MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
SEPTEMBER 22, 2015

The Bastrop City Council met in a Regular Meeting on Tuesday, September 22, 2015 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Council Members, Kelly Gilleland, Willie DeLaRosa, Kay Garcia McAnally, and Gary Schiff.

CALL TO ORDER

At 6:32 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Jackson was absent.

PLEDGE OF ALLEGIANCE

Reid Sharp led the Pledge of Allegiance and the Pledge to the Texas Flag.

INVOCATION

Mayor Ken Kesselus gave the Invocation.

PRESENTATIONS

1. **Partnerships – County Judge Paul Pape**
Regarding the activity center in conjunction with the YMCA – Moving forward with $1.5 million grant from HUD. Requesting a definite answer from the City by the end of the month followed by a definite location.
Go Green – It was announced that they would not be able to continue the harvesting of the burned trees. They have worked diligently for a couple of years. The Plan B as the court has approved it would be to staff up or hire contractors to go into the lots and cut the dead trees to at least get them on the ground and then give the property owner the option of what to do next.
National Disaster Resiliency Competition – HUD has made available a billion dollars for the entire program and challenged states and communities that would qualify to apply for the funds. The qualifications are to have suffered a natural disaster between 2011 and 2013, which Bastrop County did. Only three local jurisdictions in Texas fit into the window. The three jurisdictions put together a package of seven projects and the application has been submitted to GLO and an answer is expected after the first of the year stating which part of the program will qualify.
Judge Pape and Mayor Kesselus met with Texas Parks and Wildlife on today concerning the Bastrop County State Park, whether it makes sense to put the golf course back into operation. The question is if the golf course cannot be rebuilt what can be done to attract visitors to Bastrop.

   Council Member McAnally asked the judge how long he anticipated working with companies to come in and manage the golf course. The judge stated however long it takes. Council Member McAnally responded by saying that she would not want to go on indefinitely because there are some good possibilities for use of the golf course. Mayor Kesselus offered the assistance of the Council wherever needed.

2. **Update on Bastrop Economic Development Corp. – Executive Director Shawn Kirkpatrick**
   - BEDC held their regular meeting on September 21, 2015.
   - The staff has been tasked to come back within the next couple of months with an action plan on: how to take the targeted industries and the recruiting and marketing efforts, workforce and education development programs; business retention expansion programs; what the programs are going to look like for the next year, three years, five years; and the different processes that will be implemented and the strategies that will be utilized to make them successful.
   - The RCL Housing study was accepted by the board.
   - The BEDC hosted Comptroller Glenn Hegar for a town hall meeting which was very well attended.
   - October 29, 2015 in association with the Board of Realtors a Smart Growth Planning Force at the Convention Center.

   Council Member Gilleland asked if the BEDC had discussed postsecondary education and if so, where it is as a priority of the BEDC. Shawn stated that it is a very high priority and there was a meeting on September 18, 2015 with a lot of the State and Regional partners. Council Member Gilleland asked if there were any plans to pursue adult education outside the BISD. Shawn stated that is part of the conversation that is being had. Shawn also stated that the BEDC has learned of a dual credit grant program that will open up this fall where the education provider with BISD can apply for a $250,000 grant to buy equipment for the facilities for the HB5 programs. Council Member McAnally asked Shawn if there had been discussion about how to be more supportive to the businesses on Highway 71. Shawn stated that it has been a very active conversation with the board.

PROCLAMATIONS

1. **Community Planning Month**
   The proclamation was accepted by Melissa McCollum, Planning Director.

CITIZEN COMMENTS

Jo Albers – spoke on behalf of the Boys and Girls Club

- The Boys and Girls Club is anxiously awaiting the Council's response to the request to the extension on the deed to build on the land at Bob Bryant Park.
- Wanted to draw the distinction that the Boys and Girls Club and the YMCA each serve very different community services to fulfill very different needs of the community.

ANNOUNCEMENTS

A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally and Dock Jackson

- Connie Schroeder, Head of the Steering Committee, stated that the next meeting will be October 5, 2015 at 6:30 p.m. and the results of the survey will be available.

B. Council Member Schiff -

- announced on October 24, 2015 at 7:30 p.m. Doyle Dikes will perform at the Bastrop Christian Outreach Center. There is no admission charge but donations are welcome.

CITY MANAGER'S INFORMATIONAL REPORT FOR THE SEPTEMBER 22, 2015 CITY COUNCIL MEETING:

I. Meetings and Events Attended:

A. Attended a Special Meeting of the Lost Pines Groundwater Conservation District on September 9, 2015.
B. Attended a Special Meeting of the Ethic's Commission on September 15, 2015.
C. Attended the City Council "Utility Workshop" Meeting on September 15, 2015.
D. Attended the Monthly Meeting of the Lost Pines Groundwater Conservation District on September 17, 2015.

II. Update on City Projects and Issues:

A. Discussion and Review of Water Usage for the period of September 1, 2015 through September 20, 2015.
B. Update on the Long Term Water Supply Project.
C. Review and Discussion Upcoming Meetings of the City Council
D. Update Regarding the FY-16 Annual City Council Annual Planning Retreat.
E. Update on Current City Infrastructure Projects:
 i. Water, Haysel & Spring Streets Infrastructure Project. [Facility Maintenance]
 ii. Tahitian Village Overpass Project
 iii. Water Filtration Project – Willow Park Well Field
F. Update on the Comprehensive Plan.
G. Update on the Transition of Solid-waste/Recycling Companies for the City of Bastrop.
H. Discussion and Review Regarding West Bastrop Village West Municipal Utility District.
I. Update on the Bus Shelter in the Northern Area of Town
J. Sales Tax Collection by the City of Bastrop for September 2015.
K. Update on the XS Ranch PID.

- Moving forward.

L. Update on the HUD Shelter Grant and the YMCA MOU.
M. Discussion, Review and Update on the City of Bastrop's Public Education & Government [PEG] Channel.
N. Update on Changing the Parking Alignment on Main Street From Pine Street to Chestnut Street.

- Directives from Council were that the parking line on Main Street running to Pine Street and Chestnut Street be realigned. As staff understood Council wanted the current white stripe at the end of the parking lane be extended two feet in order for big trucks to be able to use as heading in parking and not be in violation of the parking ordinance by having the vehicle extending over the white line. On the east side of Main Street Council directed that heading in parking be converted to parallel parking. The following was noted: the center stripe being moved two feet to the east will result in the travel lane to be a maximum of ten feet wide; because of that ten feet wide the cars parked parallel on the east side will have driver open their right door into the travel lane. The City Manager and staff both agreed that this is not the safest for the cars that are parallel parking. Exhibit C2 is an alternative to the Council directive. Council was attempting to accomplish to provide parking spaces on Main Street from Pine and Chestnut. The option is: heading in parking on the west side of Main Street remain in its current alignment by maintaining a current line on west side, the center line will be moved over a little in order to create two eleven foot travel lanes, two parallel spaces on the west side and ask that the big trucks park on the west side. Staff believes this is much safer. The City Manager asked for direction from the Council regarding which plan to go with. Mayor Kesselus recommended that anything that works and is safer he wants to support. He also stated that he appreciated the staff bringing this forward. The Mayor recommended the suggested change by the City Manager and staff.

Council Member Gilleland made the motion to accept the recommended changes made by the City Manager and staff, seconded by Council Member McAnally. The motion was approved on a vote of 3-1. Mayor Pro Tem DeLaRosa voted nay. Council Member Jackson was absent.

O. Discussion and Review Regarding the Relocation of the Mail Boxes behind the Post Office.

- Currently the drop off location is very close to Spring Street in the alley, drop off mail boxes are right next to the curb in the alley behind the Post Office which is approximately fifteen feet wide just wide enough for one traffic lane. Staff has been working with the Post Master and Mr. Albright, the owner of the building on a plan that will allow for rotation drop off box by 180 degrees in order to have the drop box accessible from the opposite side. Mayor Kesselus stated that Mr. Albright called him with concerns of people that he spoke to at the Post Office. Mr. Albright requested that temporary spray paint be placed for a few days where the proposed lanes will be in order for people to have a visual of where the lanes would be. The Mayor asked the City Manager if this could be done. The City Manager said this is doable with the permission from Mr. Albright, the owner of the building. Council Member Schiff asked if it had been taken into consideration how many parking spaces would be eliminated. The City Manager stated no but that if this goes through Mr. Albright will do away with a parking space and the rest will remain. The Mayor stated that there will be just one parking space lost. Council Member Schiff asked if it had been taken into consideration when the mail truck comes to pick up the mail, will the truck block people being able to drop off mail during that time. The City Manager stated that as the lanes are sprayed down for observation pictures will be taken during mail pick up and report back to Council.

P. Update on the Sound System in the City Council Chambers.

Q. Update on the Rodeo Arena

- The City Manager reported what a fine job the Parks Department has done on the upgrades to the Rodeo Arena. Council Member McAnally expressed her thanks to the Parks Department. The Mayor thanked the citizens for their patience and Mike for being a good city manager.

R. The Parks and Recreation Schedule of Fall Events.

S. Management/Administrative Activities

III. Other City Activities:

A. City of Bastrop Convention Center Activities.

B. The City of Bastrop Main Street Program.

C. Planning Department – Inspection Report.

D. Update on the YMCA Program

Inviting input from the City Council related to issues for possible inclusion on future agendas related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

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EXECUTIVE SESSION: *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon's TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters
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A. CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

A.1. **Consideration, discussion and possible action regarding approval of minutes from the City Council regular meeting of August 25, 2015 and September 8, 2015.**

A.2 **Approval of an extension request for a period of 365 days from the date of staff approval of the Lots 1 and 2, Buttonwood Subdivision Administrative Plat creating two residential lots within the city limits of Bastrop, Texas.**

A.3 **Second reading of an ordinance of the City Council Of The City Of Bastrop, Texas revising the city code of ordinances, Chapter 13, "Utilities," by amending Section 13.02.006, "Reconnect Fees And Service Fees For Delinquent Accounts", amending Sections 13.07.001, "Residential Service", 13.07.002, "Commercial Service," AND 13.07.003, "Key Accounts"; adding Section 13.07.006, "Disconnect And Reconnect Fees For Delinquent Accounts"; amending Appendix "A", "Fee Schedules", Sections 13.02, "Water And Wastewater Rates And Charges", 13.07, "Electrical Service", and 13.09, "Utility Fees, Rates And Deposits"; and providing an effective date.**

A.4 **Second reading of an ordinance amending the Bastrop City Code Of Ordinances, Appendix "A", "Fee Schedule", Article A13.02 "Water And Wastewater Rates And Charges"; repealing conflicting provisions; providing severability; and providing an effective date.**

A.5 **Consideration, discussion and possible action by the City Council to designate Afton Figueroa, Assistant Finance Director, as a Representative of the City of Bastrop to transmit funds for investment in TexPool / TexPool Prime, to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.**

A.6 **Consideration, discussion and possible action regarding updated Bastrop Public Library Patron Behavior Policy.**

Council Member Schiff made the motion to approve the Consent Agenda, seconded by Mayor Pro Tem DeLaRosa. The Consent Agenda was approved on a vote of 4-0. Council Member Jackson was absent.

B. PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION - NONE

C. OLD BUSINESS

C.1 **Second reading of an ordinance of the City Of Bastrop, Texas, adopting a budget and appropriating resources for fiscal year 2015-2016, beginning October 1, 2015 and ending September 30, 2016, in accordance with existing statutory requirements, repealing all conflicting ordinances, containing a severability clause, and providing for an effective date.**
Council Member Schiff made the motion to approve the second reading of the ordinance, seconded by Council Member Gilleland. The motion was approved on a roll call vote of 3-1. Mayor Pro Tem DeLaRosa voted nay. Council Member Jackson was absent.

C.2 **Consideration, discussion and possible action on ratifying the property tax increase reflected in the annual budget for the Fiscal Year 2015-2016; beginning October 1, 2015 and ending September 30, 2016.**
Council Member Schiff made the motion to ratify the property tax increase reflected in the annual budget for the Fiscal Year 2015-2016, seconded by Council Member McAnally. The motion was approved on a vote of 3-1. Mayor Pro Tem DeLaRosa voted nay. Council Member Jackson was absent.

C.3 **Second reading of an ordinance fixing the tax rate and levy for the City Of Bastrop, Texas, for the purpose of paying the current expenses of the city for the fiscal year ending September 30, 2016; and for the further purpose of creating a sinking fund to retire the principle and interest of the bond indebtedness of the city; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date.**
Council Member Schiff made the motion to approve the second reading of the ordinance by increasing the property tax rate by adopting a tax rate of .564 which is effectively a 2.97 percent increase in the tax rate, seconded by Council Member McAnally. The motion was approved on a vote of 3-1. Mayor Pro Tem DeLaRosa voted nay. Council Member Jackson was absent.

D. NEW BUSINESS

D.1 **Consideration, discussion and possible action on Council's view regarding plan B for the YMCA.**
The City Manager gave a summary of the direction from Council to work with the YMCA (Y) as: he is putting together a Memorandum of Understanding (MOU) which basically will say that if the Y gets their part done the City's part will be to give them the $1.5 million, the Council will have input on the facility that will be constructed. Correspondingly, if that does not come to fruition and Plan B has to be implemented which is looking at a building that was originally looked at and doing some value and assessments the believe is that the cost can be brought down to build the building for $1.5 million. More than likely this would be built at the Bob Bryant Park because land cost was not included in the cost. Clarification: Plan A is to work with the Y. Council

Member McAnally asked if the Y should be put on Bob Bryant Park would this affect the Boys and Girls Club contract. The City Manager stated the site at Bob Bryant is not sufficient for the size building the Y is wanting to build but if the City builds on Bob Bryan Park it would impact the Boys and Girls Club's contract, the size building the City is proposing would fit on the site under Plan B. The Mayor ask for clarification that the Y is not asking the City for the land but merely for the $1.5 million. The City Manager replied yes to the Mayor's question. Council Member McAnally asked the City Manager if there was time left to speak to the Y. The City Manager responded yes and stated that the Y representatives will be contacting the Mayor and Council members individually. The City Manager will provide the plan to the Mayor and Council prior to the ninety day deadline. Council Member McAnally requested more backup material for the items on the agenda.

Council Member McAnally stated that she wanted to commit the $1.5 million to the Y for plan A but not limit the City on how much the City can add to the contributions if there was a possibility to do so.

Council Member Schiff stated his motion only addresses the $1.5 million no other amount of money is being put on the table, this motion is to work it out with the $1.5 million. If Mike comes back with a request for an additional $2 million from the Y the motion is invalid and the City either will accept it or go to Plan B or C.

Council Member Schiff made the motion to direct the City Manager to work with the Y donating the City's contribution of the $1.5 million grant toward an approximate 20,000 square foot Y facility as the primary focus, seconded by Council Member Gilleland. The motion was approved on a 4-0 vote. Council Member Jackson was absent.

City Manager Talbot stated the primary focus of Plan B is to evaluate and cost out and believe is that the cost of the building can be brought down and build it at the Bob Bryant Park, possibly another location but the primary focus is the Bob Bryant Park. The cost does not include land cost. Council Member Gilleland asked what type of facility this is proposed to be. The City Manager stated it would be oriented towards a recreational building and a multi-purpose use building. Council Member Gilleland asked the City Manager if he was still considering a public works/shelter building. Council Member McAnally reiterated that the Boys and Girls Club was given ten years to find a building for their space and asked the City Manager to look for space that can be offered to the Boys and Girls Club should the need arise. The City Manager assured Council Member McAnally that this is being taken into account as the plans are being looked over again. Council Directed the City Manager to come back with his recommendation.

D.2 **Consideration, discussion and possible action regarding possibility of building a road to connect Jessica Street and Riverside Grove with the Eastern end of Nancy Blakey Lane.**
This item will be placed on the joint Council and BEDC agenda for October 20, 2015.

D.3 **Appointment by Mayor and confirmation by Council of a member to the Parks Board.**
Mayor Pro Tem DeLaRosa made the motion to appoint Damien Winston to the Parks Board, seconded by Council Member Schiff. The motion was approved on a vote of 4-0. Council Member Jackson was absent.

D.4 **Appointment by Mayor and confirmation by Council of a member to the Ethics Commission.**
This item was withdrawn.

Mayor Kesselus gave the history – He stated when the work by the Ethics Board was finished by the group that was elected as a whole under the leadership of Mayor Orr an ordinance was passed that required the appointment of an Ethics Commission. Mayor Orr chose three people from the board that Mayor Kesselus thought were a wonderful blend of experience and professionalism. The appointments were a judge, a minister and a police officer who did not work in Bastrop. Mayor Kesselus stated "I decided that I would not appoint anyone to a board, committee or commission who was involved in partisan political office and in my mind that did not apply to judges." Mayor stated that a couple of members on the council pointed out to him that Judge Duggan ran as a Democrat, elected as a Democrat and it is a political partisan office so to be consistent he would not be eligible. Mayor Kesselus stated that in looking at the ordinance and having conversation with JC he understood that members of the Ethics Commission serve until someone replaces them. Mayor Kesselus stated that he called Judge Duggan and he understood what the Mayor was proposing to do, he was very supportive and he said "I will do whatever you want". Mayor Kesselus stated that he looked for a year for a judge and in June Council Member Gilleland pointed out that Judge Duggan's term ended in 2014. The Mayor stated that he tried to find a category in which he thought would be commensurate with what he finds is the value of a judge who could look at all issues and all sides and has to weigh all sides of each issue. The Mayor said he looked over the composition of the task force and there was a counselor on that commission which he thought was a category that could substitute for judge. The Mayor spoke with some of the counselors in town that he knew and they recommended Troy "Lonnie" Ennis who is a licensed professional counselor in Bastrop and lives in Bastrop. The Mayor stated that he spoke with Judge Duggan and informed him that he had a replacement for his place on the Ethics Commission and he asked the Judge if the Commission had any pending work to do. The Mayor stated that the Judge said yes there was an item or two and the Mayor asked him to let him know when these things were completed. The Mayor stated there was an Ethics Commission meeting on July 28th and the Judge called the Mayor to say that he believed they were through and the Mayor asked Troy to apply and he did so the next day. The Mayor stated during this time the Commission was asked to follow up on some things that they had done and they did not have another meeting until September 15, 2015 and they finished up and the Mayor spoke to the Judge and the Judge stated they were done. The Mayor then submitted Troy's name to the Council.

Council Member Gilleland expressed that she would have appreciated the Mayor saying that he was removing Judge Duggan in the agenda item because it was not clear who was being replaced. She stated that she felt that Judge Duggan has served the Council well, he was as the Mayor said a member of the formation of the Ethics Commission and he has done an impeccable job and there is no reason to take him off the commission other than the Mayor does not want to appoint someone who is a partisan politician which Council Member Gilleland stated is the Mayors personal opinion because last July the Mayor said it was ok for the Ethics Commission.

Mayor Kesselus stated that he thought it was different he said he spoke to JC and he had a couple of Council Members say to him that they did not think it was right. He stated "if the Council wants to advise me then I will leave Judge Duggan on there and we can talk about it."

Council Member Gilleland stated that she would like to find a way to keep Judge Duggan and for the Mayor to officially appoint the Judge rather than have his position pending and without an official term. Council Member Gilleland stated that she called Judge Duggan once she found out that it was his position that was being replaced and the Judge stated that he would like to continue to serve if the Council supported him and she stated "I certainly would."

Council Member McAnally stated "and I certainly would too."

Council Member Schiff stated "I think having a lawyer, not only a judge but someone who really knows the law, when you are talking ethics you should have someone to address the legal ramifications of ethics issues." Council Member Schiff stated that he believes Judge Duggan is a very important member of the commission.

Council Member Gilleland stated that if the Mayor would like to keep Judge Duggan on the Ethics Commission she would like to help make it happen.

The Mayor asked if the Council saw a distinction between a person who is a judge and an individual who is a county treasurer or something similar in terms of the partisan politics. Council Member Gilleland asked if he meant for this particular committee and the Mayor stated "yes." Council Member Gilleland stated that she does because she feels that a judge adds the needed legal expertise and background in judging all sides of the story from a different perspective and she does not feel that a county treasurer has that experience. Council Member Gilleland also pointed out that in Texas judges are elected and unless you could find a retired judge you will have to have an elected person. Council Member Gilleland stated that Judge Duggan has not given any reason for anyone to think that he is not fair and impartial and if the Mayor is good with that she would like to help keep Judge Duggan on the Commission. The Mayor stated that Judge Duggan has said to him the same thing he said to Council Member Gilleland but he also said if he can help out by not serving then he will not serve. The Mayor stated that Judge Duggan is a public servant in every form of the word and he spends a lot of time in public service and even though he does not live in the City of Bastrop he is eager to help. Council Member Gilleland asked the Mayor if he would support keeping Judge Duggan. The Mayor stated "I will think about what you said."

Mayor Pro Tem DeLaRosa asked the Mayor if he was wanting to replace Judge Duggan because he thought that was the desire of some of the members of the body. The Mayor stated no that he had developed a policy and he did not think it was helpful or appropriate "in a governmental entity is absolutely forbidden to have partisan politics at all we cannot run as a party person we have to run as nonpartisan" that is true for school board members it is not true for other elected officials in Texas. The Mayor stated that he felt it was important that this body keep itself clear from partisan politics. Mayor Pro Tem DeLaRosa said he would support bringing Judge Duggan back to the Ethics Commission. Council Member McAnally stated that she appreciates that Mr. Ennis would be willing to step up to the plate but she does not see any reason to replace Judge Duggan if he is in agreement to stay, "and he is."

JC Brown, City Attorney wanted to remind the Council and audience what happened last June when this issue was raised by the Mayor. She brings it up due to the ordinance not being codified. The Mayor brought the issue to the Council and asked for their input and at that time the Council agreed with the Mayor that having a judge on the commission was appropriate and they struck the last sentence of the original Ethics Ordinance that originally read "members of the Ethics Commission may not hold or be a candidate for any city elected or appointed office at any time during service on the Ethics Commission". That was stricken, it is not shown on the ordinance that is currently on the website but we will get that cleared up with Franklin Publishing. JC wanted to make sure that the Council was looking at an accurate version of the City Code. JC stated that the sentence was a compromise by the Council as a result of a discussion to assure the body that having an elected official or a candidate on the commission would be appropriate. The Mayor asked if that sentence was included in the original ordinance by the task force that was originally passed. JC responded with yes. The Mayor stated "so we don't know what the Ethics Commission thinks about that change." JC stated "we didn't ask the Ethics Commission about that change, the City Council use its unilateral authority to amend the ordinance."

Council Member Gilleland questioned JC about the section where it speaks to the removal of Ethics Commission members it states "an Ethics Commission member may be removed by majority vote of this Council for cause only". Council Member Gilleland stated that she was not aware of whether or not this applies to this situation that he is serving determinant term, she asked that JC explain this to her. JC stated that it would be her opinion that it does not apply to this particular position because she believes Judge Duggan is holding over he is not in a current term and being removed during his term so she believes that that particular provision is not applicable in this particular case. Council Member Gilleland stated that she would not want anyone to believe that Judge Duggan was being removed for a cause. JC stated the judge is not being removed and the Mayor stated that was not his intention. Council Member McAnally stated to the Mayor "under your proposal he is being replaced?' The Mayor stated "no, ever term that comes up I don't care if you have been on the commission for 25 years it's a new term and the Mayor appoints somebody for that term whether they have served on it before, on it then or never been on it before it's always a new term and I look at every case and often I appoint people that are currently serving on a commission, committee or board but not always." Council Member Gilleland asked the Mayor what his plan of action is now and the Mayor stated that he has to think about it.

Council Member McAnally asked if the same three members were still serving on the Ethics Commission. Mayor Kesselus stated yes, Judge Duggan will serve until his replacement is appointed. Council Member McAnally asked if this would be resolved next week. The Mayor stated that he would get to it as soon as he can.

D.5 **Consideration, discussion and possible action on the Award of Contract to Bastrop Tree Service to complete the Gill Branch Fuel reduction Hazardous Fuel Mitigation project for a total amount of $208,876.50.**

This item was postponed to October 13, 2015 without objection.

D.6 **Consideration, discussion and possible action on a resolution of the City Council of the City of Bastrop, Texas to adopt 44 CFR 13.16 as the standard procurement policy for the City Of Bastrop for the procurement of hazardous mitigation services.**

Council Member Gilleland made the motion to approve the resolution, seconded by Council Member McAnally. The motion was approved on a vote of 4-0. Council Member Jackson was absent.

D.7 **Consideration, discussion and possible action regarding the first reading of an ordinance of the City Council Of The City Of Bastrop, Texas, amending Sections 1.15.001 and 1.15.031; "Ethics Ordinance" in the code of ordinances of the City Of Bastrop; providing a severability clause; and providing an effective date.**

Council Member McAnally made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 4-0. Council Member Jackson was absent.

D.8 **Discussion, consideration, and possible action regarding possible recalculation of the grant tentatively awarded to the Boys and Girls Club for FY 2015-2016, removing Councilmember Gilleland's allocated amount due to a potential conflict of interest.**

Council Member McAnally made the motion to reaffirm the previous allocation of the funds with Council Member Gilleland recusing herself from the Boys and Girls Club, seconded by Council Member Schiff. The motion was approved on a 3-0 vote. Council Member Gilleland recused herself due to a contractual arrangement with a board member for the Boys and Girls Club. Council Member Jackson was absent.

E. EXECUTIVE SESSION - NONE

ADJOURNMENT

At 8:33 p.m., Council Member Schiff made the motion to adjourn, Council Member Gilleland seconded the motion which passed on a 4-0 vote. Council Member Jackson was absent.

APPROVED:

Mayor Ken Kesselus

ATTEST:

City Secretary Ann Franklin