

**BASTROP CITY COUNCIL
MINUTES OF REGULAR MEETING
May 13, 2014 at 6:15 pm**

Pursuant to the Texas Government Code, Chapter § 551, the City Council of Bastrop, Texas held a Regular Meeting on the aforementioned date at the Bastrop City Hall Council Chambers located at 1311 Chestnut Street in Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER** – Mayor Terry Orr called the meeting to order at 6:15 p.m. A quorum was present: Council Members Ken Kesselus, Willie De La Rosa, Dock Jackson, and Mayor Pro-Tem Joe Beal. Absent Council Member was Kay Garcia McAnally.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – Mayor Orr led the Pledge of Allegiance and Assistant Chief of Police Wagner introduced Chaplin Sparks from the Christian Outreach Center who lead us in prayer.
3. **PRESENTATIONS** – Mayor Orr introduced Taylor Claxton a Third Grader at Bluebonnet Elementary who gave an insightful presentation on “Integrity.” Taylor enjoys basketball, swimming and is on the AAU Basketball Team named “Lighting.” She was accompanied by her proud parents Eric and Heather Claxton.
4. **PROCLAMATIONS** – In recognition of National Police Week May 11 – 17, 2014, Mayor Orr read the proclamation and presented it to Assistant Police Chief Matt Wagner.
5. **CITIZEN COMMENTS**
6. **ANNOUNCEMENTS** – Mayor Orr welcomed and introduced the Cedar Creek High School students who were present; Graciela Miranda, Wilma Mayes, Sarah Chavez, Anissa Hill and Zach Flores.

Mayor Orr recognized Council Members McAnally’s absence as excused and proceeded to introduce City Manager Talbot who presented his City Manager’s Report.

UPDATE ON REQUEST FOR FUNDING FROM THE HOTEL/MOTEL TAX - City Manager Talbot referenced item #L on the City Managers Report and provided the Council Members an update on City Projects. He requested the Council’s consideration and approval of the final application and cover letter to be provided to the Organizations/Entities requesting Hotel/Motel Funding from the City in Fiscal Year 2015.

After a brief discussion amongst the Council, Mayor Terry Orr requested a motion.

MOTION – Mayor Pro-Tem Beal made the motion

SECONDED – Council Member Jackson

MOTION PASSED – Unanimous vote of 4-0

- 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(s) so request.

A.1 Approval of Minutes for the City Council Meetings held on April 22 & April 28, 2014.

A.2 Consideration & Discussion and possible Action on the SECOND READING of a proposed revision to an ordinance of the City Council of the City of Bastrop, Texas, AMENDING sec. A13.09.007 SERVICE FEES in the Code of Ordinances of the City of Bastrop; establishing fines and penalties for violations; providing for enforcement; providing an effective date.

A.3 Approval of Bastrop Marketing Corporation’s request for reimbursement of expenses.

A.4 Consideration, discussion and possible action on the SECOND READING to AMEND the Fairview Cemetery Ordinance, Chapter 15 “Cemeteries” of the Bastrop Code of Ordinances; Article 15.01 “Fairview Cemetery” to add section 15.01.026 “Memorial Section” providing for enforcement; providing severability clause; and providing an effective date.

A.5 Approval of request to accept the Public Improvements for Hunters Crossing, Bear Hunter Drive Phase 1, Extending South from SH 71 EB Frontage Rd to Pack Horse Drive, within the Hunters Crossing Subdivision and inside the city limits of Bastrop, Texas.

Mayor Orr read agenda items 2 and 3 in recognition of the second reading and requested a motion to approve the items on the consent agenda.

MOTION – Council Member Willie DeLaRosa made the motion.

SECONDED - Council Member Dock Jackson seconded the motion.

MOTION PASSED – Unanimous vote of 4-0.

- B. **PUBLIC HEARINGS & ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION.**

City Manager Talbot pulled items B1 & B2 from the agenda.

B.3 PUBLIC HEARING: Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change zone change to C1, Commercial-1 (Light) zoning the following properties:

1. Zone change from NS, Neighborhood Services for +/-0.3190 acres within BB 3, East of Water St. (R45734)
2. Zone change from SF-7, Single Family Residential-7 for +/-0.318 acres within BB 3, East of Water St. (R33031)
3. Zone change from SF-7, Single Family Residential-7 for +/-0.29 acres within BB 18, East of Water St. (R47621)
4. Zone change from SF-7, Single Family Residential-7 for +/-0.137 acres within BB 18, East of Water St. (R32963)
5. Zone change from SF-7, Single Family Residential-7 for +/-0.206 acres within BB 18, East of Water St. (R47622)
6. Zone change from C-2, Commercial Heavy-2 for +/-0.099 acres within BB 23, East of Water Street (R47625)
7. Zone change from C-2, Commercial Heavy-2 for +/-0.098 acres within BB 23, East of Water St. (R34481)
8. Zone change from C-2, Commercial Heavy-2 for +/-0.2440 acres within BB 23, East of Water St. (R34513)
9. Zone change from C-2, Commercial Heavy-2 for +/-0.098 acres within BB 23, East of Water St. (R39271)
10. Zone change from C-2, Commercial Heavy-2 for +/-0.095 acres within BB 23, East of Water St. (R47626)
11. Zone change from C-2, Commercial Heavy-2 for +/-0.458 acres within BB 38, East of Water St. (between Hill St & Lovers Ln)
12. Zone change from C-2, Commercial Heavy-2 for +/-0.306 acres within BB 43, East of Water St. (R47700)

At 6:41 pm, Mayor Orr opened the Public Hearing and Planning and Development Director McCollum informed the Council that the staff was recommending approval of the zoning district classifications of C-1 Commercial-1 (Light) for the 12 separate tracks along College Street. Mayor Orr invited public comments, but with no responses he closed the public hearing at 6:48 pm.

B.4 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change zone change to C1, Commercial-1 (Light) zoning the following properties:

1. Zone change from NS, Neighborhood Services for +/-0.3190 acres within BB 3, East of Water St. (R45734)
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Mayor Orr read the above agenda item and requested a motion to approve the FIRST READING.

MOTION – Council Member Dock Jackson made the motion.

SECONDED – Mayor Pro-Tem Joe Beal seconded the motion and requested the second reading be placed on the consent agenda.

MOTION PASSED – Unanimous vote of 3-1. Council Member DeLaRosa recused himself.

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 Government Code, Vernon's Texas Code, Annotated, the item below will be discussed in closed session. SECTION 551.071 – Consultations with Attorney related to legal matters*

C. OLD BUSINESS – None.

D. NEW BUSINESS

D.1 Consideration, discussion and possible action on ACCEPTANCE of the unaudited Monthly Financial Report and Quarterly Investment Report for the period ending of March 31, 2014. (Stovall)

Chief Financial Officer Karla Stovall requested the Councils consideration and acceptance of the above captioned item.

Mayor Orr invited questions and comments; with no responses, he requested a motion.

MOTION – Council Member Dock Jackson motioned to accept the financial reports for the period ending March 31, 2014.

SECONDED – Mayor Pro-Tem Joe Beal

MOTION PASSED – Unanimous vote of 4-0

D.2 Consideration, Discussion and Possible action on the Award of contract for Hasler Boulevard Reconstruction Project. (McCollum)

Planning and Zoning Director Melissa McCollum requested the Council's approval to award the contract to Patin Construction for their low bid of \$363,540.00 for the Hasler Boulevard Reconstruction Project.

Mayor Terry Orr invited questions and comments; with no response, he requested a motion.

MOTION – Mayor Pro-Tem Joe Beal

SECONDED – Council Member Willie DeLaRosa

MOTION PASSED – Unanimous vote of 4-0

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.*, to discuss the following:

1. **SECTION 551.071(1)(A) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to “Pine Forest Investments Group, LLC v The City of Bastrop, et al, cause No. 29,052, In the 21st Judicial District Court of Bastrop County, Texas,” and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.
3. **SECTION 551.074** – Personnel Matters
4. **SECTION 551.086**– Certain Public Utilities: (1) Competitive Matters

E.2 The Bastrop City Council will reconvene into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No Executive Session

F. ADJOURNMENT - Mayor Orr requested a motion to adjourn; Motion made by Council Member DeLaRosa and seconded by Council Member Kesselus and meeting adjourned at 7:01 pm.

APPROVED: _____

Terry Orr, Mayor

ATTEST: _____

Elizabeth Minerva Lopez, City Secretary