasas?

Answered: 459 Skipped: 286



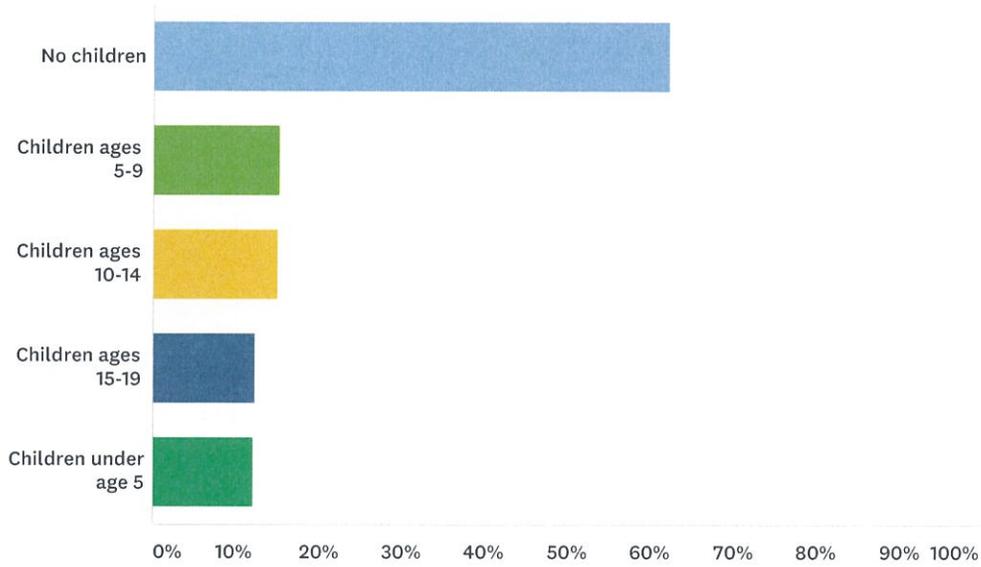
**ANSWER CHOICES**

**RESPONSES**

20+ years	40.74%	187
11-20 years	15.25%	70
1-3 years	13.51%	62
4-7 years	11.98%	55
8-10 years	7.41%	34
I do not live in Lampasas	6.10%	28
Under 1 year	5.01%	23
<b>TOTAL</b>		<b>459</b>

**Q7 Do you have any children under the age of 19 living in your home?  
Check all that apply. Leave blank if you do not live in the City of  
Lampasas.**

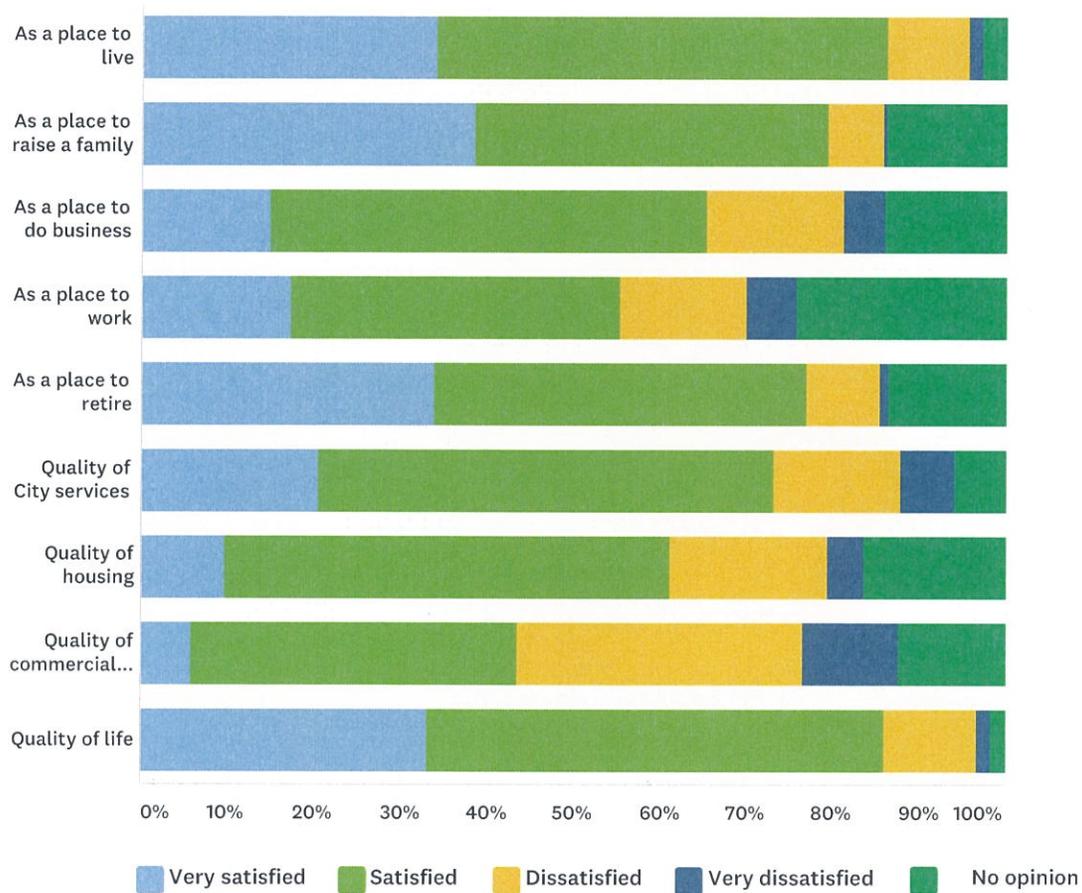
Answered: 434 Skipped: 311



ANSWER CHOICES	RESPONSES	
No children	62.44%	271
Children ages 5-9	15.21%	66
Children ages 10-14	14.98%	65
Children ages 15-19	12.44%	54
Children under age 5	12.21%	53
Total Respondents: 434		

### Q8 How satisfied are you with the City of Lampasas? (Very Satisfied, Satisfied, Dissatisfied, Very Dissatisfied)

Answered: 462 Skipped: 283



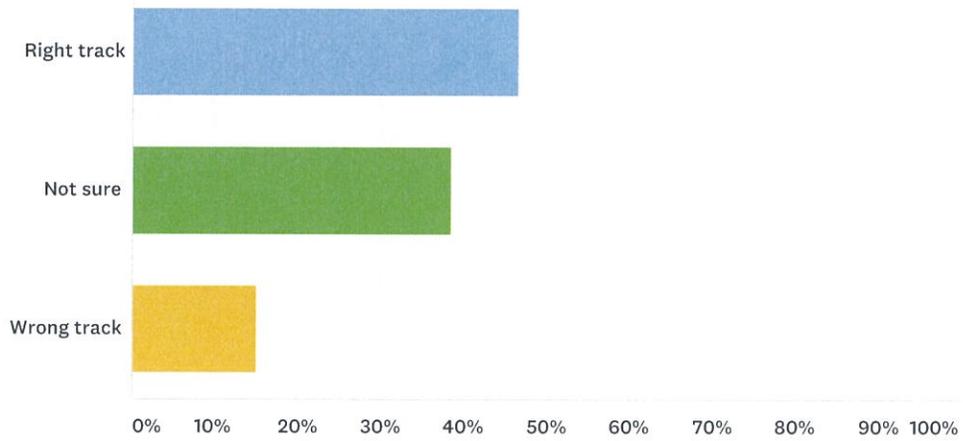
	VERY SATISFIED	SATISFIED	DISSATISFIED	VERY DISSATISFIED	NO OPINION	TOTAL	WEIGHTED AVERAGE
As a place to live	34.07% 155	52.31% 238	9.45% 43	1.54% 7	2.64% 12	455	1.86
As a place to raise a family	38.55% 175	40.97% 186	6.39% 29	0.44% 2	13.66% 62	454	2.10
As a place to do business	14.95% 68	50.55% 230	15.82% 72	4.84% 22	13.85% 63	455	2.52
As a place to work	17.36% 79	38.02% 173	14.73% 67	5.71% 26	24.18% 110	455	2.81
As a place to retire	33.92% 154	43.17% 196	8.37% 38	1.10% 5	13.44% 61	454	2.17
Quality of City services	20.52% 94	52.84% 242	14.63% 67	6.11% 28	5.90% 27	458	2.24
Quality of housing	9.63% 44	51.64% 236	18.16% 83	4.38% 20	16.19% 74	457	2.66

### Lampasas Comprehensive Plan

Quality of commercial development	5.90% 27	37.77% 173	32.97% 151	11.14% 51	12.23% 56	458	2.86
Quality of life	33.12% 152	52.94% 243	10.68% 49	1.74% 8	1.53% 7	459	1.86

### Q9 Do you feel that Lampasas is on the right track with recent growth and development?

Answered: 461 Skipped: 284



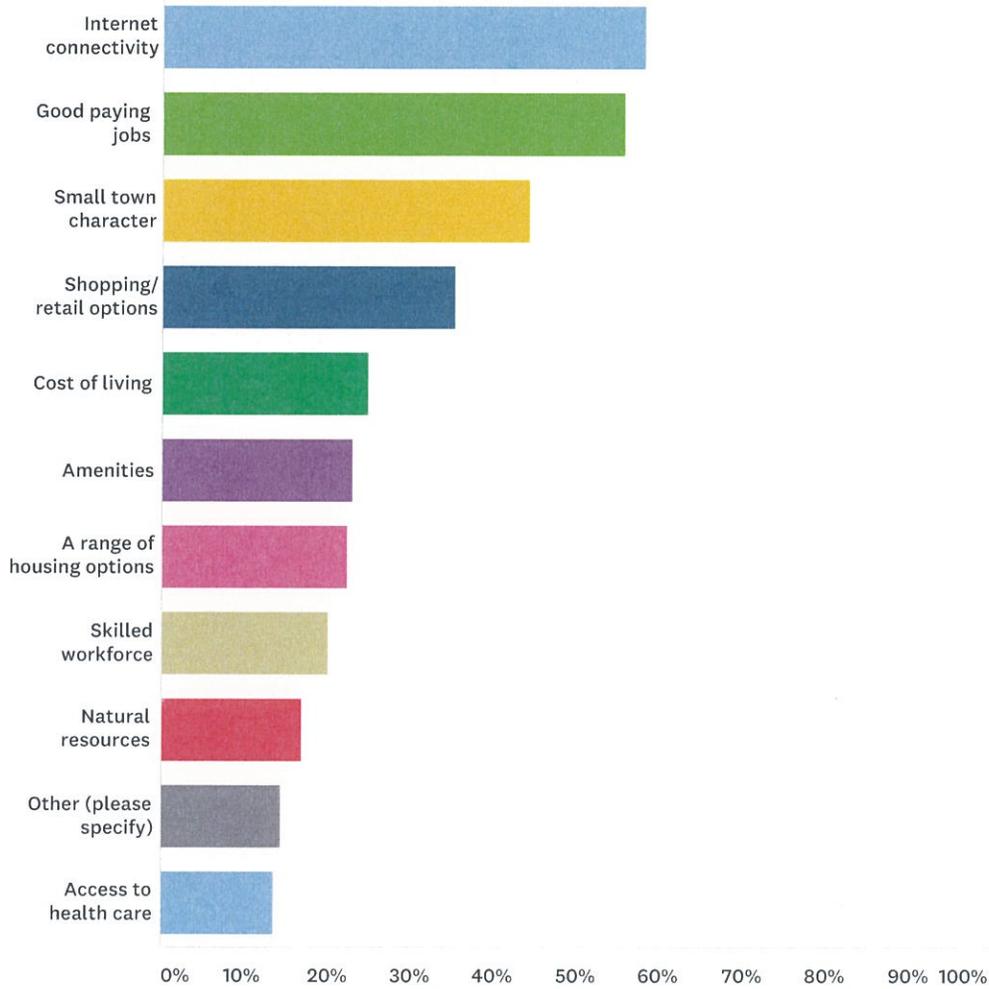
**ANSWER CHOICES**

**RESPONSES**

Right track	46.64%	215
Not sure	38.39%	177
Wrong track	14.97%	69
TOTAL		461

### Q10 When it comes to future growth and development, what are the City's greatest challenges? (Please choose three)

Answered: 462 Skipped: 283



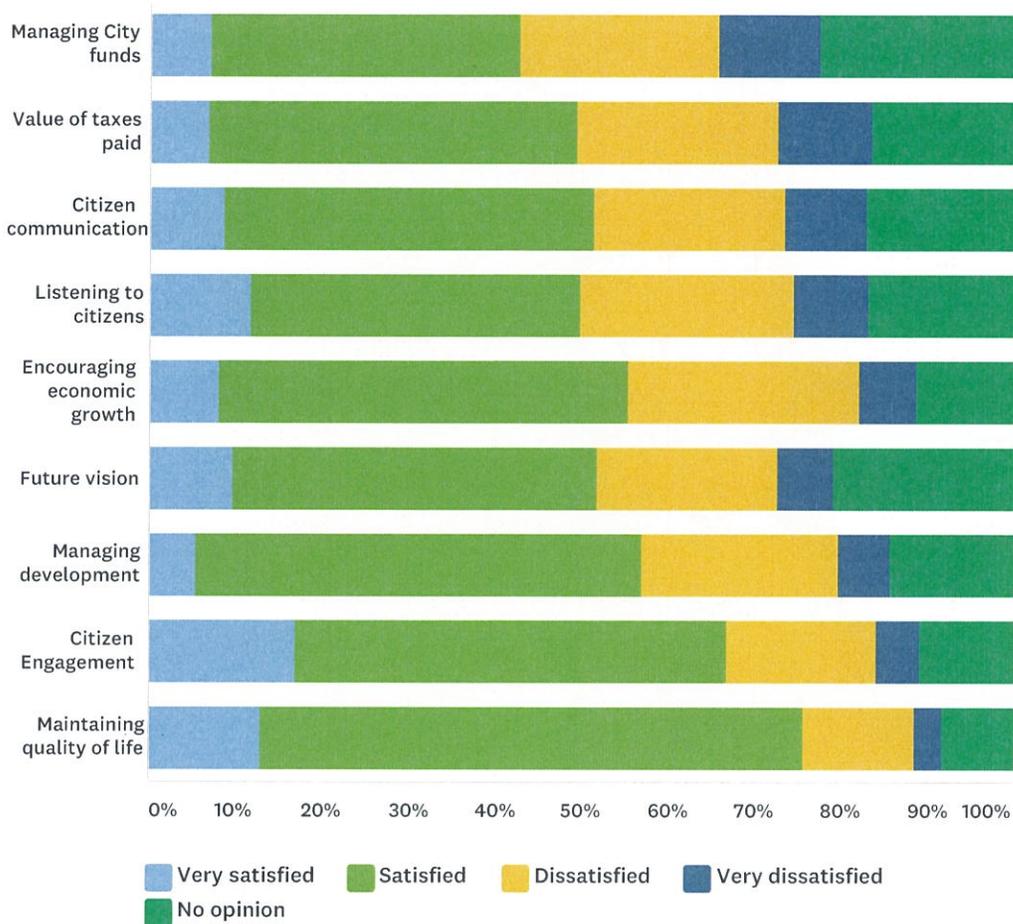
ANSWER CHOICES	RESPONSES	
Internet connectivity	58.44%	270
Good paying jobs	55.84%	258
Small town character	44.37%	205
Shopping/ retail options	35.28%	163
Cost of living	24.89%	115
Amenities	22.94%	106
A range of housing options	22.29%	103
Skilled workforce	20.13%	93
Natural resources	16.88%	78

## Lampasas Comprehensive Plan

Other (please specify)	14.50%	67
Access to health care	13.64%	63
Total Respondents: 462		

### Q11 How satisfied are you with the City of Lampasas' performance for each of the following areas? (Very Satisfied, Satisfied, Dissatisfied, Very Dissatisfied)

Answered: 463 Skipped: 282



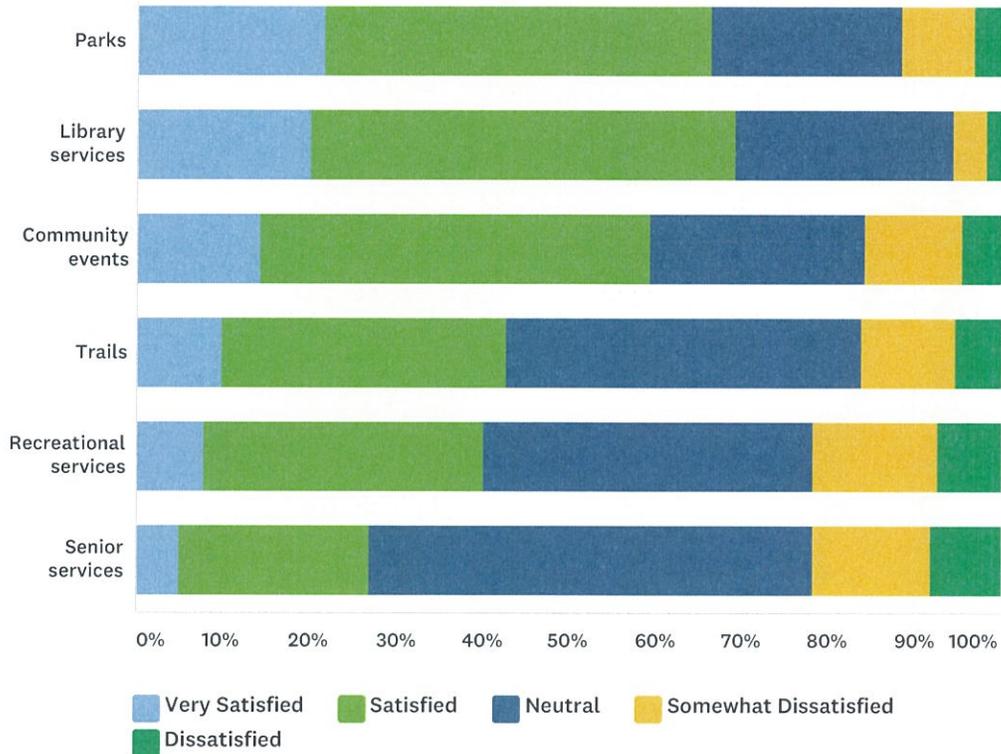
	VERY SATISFIED	SATISFIED	DISSATISFIED	VERY DISSATISFIED	NO OPINION	TOTAL
Managing City funds	6.94% 32	35.79% 165	23.21% 107	11.50% 53	22.56% 104	461
Value of taxes paid	6.81% 31	42.64% 194	23.30% 106	10.77% 49	16.48% 75	455
Citizen communication	8.71% 40	42.70% 196	22.00% 101	9.59% 44	16.99% 78	459
Listening to citizens	11.66% 54	38.23% 177	24.62% 114	8.64% 40	16.85% 78	463
Encouraging economic growth	8.04% 37	47.39% 218	26.74% 123	6.52% 30	11.30% 52	460
Future vision	9.63% 44	42.23% 193	20.79% 95	6.56% 30	20.79% 95	457
Managing development	5.43% 25	51.52% 237	22.83% 105	5.87% 27	14.35% 66	460

### Lampasas Comprehensive Plan

Citizen Engagement	16.96%	50.00%	17.17%	5.00%	10.87%	
	78	230	79	23	50	460
Maintaining quality of life	12.83%	62.83%	12.83%	3.26%	8.26%	
	59	289	59	15	38	460

### Q12 How satisfied are you with the City's recreational and cultural services listed below?

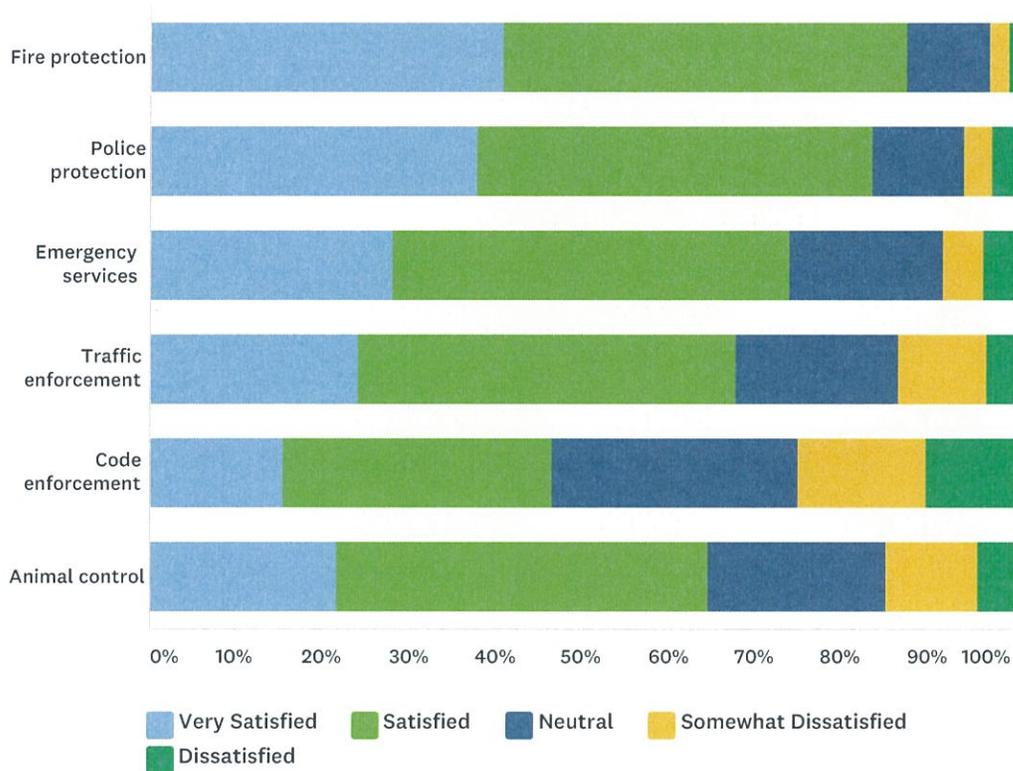
Answered: 463 Skipped: 282



	VERY SATISFIED	SATISFIED	NEUTRAL	SOMEWHAT DISSATISFIED	DISSATISFIED	TOTAL	WEIGHTED AVERAGE
Parks	21.66% 99	44.86% 205	22.10% 101	8.32% 38	3.06% 14	457	2.26
Library services	20.00% 92	49.35% 227	25.22% 116	3.91% 18	1.52% 7	460	2.18
Community events	14.29% 66	45.24% 209	24.89% 115	11.26% 52	4.33% 20	462	2.46
Trails	9.89% 45	32.97% 150	41.10% 187	10.77% 49	5.27% 24	455	2.69
Recreational services	7.81% 36	32.32% 149	38.18% 176	14.53% 67	7.16% 33	461	2.81
Senior services	5.00% 23	21.96% 101	51.30% 236	13.70% 63	8.04% 37	460	2.98

### Q13 How satisfied are you with the City's public safety services listed below?

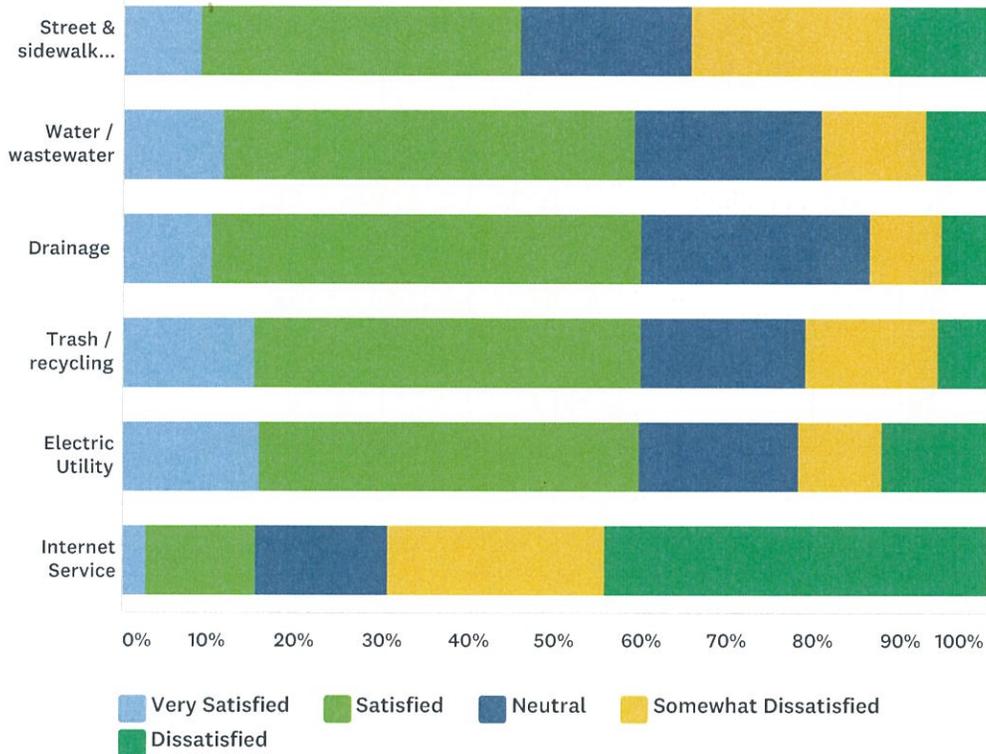
Answered: 463 Skipped: 282



	VERY SATISFIED	SATISFIED	NEUTRAL	SOMEWHAT DISSATISFIED	DISSATISFIED	TOTAL	WEIGHTED AVERAGE
Fire protection	40.91% 189	46.75% 216	9.74% 45	2.16% 10	0.43% 2	462	1.74
Police protection	38.01% 176	45.79% 212	10.58% 49	3.24% 15	2.38% 11	463	1.86
Emergency services	28.14% 130	45.89% 212	17.97% 83	4.55% 21	3.46% 16	462	2.09
Traffic enforcement	24.03% 111	43.94% 203	18.83% 87	10.17% 47	3.03% 14	462	2.24
Code enforcement	15.40% 71	31.24% 144	28.42% 131	14.97% 69	9.98% 46	461	2.73
Animal control	21.60% 100	42.98% 199	20.73% 96	10.58% 49	4.10% 19	463	2.33

### Q14 How satisfied are you with the City's local utility services listed below?

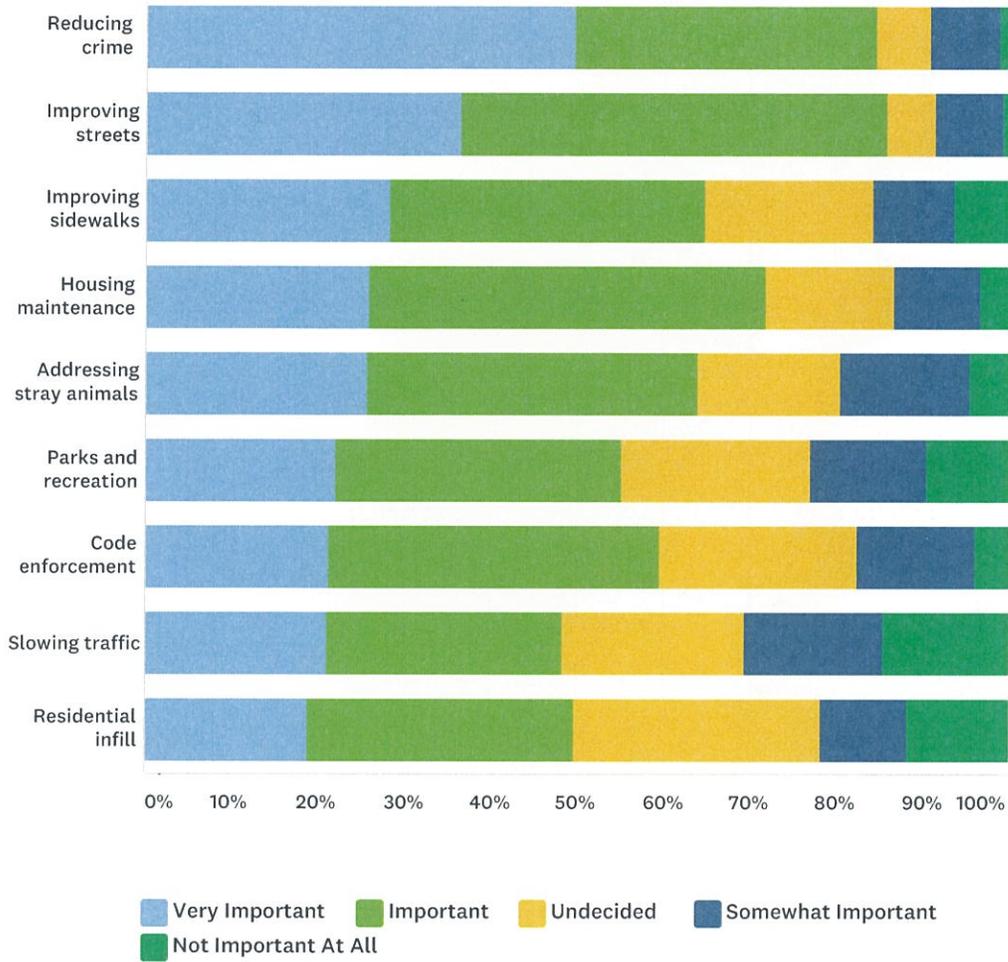
Answered: 463 Skipped: 282



	VERY SATISFIED	SATISFIED	NEUTRAL	SOMEWHAT DISSATISFIED	DISSATISFIED	TOTAL	WEIGHTED AVERAGE
Street & sidewalk maintenance	9.11% 42	36.88% 170	19.96% 92	22.78% 105	11.28% 52	461	2.90
Water / wastewater	11.66% 54	47.52% 220	21.81% 101	11.88% 55	7.13% 33	463	2.55
Drainage	10.17% 47	49.78% 230	26.62% 123	8.23% 38	5.19% 24	462	2.48
Trash / recycling	15.18% 70	44.90% 207	19.09% 88	15.18% 70	5.64% 26	461	2.51
Electric Utility	15.87% 73	43.91% 202	18.48% 85	9.78% 45	11.96% 55	460	2.58
Internet Service	2.83% 13	12.61% 58	15.22% 70	25.22% 116	44.13% 203	460	3.95

### Q15 How important is it for the City of Lampasas to address the following issues in the near future?

Answered: 463 Skipped: 282



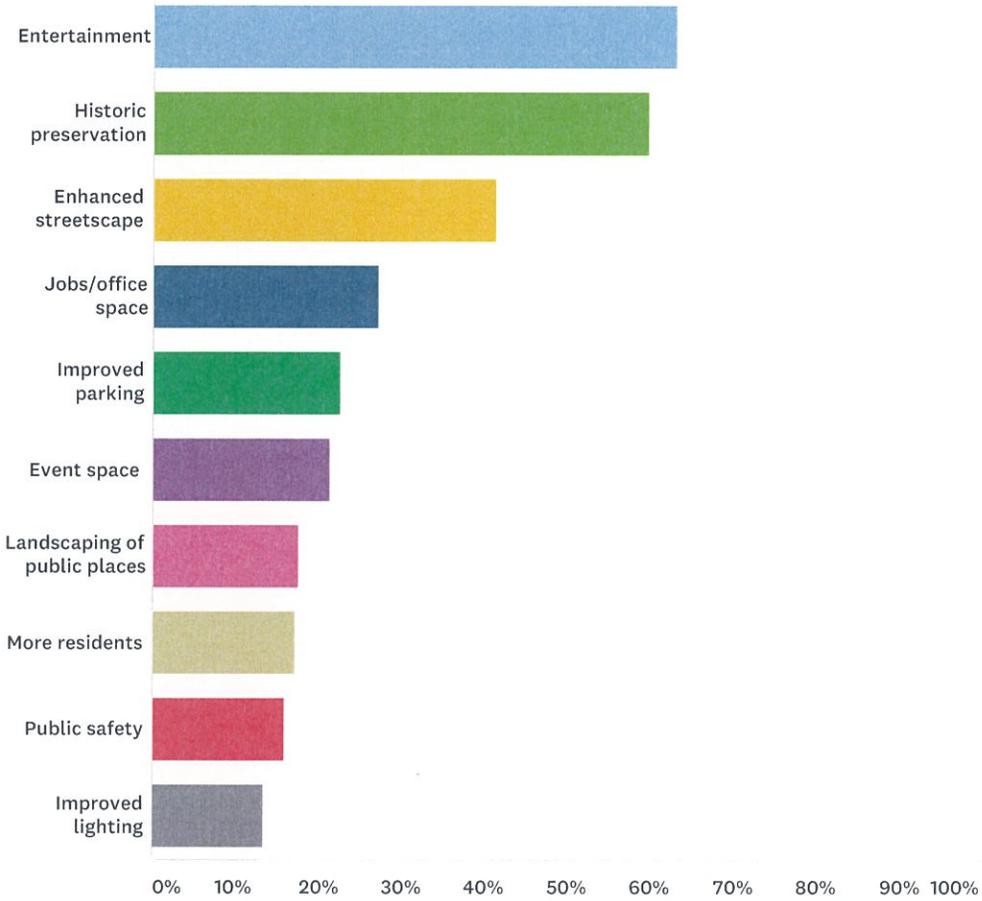
	VERY IMPORTANT	IMPORTANT	UNDECIDED	SOMEWHAT IMPORTANT	NOT IMPORTANT AT ALL	TOTAL	WEIGHTED AVERAGE
Reducing crime	49.89% 231	34.77% 161	6.26% 29	7.99% 37	1.08% 5	463	1.76
Improving streets	36.50% 169	49.46% 229	5.62% 26	7.78% 36	0.65% 3	463	1.87
Improving sidewalks	28.26% 130	36.52% 168	19.57% 90	9.35% 43	6.30% 29	460	2.29
Housing maintenance	25.81% 119	45.99% 212	14.97% 69	9.98% 46	3.25% 15	461	2.19
Addressing stray animals	25.76% 119	38.31% 177	16.45% 76	15.15% 70	4.33% 20	462	2.34
Parks and recreation	22.08% 102	33.12% 153	21.86% 101	13.42% 62	9.52% 44	462	2.55

### Lampasas Comprehensive Plan

Code enforcement	21.38%	38.23%	22.89%	13.61%	3.89%		
	99	177	106	63	18	463	2.40
Slowing traffic	21.00%	27.49%	21.00%	16.02%	14.50%		
	97	127	97	74	67	462	2.76
Residential infill	18.91%	30.87%	28.48%	10.00%	11.74%		
	87	142	131	46	54	460	2.65

### Q16 In Downtown Lampasas, what are the three (3) most important things needed to encourage more investment and vitality in the area?

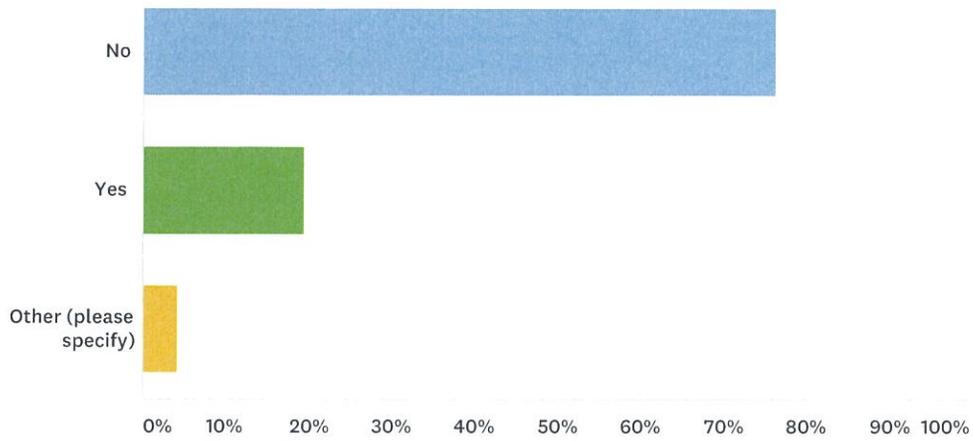
Answered: 450 Skipped: 295



ANSWER CHOICES	RESPONSES	
Entertainment	63.11%	284
Historic preservation	59.78%	269
Enhanced streetscape	41.33%	186
Jobs/office space	27.11%	122
Improved parking	22.67%	102
Event space	21.33%	96
Landscaping of public places	17.56%	79
More residents	17.11%	77
Public safety	16.00%	72
Improved lighting	13.33%	60

### Q17 Do you own a business in Lampasas?

Answered: 461 Skipped: 284



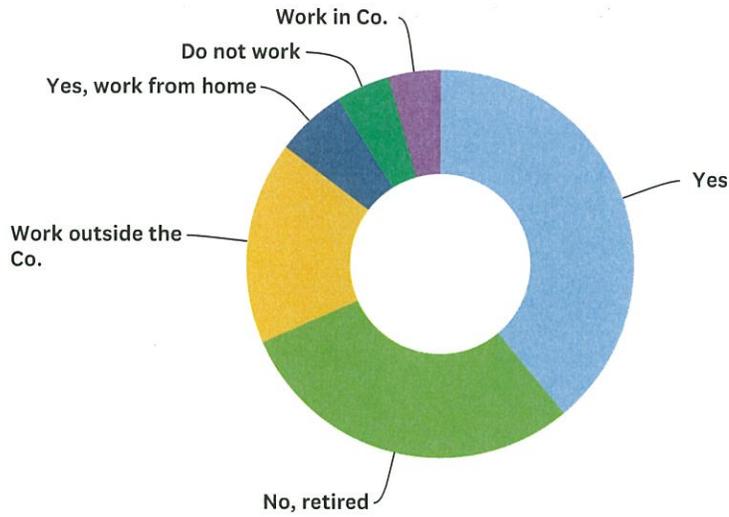
**ANSWER CHOICES**

**RESPONSES**

No	76.36%	352
Yes	19.52%	90
Other (please specify)	4.12%	19
TOTAL		461

### Q18 Do you work in Lampasas?

Answered: 462 Skipped: 283



**ANSWER CHOICES**

- Yes
- No, retired
- Work outside the Co.
- Yes, work from home
- Do not work
- Work in Co.
- TOTAL

**RESPONSES**

Yes	38.96%	180
No, retired	29.44%	136
Work outside the Co.	16.88%	78
Yes, work from home	5.84%	27
Do not work	4.55%	21
Work in Co.	4.33%	20
TOTAL		462

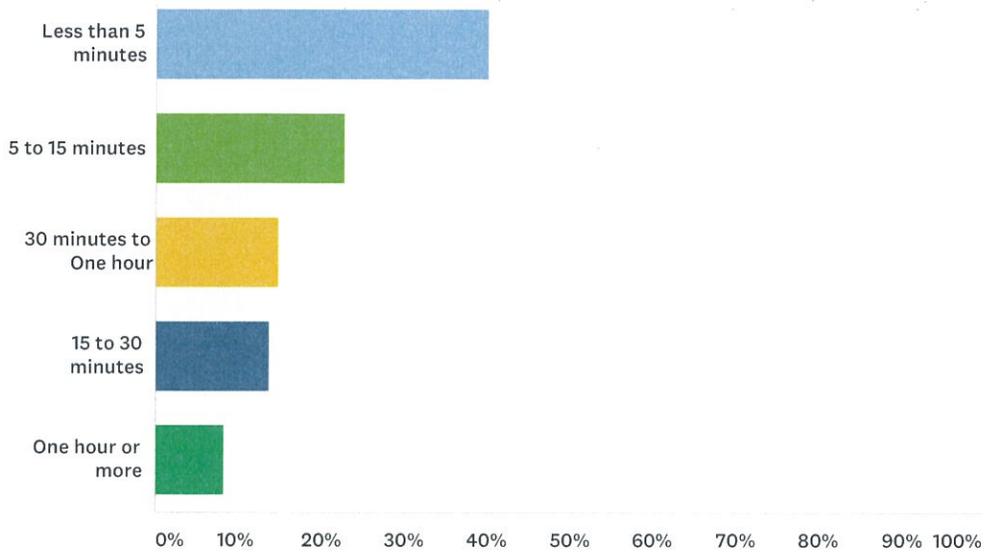
Q19 If you work outside the home, what is the zip code of your work address?

Answered: 181 Skipped: 564

76522 78613 **78611** 76543 **76550** 76539 76544 N 76548

## Q20 How long is your commute to work?

Answered: 298 Skipped: 447



**ANSWER CHOICES**

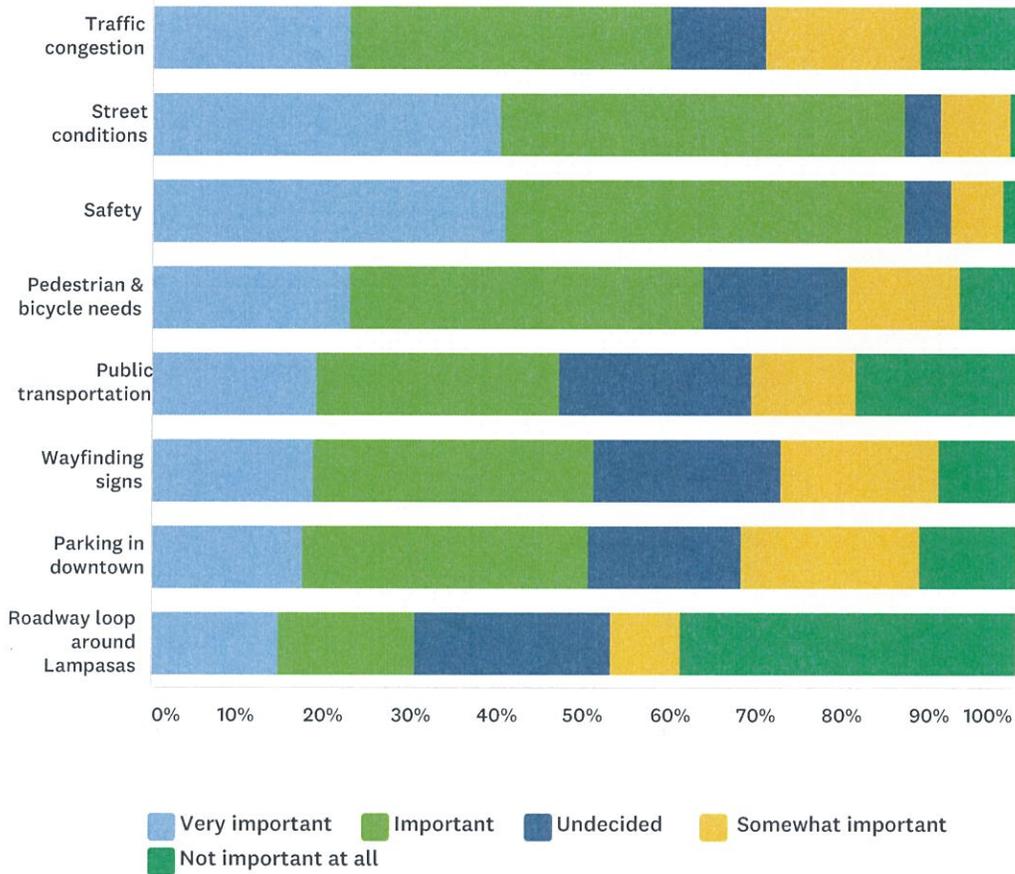
- Less than 5 minutes
- 5 to 15 minutes
- 30 minutes to One hour
- 15 to 30 minutes
- One hour or more

**RESPONSES**

Percentage	Count
40.27%	120
22.82%	68
14.77%	44
13.76%	41
8.39%	25
<b>TOTAL</b>	<b>298</b>

### Q21 How important is it for the City of Lampasas to address the following transportation issues in the near future? (Very Important, Important, Undecided, Not Important, Not Important At All)

Answered: 461 Skipped: 284



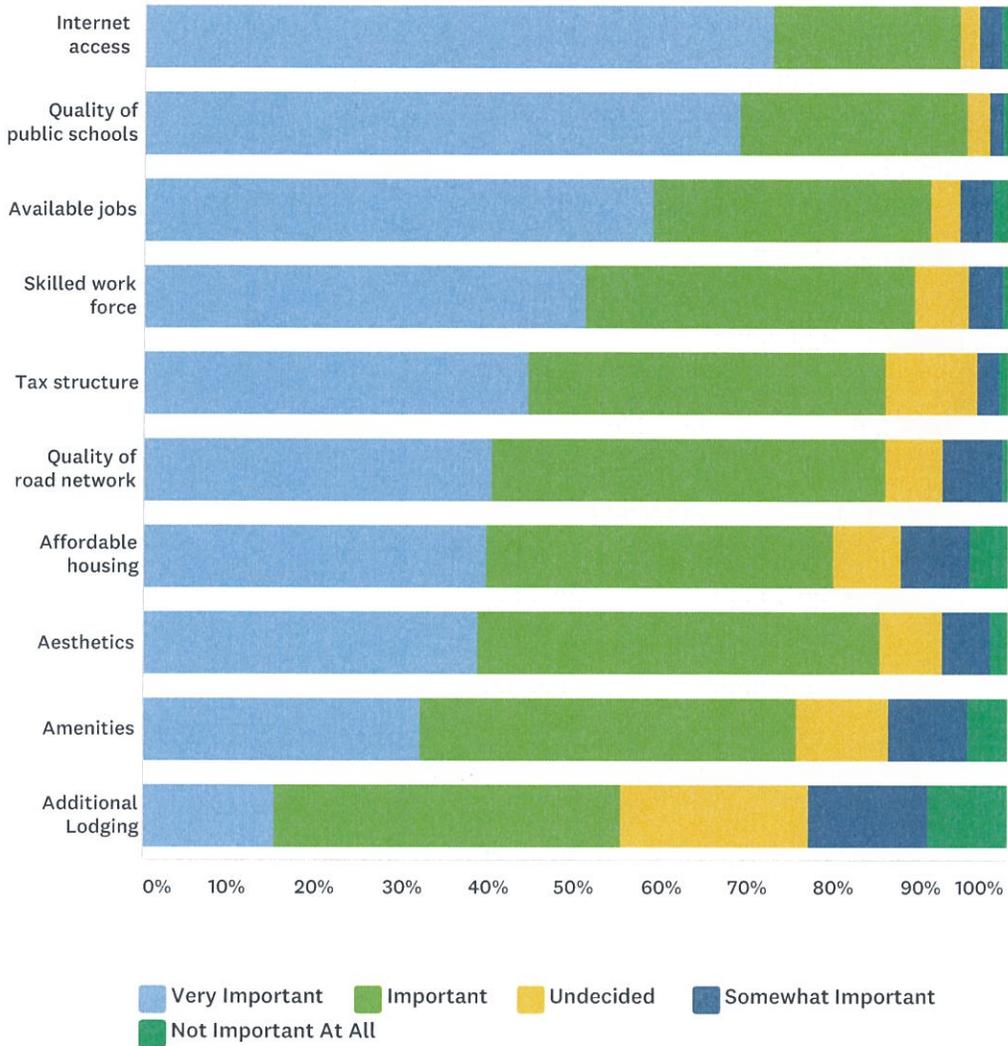
	VERY IMPORTANT	IMPORTANT	UNDECIDED	SOMEWHAT IMPORTANT	NOT IMPORTANT AT ALL	TOTAL	WEIGHTED AVERAGE
Traffic congestion	22.82% 102	37.14% 166	11.19% 50	17.90% 80	10.96% 49	447	2.57
Street conditions	40.39% 185	46.72% 214	4.15% 19	8.08% 37	0.66% 3	458	1.82
Safety	40.89% 184	46.22% 208	5.56% 25	6.00% 27	1.33% 6	450	1.81
Pedestrian & bicycle needs	22.93% 105	40.83% 187	16.81% 77	13.10% 60	6.33% 29	458	2.39
Public transportation	19.16% 87	27.97% 127	22.25% 101	12.11% 55	18.50% 84	454	2.83
Wayfinding signs	18.76% 85	32.45% 147	21.63% 98	18.32% 83	8.83% 40	453	2.66
Parking in downtown	17.54% 80	33.11% 151	17.54% 80	20.83% 95	10.96% 50	456	2.75

## Lampasas Comprehensive Plan

Roadway loop around Lampasas	14.57% 66	15.89% 72	22.74% 103	7.95% 36	38.85% 176	453	3.41
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## Q22 How important are the following factors to future economic development in Lampasas?

Answered: 460 Skipped: 285



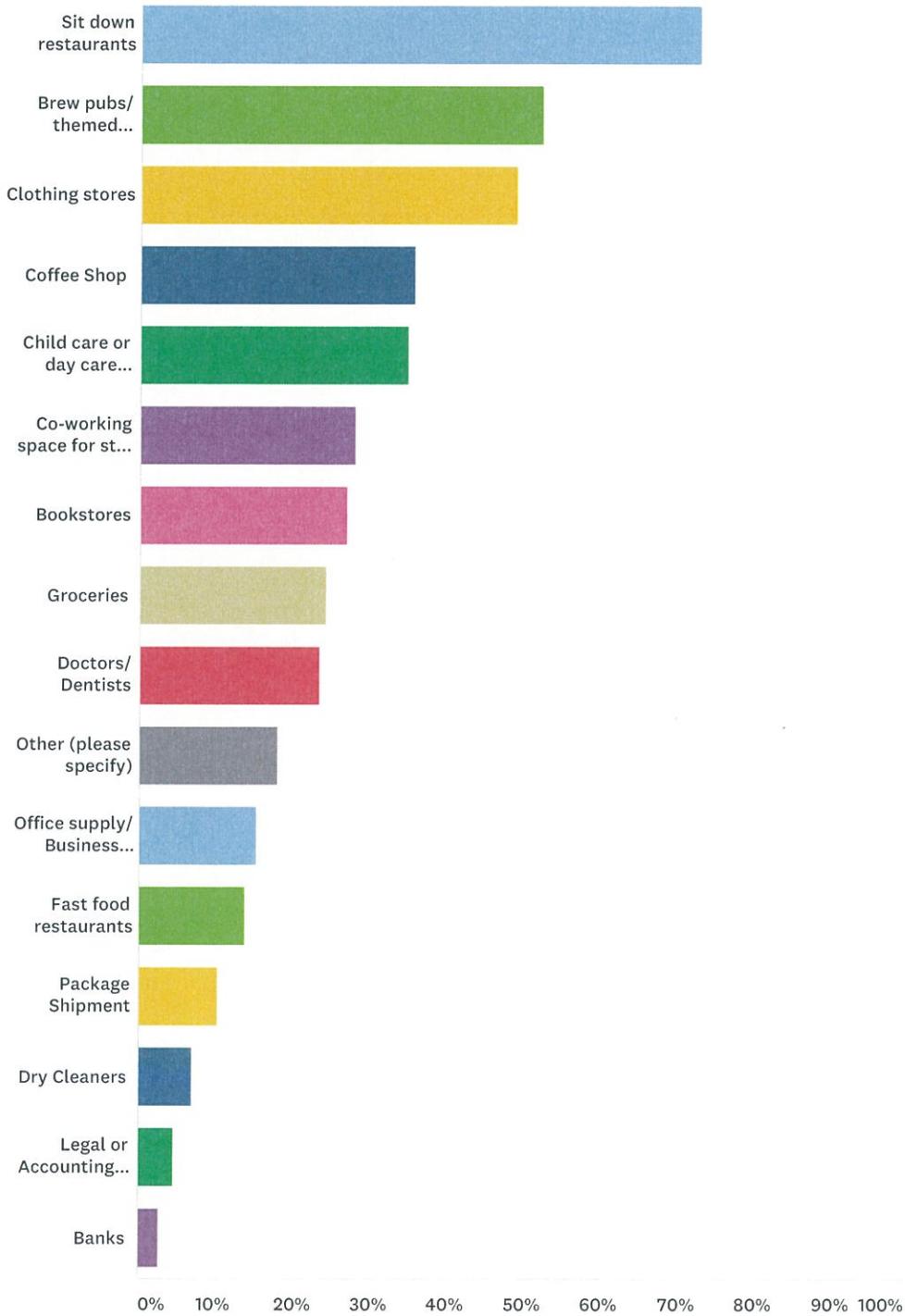
	VERY IMPORTANT	IMPORTANT	UNDECIDED	SOMEWHAT IMPORTANT	NOT IMPORTANT AT ALL	TOTAL	WEIGHTED AVERAGE
Internet access	72.98% 335	21.57% 99	2.18% 10	2.61% 12	0.65% 3	459	1.36
Quality of public schools	69.06% 317	26.36% 121	2.61% 12	1.53% 7	0.44% 2	459	1.38
Available jobs	59.08% 270	32.17% 147	3.28% 15	3.94% 18	1.53% 7	457	1.57
Skilled work force	51.20% 235	38.13% 175	6.32% 29	3.92% 18	0.44% 2	459	1.64
Tax structure	44.54% 204	41.48% 190	10.48% 48	2.62% 12	0.87% 4	458	1.74

### Lampasas Comprehensive Plan

Quality of road network	40.35% 184	45.61% 208	6.58% 30	7.02% 32	0.44% 2	456	1.82
Affordable housing	39.74% 182	40.17% 184	7.86% 36	8.08% 37	4.15% 19	458	1.97
Aesthetics	38.77% 176	46.48% 211	7.27% 33	5.73% 26	1.76% 8	454	1.85
Amenities	32.09% 146	43.52% 198	10.77% 49	9.23% 42	4.40% 20	455	2.10
Additional Lodging	15.33% 69	40.00% 180	21.78% 98	13.78% 62	9.11% 41	450	2.61

### Q23 What kind of businesses would you like to see more of in Lampasas? Check all that apply.

Answered: 452 Skipped: 293



ANSWER CHOICES

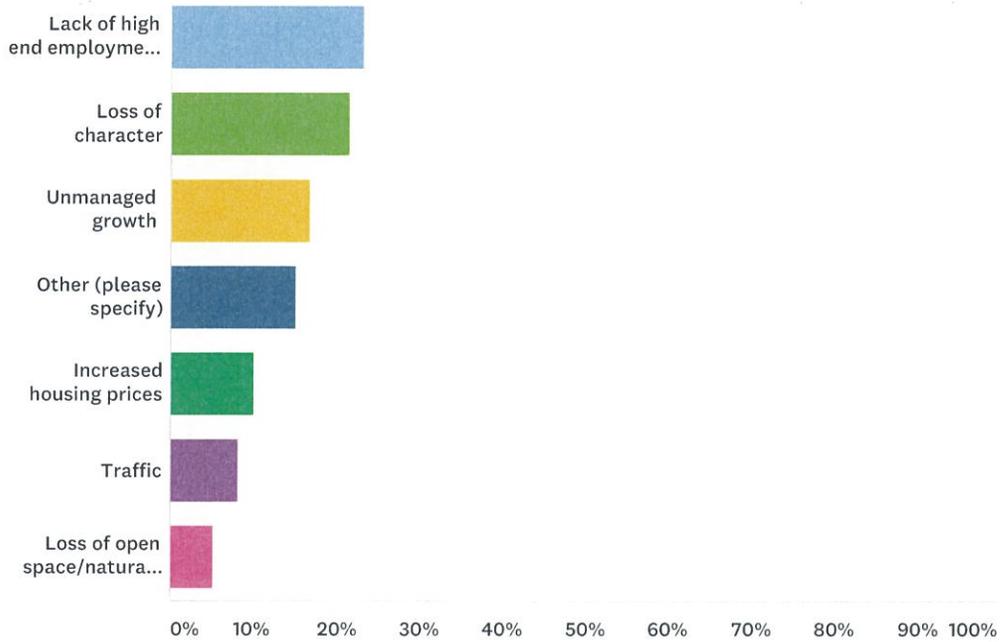
RESPONSES

## Lampasas Comprehensive Plan

Sit down restaurants	73.01%	330
Brew pubs/ themed restaurants	52.43%	237
Clothing stores	49.12%	222
Coffee Shop	35.84%	162
Child care or day care centers	34.96%	158
Co-working space for start up or small businesses	28.10%	127
Bookstores	26.99%	122
Groceries	24.34%	110
Doctors/ Dentists	23.45%	106
Other (please specify)	17.92%	81
Office supply/ Business services	15.27%	69
Fast food restaurants	13.72%	62
Package Shipment	10.18%	46
Dry Cleaners	6.86%	31
Legal or Accounting services	4.65%	21
Banks	2.65%	12
Total Respondents: 452		

## Q24 What concerns you most about the future of Lampasas?

Answered: 454 Skipped: 291



ANSWER CHOICES	RESPONSES	
Lack of high end employment opportunities	23.13%	105
Loss of character	21.59%	98
Unmanaged growth	16.74%	76
Other (please specify)	14.98%	68
Increased housing prices	10.13%	46
Traffic	8.15%	37
Loss of open space/natural resources	5.29%	24
<b>TOTAL</b>		<b>454</b>

Q25 Name one place you have visited or lived that you wish Lampasas could be more like, and please explain why.

Answered: 269 Skipped: 476

restaurants families small town feel Fredericksburg TX  
square internet parks options small town  
historic Georgetown jobs Lampasas  
history downtown variety Fredericksburg  
growth Marble Falls local character Belton  
downtown area San Saba

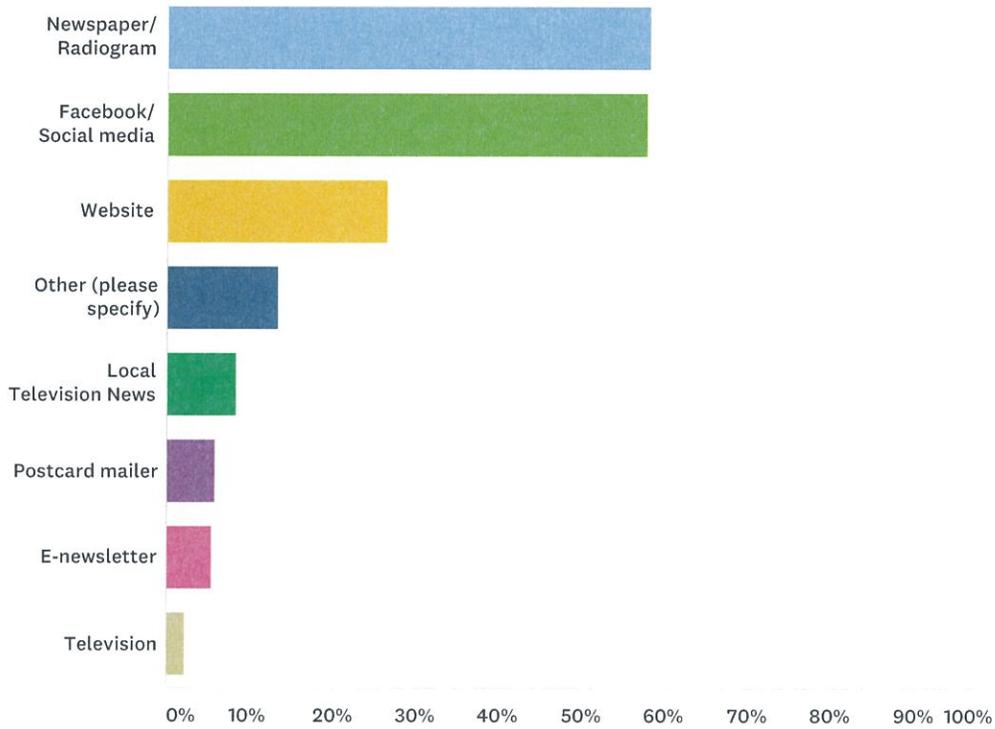
Q26 If you have any additional comments not addressed by this survey, please provide those comments here:

Answered: 159 Skipped: 586

future traffic taxes citizens encourage improve jobs  
time growth streets Lampasas controlled  
work neighborhood love small town square  
development Internet police kids

## Q27 Where do you learn / find out the latest information regarding the City of Lampasas?

Answered: 454 Skipped: 291

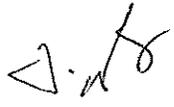


**ANSWER CHOICES**

**RESPONSES**

Newspaper/ Radiogram	58.37%	265
Facebook/ Social media	57.93%	263
Website	26.65%	121
Other (please specify)	13.44%	61
Local Television News	8.37%	38
Postcard mailer	5.95%	27
E-newsletter	5.51%	25
Television	2.20%	10
Total Respondents: 454		

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City Manager

ITEM NO. WORKSHOP--4

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

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**Subject:**

Discussion and update regarding operation and marketing of Hostess House

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: September 20, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments:

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**Summary Statement:**

This item is placed on the workshop agenda to provide Council the opportunity to discuss the status and future operational and marketing plans for the facility.

**Recommendation:**

Discussion Only

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**A PROCLAMATION TO DESIGNATE THE WEEK OF  
OCTOBER 6-12, 2019 AS “FIRE PREVENTION WEEK”**

**WHEREAS**, the City of Lampasas and the Lampasas Fire Department are committed to ensuring the safety and security of all Lampasas citizens; and

**WHEREAS**, home fires are a serious public safety concern with more than 380,000 residential fires reported annually killing more than 2,500 people in the United States; and

**WHEREAS**, working smoke alarms cut the risk of dying in a home fire in half; and

**WHEREAS**, the City of Lampasas is dedicated to reducing the occurrence of home fires and home fire injuries through prevention, and interactive presentations to elementary school students throughout the Lampasas Independent School District; and

**WHEREAS**, the Lampasas Fire Department urges all citizens to be aware of the dangers of home fires and encourages all citizens to take protective and preventative measures in their homes including the use of working smoke and carbon monoxide detectors and the planning and practice of a home escape plan.

**NOW, THEREFORE**, I, Misti Talbert, Mayor of the City of Lampasas, Texas, on behalf of the Lampasas City Council, proclaim the week of October 6-12, 2019, as “**Fire Prevention Week**”

**IN WITNESS WHEREOF**, I have herewith set my hand and caused the Great Seal of the City of Lampasas, Texas to be affixed.

BY MY HAND, this 23<sup>rd</sup> day of September, 2019.

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Misti Talbert, Mayor

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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, September 9, 2019**

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

Council Members present:

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

Council Members absent:

None

City Staff Present:

Finley deGraffenried, City Manager  
Gary Cox, Assistant City Manager  
Christina Marez, City Secretary  
Becky Sims, Assistant City Secretary  
Yvonne Moreno, Finance Director  
Mandy Walsh, Economic Development Director  
Sammy Bailey, Police Chief  
Monica Wright, Information Systems Director  
Kristy Acevedo, Network Administrator  
Jeffry Smith, Fire Chief  
Van Berry, Golf Course Manager  
Van Sims, Water/Wastewater Operations Manager

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

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

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

**EXECUTIVE SESSION**

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

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

<b>SPECIAL SESSION</b>
------------------------

- III. Discussion and possible action concerning items posted and discussed by Council in Executive Session
- IV. Adjourn Special Session

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

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

2. Discussion regarding Brodie Estates Development Agreement

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

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

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

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

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

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

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

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

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

Cox reviewed the pros and cons of both options.

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

Pros:

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

Cons:

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

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

Pros:

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

Cons:

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

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

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

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

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

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

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

5. Discussion regarding Pole Attachment Standards.

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

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

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

Discussions included:

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

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

6. Discussion regarding any item on the regular agenda

There was no discussion.

7. Adjourn Workshop Session

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

A break was taken before going into regular session.

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

A. Call to Order

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

B. Invocation and Pledge of Allegiance

Sammy Bailey, Police Chief, gave the invocation and the Pledge of Allegiance to the U.S. and Texas flags were recited.

C. Presentations and Proclamations

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

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

	<b>PUBLIC HEARINGS/CITIZEN COMMENTS</b>
1.1	Citizen comments – Any citizen who desires to address the City Council on a matter <b>not included</b> on the Agenda may do so at this time. The City Council may not deliberate on items presented under this Agenda Item.

There were no citizen comments.

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

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

Sims reviewed the following:

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

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

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

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

Sims reviewed the following:

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

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

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

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

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

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

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

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

2.0	MINUTES
2.1	Discussion and possible action concerning approval of minutes of the Regular Meeting on August 26, 2019

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

2.2	Discussion and possible action concerning approval of minutes of the Special Meeting on September 3, 2019
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Mayor Pro Tem Monroe moved to approve the minutes as presented. The motion was seconded by Council member Clark and with a unanimous vote, the motion carried.

3.0	CONSENT AGENDA
3.1	Discussion and possible action regarding purchases and charges in excess of \$4,000 from August 1, 2019- August 31, 2019

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

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

5.0	ROUTINE MATTERS
5.1	City Manager's Operational Report

City Manager deGraffenried reviewed his report:

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

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

6.0	UNFINISHED BUSINESS
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There was no unfinished business.

7.0	NEW BUSINESS
7.1	Discussion and possible action regarding the approval, denial or approval with modifications regarding an amended development agreement for Brodie Estates Subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

No action was taken.

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

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

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

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

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

**EXECUTIVE SESSION**

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

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

Adjourn executive session

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

**REGULAR SESSION**

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

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

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

Adjourn

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

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

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

ATTEST:

\_\_\_\_\_  
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 the second reading of an Ordinance of the City Council of Lampasas, Texas, amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: September 5, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Ordinance

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**Summary Statement:**

This is the second reading of an Ordinance

**Recommendation:**

To consider a motion to approve the second reading of an Ordinance amending Chapter 22, Article V, Section 22-321 (a) (3) of the Code of Ordinance of the City of Lampasas, Texas related to temporary permits for “Mobile Food Vendor Units”

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**City Manager**ITEM NO. 3.2

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

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**Subject:**

DISCUSSION AND POSSIBLE ACTION REGARDING THE SECOND READING OF AN ORDINANCE OF THE CITY OF LAMPASAS, TEXAS, AN ORDINANCE AMENDING THE LAMPASAS CODE OF ORDINANCES, CHAPTER 82 (UTILITIES) BY ADDING NEW ARTICLE VIII TO BE ENTITLED "POLE ATTACHMENT, STANDARDS AND SPECIFICATIONS"; PROVIDING COMPREHENSIVE POLE ATTACHMENT REGULATIONS; ESTABLISHING THE PERMITTING AND APPROVAL PROCESS FOR POLE ATTACHMENTS; ESTABLISHING DESIGN STANDARDS AND CRITERIA FOR SAME; ADOPTING A FEE SCHEDULE FOR POLE ATTACHMENTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Requested By: Gary Cox, Assistant City Manager

Submitted By: Gary Cox Assistant City Manager

Date Submitted: September 5, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Ordinance

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**Summary Statement:**

This is the second reading of an Ordinance

**Recommendation:**

To consider a motion to approve the second reading of an ordinance adopting pole attachment standards and specifications for the City of Lampasas.

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City Manager

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

**3.3**  
Item Number

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**SUBJECT:**

Discussion and possible action concerning the second reading of an Ordinance Amending Appendix A (Fee Schedule), Chapter 62 (Solid Waste), Article III (Billing, Rates, and Fees) related to the collection of Solid Waste of the Code of Ordinances of the City of Lampasas. Providing for an increase in the rates to be charged for Residential Solid Waste collection; providing for repeal of conflicting ordinances; providing a severability clause and providing an effective date.

Requested By: Yvonne Moreno, Finance Director  
Submitted By: Yvonne Moreno, Finance Director

Date Submitted: September 19, 2019 For the Agenda of: September 23, 2019  
Expenditure Required: N/A  
Available Funding: N/A  
Attachments:

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**SUMMARY STATEMENT:**

Please review and approve the attached ordinance. This rate increase was discussed and approved by Council during the 2019-2020 proposed budget workshop. As discussed, the rate will increase by \$1.25 for residential pickup only and will go into effect the first billing in October 2019.

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Recommendation: Motion to approve second reading of Ordinance amending the City's fee schedule related to solid waste rates.

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# Lampasas Fire Department

Lampasas, TX

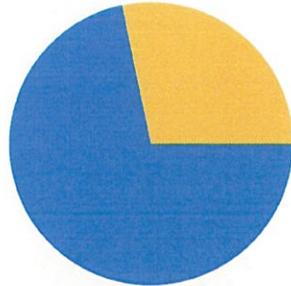
This report was generated on 9/18/2019 4:52:24 PM



## Count of Incidents by Incident Type per Zone

Incident Status: Reviewed | Start Date: 08/01/2019 | End Date: 08/31/2019

% of Incidents per Zone



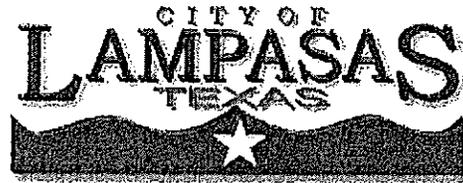
■ City Limits - City Limits  
■ County - County

INCIDENT TYPE	# INCIDENTS	% of TOTAL
<b>City Limits - City Limits</b>		
143 - Grass fire	2	1.77%
311 - Medical assist, assist EMS crew	58	51.33%
320 - Emergency medical service, other	1	0.88%
323 - Motor vehicle/pedestrian accident (MV Ped)	1	0.88%
324 - Motor vehicle accident with no injuries.	4	3.54%
440 - Electrical wiring/equipment problem, other	2	1.77%
551 - Assist police or other governmental agency	2	1.77%
553 - Public service	2	1.77%
561 - Unauthorized burning	3	2.65%
611 - Dispatched & cancelled en route	4	3.54%
700 - False alarm or false call, other	2	1.77%
<b>Zone: City Limits - City Limits Total Incident:</b>	<b>81</b>	<b>71.68%</b>
<b>County - County</b>		
111 - Building fire	3	2.65%
140 - Natural vegetation fire, other	1	0.88%
142 - Brush or brush-and-grass mixture fire	1	0.88%
143 - Grass fire	3	2.65%
311 - Medical assist, assist EMS crew	12	10.62%
322 - Motor vehicle accident with injuries	2	1.77%
324 - Motor vehicle accident with no injuries.	1	0.88%
412 - Gas leak (natural gas or LPG)	1	0.88%
611 - Dispatched & cancelled en route	6	5.31%
652 - Steam, vapor, fog or dust thought to be smoke	1	0.88%
700 - False alarm or false call, other	1	0.88%
<b>Zone: County - County Total Incident:</b>	<b>32</b>	<b>28.32%</b>
<b>TOTAL INCIDENTS FOR ALL ZONES:</b>	<b>113</b>	<b>100%</b>

Report shows count of incidents for Status selected.



# Memo



Parks and Recreation Dept.

To: Honorable Mayor and City Council Members  
CC: Finley deGraffined, City Manager  
From: Chris Eicher, Director of Parks and Recreation  
Date: September 19, 2019  
Re: Monthly Report August 2019

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## PARKS

The month of August was fairly routine for the Parks Department. We stayed pretty busy with mowing schedules in all parks areas, made our usual checks at both pools, performed lots of pool and equipment maintenance, continued our constant struggle with trash and debris in Sulphur Creek, began repairs and refurbishment on Christmas decorations, performed lots of equipment maintenance to prepare for fall mowing season, trimmed trees in several parks, began planning phase for new restroom at Campbell Park, assisted IT Department with relocation to their new office, attended multiple meetings including pre bid meeting for upcoming airport rehabilitation project, and assisted with Back To School Event and Dive In Movie at Hanna Pool.

## SPORTS FACILITIES

(see reports)

## CEMETERY

(see attached)

## AIRPORT

- Weekly inspections for fuel station, hangars, runway and taxiway lights
- Weed eat around AWOS station
- Spray herbicides on runway
- Replace bulbs on south PLASI

*Handwritten signature/initials*

**Department: Parks  
Monthly Activity Report  
MONTH OF AUGUST 2019**

I) Regular Personnel Hours Available: 1120.00

<u>LESS:</u>		
A)	Vacation Leave	24.00
B)	Sick Leave	35.00
C)	Supervision/Training	80.00
D)	Holiday	
E)	Other (?)	
SUB-TOTAL		139.00

<u>PLUS:</u>		
A)	Over Time	23.00
B)	Temporary Labor	
C)	Part Time	
D)	Transfer	
SUB-TOTAL		23.00

TOTAL HOURS AVAILABLE FOR THE MONTH: 1004.00

II) Department Summary of Work Orders for the Month.				
<u>Received</u>	<u>Completed</u>	<u>Outstanding</u>	<u>Void</u>	<u>Hours</u>
		0	0	

III) Department Projects for the Month.				
Other:				
Sub-total Hours on Projects:				0.00

IV) Department Operations and Maintenance for the Month.				
Cleaning Parks				144.00
Airport Maint.				23.00
Mowing/Weed eating				261.00
Building and Grounds				389.00
Equipment/Vehicles/Shop				106.00
Office/Meetings				81.00
Sub-total Hours on Projects:				1004.00

TOTAL HOURS FOR DEPARTMENT 1004.00

V) Department's Proposed Projects for next Month				
Total Estimated Hours on Proposed Projects:				0.00

**WEEKLY WORK SCHEDULES  
PARKS DEPARTMENT**

**WEEK OF: AUGUST 18-24, 2019**

	ESTIMATED	ACTUAL
TOTAL HOURS	280.00	280.00
OVERTIME	10.00	6.00
PART-TIME/TEMPORARY		
LESS VACATION		
LESS SICK	16.00	18.00
SUPERVISION	20.00	20.00
LESS OTHER		
<b>TOTAL HOURS</b>	<b>254.00</b>	<b>248.00</b>

**WORK ORDERS**

# OF SCHEDULED/COMPLETED		
MAN HOURS		
NUMBER STILL OPEN		
<b>TOTAL HOURS - WORK ORDERS</b>	<b>-</b>	<b>-</b>

**PROJECTS**

<b>TOTAL HOURS - PROJECTS</b>	<b>-</b>	<b>-</b>

**OPERATIONS & MAINTENANCE**

CLEANING PARKS	36.00	36.00
AIRPORT MAINT.	8.00	6.00
MOWING/WEED EATING	110.00	104.00
BUILDING/GROUNDS	60.00	64.00
EQUIP/VEHICLES/SHOP	20.00	18.00
<b>TOTAL HOURS - O&amp;M</b>	<b>234.00</b>	<b>228.00</b>

**OTHER**

OFFICE	10.00	10.00
MEETINGS	10.00	10.00
<b>TOTAL OTHER:</b>	<b>20.00</b>	<b>20.00</b>

<b>TOTAL CATAGORIES</b>	<b>254.00</b>	<b>248.00</b>
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**Department: SPORTS FACILITIES**  
**Monthly Activity Report**  
**MONTH OF AUGUST 2019**

I) Regular Personnel Hours Available: 480.00

LESS:

A)	Vacation Leave	16.00
B)	Sick Leave	8.00
C)	Supervision/Training	
D)	Holiday	
E)	Other (?)	8.00

SUB-TOTAL 32.00

PLUS:

A)	Over Time	14.00
B)	Temporary Labor	
C)	Part Time	
D)	Transfer	

SUB-TOTAL 14.00

TOTAL HOURS AVAILABLE FOR THE MONTH: 462.00

II) Department Summary of Work Orders for the Month.

<u>Received</u>	<u>Completed</u>	<u>Outstanding</u>	<u>Void</u>	<u>Hours</u>
		0	0	

III) Department Projects for the Month.

<u>Spread Special Blend Fertilizer at 580 Complex</u>	8.00	
<u>Prep Gavin Garrett for Upcoming Fall Soccer Season</u>	16.00	
<u>Other:</u>		
Sub-total Hours on Projects:		24.00

IV) Department Operations and Maintenance for the Month.

<u>Cleaning Fields</u>	110.00	
<u>Turf Management</u>	100.00	
<u>Mowing/Weed eating</u>	95.00	
<u>Building and Grounds</u>	65.00	
<u>Equipment/Vehicles/Shop</u>	60.00	
<u>Office/Meetings</u>	8.00	
Sub-total Hours on Projects:		438.00

TOTAL HOURS FOR DEPARTMENT 462.00

V) Department's Proposed Projects for Next Month

<u>Spread Special Blend Fertilizer at 580 Complex</u>	8.00	
<u>Prep 580 Sports Complex for Upcoming Fall Soccer Season</u>	16.00	
Total Estimated Hours on Proposed Projects:		24.00

# Memo



Oak Hill Cemetery

To: Chris Eicher, Parks & Rec. Director  
From: Duane Griffith Cemetery Crew Leader  
Date: 9/19/2019  
Re: End of the month report August

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Interments	1 (Cremation)
Fee's for over site	\$25.00
Sites sold	2) \$1,000.00
Niche sales	1 / \$650.00
Beautification fund	\$228.00
Visitors Assisted	6
Level & Backfill sites	4
Meetings Attended	1
Permits Issued – n/c	5
Permits Issued – chg	1

DEPARTMENT: CEMETERY  
MONTHLY ACTIVITY REPORT

FOR THE MONTH OF: AUG 2019

Regular Personnel Hours Available:		<b>528</b>
LESS:		
A) Vacation Leave/Personal Day	13	
B) Sick Leave	8	
C) Jury Duty	0	
D) Other (holiday/bad weather)	0	
E) Supervision	5	
	<b>SUB-TOTAL 26</b>	
PLUS:		
A) Transfer from Parks	0	
B) Seasonal Labor/Temp	0	
C) Other (Community service)	0	
D) Overtime	5	
	<b>SUB-TOTAL 5</b>	
<b>TOTAL HOURS AVAILABLE FOR THE MONTH:</b>		<b>507</b>

**Department Summary of Work Orders for the Month**

Received	Completed	Outstanding	Void	Hours
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**Department Projects for the Month**

	0	0
	0	0
	0	0
<b>Sub-total Hours on Special Projects:</b>		<b>0</b>

**Department Operations and Maintenance for the Month**

Mowing & W/E	256	
Equip & Veh Maint	24	
Buildings & Grounds	197	
Office Operations	30	
<b>Sub-total Hours on OM Projects:</b>		<b>507</b>

**OTHER**

	0	
	0	
	0	
<b>Sub-total Other</b>		<b>0</b>

**TOTAL HOURS FOR DEPARTMENT** **507**

**Department's Proposed Projects for next Month**

	0	
	0	
<b>Total Estimated Hours on Proposed Projects:</b>		<b>0</b>

**Memo**

To: Finley deGraffenried, City Manager  
 From: Monica Wright, Director of Information Systems  
 Date: Thursday, September 12, 2019  
 Re: August 2019 Monthly Report



Information  
Systems

**Social Media Stats:**

	August 2018	August 2019	
Facebook Followers	5,116	5,728	+612 FB page followers
Twitter Followers	347	455	+108 Twitter followers

**Website Payments:**

	August 2018	August 2019	
City Utility	315 \$134,220.79	307 \$123,265.12	-8 online payments -\$10,955.67
Municipal Court	37 \$7,514.43	46 \$9,435.05	+9 online payments +\$1,920.62

**Website Stats:**

	August 2018	August 2019	
Page Visits	11,131	13,301	+ 2,170 visits
Page Views	21,833	26,013	+ 4,180 page views
Downloads	3,373	1,969	-1,404 downloads

A page view is a visit to a page on your website. If the visitor reloads a page, this counts as an additional page view. If the user navigates to a different page and then returns to the original page, this will count as another page view. A visit is defined as a sequence of consecutive page views without a 30-minute break. A visit always contains one or more page views.

**FY 2018/2019 Projects:**

- Configured/replaced large format plotter/printer/scanner at Old City Hall (completed)
- Configured/replaced WAP (wireless access point) at City Hall (completed)
- Configured/replaced (5) printers (completed)
- Upgraded Library Useful software application (completed)
- Relocated Municipal Court personnel temporarily during OCH renovation (completed)
- Upgraded Incode software application (completed)
- Configured/replaced (3) PD Toughbooks (completed)
- Configured/installed Old City Hall switches (completed)
- Extended fiber to Old City Hall building (completed)
- IT staff renewed CJS certifications (completed)
- Configure/install (3) WAP's (wireless access points) at Old City Hall (completed)
- Terminated data on all floors at Old City Hall (completed)
- AV project at Old City Hall (completed)
- Phone extension project at Old City Hall (completed)
- Configured/installed PD server for replication (completed)
- Configured/issued out (2) PD training laptops (completed)
- Configured/installed NAS for disaster recovery (completed)
- Off-site backups from City network based locations (completed)
- Terminated existing 12ct fiber optic cable at future IT building (completed)
- Installed/configured new PD server/replication between (2) servers (completed)
- Installed/configured new PD Wireless Access Point (completed)
- Configure/replace (15) PCs (completed)
- Assist staff with migration to MyGov permitting software (Fall 2019)
- Install switch/configure network at new WWW building (Fall 2019)

**August Projects:**

- Activated PD drone Ipad/setup/added to inventory
- Configured/installed cameras/switch at Hancock Pool
- Ransomware Attack: 8-16-19
- Rebuilt servers/data recovery
- Rebuilt PCs/data recovery

**September Projects:**

- Ransomware attack recovery
- Rebuild VM Servers
- Agenda item for replacement host servers/purchase
- Agenda item for (6) replacement PCs/purchase
- Configure/install (2) replacement City Hall host servers
- Configure/install (6) replacement desktop PCs
- Install patch panel in IT Server Rack at IT Building
- Run network cable/terminate at IT Building
- Install Cat 6 jack terminations/wall plates at IT Building
- Run Cat 6 cable for cameras at Old City Hall
- Configure/install cameras at Old City Hall
- Relocate IT inventory to IT Building

**Daily/Weekly/Monthly Tasks:**

- OS updates on City Hall, PD, Library and WWW NAS devices
- OS updates to firewalls
- Install Windows updates on City & PD servers & workstations
- Content updates to LEDC Website/Facebook/Twitter
- Content updates to the City Website/Facebook/Twitter
- Reply to website/social media submissions/requests
- Perform routine maintenance on hardware and software
- Backup all workstations/servers/NAS storage devices
- Update virus / spyware definitions and apply security patches to computers/servers
- Order toner needed in each department
- Prepare reports for and attend directors meeting and City Council meeting
- IT monthly report
- LEDC website analytics monthly report
- Continued education of network security threats
- Continued research of applications/software for departments

**Future Projects & Goals:**

- IT Building – (Current Chambers) (2019-2020)
- Order additional Meter Reader Tablet/Laptop for automated meter reads (2020-2021)
- Research/implement timesheet/time off request software (2019-2020)
- Research/implement digital/paperless software (2020-2021)
- Point to Point wireless Internet solution for locations not on fiber (2020-2021)
- Install additional data/power drops in PD Patrol Bay (2019-2020)
- Replace PD Watchguard server (2019-2020)
- Implement agenda software/archive software for audio/visual recordings (2019-2020)
- Replace Library Useful server/thin clients (2020-2021)
- Replace Council I pads (2019-2020)
- Replace (2) City Hall Servers (2019-2020)
- Microsoft Office Exchange Email Archive (2020-2021)

- Re-cable all City buildings in preparation for VOIP infrastructure (2020-2021)
- City-wide building VOIP phone software solution (2021-2022)
- Upgrade all Windows 7 desktop PC's (2019-2020)
- City wide cyber security employee training (2019-2020)

## LAMPASAS PUBLIC LIBRARY

AUGUST 2019

Circulation	We circulated 5,590 items in August, which is down 11.2% from July (6,298).
Door Count	The August door count (4,490) was down 2% from last month.
Internet Usage	Internet usage (740) was up 31.4% from July (563).
Wifi Usage	We had 296 distinct clients use the public wifi in August, which down 4.2% from July. There were an average of 22 users per day, down 8.3% from last month.
Text Interactions	We communicated, via text messages, with 104 unique phone numbers in August, which is down 8.8% from July (114). We sent/received a total of 614 messages, which is down 8.5% from last month (670).
August Programs	We offered 10 programs in August (compared to 8 in July), which included story times, Healthy Eating on a Budget, Lego Robotics, Cornelia Key Book Club, How Pinteresting!, and 42 Club. We also had a week-long Booksale Blowout.
August Attendance	Total attendance for August programs was 95, compared to 151 in July.
Upcoming Programs	September events include "Cards & Cones" in honor of Library Card Sign-Up Month, How Pinteresting!, story times, Cornelia Key Book Club, Brain/Memory Health, Lego Robotics, and 42 Club.
Job Opening	Jana Huggins resigned mid-August, effective immediately, so we have been accepting applications for a Part-Time Clerk. The job closes September 5. Our volunteers have filled in where necessary, proving especially invaluable during this time.
Design Institute	Shanda, Emily, and Jennifer Walker will attend the Library Journal Design Institute in October. This full-day event, held at the Austin Public Library, will allow us interaction with architects, librarians, and vendors on all topics involved with building or renovating libraries.
Broken Window	The new glass and etched window were installed at the end of August.

# Memo

**To:** Finley deGraffenried, City Manager  
**From:** Van Berry, Golf Course Manager  
**cc:** City Council Members  
**Date:** September 16, 2019  
**Re:** Monthly Report, August 2019

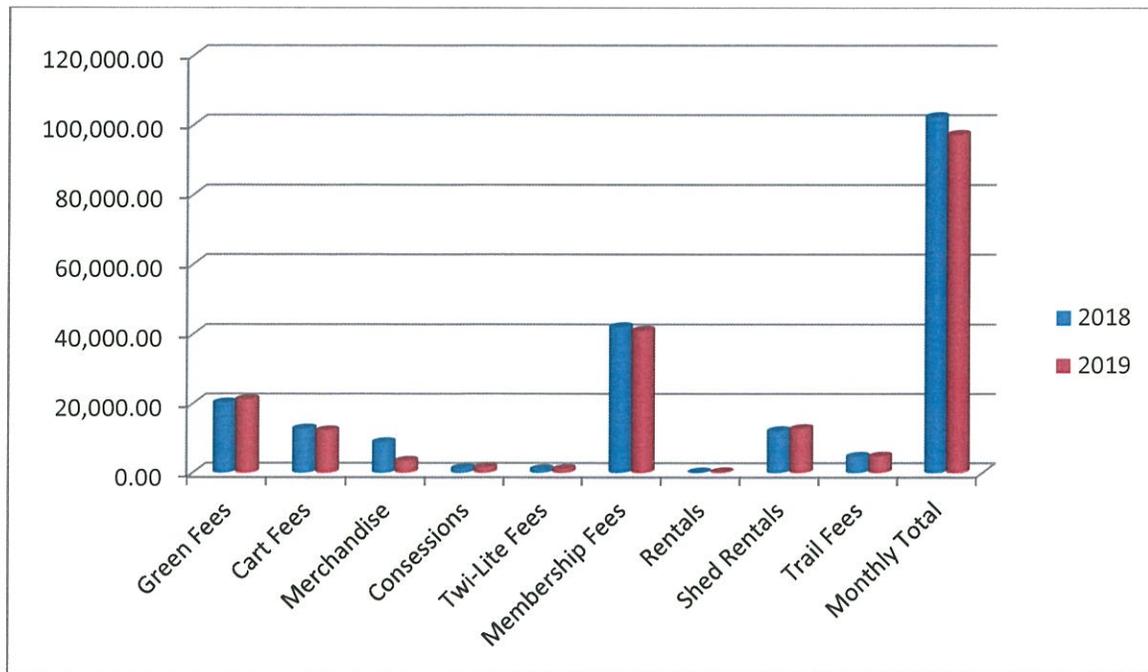
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- Applied 800 lbs. of Gypsum on the greens.
- Applied 600 lbs. of 0-0-30 (potash) on the greens.
- Applied 300 lbs. of fertilizer on the greens.
- Normal daily and weekly mowing of the greens, tees, rough and fairways.
- On August 13, we aerated the greens. We did not top-dress them with sand, we left the holes open.
- Washed all the rental carts and fill the batteries with water.
- Removed a large dead Oak tree that was in the rough on #7.
- On August 30, we had a tree fall on the power lines that went to our pump house; we were without power that night. Flint and his crew were able to rerun new lines and get us power the next day. Big thanks to Flint and his crew.

## JULY TOURNAMENTS:

- August 3 – Jeff Urofsky Memorial 3-Person Scramble, 108 golfers.

# Hancock Park G.C. July Revenue Comparison 2018 and 2019



# Memo



To: Finley deGraffenried, City Manager, Honorable Mayor and City Council  
From: Lewann Turner, Court Clerk  
Date: Thursday, September 19, 2019  
Re: Monthly Report August 2019

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The mission of the Lampasas Municipal Court is to serve as the Judicial Branch of the City that processes and adjudicates all Class C Misdemeanors occurring within the city's police jurisdiction in a fair, accessible and timely manner.

As reported to the Office of Court Administration, OCA is a state agency in the Judicial Branch that operates under the direction and supervision of the Supreme Court of Texas and the Chief Justice and is governed primarily by Chapter 72 of the Texas Government Code, the Lampasas Municipal Court figures are as follows:

New Cases	175
Convictions	79
Compliance Dismissals	73
Hrs. Community Service Completed	138
Total Dollar Amount CS	\$1,725.93
Waived for Indigency	\$287.00
Total Collected	\$30,257.08
Total kept by City	\$22,845.26

## CITY SECRETARY DEPARTMENT/ AUGUST 2019 MONTHLY REPORT

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### City Secretary Brief Monthly Overview

- Post Board and Committee meetings' agendas
- Assisted the Accountant(s) with payroll checks and Employee Longevity checks
- Assist, as needed, with the Building & Planning Department
- Attend weekly Director's meetings; attended and took minutes of August 12 & 26 regular Council meetings and the August 19 Special Council meeting; attended the Comprehensive Plan meeting with the Comp Plan Committee on August 28 at the Hostess House; attended the Comp Plan Open House on August 29 at the Old LMS Cafeteria; attended a TMCCP seminar "Legislative Update" on August 22 & 23
- Processed (10) Open Records Requests; does not include those that Becky or Vicki may have responded to
- HR Department responsibilities

### Becky Sims, Assistant City Secretary

- Works with and supports the City Manager, Assistant City Manager, City Secretary, Building Official and Directors on various projects as needed
- Building Department responsibilities, serves in the role as the Administrator of Planning & Zoning
- Prepared City Council Packets, Planning & Zoning and ZBA Packets
- Attended the August 12 & 26 regular Council meetings; organized and attended the Comprehensive Plan meeting with stakeholders & also the meeting with the Comp Plan Committee on August 28 at the Hostess House; organized and attended the Comp Plan Open House on August 29 at the Old LMS Cafeteria; attended and took minutes of the August 1 P&Z meeting and the August 20 ZBA meeting
- Completed the Residential Building Inspector webinar on August 2

### Vicki Tower, Adm. Secretary

- Assist the City Manager, Assistant City Manager, City Secretary, Assistant City Secretary, Building Official and Directors with daily operations
- Cross training in Human Resources; assists with records management
- Attended & took the minutes of the August 14 Airport Board meeting & the August 21 LEDC Board meeting. attended the Comp Plan Open House on August 29 at the Old LMS Cafeteria
- Monthly Newsletter; posts Council minutes on website; posts LEDC, Parks, Airport & CIP agenda and minutes on website
- Assist with handling the reservations and rentals of Hancock Park Pavilion and Ruth Eakin Outdoor Theater
- Maintains inspection and registration process for all City vehicles

### Ramon Canada, Custodian

- Provided custodial services and minor maintenance to the City Administration Building, Municipal Court, Police Department and City Library.

### Personnel Information--

- 115 Fulltime positions & 16 Part-time positions; there are presently 5 F/T & 1 P/T vacancies: Police Officer (2), Firefighters (2); Light Equipment Operator and Part-time Custodian
- Bart Baker, Firefighter/Driver Pump Operator, resigned and last day was Sept. 1; Colton Baker, Firefighter, was promoted as Firefighter/Driver Pump Operator; Elizabeth Leal started Sept. 18 as P/T Library Clerk; John Wilks, transferred from Street Light Equipment Operator to WWW Interim Plant Operator



To: Finley deGraffenried, City Manager  
From: Sammy Bailey, Chief of Police  
Date: September 6 2019  
Ref: City Council August 2019 Monthly Report

Delana Fritz, started training as a Telecommunications Operator.

Chief Bailey, Asst. Chief Cummings, Lt. Montgomery, along with Chief Smith, City Manager deGraffenried, and ACM Cox attended the Regional Interoperable Communications Plan (RICP) workshop in Belton. We hosted two meetings regarding radio needs with the assistance of ACM Cox.

Sgt. Hummer ended a pursuit at the city limits of Lampasas, robbery suspect fleeing officers from downtown Austin apprehended.

We conducted officer interviews, none was selected. Chief Bailey was the guest speaker at the CTC Police Academy graduation; she gave a recruitment speech after graduation. Lt. Montgomery, FTO McCatherine & FTO Scott will conduct a recruitment of the December graduating classes in Sept.

We addressed the tractor-trailer concerns on East 4<sup>th</sup> street by making traffic stops and asked that they warn other tractor drivers that the roadway is not a bypass for trucks. 26 trucks were stopped with 8 given warnings and 1 issued a citation, the other 17 were not in violation.

Lt. Montgomery and members of CPAAA attended the Back To School event at Hanna Springs Pool. All three assigned S.R.O.'s went back to school on August 5, 2019. During the first of school, all day officers along with CPAAA members greeted students back to school at all the school campuses and extra patrolled school zones.

Our 911 Public Safety Answering Point (PSAP) now has redundancy by having both AT&T and Verizon networking. If one line goes out it will roll to the other to keep our 911 PSAP's working.

We had two weeks of non-operability of all of our systems. We spent a great deal of time meeting requirements to be back online and entering information to be back on track for day to day operations.

Compared to last year: Felonies reported are 41.81% higher, cleared at a 48.70% higher rate, misdemeanors are 10.81% higher and cleared at 8.42% higher rate. Total cases reported are 15.84% higher. Incidents are 2.5% higher. Adult arrest are 8.05% higher, juvenile arrest are 8.9% lower, warrants served and paid are 4.55% higher, traffic citations are 26.81% higher, warnings are 15.6% higher. *Overall total arrest are 20.42% higher and total department contacts are 15.62% higher.*

DWI arrest are 55.55% higher, on average they take between 2 to 3 hours to complete. Marijuana/Drug Possession charges are up 27.52% higher than last year. *Over 50 grams of methamphetamine off the streets of Lampasas the first couple of weeks of August.* Juvenile tobacco possession are up from 6 to 16. *We could see future increases due to the new state law.* Field Contacts are up 33.72% and Public Relations are up 48.17%. Accidents are up 6.18%. *Code Enforcement is up 21.53%.*

Calls for service are up 0.76%, phone calls are up 158.25% (human count vs. machine count), escorts are down 5.12%, motorist assist are up 5.58%, 911 calls are down 8.42%. Animal Control calls are down 3.8%. The Animal Shelter processed 173 animals during August. August 18, 2019 they had a clear the shelter event, 10 animals were adopted. From July 27<sup>th</sup> to August 16<sup>th</sup> they have adopted 38 animals.

We processed 48 open records request during August. CPAAA volunteered 65.50 hours for 570.25 hours thus far this year.

We started the first phase of our LCRA grant project with the outside of the police department building cleaned and painted.



Finance/Utility Billing & Collection

# MEMO

Date: September 19, 2019

To: Finley deGraffenried, City Manager

From: Yvonne Moreno, Finance Director

RE: Monthly Report for August 2019

## Finance Department:

- \* Working on departmental budgets and budget modifications.
- \* Reviewed all Journal entries.
- \* Both departments worked closely with IT Department on restoring data.
- \* Accounts Payables processing is on a regular schedule and bills are processed on a weekly basis ensuring that our expenses are stated in a timely manner.
- \* All payments for the 2016 CO projects are transferred from TexPool Prime to Bancorp South to cover those invoices. Interest earned for August was \$2,803.72
- \* Sales Tax for August was \$164,004 which is a decrease of 4.01% from August of 2018.
- \* Reconciled 18 bank accounts
  - Processed 392 Accounts Payable Checks
  - Processed Bi-Weekly Payroll and Longevity Checks

## Utility Department:

- The Electric billing for August was 6.0% higher than what was billed in August 2018. The Water billing for August 2019 was 2.0% lower than what was billed in August 2018.
- August Statistics for the department:

Total Water Customers	3,477
Total Wastewater Customers	2,790
Total Electric Customers	4,693
Residential Garbage Customers	2,688
Connects:	53
Disconnects:	47
Read In/Read Out:	45
Disconnects for Non-Pay:	0

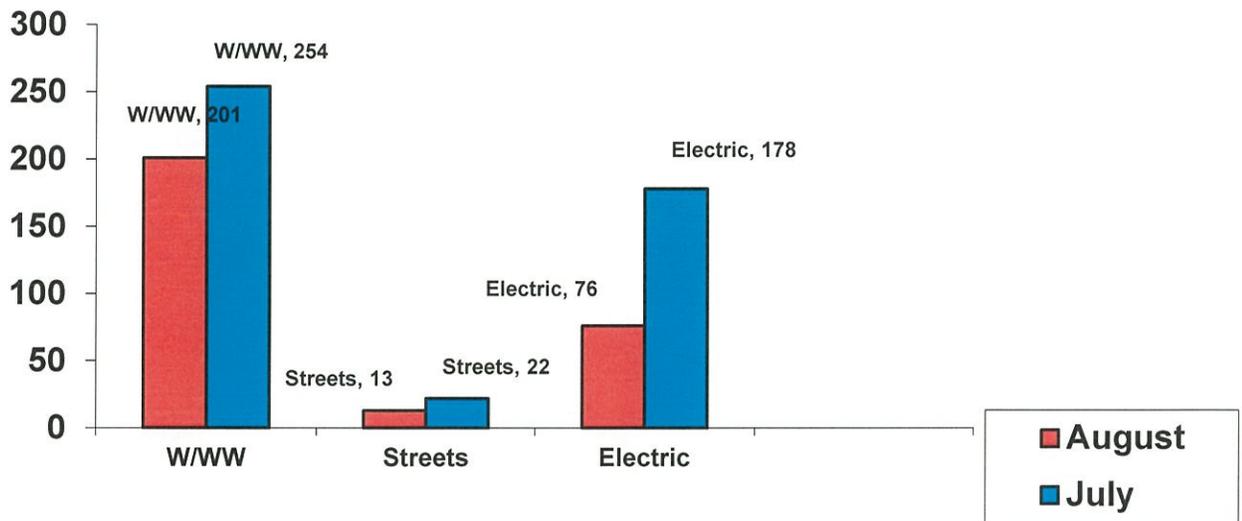




**Public Works**

**SEPTEMBER 2019**

Public Works Work Order's  
Numbers are actual number of work orders



**Work Order Summary:**

Received: 290  
Completed: 256  
Voids: 2

# Memo



To: Rickie Roy  
From: Carlos Garcia  
Date: Thursday, September 12, 2019  
Re: August Monthly

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Mr. Roy,

For the month of August, the Streets Department worked on,

- 1) We completed several utility patch repairs.
- 2) We have been tree trimming and clearing line of sight issues.
- 3) We have been running the sweeper as we can.
- 4) Street –Total Work Orders = 13, Total Complete = 5, Total Outstanding = 8,  
Total Void = 1
- 5) Paved and striped the city hall parking lot

For the month of September, we will be continuing routine road and patching repair. The street department will be mowing and weed eating drains and right a ways. We will also be removing the concrete for the new city hall chambers and helping with the new. We will be paving the other roads that we got bids for. And seal coat spring street.

# Memo



To: Rickie Roy  
From: Flint Geagley  
Date: September 10, 2019  
Re: August Activities

Electric Department

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This month's activities involved:

- Received a total of 76 work orders and completed 61.
- Assisted IT running cables in new council chambers, completed connecting the new jail house electric service
- Connected: 3 upgrades, 2 new services, and 2 temps
- Set 15 poles: 4 poles for new house at 1615 west Ave B, 1 pole for new service at 154 CR 3400, 1 pole to upgrade service line at 407 Ramsey, 2 poles to rebuilt line on Brown St for new subdivision and 7 poles from pole inspection list
- Overtime: Received 6 callouts – 2 no power (storm), 3 no power (trees) and 1 on customer side
- Activities for the Year 2018 - 2019:
- Pole Inspection replacement: total 389 poles, have replaced 260 poles
- New Jail House: connected secondary underground service (project complete)
- Stone Valley: Completed replacing poles on south side, built main line on Stone Valley Dr. (40% complete)
- Burger King: received transformer (50% complete)
- Assisted Living Hwy 281South: Upgraded pole primary riser pole and have ordered transformer (50% complete)
- Brown St Subdivision: rebuilt line on Brown Street to remove pole out of entrance to subdivision. Will have to build in new lines to service homes (20% complete)

# Monthly Report



To: Rickie Roy, Public Works Director  
From: Van Sims, W/WW Operations Manager  
Date: Thursday, September 19, 2019  
Re: August 2019 Monthly Operating Report

Water/Wastewater  
Department

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## Summary of Activities

- **Operation of Water Distribution System**
  1. 4 new water taps.
  2. 10 water leaks reported and repaired.
  3. Set 1 new meters.
  4. Changed 1 meters to new radio read meters.
  5. Completed Monthly Flushing.
  6. Performed all required daily, weekly, and monthly water testing; recorded and logged data.
  7. Collected 10 routine, 4 Construction, 1 special Bac-T samples. All Passed.
  8. Coleman and Ave E water projects on schedule.
  9. Completed 2400 feet water line installation on CR 3420
  
- **Operation of Wastewater Collection System**
  1. Made 2 new sewer taps.
  2. Responded to 4 sewer back up calls.
  3. Completed monthly lift station checks.
  4. Serviced Windsor collection line 2 times.
  
- **Operation of Wastewater Treatment Facility**
  1. Completed all daily routine checks of equipment and facilities.
  2. Performed all daily, weekly and monthly required analysis.
  3. Collected all TCEQ required samples for municipal plant.
  4. Performed all monthly maintenance on equipment.
  5. Removed 225 yards of pressed sludge
  
- Total Work Orders- 201
- Utility Locates- 42
- 16-Customer Service Calls (no water, low pressure, discolored water, customer leaks, frozen pipes)
- 1-Miscellaneous Work Orders (vehicle/equipment maintenance, job cleanup)

# Memo

To: Finley deGraffenried, City Manager  
Gary Cox, Assistant, City Manager  
Honorable Mayor and City Council

Building and Planning  
312 East Third, Lampasas TX 76550  
512-556-6831, Fax 512-556-8083

From: Becky Sims, Assistant City Secretary  
Frank Ellett, Building Official

Date September 2019

Re: Monthly Report, August 2019

**ACTIVITIES:**

## August 2018

PROJECT SEGMENT - DESCRIPTION	# OF SEGMENTS	VALUATION	FEE
BLD - BUILDING	6	928,000.00	8,640.48
CO - CERTIFICATE OF OCCUPANCY	5	0.00	0.00
DEM - DEMOLITION	1	32,000.00	50.00
ELE - ELECTRICAL	10	0.00	6,453.00
FIRE - FIRE SUPPRESSION	1	0.00	50.00
MEC - MECHANICAL	7	0.00	302.50
PLB - PLUMBING	10	0.00	412.50
REM - REMODEL/ADDITION	8	62,935.00	470.00
SHED - SHED, PATIO, DECK	1	0.00	0.00
SIGN - SIGN	1	0.00	30.00
SPRINK - SPRINKLER	1	1,000.00	27.50
*** TOTALS ***	51	1,023,935.00	16,435.98

## August 2019

PROJECT SEGMENT - DESCRIPTION	# OF SEGMENTS	VALUATION	FEE
BLD - BUILDING	7	420,000.00	4,413.20
CO - CERTIFICATE OF OCCUPANCY	7	0.00	0.00
DEM - DEMOLITION	1	0.00	50.00
ELE - ELECTRICAL	21	7,000.00	14,760.30
FENCE - FENCE	2	4,535.00	60.00
MEC - MECHANICAL	13	9,500.00	595.00
PLB - PLUMBING	19	33,200.00	805.00
REM - REMODEL/ADDITION	16	214,781.37	450.00
SIGN - SIGN	3	1,000.00	100.00
SPRINK - SPRINKLER	2	2,950.00	95.00
*** TOTALS ***	91	692,966.37	21,328.50

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## City of Lampasas

## M E M O

To: Mayor and City Council  
 From: Finley deGraffenried  
 Re: Manager's Report  
 Date: 20 September 2019

- Citizens' Academy** Chief Bailey is advertising for the next Citizens' Police Academy. The 12 week program will begin on January 2, 2020 with applications due by December 20<sup>th</sup>. The Academy includes programs on Police operations, City Governance, and Law Enforcement issues. Upon completion, attendees may join and participate in the Citizens' Police Academy Alumni Association, which provides volunteer assistance at City functions.
- National Night Out** The annual public safety open house will be held on October 1<sup>st</sup> from 6:00 to 8:00 p.m. in the HEB parking lot. As in year's past, the event will include representatives from local and state public safety departments and agencies, as well as public service organizations. Food and entertainment will be provided. The Event is conducted nationally to promote community engagement and positive public relations.
- Noise Ordinance** Staff is seeking Council input on the City's Noise waiver between the hours of 11:00 p.m. and 12:00 midnight. Currently the waiver, to allow amplified music during that time, is granted under the exclusive authority of the City Manager without legislative guidance. The request for a waiver has largely not been done based, on staff's opinion, on the lack of knowledge of the requirement. Staff is seeking Council input for further research and placement of the item on a future agenda. Staff would recommend either allowing amplified music during that time period, or modifying the Ordinance to provide guidance for approval or denial of a waiver request.
- CDBG** Gary and Rickie report that Avenue C work is targeted to begin on or about November 1, 2019. Currently the Contractor is formalizing insurance and bonding requirements for submission, however; the engineer anticipates a Notice to Proceed being issued for that date. As discussed during the bid award, the project will replace water and sewer lines, as specified, from Key Avenue to Porter on Avenue C.
- Brodie Estates** Based on Council comment on September 9<sup>th</sup>, staff has determined ownership of tracks that could potentially be used for a drainage easement. Staff will attempt to communicate with owners regarding their likelihood to support an easement for the utility and report back to Council.

## Goats

Our landscapers are doing a great job but are having some difficulty with the cane on "bird island" east of Western. Chris Eicher and Rickie Roy are making plans to join forces to deploy equipment this Winter to knock the cane down. Once that is done, the goats should be able to keep any new growth down. Overall staff is very pleased with the results and will likely recommend their services on an annual basis.

  
City Manager

BUSINESS FOR THE CITY COUNCIL  
OF THE  
CITY OF LAMPASAS

7.1  
Item No.

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**SUBJECT:**

Discussion and Possible Action Concerning the First Reading of an Ordinance Authorizing the issuance of City of Lampasas, Texas General Obligation Refunding Bond, Series 2019: Authorizing the levy of an Ad Valorem Tax in support of the Bond; Approving a Paying Agent/Registrar Agreement and an Escrow Agreement; Awarding the Sale of the Bond; Calling certain obligations for Redemption; and Authorizing other matters relating to the issuance of the bond.

REQUESTED BY: Finley deGraffenried, City Manager

SUBMITTED BY: Finley deGraffenried, City Manager

DATE SUBMITTED: Sept. 19, 2019 FOR THE AGENDA OF: Sept 23, 2019

Expenditure Required: N/A

Available Funding: N/A

Attachments: Bond Counsel Memo; Draft Ordinance with Draft Exhibits

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**SUMMARY STATEMENT:** Attached is the MEMO from Bond Counsel, McCall Parkhurst & Horton, Bart Fowler esq, and the *Draft Ordinance* authorizing the General Obligation Refunding Bond, Series 2019. The Ordinance calls for the issuance of \$1,400,000.00 to refund the Series 2011 GO Bonds. The estimated savings, prior to bids being received, was \$192,000.00 net of fees for the term of the issuance. The final Ordinance, including the precise savings based on bids, will be delivered by Counsel on Monday evening. Council is under no obligation to approve the Ordinance if the bids are not favorable. All fees are contingent on approval of the Ordinance and issuance of the bonds.

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**Recommendation:**

Consideration of a Motion to Approve Ordinance authorizing the issuance of City of Lampasas, Texas General Obligation Refunding Bond, Series 2019: Authorizing the levy of an Ad Valorem Tax in support of the Bond; Approving a Paying Agent/Registrar Agreement and an Escrow Agreement; Awarding the Sale of the Bond; Calling certain obligations for Redemption; and Authorizing other matters relating to the issuance of the bond.

**MEMORANDUM**

**TO:** Finley deGraffenried  
Yvonne Moreno

**FROM:** J. Bart Fowler

**RE:** City of Lampasas, Texas, City Council Meeting, September 23, 2019

**DATE:** September 16, 2019

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Below we have set forth the proposed agenda language in connection with the captioned Ordinance for the meeting on Monday, September 23, 2019.

★Consideration and action with respect to "ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF LAMPASAS, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2019; AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF THE BOND; APPROVING A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AWARDED THE SALE OF THE BOND; CALLING CERTAIN OBLIGATIONS FOR REDEMPTION; AND AUTHORIZING OTHER MATTERS RELATING TO THE ISSUANCE OF THE BOND"

Please feel free to call if you have any questions.

cc: Jennifer Ritter

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

**ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF LAMPASAS, TEXAS  
GENERAL OBLIGATION REFUNDING BOND, SERIES 2019; AUTHORIZING THE  
LEVY OF AN AD VALOREM TAX IN SUPPORT OF THE BOND; APPROVING A  
PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT;  
AWARDING THE SALE OF THE BOND; CALLING CERTAIN OBLIGATIONS FOR  
REDEMPTION; AND AUTHORIZING OTHER MATTERS RELATING TO THE  
ISSUANCE OF THE BOND**

**THE STATE OF TEXAS §  
COUNTY OF LAMPASAS §  
CITY OF LAMPASAS §**

**WHEREAS**, the City of Lampasas, Texas (the "Issuer") has duly issued and there are now outstanding the Issuer's Combination Tax and Revenue Certificates of Obligation, Series 2007 (the "Series 2007 Obligations"), Combination Tax and Revenue Certificates of Obligation, Series 2011 (the "Series 2011 Obligations"), General Obligation Refunding Bonds, Series 2012 (the "Series 2012 Obligations"), and Combination Tax and Revenue Certificates of Obligation, Series 2016 (the "Series 2016 Obligations"); and

**WHEREAS**, the Issuer now desires to issue a general obligation refunding bond to refund the Series 2011 Obligations (the "Refunded Bonds"); and

**WHEREAS**, such issuance of the Bond produces a present value debt service savings of \$\_\_\_\_\_ (\_\_\_\_\_% ) and a gross debt service loss of \$\_\_\_\_\_, net of any Issuer contribution to the refunding, if any; and

**WHEREAS**, Chapter 1207, Texas Government Code, as amended ("Chapter 1207") authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof together with any other available funds or resources, directly with an eligible bank and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Bonds; and

**WHEREAS**, all the Refunded Bonds mature or are subject to redemption prior to maturity within 20 years of the date of the bond hereinafter authorized; and

**WHEREAS**, the Issuer deems it appropriate to call for redemption the Refunded Bonds as set forth in this Ordinance; and

**WHEREAS**, the meeting was open to the public and public notice of the time, place and purpose of said meeting was given pursuant to Chapter 551, Texas Government Code.

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

**Section 1. RECITALS, AMOUNT AND PURPOSE OF THE BOND.** The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The bond of the Issuer is hereby authorized to be issued pursuant to Chapter 1207, Texas Government Code, as amended, and delivered in the aggregate principal amount of \$1,400,000 to refund the Refunded Bonds and pay the costs associated with the issuance of the Bond as further set forth in the preamble to this Ordinance.

**Section 2. DESIGNATION, DATE, DENOMINATIONS AND NUMBERS OF BONDS.** The Bond issued pursuant to this Ordinance shall be designated: "CITY OF LAMPASAS, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2019," and initially there shall be issued, sold, and delivered hereunder one fully registered bond, without interest coupons, dated October 25, 2019, in the principal amount stated above and in the denomination of \$1,400,000, numbered R-1, with bonds issued in replacement thereof being in a like denomination and numbered consecutively from R-2 upward, payable to the registered owner thereof, or to the registered assignee or assignees of the Bond or any portion or portions thereof (in each case, the "Registered Owner"), and the Bond shall mature and be payable in annual installments as set forth in the FORM OF BOND set forth in this Ordinance. The term "Bond" as used in this Ordinance shall mean and include collectively the bond initially issued and delivered pursuant to this Ordinance and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto.

**Section 3. INTEREST.** The Bond shall bear interest calculated on the basis of a 360-day year composed of twelve 30-day months from the date of initial delivery to the date of maturity or redemption prior to maturity at the respective rates for each outstanding principal installment as set forth in the FORM OF BOND contained in this Ordinance. Said interest shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in this Ordinance.

**Section 4. CHARACTERISTICS OF THE BOND.** (a) Registration, Transfer; Authentication. The Issuer shall keep or cause to be kept at the principal corporate trust or other office of \_\_\_\_\_, \_\_\_\_\_, Texas (the "Paying Agent/Registrar") books or records for the registration of the transfer and exchange of the Bond (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Issuer and the Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of the Bond to which payments with respect to the Bond shall be mailed, as herein provided; but it shall be the duty of the Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless

otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, exchange and delivery of a substitute Bond. Registration of assignments, transfers and exchanges of the Bond shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in Section 4(c) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel the paid Bond or any Bond surrendered for transfer and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the Issuer or any other body or person so as to accomplish the foregoing transfer and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, as amended, the duty of transfer and exchange of the Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the transferred and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(b) Payment of Bond and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bond, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bond and shall properly and accurately record all payments on the Bond on the Registration Books, and shall keep proper records of all transfers of the Bond, and all replacements of the Bond, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bond (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bond to be payable only to the Registered Owner thereof, (ii) may be redeemed in whole or in part prior to its scheduled maturity, (iii) may be transferred and assigned, (iv) shall have the characteristics, (v) shall be signed, sealed, executed and authenticated, (vi) the principal of and interest on the Bond shall be payable, and (vii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bond, all as provided, and in the manner and to the effect as required or indicated, in the

FORM OF BOND set forth in this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance (to which Bond is attached the Registration Certificate of the Comptroller of Public Accounts) is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in exchange for any Bond issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF BOND.

(d) Substitute Paying Agent/Registrar. The Issuer covenants with the Registered Owner of the Bond that at all times while the Bond is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bond under this Ordinance, and that the Paying Agent/Registrar will be one entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 30 days written notice to the Paying Agent/Registrar, to be effective not later than 20 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bond, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Bond, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) On the closing date, the initial Bond No. R-1 representing the entire principal amount of the Bond, payable to the Purchaser, executed by manual or facsimile signature of the Mayor and City Administrator of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, and with the date of delivery inserted thereon by the Paying Agent/Registrar, will be delivered to the Purchaser or its designee.

**Section 5. FORM OF BOND.** The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) [Form of Bond]

Draft

NO. R-	<b>UNITED STATES OF AMERICA</b> <b>STATE OF TEXAS</b> <b>COUNTY OF LAMPASAS</b> <b>CITY OF LAMPASAS, TEXAS</b> <b>GENERAL OBLIGATION REFUNDING BOND,</b> <b>SERIES 2019</b>	<b>PRINCIPAL</b> <b>AMOUNT</b> <b>\$</b>
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**DATE OF DELIVERY:**

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT: THOUSAND DOLLARS**

**INTEREST RATE: %**

**MATURITY DATE: FEBRUARY 15, 2035**

**THE CITY OF LAMPASAS, TEXAS** in Lampasas County, Texas (the "Issuer"), being a political subdivision of the State of Texas, for value received, promises to pay, from the sources described herein, to the registered owner specified above, or registered assigns, the principal amount specified above, and to pay interest thereon, from the Date of Delivery set forth above, on the balance of said principal amount from time to time remaining unpaid, at the applicable rates per annum for each outstanding principal installment as set forth below. The principal of this Bond shall be paid in installments set forth in the following schedule, subject to mandatory sinking fund redemption, and bearing interest at the per annum Interest Rate set forth above:

<u>Year</u>	<u>Principal</u>
<u>2/15</u>	<u>Installment</u>

**THE PRINCIPAL OF AND INTEREST ON** this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Bond on February 15, 2020 and on each August 15 and February 15 thereafter to the date of maturity or redemption prior to maturity. The last principal installment of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the corporate trust or other office of \_\_\_\_\_, \_\_\_\_\_, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of all other principal installments of and interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar

by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the last business day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner.

**ANY ACCRUED INTEREST** due in connection with the payment of the final installment of principal of this Bond shall be paid to the registered owner upon presentation and surrender of this Bond for payment or redemption at the designated corporate trust or other office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on this Bond, when due.

**IF THE DATE FOR THE PAYMENT** of this Bond shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the Issuer where the designated corporate trust or other office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

**THIS BOND IS** dated as of October 25, 2019 and is authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$1,400,000 to refund the Refunded Bonds and pay the costs associated with the issuance of the Bond.

**THE UNPAID SCHEDULED PRINCIPAL INSTALLMENTS** of this Bond are subject to redemption at the option of the Issuer on February 15, 2020, or on any date thereafter, in whole or in part (provided that any partial redemption may occur only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be so redeemed plus accrued interest on the principal amount to be so redeemed.

**[THE BONDS** maturing on February 15 in the year 2035 are subject to mandatory sinking fund redemption by lot prior to maturity in the following amounts, on the following dates and at a price of par plus accrued interest to the redemption date.

Bonds Maturing on \_\_\_\_\_

Mandatory Redemption Date

Principal Amount

†

†

†Final Maturity

**THE PRINCIPAL AMOUNT OF THE BONDS** required to be redeemed pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer by the principal amount of any Bonds of the stated maturity which, at least 50 days prior to a mandatory redemption date, (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and cancelled by the Paying Agent/Registrar at the request of the Issuer with monies in the Interest and Sinking Fund at a price not exceeding the principal amount of the Bonds plus accrued interest to the date of purchase thereof, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory sinking fund redemption requirement.

**IF THE PAYING AGENT/REGISTRAR** is not also the registered owner of this Bond, no less than 10 days prior to the date fixed for any such redemption, the Issuer shall cause the Paying Agent/Registrar to send notice by United States mail, first-class postage prepaid to the registered owner of this Bond at its address as it appeared on the Registration Books of the Paying Agent/Registrar at the close of business on the business day immediately preceding the date of such notice. Any notice so mailed shall be conclusively presumed to have been duly given, whether or not the registered owner receives such notice, notice having been so given, the obligations called for redemption shall become due and payable on the specified redemption date, and notwithstanding that this Bond or portion thereof has not been surrendered for payment, interest on this Bond or portion thereof shall cease to accrue. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for this Bond or portions thereof which are to be so redeemed. If due provision for such payment is made, all as provided above, this Bond or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

**UPON THE PREPAYMENT** or partial redemption of this Bond, the Paying Agent/Registrar, shall note in the Prepayment Record appearing on this Bond the amount of such prepayment or partial redemption, the date said payment was made and the remaining unpaid principal balance of this Bond and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Register, and the Paying Agent/Registrar shall also record in the Register all payments of principal installments on such Bond when made on their respective due dates.

**THIS BOND IS** issuable solely as a single fully registered Bond, without interest coupons. As provided in the Bond Ordinance, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned and transferred for a like aggregate principal amount Bond, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be

presented and surrendered to the Paying Agent/Registrar, together with the proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond to the assignee this Bond is to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond from time to time by the registered owner. In the case of the assignment and transfer of this Bond, the reasonable standard or customary fees and charges of the Paying Agent/Registrar will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment and transfer, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest Payment Date.

**IN THE EVENT** any Paying Agent/Registrar for this Bond is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owner of the Bond.

**IT IS HEREBY** certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the Issuer, and have been pledged for such payment, within the limit prescribed by law.

**THE ISSUER ALSO HAS RESERVED THE RIGHT** to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bond.

**IT IS FURTHER CERTIFIED** that the Issuer has designated the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b) of the Internal Revenue Code of 1986.

**BY BECOMING** the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each registered owner hereof and the Issuer.



Dated: \_\_\_\_\_

\_\_\_\_\_, Texas  
Paying Agent/Registrar

By: \_\_\_\_\_  
Authorized Representative

(d) [Form of Assignment]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_.

Please insert Social Security or Taxpayer Identification Number of Transferee  
\_\_\_\_\_

(Please print or typewrite name and address, including zip code, of Transferee.)  
\_\_\_\_\_

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(e) [Form of Registration Certificate of the Comptroller of Public Accounts]

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

\_\_\_\_\_  
Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

**Section 6. INTEREST AND SINKING FUND.** A special "Interest and Sinking Fund" has been created and shall be established and maintained by the Issuer at an official depository bank of the Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Bond. All ad valorem taxes levied and collected for and on account of the Bond shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any part of the Bond is outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on the Bond as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal installments of the Bond as such principal matures (but never less than 2% of the original amount of the Bond as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of the Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer, for each year while any part of the Bond is outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Bond, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

**Section 7. [Reserved].**

**SECTION 8. DEFAULT AND REMEDIES.**

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Bond when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owner of the Bond, including, but not limited to, its prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by the registered owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, the registered owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer, or any official, officer or employee of the Issuer in their official capacity, for the purpose of protecting and enforcing the rights of the registered owner under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the registered owner hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bond or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bond shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such registered owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

(iv) None of the members of the City Council, nor any other official or officer, agent, or employee of the Issuer, shall be charged personally by the registered owner with any liability, or be held personally liable to the registered owner under any term or provision of this Ordinance, or because of any Event of Default or alleged Event of Default under this Ordinance.

**Section 9. DEFEASANCE OF BOND.**

(a) The Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsections (c) and (e) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date or dates (whether such due date or dates be by reason of maturity, upon redemption, or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption or the establishment of irrevocable provisions for the giving of such notice) or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar or

an eligible trust company or commercial bank for such payment (1) lawful money of the United States of America sufficient to make such payment, (2) Defeasance Securities, certified by an independent public accounting firm of national reputation to mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar or an eligible trust company or commercial bank for the payment of its services until the Defeased Bond shall have become due and payable or (3) any combination of (1) and (2). At such time as the Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) The deposit under clause (ii) of subsection (a) shall be deemed a payment of the Bond as aforesaid when proper notice of redemption of such Bond shall have been given or upon the establishment of irrevocable provisions for the giving of such notice, in accordance with this Ordinance. Any money so deposited with the Paying Agent/Registrar or an eligible trust company or commercial bank as provided in this Section may at the discretion of the City Council also be invested in Defeasance Securities, maturing in the amounts and at the times as hereinbefore set forth, and all income from all Defeasance Securities in possession of the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section which is not required for the payment of such Bond and premium, if any, and interest thereon with respect to which such money has been so deposited, shall be remitted to the City Council.

(c) Notwithstanding any provision of any other Section of this Ordinance which may be contrary to the provisions of this Section, all money or Defeasance Securities set aside and held in trust pursuant to the provisions of this Section for the payment of principal of the Bond and premium, if any, and interest thereon, shall be applied to and used solely for the payment of the particular Bond and premium, if any, and interest thereon, with respect to which such money or Defeasance Securities have been so set aside in trust. Until the Defeased Bond shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bond the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(d) Notwithstanding anything elsewhere in this Ordinance, if money or Defeasance Securities have been deposited or set aside with the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section for the payment of the Bond and such Bond shall not have in fact been actually paid in full, no amendment of the provisions of this Section shall be made without the consent of the registered owner of each Bond affected thereby.

(e) Notwithstanding the provisions of subsection (a) immediately above, to the extent that, upon the defeasance of any Defeased Bond to be paid at its maturity, the Issuer retains the right under Texas law to later call that Defeased Bond for redemption in accordance with the provisions of this Ordinance, the Issuer may call such Defeased Bond for redemption upon complying with the provisions of Texas law and upon the satisfaction of the provisions of subsection (a) immediately

above with respect to such Defeased Bond as though it was being defeased at the time of the exercise of the option to redeem the Defeased Bond and the effect of the redemption is taken into account in determining the sufficiency of the provisions made for the payment of the Defeased Bond.

"Defeasance Securities" means (i) Federal Securities, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the City Council adopts or approves proceedings authorizing the issuance of refunding obligations or otherwise provide for the funding of an escrow to effect the defeasance of the Bond are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the City Council adopts or approves proceedings authorizing the issuance of refunding Bond or otherwise provide for the funding of an escrow to effect the defeasance of the Bond, are rated as to investment quality by a nationally recognized investment rating firm no less than "AAA" or its equivalent and (iv) any other then authorized securities or obligations under applicable State law that may be used to defease obligations such as the Certificate.

"Federal Securities" as used herein means direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America.

**Section 10. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BOND.**

(a) Replacement Bond. In the event the Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new Bond of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bond. Application for replacement of a damaged, mutilated, lost, stolen, or destroyed Bond shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the Registered Owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event the Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of or interest on the Bond, the Issuer may authorize the payment of the same

(without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bond. Prior to the issuance of a replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that the Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bond. In accordance with Subchapter B, Chapter 1206, Texas Government Code, this Section shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 4(a) of this Ordinance for a Bond issued in conversion and exchange for another Bond.

**Section 11. CUSTODY, APPROVAL, AND REGISTRATION OF BOND; BOND COUNSEL'S OPINION; ENGAGEMENT OF BOND COUNSEL, CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED.** The Mayor is hereby authorized to have control of the Bond issued and delivered hereunder and all necessary records and proceedings pertaining to the Bond pending its delivery and its investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bond said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's bond counsel and the assigned CUSIP numbers, if any, may, at the option of the Issuer, be printed on the Bond issued and delivered under this Ordinance, but shall not have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Bond. In addition, if bond insurance is obtained, the Bond may bear an appropriate legend as provided by the insurer.

The obligation of the initial purchaser to accept delivery of the Bond is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bond to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bond is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor and the Mayor is hereby authorized to execute such engagement letter.

**Section 12. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BOND.**

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bond as an obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to use the proceeds of the Bond for the payment of principal, interest and redemption premium on the Refunded Bonds;

(2) to take any action to assure that no more than 10 percent of the proceeds of the Bond or the Refunded Bonds or the projects financed or refinanced therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds of the Bond or the Refunded Bonds or the projects financed or refinanced therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bond, in contravention of section 141(b)(2) of the Code;

(3) to take any action to assure that in the event that the "private business use" described in subsection (2) hereof exceeds 5 percent of the proceeds of the Bond or the Refunded Bonds or the projects financed or refinanced therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(4) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bond (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(5) to refrain from taking any action which would otherwise result in the Bond being treated as a "private activity bond" within the meaning of section 141(b) of the Code;

(6) to refrain from taking any action that would result in the Bond being "federally guaranteed" within the meaning of section 149(b) of the Code;

(7) to refrain from using any portion of the proceeds of the Bond, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bond, other than investment property acquired with --

(A) proceeds of the Bond invested for a reasonable temporary period,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bond;

(8) to otherwise restrict the use of the proceeds of the Bond or amounts treated as proceeds of the Bond, as may be necessary, so that the Bond does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bond) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bond has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (9), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the Registered Owner. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Proceeds. The Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bond. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bond, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bond, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the City Manager to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bond.

(d) Disposition of Project. The Issuer covenants that the property constituting the projects financed or refinanced with the proceeds of the Bond will not be sold or otherwise disposed of in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Bond. For purposes of the foregoing, the portion of the property comprising personal property and disposed of in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Designation as Qualified Tax-Exempt Obligations. The Issuer hereby designates the Bond as a "qualified tax-exempt obligation" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the Issuer represents, covenants and warrants the following: (a) that during the calendar year in which the Bond is issued, the Issuer (including any subordinate entities) has not designated nor will designate obligations, which when aggregated with the Bond, will result in more than \$10,000,000 of "qualified tax-exempt obligations" being issued; (b) that the Issuer reasonably anticipates that the amount of tax-exempt obligations issued, during the calendar year in which the Bond is issued, by the Issuer (or any subordinate entities) will not exceed \$10,000,000; and, (c) that the Issuer will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, in order that the Bond will not be considered a "private activity bond" within the meaning of section 141 of the Code.

(f) Information Report. The Issuer shall timely file the information required by section 149(e) of the Code with the Administrator of the Treasury on Form 8038-G or such other form and in such place as the Administrator may prescribe.

**Section 13. SALE OF BOND.** The Bond is hereby sold and shall be delivered to \_\_\_\_\_ (the "Purchaser") for cash for a price of \$1,400,000 pursuant to and in accordance with the terms and provisions of the investment and commitment letter executed on the date of the adoption of this Ordinance. The Bond shall initially be registered in the name of the Purchaser. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable.

**Section 14. [RESERVED].**

**Section 15. APPROVAL OF PAYING AGENT/REGISTRAR AGREEMENT.** Attached hereto as Exhibit "A" is a substantially final form of Paying Agent/Registrar Agreement. The Mayor is hereby authorized to amend, complete or modify such agreement as necessary and are further authorized to execute such agreement and the City Administrator is hereby authorized to attest such agreement.

**Section 16. NOTICE OF REDEMPTION.** Attached to this Ordinance, as Exhibit "B", and made a part hereof for all purposes, is a copy the notice of deposit and prior redemption for the Refunded Bonds in substantially final form and such Refunded Bonds described in said notice of prior redemption are hereby called for redemption and shall be redeemed prior to maturity on the dates, places, and at the prices set forth therein. The Mayor, the City Administrator and the Deputy City Administrator are each hereby authorized to amend, complete or modify such notice as necessary to call such Refunded Bonds for redemption. The Refunded Bonds are so called for redemption, and the paying agent for the Refunded Bonds is hereby directed to make appropriate arrangements so that such Refunded Bonds may be redeemed on their redemption date. A copy of such notice of redemption shall be delivered to the paying agent so mentioned in the notice.

**Section 17. FURTHER PROCEDURES.** The Mayor and the City Administrator and all other officers, employees and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar and all other instruments, whether or not herein mentioned, as may be necessary or desirable in Ordinance to carry out the terms and provisions of this Ordinance, the Bond and the sale of the Bond. In case any officer whose signature shall appear on the Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

**Section 18. NO CONTINUING DISCLOSURE UNDERTAKING.** The sale of the Bond is exempt from Securities and Exchange City Council Rule 15c2-12. Consequently, the Issuer makes no undertaking with respect to such Rule or with respect to the provision of on-going financial and operating data.

**Section 19. METHOD OF AMENDMENT.** The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of but with notice to the Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the Registered Owner, (ii) grant additional rights or security for the benefit of the Registered Owner, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the Registered Owner, (v) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (iv) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be materially inconsistent with the provisions of this Ordinance and that shall not, in the opinion of nationally-recognized bond counsel, materially adversely affect the interests of the Registered Owner.

(b) Except as provided in paragraph (a) above, the Registered Owner shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by

the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or the Bond so as to:

- (1) Make any change in the maturity of the Bond;
- (2) Reduce the rate of interest borne by the Bond;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on the Bond;
- (4) Modify the terms of payment of principal or of interest on the Bond or impose any condition with respect to such payment; or
- (5) Change the requirement of with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bond a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner, which instrument or instruments shall refer to the proposed amendment and which shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bond shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of the Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of such consent and shall be conclusive and binding upon all future Registered Owner of the Bond during such period. Such consent may be revoked at any time after six months from the date of said consent by the Registered Owner who gave such consent, or by a successor in title, by filing notice with the Issuer.

**Section 20. [RESERVED].**

**Section 21. PAYMENT OF ATTORNEY GENERAL FEE.** The Issuer hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of the Bond or (ii) \$9,500, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required

by Section 1202.004 of the Texas Government Code. The appropriate member of the Issuer's staff is hereby instructed to take the necessary measures to make this payment. The Issuer is also authorized to reimburse the appropriate Issuer funds for such payment from proceeds of the Bond.

**Section 22. PERFECTION.** Chapter 1208, Government Code, applies to the issuance of the Bond and the pledge of ad valorem taxes granted by the Issuer under Section 6 of this Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Bond is outstanding and unpaid such that the pledge of ad valorem taxes granted by the Issuer under Section 6 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owner of the Bond the perfection of the security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

**Section 23. INTERESTED PARTIES.** Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Issuer and the Registered Owner of the Bond, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the Issuer shall be for the sole and exclusive benefit of the Issuer and the registered owner of the Bond.

**Section 24. NO PERSONAL LIABILITY.** No covenant or agreement contained in the Bond, this Ordinance or any corollary instrument shall be deemed to be the covenant or agreement of any member of the City Council of the Issuer or any officer, agent, employee or representative of the City Council of the Issuer in his individual capacity, and neither the directors, officers, agents, employees or representatives of the City Council of the Issuer nor any person executing the Bond shall be personally liable thereon or be subject to any personal liability for damages or otherwise or accountability by reason of the issuance thereof, or any actions taken or duties performed, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise, all such liability being expressly released and waived as a condition of and in consideration for the issuance of the Bond.

**Section 25. INTERPRETATIONS.** All terms defined herein and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Bond and the validity of the lien on and pledge of the ad valorem taxes to secure the payment of the Bond.

**Section 26. REPEALER.** All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of

such conflict and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

**Section 27. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 28. EFFECTIVE DATE OF ORDINANCE.** In accordance with the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon its adoption by the City Council on first and final reading.

Draft

ADOPTED THIS September 23, 2019.

**CITY OF LAMPASAS, TEXAS**

By: \_\_\_\_\_  
Mayor

Attest:

By: \_\_\_\_\_  
City Administrator

**EXHIBIT B**

**NOTICE OF REDEMPTION AND DEFEASANCE**

**NOTICE IS HEREBY GIVEN** that the following obligations (the "Obligations") issued by the City of Lampasas, Texas (the "City") have been defeased and called for redemption on July 9, 2019 (the "Redemption Date") prior to their scheduled maturities at a redemption price of par plus accrued interest to the Redemption Date, to-wit:

**CITY OF LAMPASAS, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2011**, maturing on August 15 in the years 2021, 2023, 2025, 2029, 2031 and 2036, aggregating \$\_\_\_\_\_ in principal amount.

<u>Maturity</u> <u>(August 15)</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
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\* CUSIP Numbers have been assigned to this issue by the CUSIP Service Bureau and are included solely for the convenience of the owners of the Obligations. The City shall not be responsible for the selection or the correctness of the CUSIP numbers set forth herein.

Due provision has been made for the payment of such Obligations by the deposit of funds with the paying agent and such Obligations may be redeemed upon presentation at the offices of Deutsche Bank Trust Co., as paying agent for the Obligations at the addresses set forth below. The Obligations shall become due and payable on the Redemption Date and the interest on the Obligations shall cease to accrue from and after the Redemption Date. Payment of the redemption price for the Obligations shall be made at the corporate trust office of the Bank only upon presentation and surrender thereof by the holder of the Obligations.

First Class/Registered/Certified Mail  
Deutsche Bank Trust Co.

By Overnight or Courier  
Deutsche Bank Trust Co.

By Hand  
Deutsche Bank Trust Co.

In compliance with section 3406 of the Internal Revenue Code of 1986, as amended, payors making certain payments due on debt securities may be obligated to deduct and withhold a portion of such payment from the remittance to any payee who has failed to provide such payor with a valid taxpayer identification number. To avoid the imposition of this withholding tax, such payees should submit a certified taxpayer identification number when surrendering the Obligations for redemption.

**CITY OF LAMPASAS, TEXAS**

  
**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 concerning a request from the Kiwanis Club for approval of a License application to operate a Carnival, Circus and similar event within the city limits of the City of Lampasas and to grant a waiver for operations near schools, churches, and private residence

Requested By: Ashley Underwood, Lampasas Kiwanis Club representative

Submitted By: Christina Marez, City Secretary

Date Submitted: September 18, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Application for Carnival or Show; LISD facility request agreement; Certificates of Insurance; Copy of Code of Ordinance: Amusement and Entertainments

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**Summary Statement:**

The Kiwanis Club is requesting approval of a License to sponsor a Circus by Key Equipment Co. Inc. d/b/a Culpepper & Merriweather Circus as a fundraiser to be held on Wednesday, October 9, 2019 for two 1½ hour shows. They are proposing to hold the Circus on LISD property located in the area south/southeast of the metal gym at the old Lampasas Middle School campus, at North Avenue and Western Street, to which they have received approval from the School. Because the Code of Ordinances prohibits this type of event within 500 feet of a school or church or private residence, they also seek a waiver to this requirement. The application for a Circus and waiver was granted in September 2017 at the same location when Lampasas Kiwanis requested the same request.

The Kiwanis Club has paid the required fee and has provided a copy of their Certificate of Insurance and the City is named as additional insured.

**Recommendation:**

Motion to approve the request from the Kiwanis Club for approval of a License application to operate a Carnival, Circus and similar event within the city limits of the City of Lampasas and to grant a waiver for operations near schools, churches, and private residences.

APPLICATION FOR CARNIVAL OR SHOW  
WITHIN THE CITY LIMITS OF THE CITY OF LAMPASAS

OWNER INFORMATION

Name of carnival/show owner: EUGENE E. KEY III

Address of owner (permanent): 2588 E. 2070 ROAD

HUGO, OK 74743

Local Telephone Number: ( )      Permanent Phone No. ( ) 803 917 2102

State of Texas sales tax permit number:     

Name of Corporation (full name of business entity, if different from the individual making the application):     

State of Incorporation: (e.g. Texas)     

Please provide a copy of the Corporation's charter, if corporation incorporated under the laws of the State of Texas or a certified copy of corporation's permit to do business in the state of Texas, if a foreign cooperation.

Registered Agent: CAPITOL CORPORATE SVCS Telephone No. ( ) 800 345 4647

Corporate Status:  General Business  Limited Liability Corporation  
 Close Corporation  (other)

Partnership/Association (If this is a partnership, all general partners and managing partner must be listed. If this is an Association, the name and address of each member of the association must be listed.) Please check one. Partnership  Association

Managing Partner:     

Address of Managing Partner/Chairperson of Association:     

Telephone Number: ( )     

Partner/Member:     

Address of Partner/Member:     

Telephone Number: ( )

**ATTRACTIONS**

List all shows, rides, booths, businesses and attractions to be operated by such carnival, together with a description of the nature of each.

ATTRACTION: CIRCUS PERFORMANCE

DESCRIPTION: \_\_\_\_\_

ATTRACTION: 26' INFLATABLE SLIDE

DESCRIPTION: MODEL #228 H6, INFLATABLES DEPOT

ORLANDO, FL

ATTRACTION: 20' CAROUSEL BOUNCE

DESCRIPTION: N FLATABLES, MENDOTA HEIGHTS, MN

ATTRACTION: PONY RIDE

DESCRIPTION: PONIES ON A SWEEP WITH ATTEND

ATTRACTION: \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

Please attach a list of additional shows, rides, booths, businesses and attractions.

**FINANCIAL AND INSURANCE INFORMATION**

Please attach copy of liability insurance policy, or if unavailable, Affidavit of Self Insurance, financial statements and other evidence of solvency.

Partner/Member: \_\_\_\_\_

Address of Partner/Member: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_

Please list any additional partners or association members along with their addresses and telephone numbers on a separate sheet and attach.

**CONTACT INFORMATION**

List all persons who will be actively present and in authority during the exhibition.

<u>NAME</u>	<u>TITLE</u>	<u>PHONE NUMBER</u>	<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
EUGENE E. KEY III	PRES. / GEN. MANAGER	(803) 917 2102	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile
			<input type="checkbox"/> Local	<input type="checkbox"/> Mobile

**GENERAL INFORMATION**

Date(s) proposed for engagement: From: WED 10/9 To: 10/9/2019

Location(s) of proposed engagement: E. NORTH STREET AND WESTERN AVENUE, LAMPASAS, TX

Contact/Owner of location for proposed engagement: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_

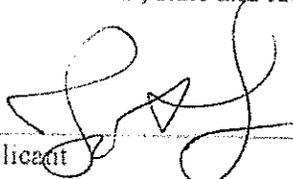
Please attach copy of any agreement(s) between the owner of the property and the applicant for the engagement for the use of such property.

REFERENCES

At least three (3) references from prior engagements are required, one of which must be from the city where the applicant exhibited immediately prior to this application.)

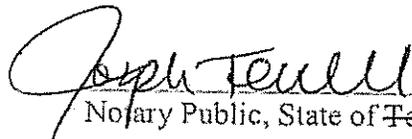
- 1. Name: JANNA LEIBESTER  
 Address: 5655 E. US HWY 180 ALBANY TX  
 Phone: ALBANY TX 325 260 3857  
 Date of engagements: 10/6/2019
- 2. Name: MIKE SIDES  
 Address: 1895 EASTSIDE LAKE RD GRANBY TX  
 Phone: (940) 521 1841  
 Date of engagements: 10/5/2019
- 3. Name: STACY WADE  
 Address: 108 E. MAIN OLNEY, TX  
 Phone: (940) 564 5445  
 Date of engagements: 10/4/2019

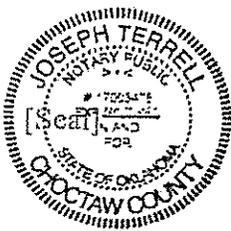
Applicant certifies that all the information contained herein is correct to the best of their knowledge. Applicant further agrees that if the permit is granted, applicant will conduct such carnival/show in an orderly, law-abiding and decent manner, and in full compliance with all applicable local, state and federal laws, regulations and policies.

  
 Applicant \_\_\_\_\_ Date \_\_\_\_\_

Oklahoma  
 STATE OF TEXAS §  
 COUNTY OF ~~LAMPASAS~~ §  
 Choctaw

This instrument was acknowledged before me on the 10 day of September, <sup>2019</sup>~~2001~~ by James Isaacson, an individual known to me.

  
 Notary Public, State of Texas  
 Oklahoma





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/18/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> AssuredPartners of Minnesota LLC 2361 Hwy 36 W  St. Paul MN 55113	<b>CONTACT NAME:</b> Lee Ann Harvey <b>PHONE (A/C, No, Ext):</b> (651) 644-7200 <b>E-MAIL ADDRESS:</b> lharvey@apminnesota.com <b>FAX (A/C, No):</b> (651) 644-9137
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Burlington Insurance Company <b>INSURER B:</b> National Liability & Fire Insurance Co <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>
<b>INSURED</b> Key Equipment Company, Inc., DBA: Culpepper/Merriweather Circus PO Box 813  Hugo OK 74743	

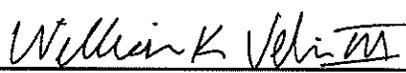
**COVERAGES**                      **CERTIFICATE NUMBER:** 19-20 Master                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Deductible PI & Ai, ALAE \$10,000 Per Occurrence  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		820BW53550	08/31/2019	08/31/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Included \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY			73APB003095	04/20/2019	04/20/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Event Date: 10-9-2019  
 Location: Vacant lot  
 Address: Corner E North Ave and S Western Ave, Lampass TX 76550  
  
 Lampass Kiwanis Club, City of Lampass, Lampass Independent School Dist are included as Additional Insureds with respect General Liability when required by written contract /agreement.  
 (ashley.underwood@adventhealth.com)

<b>CERTIFICATE HOLDER</b>  Lampass Kiwanis Club Attn: Ashley Underwood 1906 FM 1494 Lampass TX 76550	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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**ARTICLE I. IN GENERAL****Secs. 6-1—6-30. Reserved.**

**Editor's note**—Ord. No. 1455, § II, adopted July 7, 2015, repealed § 6-1 which pertained to adoption of Standard Amusement Device Code and derived from Ord. No. 743, §§ 1—3, adopted Sept. 25, 1995.

**ARTICLE II. CARNIVALS, CIRCUSES AND SIMILAR EVENTS\*****DIVISION 1. GENERALLY****Sec. 6-31. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Carnival* means and includes carnivals and circuses or traveling shows of any kind or nature not otherwise regulated or prohibited in this Code.

**Cross reference**—Definitions generally, § 1-2.

**Sec. 6-32. Operation near schools, churches and private residences.**

In addition to any restrictions in the zoning chapter of this Code, it shall be unlawful for any person to exhibit or operate, or to assist in the exhibition or operation of any carnival, tent show, vaudeville show, merry-go-round, flying jennies, skating rink or similar event within the city within 500 feet of a school or church or private residence, where such exhibition or operation is in a tent or outside of a building.  
(Ord. No. 60, § 1, 5-3-35)

**Sec. 6-33. Operation within fire limits.**

No circus, skating rink, tent show, carnival or exhibition of a traveling show of any character shall be permitted to operate within the fire limits of the city.  
(Ord. No. 38, § 1, 7-9-31)

**\*Cross reference**—Businesses, ch. 22.

**State law reference**—Authority to regulate, V.T.C.A., Local Government Code § 215.075.

**Secs. 6-34—6-55. Reserved.****DIVISION 2. LICENSE****Sec. 6-56. Required.**

(a) It shall be unlawful for any person, corporation, partnership or association of persons to show or exhibit any carnival where permitted within the city limits without first obtaining a license to do so from the city council.

(b) Any person, corporation, partnership or association of persons showing or exhibiting, or in any manner connected with or taking part in the showing or exhibiting of a carnival within the city limits without first applying for and obtaining such license, shall upon conviction be punished as provided in section 1-15.  
(Ord. No. A600, § 1, 2-22-88)

**Sec. 6-57. Application.**

(a) Any such person or entity desiring to conduct or show a carnival within the city limits shall make application for a license to the city council and file the application with the city secretary not less than two weeks prior to the time when it is desired to show or exhibit such carnival.

(b) The applicant shall provide all of the following information:

- (1) The name and permanent address of the owner of such carnival.
- (2) If such carnival is owned by a corporation, the name and address of the registered agent of the corporation.
- (3) If such carnival is a partnership, the name and address of all general partners and the managing partner, if any.
- (4) If such carnival is an association, the name and address of each member of the association.
- (5) The authority of the applicant to transact business on behalf of a corporation, partnership or association.

# LAMPASAS INDEPENDENT SCHOOL DISTRICT Facility Request Agreement

Today's Date 9/19/2019

Lampasas Kiwanis Club  
Name of Organization  
P. O. Box 333, Lampasas, Texas  
Address  
512-556-1415  
Telephone

Connie Hartmann  
Name of Contact Person  
P. O. Box 333, Lampasas, Tx.  
Address  
512-556-1415  
Telephone

Facility Requested \_\_\_\_\_

Campus \_\_\_\_\_

- Classroom \_\_\_\_\_
- Kitchen \_\_\_\_\_
- Lunchroom personnel required? \_\_\_ Yes X No

- Auditorium \_\_\_\_\_
- Other Grounds east of metal gym
- Custodian required? \_\_\_ Yes X No  
old m.s. campus

Reservation Date Requested 10/9/19 Time: From \_\_\_\_\_ a.m./p.m. To \_\_\_\_\_ a.m./p.m.

Purpose/Use of Facility Culpepper & Merriweather Circus

**Persons using facilities must comply with all state laws and school board regulations governing the use of facilities.**

Connie Hartmann  
Signature of Organization Representative

9/19/2019  
Date

\_\_\_\_\_  
Campus Principal/Athletic Director/Food Service

\_\_\_\_\_  
Date

### Verification of Use (Return to Business Office)

\_\_\_\_\_  
Campus Principal/Athletic Director/Food Service

\_\_\_\_\_  
Date

*Bill will be sent by LISD Business Office. Processing may take two to three weeks depending on the timing of the event in relation to biweekly payroll.*

### To be completed by LISD Business Office

Facility Fee*	\$	_____
Custodian Fee	\$	_____
Food Service Fee	\$	_____
<b>Total</b>	\$	_____

*\*If exempt from fee, please indicate.*

**Make all checks payable to: Lampasas Independent School District, 207 West 8<sup>th</sup> St., Lampasas, Texas 76550**

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City Manager

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

**7.3**

**Item No.**

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**SUBJECT:**

Discussion and Possible Action Concerning the Second Reading of an Ordinance approving and adopting a Budget for operating the Municipal Government of the City of Lampasas for the Fiscal Year Beginning on October 1, 2019 and ending on September 30, 2020; Appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal Sinking Fund requirements on all indebtedness; Providing a severability clause; providing a repealer clause for the repeal of all Ordinances and Appropriations in conflict with the provisions of this Ordinance; and Establishing an Effective Date.

REQUESTED BY: Yvonne Moreno, Finance Director

SUBMITTED BY: Yvonne Moreno, Finance Director

DATE SUBMITTED: Sept. 19, 2019 FOR THE AGENDA OF: Sept 23, 2019

Expenditure Required: N/A

Available Funding: N/A

Attachments: none

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**SUMMARY STATEMENT:**

The attached ordinance will formally adopt the proposed budget for the 2019-2020 Fiscal Year.

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**Recommendation: Please take record vote on adopting the budget.**

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City Manager

BUSINESS FOR THE CITY COUNCIL  
OF THE  
CITY OF LAMPASAS

7.4  
Item No.

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**SUBJECT:**

Discussion and Possible action concerning the Second reading of an Ordinance setting the Tax Rate and Levying a tax upon all property subject to taxation within the City of Lampasas, Texas for the 2019 Tax Year for the use and support of the Municipal Government of the City of Lampasas for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020; Apportioning said levy among the various funds and items for which revenue must be raised including providing a Sinking Fund for the retirement of the Bonded Debt for the City of Lampasas; and establishing an Effective date.

REQUESTED BY: Yvonne Moreno, Finance Director

SUBMITTED BY: Yvonne Moreno, Finance Director

DATE SUBMITTED: Sept. 19, 2019 FOR THE AGENDA OF: Sept. 23, 2019

Expenditure Required: N/A

Available Funding: N/A

Attachments:

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**SUMMARY STATEMENT:**

The attached ordinance adopts a total tax rate of \$0.395218 cents for the 2019 tax year. The tax rate is divided between \$0.309420 cents for general fund maintenance and operations and \$0.085798 cents for debt service (interest and sinking fund.)

**The motion to adopt the ordinance that sets the tax rate must be made in the following form with a record vote:**

**“I move that property tax rate be increased by the adoption of a tax rate of \$0.395218, which is effectively a 1.72 percent increase in the tax rate.”**

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**Recommendation: Please take record vote on setting the tax rate.**

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City Manager

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

7.5

Item Number

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**SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING RATIFYING THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE FISCAL YEAR 2019-2020 BUDGET.

REQUESTED BY: Finley deGraffenried

SUBMITTED BY: Finley deGraffenried

DATE SUBMITTED: Sept. 19, 2019 FOR THE AGENDA OF: Sept. 23, 2019

Expenditure Required: N/A

Available Funding: N/A

Attachments: none

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**SUMMARY STATEMENT:**

Local Government Code, Section 102.007 requires a separate vote of the governing body of a city to ratify the property tax revenue increase reflected in the budget. The tax rate of \$0.395218 will increase revenues this fiscal year by \$55,072 over last fiscal year. The separate vote is in addition to and separate from the vote to adopt the budget or a vote required to set the tax rate.

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**Recommendation: Staff recommends approval to ratify the property tax increase reflected in the budget by a Record Vote.**

**\*\*Mayor, please request the City Secretary to take a Recorded Roll Call Vote.**

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City Manager

ITEM NO. 7.6

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

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**Subject:**

Discussion and Possible Action regarding approval of a request for HOT funds by the Courtyard Square Association.

Requested By: Yvonne Moreno, Finance Director

Submitted By: Yvonne Moreno, Finance Director

Date Submitted: September 17, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

The funding request is \$6,698.61 and will be expensed to the HOT fund line item for Organizational Request. That line item does have funds available.

Attachments: Request and Estimate

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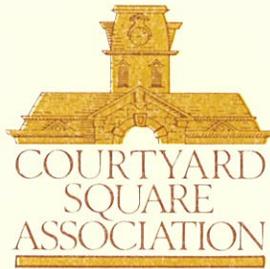
**Summary Statement:**

The Courtyard Square Association is requesting funds to update four (4) billboards coming into Lampasas. The billboards were installed in 2015 with the hope they would attract and encourage visitors to shop and dine in the downtown area. These faded billboards are now in need of updating and re-facing.

This use does meet the HOT requirements.

**Recommendation:**

Motion to approve the HOT funding request by the Courtyard Square Association in the amount of \$6,698.61.



**September 17, 2019**

**City Council Members,**

**The Courtyard Square Association is requesting HOT Funds to update the signs leading into Lampasas (east Hwy 190, south Hwy 183, south Hwy 281, and north Hwy 281). The colors on the signs are bleeding and getting worse every day.**

**We are attaching an estimate from 2B Signs to update the signs.**

**We would greatly appreciate your consideration.**

**Thanks,**

  
**Andy Berry, treasurer**



508 S Key Ave  
Lampasas, Tx  
76550

www.2BSigns.com  
Fax 888.501.0321

# Estimate

**6964**

Date 9/10/2019

**512.556.0321**

**2BSigns@Gmail.com**

Name / Address

Courtyard Square Association  
Todd Briggs  
PO BOX 652  
LAMPASAS, TX 76550

**Unless NET Terms listed, Payment on file or Deposit required prior to starting the below project.**

Order Cancellation:

Any project / job / order that is cancelled after approval, proofing and/or production has begun, All material and labor utilized up to the time of cancellation will be invoiced.

**Pricing based on re-orders or provided print-ready artwork, scaled to size and in the correct format.**

**Design service(s), file set up, edits, etc... are subject to a "Graphic Services" fee.**

Terms PO #  
PAYMENT BY CHECK Billboards - CAST

Description	QTY Per Set	Unit Cost Per QTY	Total
Digital graphics, for outdoor usage. Material: Premium Cast Vinyl Size: 96"h x 192"w ( Paneled) Imprint: FULL COLOR QTY: 4 Billboards	4 Billboards		2,995.20T
Cast UV Lamination protection coating, Helping to prolong the life, colors and details of the imprint QTY: 4 Billboards	4 Billboards		1,769.26T
Discount given Because: Quantity			-330.97T
Re-Facing Installation onto existing sign panels. Prepping surface and installing new products. QTY: 4 Billboards Minimum 1 hr. increments of .5 hrs after that initial hr. this merely an estimate. Exact time will not be know till AFTER work is done.	4 Billboards		1,899.36
Please see attached file for the "Re-Facing" Policy;			0.00T
I understand the potential concerns, limitations, issues, etc... that can arise from the "Re-Facing" of old surfaces and do not hold 2B Signs responsible for any issues that may arise.			
Please provide a copy of your Exemption Certification. Tax can then be removed from the total amount			0.00T

This quote is good for 30 days, please request new quote at that time.  
Sincerely 2B Signs & More

**Sales Tax (8.25%)**

**Total**

By contacting 2B Signs & More including all associated DBAs you agree to the terms and conditions that are used.  
[www.2bsigns.com/Terms.html](http://www.2bsigns.com/Terms.html)

All Shipping / Freight / Deliveries / ETC... fee(s) are added once the order is completed.



508 S Key Ave  
Lampasas, Tx  
76550

www.2BSigns.com  
Fax 888.501.0321

# Estimate

**6964**

Date 9/10/2019

**512.556.0321**

**2BSigns@Gmail.com**

Name / Address

Courtyard Square Association  
Todd Briggs  
PO BOX 652  
LAMPASAS, TX 76550

**Unless NET Terms listed, Payment on file or Deposit required prior to starting the below project.**

Order Cancellation:

Any project / job / order that is cancelled after approval, proofing and/or production has begun, All material and labor utilized up to the time of cancellation will be invoiced.

**Pricing based on re-orders or provided print-ready artwork, scaled to size and in the correct format.**

**Design service(s), file set up, edits, etc... are subject to a "Graphic Services" fee.**

Terms PO #  
PAYMENT BY CHECK Billboards - CAST

Description	QTY Per Set	Unit Cost Per QTY	Total
<p>NOTE: While 2B Signs uses a range of materials for their graphics, that can / will produce many years of life. These materials can be damaged if abused, vandalized or improper care &amp; maintenance, resulting in shorter life expectancies and/or visual issues with the designs.</p> <p>The direction the surface of the graphics is facing will also play a factor in the longevity of the graphics as well as the rate of "fading" and/or "UV burn"</p>			0.00T

This quote is good for 30 days, please request new quote at that time.

Sincerely 2B Signs & More

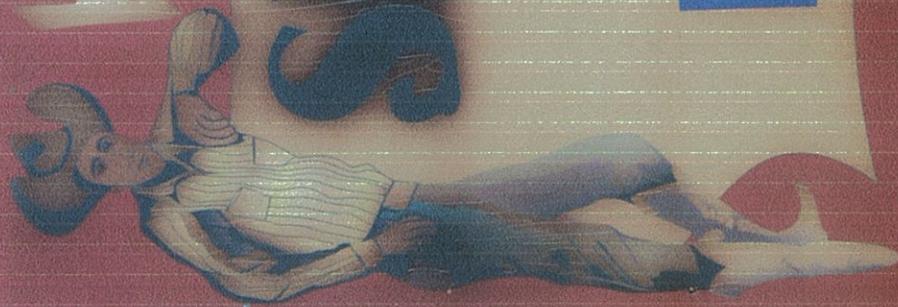
**Sales Tax (8.25%)** \$365.76

**Total** \$6,698.61

By contacting 2B Signs & More including all associated DBAs you agree to the terms and conditions that are used.  
[www.2bsigns.com/Terms.html](http://www.2bsigns.com/Terms.html)

All Shipping / Freight / Deliveries / ETC... fee(s) are added once the order is completed.

HISTORIC DOWNTOWN LAMPASAS



SHOP! ★ DINE!

EXIT LOOP 257  
2 MILES

LampasasDowntown.com

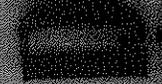
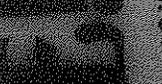
**HISTORIC DOWNTOWN LAMPASAS**



**STOP! ★ ENJOY!**

**TURN RIGHT  
ON 3rd ST**

**LampasasDowntown.com**

WELCOME TO DOWNTOWN LAMPASAS  
BIG!   !  
ENJOY!  
TURN RIGHT  
ON 3RD ST  
LampasasDowntown.com

WELCOME TO DOWNTOWN LAMPASAS

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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 request for approval to accept an estimate provided to repair and paint the interior of the Lampasas Police Department building, as proposed in a Lower Colorado River Authority (LCRA) Community Development Partnership Grant funding that the department previously received.

Requested By: Sammy Bailey, Police Chief

Submitted By: Sammy Bailey, Police Chief

Date Submitted: September 19, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

We previously received an LCRA Colorado River Authority Community Development Partnership Grant to repair and repaint the interior and exterior of the building, the overall grant is for \$48,000.00 with LCRA providing \$24,000.00 with a 50% match; in-kind materials and labor count as match. We spent \$13,140.00 of the grant on the exterior. The remainder of the grant money is \$10,860.00 and \$5,990.00 from unspent the 2018-2019 budget.

Attachments: Two estimates

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**Summary Statement:**

We would like to proceed with the grant project by selecting a company to repair and paint the interior of the building professionally. We received two estimates regarding interior painting.

**Recommendation:**

Chief Bailey request to allow ASJ Construction, LLC to complete the interior paint project of the Lampasas Police Department. ASJ Construction, LLC is a reputable local company and submitted the lowest estimate/proposal of \$16,850.00. We would like to pay for the interior painting with the remaining \$10,860.00 from the LCRA grant, \$5,990.00 in unspent money in the 2018-2019 budget, and we will in-kind the \$3,000.00 by moving the computers and disconnecting the electrical equipment ourselves.

# ASJ Construction, LLC

1204 WEST 3<sup>RD</sup> LAMPASAS, TX 76550

TEL: 512-734-2185



## PROPOSAL

DATE: August 21, 2019

TO: Chief Sammy Bailey

PROJECT NAME: POLICE STATION

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WE HEREBY PROPOSE TO FURNISH LABOR COMPLETE IN ACCORDANCE WITH THE SPECIFICATIONS BELOW.

Description: Interior Prep, and paint of interior walls, doors and trim **\$16,850.00**

Option-Move furniture \*no moving of computers or disconnecting electrical equipment **\$3,000.00**

EXCLUSIONS- ANY ITEM NOT SPECIFICALLY LISTED ABOVE-WEEKEND WORK-BONDING-Moving of furniture

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This proposals price and terms:  
material and labor in accordance with the above specifications for the sum of **\$19,850.00**

If there are any questions regarding this proposal, please advise. If you agree to the proposed work above please sign and date.

---

SIGNATURE

---

DATE

**RLH INC.  
P O BOX 1211  
LAMPASAS, TEXAS 76550**

**TELEPHONE  
512-556-3535**

**FAX  
512/556-8622**

9/6/2019

Attention: Lampasas Police Department, Sammy Bailey  
Project: Lampasas Police Department interior painting  
Lampasas, Texas

**Re:**

**Scope of work**

- \*Repaint interior walls to include minor repair and caulking
- \*Paint interior doors and frames
- \*Paint 1 interior window frame
- \*Caulk 8 exterior windows and 1 storefront

**This price includes working in occupied bldg. Work around schedule of  
Police Department**

**Proposal: \$21,960.00**

Add for RLH to move and put back furniture

**Proposal: \$3,100.00**

**Note: 8 exterior windows and storefront breakout is \$665.00**

**Bid void after 60 days**

If bond needed add 2.5%

**Exclusions:** painting exterior, any work not listed in above scope

If you have any questions please call.

Sincerely,  
RLH Inc.

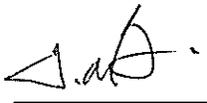
*Ryan Hill*

Ryan Hill

Officer  
emailed  
consider as original

**WOSB, EDWOSB  
EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**

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City Manager

ITEM NO. 7.8

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

**Subject:**

Discussion and possible action regarding the first reading of an Ordinance amending Chapter 54, Article II. Administration, Division 2. Parks and Recreation Advisory Board, Section 54-51. Created; Membership; Terms; Vacancies; Compensation; of the Code of Ordinances, City of Lampasas; repealing any inconsistent provisions; and providing an effective date.

Requested By: Becky Sims, Assistant City Secretary

Submitted By: Becky Sims, Assistant City Secretary

Date Submitted: September 19, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Draft Ordinance

**Summary Statement:**

Attached is a draft ordinance to modify the Park and Recreation Advisory Board membership requirements. Currently it is recommended that the board have a representative from the Boys and Girls Club of Lampasas and Coryell Counties. This has proven to be a challenge over the past few years based on outside obligations that conflict with meeting times and residency. We would like to open up this position to an at-large position. This would allow those whom are not associated with a specific organization the opportunity to apply for a position on this board.

**Recommendation:**

To consider a motion to approve the first reading of an Ordinance amending Chapter 54, Article II. Administration, Division 2. Parks and Recreation Advisory Board, Section 54-51. Created; Membership; Terms; Vacancies; Compensation; of the Code of Ordinances, City of Lampasas; repealing any inconsistent provisions; and providing an effective date.

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

**AN ORDINANCE AMENDING CHAPTER 54, ARTICLE II.  
ADMINISTRATION, DIVISION 2. PARKS AND RECREATION ADVISORY  
BOARD, SECTION 54-51. CREATED; MEMBERSHIP; TERMS; VACANCIES;  
COMPENSATION., OF THE CODE OF ORDINANCES, CITY OF LAMPASAS;  
REPEALING ANY INCONSISTENT PROVISIONS; AND PROVIDING AN  
EFFECTIVE DATE**

**SECTION I**

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

That Chapter 54, Article II Administration, Division 2. Parks and Recreation Advisory Board, Section 51-51. Created; membership; terms; vacancies; compensation, of the Code of Ordinances, City of Lampasas, Texas is hereby amended to as follows:

**Sec. 54-51 Created; membership; terms; vacancies; compensation.**

- a) There is created the parks and recreation advisory board for the city referred to in this division as the "board." The board shall consist of nine members appointed by the city council of which five members shall be residents and qualified voters of the city and four members may be residents and qualified voters of Lampasas County. Terms of office shall begin immediately upon appointment and shall expire September 30 of the second year of service by the member. The terms of office shall be for two years. Where possible, board membership shall consist of at least one representative from each of the following organizations: the Adult Softball Association or Lampasas County Little League Association; the Lampasas County Chamber of Commerce; the Lampasas Independent School District; the Oran Milo Roberts Chapter of the Daughters of the Republic of Texas; ~~the Boys and Girls Club of Coryell and Lampasas Counties~~; and the Lampasas Spring Ho Festival, Inc. The remaining ~~three~~four places shall be at large.

(b)-(c) No Change

**SECTION II**

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

**SECTION III**

If any provision of this Ordinance or application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions, or application

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

#### SECTION IV

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.

*Read and Approved the First Reading this 23<sup>rd</sup> day of September, 2019*

*Read and Adopted the Second Reading this 14<sup>th</sup> day of October, 2019*

APPROVED:

ATTEST:

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

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

APPROVED AS TO FORM:

Jo-Christy Brown  
City Attorney's Signature of Approval on Separate page

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**City Manager**ITEM NO. 7.9

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

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**Subject:**

Discussion and possible action to declare a 2001 Dodge pickup with 111875 miles used by the Lampasas Animal Shelter as surplus and to authorize disposal as allowed by state law.

Requested By: Sammy Bailey, Police Chief

Submitted By: Sammy Bailey, Police Chief

Date Submitted: September 19, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

Attachments:

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**Summary Statement:**

The Lampasas Animal Shelter is requesting permission to dispose/sale of a 2001 Dodge pickup as state law allows. This pickup has 111875 miles on it. It is in need of several minor repairs from wear and tear on the vehicle.

**Recommendation:**

Chief Bailey request a motion to declare the 2001 Dodge pickup as surplus and allow staff to dispose of it as state law allows.

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City Manager

ITEM NO. 7.10

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

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**Subject:**

Discuss and consider a possible nomination by Resolution for the Lampasas Central Appraisal District Board of Directors.

Requested By: Finley deGraffenried, City Manager

Submitted By: Finley deGraffenried, City Manager

Date Submitted: September 4, 2019

For the Agenda of: September 23, 2019

**Procurement and Funding Statement:**

N/A

Attachments: Resolution

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**Summary Statement:**

This Resolution has been placed on the agenda to discuss and consider a possible nominee(s) for the Lampasas Central Appraisal District Board of Directors. The election will be for the term of January 1, 2020 through December 31, 2021. The City of Lampasas will have a total of 299 votes to cast in the election of the Board.

**Recommendation:**

To consider a motion to nominate a candidate by Resolution to the Lampasas Central Appraisal District Board of Directors for the term of January 1, 2020 through December 31, 2021.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMPASAS TO  
NOMINATE CANDIDATES FOR THE LAMPASAS CENTRAL APPRAISAL  
DISTRICT BOARD OF DIRECTORS FOR THE TERM  
JANUARY 1, 2020 THROUGH DECEMBER 31, 2021**

**WHEREAS**, the City Council of the City of Lampasas, Texas submits their nominations for the Board of Directors to the Chief Appraiser of the Lampasas County Appraisal District.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Lampasas, Texas submits the following nominations for candidates for the election of the Board of Directors for the Lampasas Central Appraisal District for the term of January 1, 2020 through December 31, 2021.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PASSED AND APPROVED** this 23rd day of September, 2019 by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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

**ATTEST:**

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