

**MINUTES OF REGULAR MEETING OF THE GOVERNING BODY  
OF THE CITY OF LAMPASAS, TEXAS  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
Monday, February 13, 2023  
5:30 p.m. Workshop Session  
6:00 p.m. Regular Session**

*(regular session will begin immediately following workshop and may be called to order prior to 6:00 pm)*

The City Council of the City of Lampasas met in Regular Session on the above date and time with Mayor Monroe presiding.

**Council Members Present:**

Zach Morris  
Chuck Williamson  
Herb Pearce  
Cathy Kuehne  
Davis Keele

**City Staff Present:**

Finley deGraffenried, City Manager  
Becky Sims, City Secretary  
Jeff Smith, Fire Chief  
Ryan Ward, ACM  
Jody Cummings, Police Chief  
Stacey Ybarra, EDC Director  
Charlie Boswell, Assistant Police Chief

**Council Members Absent:**

N/A

**WORKSHOP SESSION**

**1. Call to order Workshop Session**

*Mayor Monroe called the meeting to order at 5:30 p.m.*

**2. Discussion and updates regarding Solar Eclipse Event 2024.**

*Chief Smith provided the following update regarding the preparation of the Solar Eclipse Event.*

*The committee welcomed Stacy Ibarra, EDC Director, Angela Rainwater, County Emergency Management Coordinator and Wesley Alexander, Hamilton County EMS to the February 8, 2023 meeting.*

*Reviewed Committee Goals:*

- **Public Safety** for all the citizens of Lampasas and those who visit during this event.
- **Normalcy for our citizens.** We are focused on preparing our citizens for this event by communicating with them as to what could be expected. Whether it be an increase in traffic, a decrease in the availability of items at the grocery store, or businesses being closed that are usually open, we want to prepare the citizenry for what to expect.
- **Satisfaction. Approval:** After it's all over, we want our citizens to know that we were prepared and that we responded in the appropriate manner at all times.

*Training and Policy Updates:*

- NIMS and ICS are moving along as expected.
- We are also continuing to review our Emergency Management Plan Annexes.
  - These will be finished by the end of February as planned.

## *Moving Forward*

- *March planning initiatives*
- *Begin to advertise for April 5<sup>th</sup> Town Hall Meeting.*
- *Creating/adding need to know information and FAQ on website.*
- *Discussed normalcy for citizens, public safety and additional traffic.*
- *Tabletop exercises*
  - *City's preparedness level for this event.*
- *Incorporate additional information learned from Town Hall.*
- *Expanding the members of the group to include the LISD, TxDOT. We will also continue to work with the County, Department of Public Safety and Texas Department of Emergency Management.*

### **3. Discussion regarding Fiscal Year 2021-2022 Year-End Financial Report.**

*Finley deGraffenried, City Manager presented the FY 22 Year-End Financial report.*

*The report is presented in the following format:*

- *Narrative*
- *Department Performance by Major Account*
- *Balance Sheets*
- *Investment Report*
- *Supplementals*

#### *Brief Summary:*

- *Overall a positive year*
- *BRA- Renewal*
  - *Delivery of water*
- *Storm 2022*
- *Growth and Infrastructure*
- *Challenges with parts/supplies availability and costs*
- *Electric Costs (Grid)*
- *ARPA Designated Funding*
  - *WWW Business Park*
  - *Water Looping Projects*
  - *Back-up Generators for WWW and Animal Shelter*
  - *Fire Apparatus*
- *2022-Certificate of Obligation*
  - *WWTP Improvements*
  - *Hostess House Rehabilitation*
  - *Pressure Plan Study*
  - *Calvert Building Improvements*
  - *WWW Office Building Paving/Landscaping*
- *Salary Adjustments*
  - *Performance*

- *Market*
- *Modest increase to utility rates*
- *Audit may result in changes to year end report*

*Council is asked to review report in detail and to consider acceptance of report at the next meeting. Staff will be available to assist with any questions.*

**4. Discussion regarding Fund 40 Project Gap Funding related to Hostess House Rehabilitation.**

Finley deGraffenried, City Manager reviewed the following:

- *Bid opening February 21, 2023*
- *October 2022 Discussion with Reliance Architecture*
  - *Code Upgrades*
  - *Scope Creep*
  - *Inflationary Increases*
  - *Add Alternates*
    - *Council has the discretion to select alternates, not all necessities at this time*
  - *Revised estimates and options were presented*
- *October 24, 2022- Council approved (split vote) to advertise for bids*
- *Funding Sources Identified*
  - *Fund 40- HOT Fund*
  - *Fund 65- 2022 CO (800,000.00 earmarked)*
  - *Council directed HOT fund balance to remain no less than \$200,000.00*
- *Costs to be determined by bid and Council directives regarding Add Alternates*
- *City does have capacity and planned for funding*
- *Net trend in Fund 40 is positive and sustainable.*
- *Council will consider project award at the February 27, 2023 Council Meeting.*

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

*There was no discussion.*

**Adjourn Workshop Session**

*Mayor Pro-Tem Williamson moved to adjourn the workshop session at 6:14 p.m., the motion was seconded by Council member Morris and with a unanimous vote, the motion carried.*

*Without objection, Council took a 10-min break.*

<b>REGULAR SESSION</b>
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**ANNOUNCEMENTS**

- **Call to Order**

*Mayor Monroe called the Regular Session to order at 6:22 p.m.*

- **Invocation and Pledge of Allegiance**

*Jody Cummings, Police Chief, gave the invocation and the Pledge of Allegiance to the U.S. and Texas flags were recited.*

- **Presentations and Proclamations**

	<b>PUBLIC HEARINGS/CITIZEN COMMENT</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.

*Jacob Giron addressed Council regarding community, police protection and neighborhood safety.*

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 the Preliminary Plat for The Estates of Gibson Branch Phase One, 187.36 acres, a subdivision within the Extra-Territorial Jurisdiction (ETJ) of the City of Lampasas, Lampasas County, Texas.
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*Mayor Monroe opened the public hearing.*

*Becky Sims, Zoning Administrator advised of the following:*

- *Mr. Charlie Brown is asking for the Planning Commission and City Council consideration in approving the Preliminary Plat of Gibson Branch.*
- *The City of Lampasas has Plat approval authority for those subdivisions located within the ETJ, per the 1445 agreement with Lampasas County. The intent is to alleviate the developer from having to go through more than one entity for the plat approval process.*
- *In the fall of 2021 Mr. Charlie Brown began working with the County & City regarding the development.*
- *The developers have consulted with an attorney to create Bylaws, Covenants and Aviation and Clearance Easement documents.*
- *The developers worked with Commissioner Rainwater regarding Lampasas County Subdivision Regulations, Steve Hamrick, TxDOT regarding a deceleration lane on 281 and with the City regarding Plat requirements.*
- *In April 2022 the Preliminary Plat was approved by the Planning Commission and City Council. The preliminary plat approval expired in October 2022.*
- *Since that time the developers have been working with Maples & Associates and Goodson Surveyors to finalize Civil Plans for the subdivision.*
- *In October 2022 Joe England, County Engineer, Judge Hoyer and Commissioner Rainwater agreed to the subdivision being designed and constructed to the City of Lampasas Subdivision and Construction Detail Specifications.*
- *Mr. Kriegel delivered the Civil Plans to City Staff in January 2023.*
- *Roadways will not be adopted or maintained by the City of Lampasas or Lampasas County*
- *The maintenance of the subdivision will be the responsibility of the HOA*
- *Outside jurisdiction for City Zoning Regulations.*
- *Services provided by Hamilton Electric, OSSF & CORIX Water*
- *Staff recommends consideration of approval to City Council.*

*With no additional discussion Mayor Monroe closed the public hearing.*

1.4	Public hearing to receive citizen comments regarding the Final Plat for The Estates of Gibson Branch Phase One, 187.36 acres, a subdivision within the Extra-Territorial Jurisdiction (ETJ) of the City of Lampasas, Lampasas County, Texas.
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*Council member Morris inquired about future annexation. Staff advised at this time Legislature only allows for Voluntary annexation requests by the developer. Generally, City Staff would only consider if the property connects to City utilities.*

*With no additional discussion Mayor Monroe closed the public hearing.*

2.0	MINUTES
2.1	Discussion and possible action concerning the approval of minutes of the Regular Meeting held on held on January 23, 2023.

*Mayor Pro-Tem Williamson moved to approve the minutes as presented; the motion was seconded by Council member Morris and with Council member Keele abstaining, the motion carried.*

3.0	CONSENT AGENDA
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3.1	Discussion and possible action regarding the second reading of an Ordinance amending Chapter 54 Parks and Recreation, City of Lampasas Code of Ordinances adding Skate Park Rules and creating appropriate signage for safety and well-being of the Community.
3.2	Discussion and possible action regarding the second reading of an Ordinance regarding the proposed 35 miles per hour speed zone for Lampasas High School on Highway 281 from mile point 28.649 to mile point 29.938, totaling 0.289 miles.
3.3	Discussion and possible action regarding purchases and charges in excess of \$4,000 from January 1, 2023-January 31, 2023
3.4	Discussion and possible action regarding December 2022 Investment Report

*Council member Kuehne asked to remove item 3.1 for discussion.*

*Mayor Pro-Tem Williamson moved to approve consent items 3.2, 3.3 & 3.4 as presented; the motion was seconded by Council member Keele and with a unanimous vote, the motion carried.*

*Council member Kuehne moved to remove “please” from the proposed Skate Park Rules in the 3.1 agenda item, the motion was seconded by Mayor Pro-Tem Williamson and with a unanimous vote, the motion carried.*

4.0	BOARDS/DEPARTMENT REPORTS
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5.0	ROUTINE MATTERS
5.1	City Manager’s Operational Report

*City Manager deGraffenried reviewed his report:*

*KWSC*                      *Staff and the Mayor met with the new General Manager of Kempner Water Supply Corporation (KWSC), Bruce Sorenson, on January 30<sup>th</sup>. Mr. Sorenson worked previously with Bell County WCID, and has had a lengthy career in the Water and Wastewater field. He advised that KWSC should receive the final draft of their Water Modeling Study in the next two weeks, and afterwards would like both KWSC and City distribution staffs to meet to discuss ways to improve the delivery of water. The meeting also included a discussion of a subsequent meeting between the KWSC Board of Directors and the Lampasas City Council. Until approximately 7 years ago, both groups met annually to discuss operations and to true-up any discrepancies in billing.*

*Business Park*                      *Attached is documentation of the final Pay Applications for Phase 1 Business Park Improvements. The Pay Applications were approved by the Lampasas Economic Development Corporation’s consulting engineer, Eckermann Engineering, and City staff. The project was completed ahead of schedule and under original contracted price. Also noted on project payment memos and documentation, the City’s portion of American Rescue Plan Act (“ARPA”) was \$927,281.69; less than the Council approved amount of \$971,176.00. The reduction in ARPA allocation, due to Change Order No. 1, allows an additional \$43,894.31 to be available for other eligible expenditures.*

*EMS Report*                      *Attached is the monthly Hamilton County Hospital District Emergency Medical Services (“Hamilton EMS”) report regarding call activity in Lampasas County. According to the report, of the 296 calls responded to by Hamilton EMS in the County, 178 calls, or 60%, were within the City of Lampasas. Staff also notes the shout out to Carlos Garcia and the Street Department for keeping the station accessible during the ice storm. Although not*

*included in the report, the Police Department and their team continues to get high marks from Hamilton EMS for their dispatch service.*

**Sales Tax**

*The State of Texas, and the City of Lampasas, continue the positive trend of increased Sales Tax receipts month to date and year to date. For February the City's sales tax receipts totaled \$291,442.28 compared to \$273,522.45 in 2022, or a 6.54% increase. Receipts in February represent December sales.*

**WCID**

*The Lampasas WCID met on February 9<sup>th</sup> to discuss a number of items with State Water officials and recent action concerning the Pitt Creek subdivision. Jared Bowen, staff for the Texas State Soil and Water and Conservation Board ("TSSWCB"), discussed legislative activity and the opportunity, due to State finances, for additional dam maintenance ("O&M") funding, as well as funding to upgrade dams. The TSSWCB has requested an additional \$34,000,000 for routine dam maintenance, with the provision for no local match, and up to \$150,000,000.00 for capital improvements to upgrade identified dams to high hazard status. As Council may recall, the Lampasas WCID previously submitted a funding request to upgrade dam no. 6 to high hazard. The upgrade designation is due, in part, to the exposure for damage based on increased development down-stream of flood control dams. Paul Wilborn, WCID President, also reported that the Texas Commission on Environmental Quality ("TCEQ") has granted the WCID's request for a contested hearing on the Pitt Creek Subdivision. The WCID raised concern, and filed the request, based on the potential impact of increased storm water run-off, due to increased impervious cover, to the structure of WCID flood control dams. To be clear, the only concern of the WCID is potential impact to the structural integrity of the dams, and their ability to function properly.*

**Audit**

*Yvonne Moreno, Finance Director, reports that the City's contracted auditors should be on-site this month to conduct final review and sampling of the City's FY 2022 financial activity. Normally the draft audit is presented to an Ad-hoc committee of staff and Council, and then presented to Council, sometime in March, for acceptance.*

**Sub-standard Buildings**

*Staff reports that initial inventory of substandard and dangerous structures have formalized and draft notifications are currently being reviewed. Additionally, Frank Ellet, Building Official, reports that staff have been compiling an inventory of commercial buildings in need of nuisance abatement and code compliance. If owners do not, or cannot, comply, the Building Official, Construction Board of Adjustment and City Council may be involved in further action to correct violations.*

**Parks**

*Chris Eicher, Park and Recreation Director, reports that all Park restrooms are repaired and open. The recent December cold weather event resulted in damage to Park restrooms, the Golf Course pump house and Ladies' Club House. The event required installation of 4 toilets in Park restrooms and additional repairs to Golf Course facilities. Both Chris and Van are investigating more robust heating systems for their facilities.*

**Skate Park**

*Progress continues at Campbell Park for the City's Skate Park. Staff has been impressed with the quality of work and preparation of the SPA team. The forms, rebar and reinforced chair stabilization should insure minimal cracking and a quality surface for skaters and patrons. Staff remains optimistic the Park can be completed by the end of February.*

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*Mayor Monroe offered condolences to the Clark family on the passing of previous City employee of over 28 years and recent Council Member Randy Clark.*

6.0	UNFINISHED BUSINESS
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*There was no unfinished business.*

7.0	NEW BUSINESS
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7.1	Discussion and selection of website photo contest.
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*Council member Morris moved to approve photo #1, the motion was seconded by Council member Kuehne. Council member Pearce moved to approve photo #4, the motion was seconded by Council member Keele with Mayor Pro-Tem Williamson voting for photo #1, the motion carried 3-2.*

7.2	Discussion and presentation of the Lampasas Police Department 2022 Annual Racial Profiling Report
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*Council member Kuehne moved to accept the Lampasas Police Department 2022 Annual Racial Profiling Report as presented by Chief Cummings, the motion was seconded by Council member Pearce and with a unanimous vote, the motion carried.*

7.3	Discussion and possible action regarding the first reading of an Ordinance calling the May 6, 2023 General Election for the City of Lampasas to elect the expired terms of the Mayor, Council Members Places One, Two and Six; providing for early voting, polling times and places and bilingual election materials.
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*Council member Keele moved to approve first reading of an Ordinance calling the May 6, 2023 General Election for the City of Lampasas to elect the expired terms of the Mayor, Council Members Places One, Two and Six; providing for early voting, polling times and places and bilingual election materials, the motion was seconded by Mayor Pro-Tem Williamson and with a unanimous vote, the motion carried.*

7.4	Discussion and possible action to issue Order of Election for Municipalities for the May 6, 2023 General Election
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*Council member Keele moved to issue the Order of Election for Municipalities for the May 6, 2023 General Election, the motion was seconded Council member Kuehne and with a unanimous vote, the motion carried.*

7.5	Discussion and possible action regarding approval, denial or approval with modifications to the Preliminary Plat of Gibson Branch
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*Council member Keele moved to approve the Preliminary Plat of Gibson Branch, the motion was seconded by Council member Pearce and with a unanimous vote, the motion carried.*

7.6	Discussion and possible action regarding approval, denial or approval with modifications to the Final Plat of Gibson Branch
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*Council member Keele moved to approve the Final Plat of Gibson Branch, the motion was seconded by Mayor Pro-Tem Williamson and with a unanimous vote, the motion carried.*

7.7	Discussion and possible action to award bid to LC Paving and Constructions for the US 281 Water Line Improvements in an amount not to exceed \$143,247.50.
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*Council member Kuehne moved to award bid to LC Paving and Construction for the US 281 Water Line Improvements in an amount not to exceed \$143,247.50, the motion was seconded by Mayor Pro-Tem Williamson and with a unanimous vote, the motion carried.*

7.8	Discussion and possible action to declare 11 Motorola model XTS 1500 hand-held radios and 7 Maycom brand in-car radios as surplus and to direct staff to dispose of as State law allows.
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*Council member Keele moved to declare 11 Motorola model XTS 1500 hand-held radios and 7 Maycom brand in-car radios as surplus and to direct staff to dispose of as State law allows, the motion was seconded by Council member Morris and with a unanimous vote, the motion carried.*

7.9	Discussion and possible action regarding approval of Resolution nominating candidate for election to the Central Texas Water Supply Corporation
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*Council member Morris moved to approve a Resolution nominating Finley deGraffenried as candidate for re-election to the Central Texas Water Supply Corporation Board of Directors, the motion was seconded by Council member Kuehne and with a unanimous vote, the motion carried.*

7.10	Discussion and possible action to appoint two members of the Lampasas City Council plus the Mayor to a joint City-County Committee to study impacts and planning of a Relief Route connecting US 281, US 183 and US 190
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*Mayor Monroe advised that Council member Pearce and Mayor Pro-Tem volunteered to be part of the Relief Route City-County Committee. With objection, Council unanimously moved to appoint Mr. Pearce and Mr. Williamson to the committee.*

7.11	Discussion and possible action regarding the appointment to fill a vacancy on the Capital Improvement Program Committee
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*Council member Kuehne moved to appoint Craig Hammett to the Capital Improvement Program Committee, the motion was seconded by Councilmember Keele and with a unanimous vote, the motion carried.*

*Adjourn into Executive Session*

*Council member Morris moved to adjourn into Executive Session at 7:14 p.m., the motion was seconded by Council member Keele and with a unanimous vote, the motion carried.*

<b>EXECUTIVE SESSION</b>
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The City Council of the City of Lampasas, Texas will meet in closed Executive Session pursuant to the Texas Government Code, Chapter 551, as follows:

8.0	EXECUTIVE SESSION ITEMS
8.1	Section 551.072 (deliberations about real property) - Deliberation concerning the potential purchase, exchange, lease, acquisition, sale and/or value of real property.
8.2	Adjourn executive session and reconvene Regular Session

Council reconvened into regular session at 7:23 p.m.

<b>REGULAR SESSION</b>
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9.0	<b>ACTION ON EXECUTIVE SESSION</b>
9.1	Discussion and possible action concerning items posted and discussed by Council in Executive Session

*Mayor Pro-Tem moved to authorize the City Manager to negotiate and finalize terms of a special provision contained in a commercial real estate contract between the City of Lampasas and CNB Lampasas Investors, LTD., the motion was seconded by Council member Keele and with a unanimous vote, the motion carried.*

**Adjourn-** *Mayor Pro-Tem Williamson moved to adjourn the meeting at 7:24 p.m., the motion was seconded by Council member Pearce and with a unanimous vote the motion carried.*

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
TJ Monroe, Mayor

ATTEST

\_\_\_\_\_  
Becky Sims, City Secretary