MINUTES OF REGULAR MEETING
BASTROP CITY COUNCIL
August 27, 2013

The Bastrop City Council met in a Regular Meeting on Tuesday, August 27, 2013 at 6:15 PM at the Bastrop City Hall Council Chambers, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members, Kay Garcia McAnally, Dock Jackson, Willie DeLaRosa and Joe Beal.

ANNOUNCEMENTS

1. Call to Order

At 6:17 PM Mayor Terry Orr called the meeting to order with a quorum being present.

2. Pledge of Allegiance and Invocation

City Attorney JC Brown led the pledges of allegiance to the U.S. and Texas Flags. Chaplain Jimmy Cottle led the invocation.

3. Presentations

There were no presentations.

4. Proclamations

There were no proclamations.

5. Announcements

Mayor Orr announced that Mr. Kesselus would not be in attendance at the meeting.

At 6:21 PM the Bastrop City Council met in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq,* and discussed the following:

1. Section 551.0-74 – Personnel Matters: City Secretary

At 6:39 PM Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive session:

Mr. Talbot stated that in accordance with the City Charter the City Manager recommends the City Secretary and must receive the consent of the Council. He stated that the City had been through an exhaustive search and with great pleasure that I recommend Ms. Elizabeth Lopez as the new City Secretary. Ms. Garcia McAnally moved to approve Ms. Lopez appointment as the City Secretary. Mr. DeLaRosa seconded the motion. Motion carried unanimously. Mr. Talbot and Mayor Orr welcomed

Ms. Lopez to the City of Bastrop. Mayor Orr also commended Ms. Cantrell for an excellent job on conducting the search for City Secretary. Mr. Talbot agreed with the Mayor. Ms. Cantrell thanked Kay Revetta and Traci Chavez for all their help during the process. Mr. Talbot stated that Ms. Lopez first day will be September 3, 2013.

CITY MANAGER INFORMATIONAL UPDATE REPORT: Items for update, discussion and possible action:

A. Meeting and Events Attended:
   1. The Formed Based Codes Task Force Meeting on August 14, 2013
   2. The Formed Based Codes Task Force Meeting on August 19, 21013
   3. Bastrop Economic Development Corp. Monthly Board Meeting August 19, 2013
   4. Special City Council Budget Workshop Meeting August 20, 2013
   5. Lost Pines Groundwater Conservation District Monthly Board Meeting August 21, 2013

B. Update on City Projects and Issues:
   1. The Proposed Constitutional Amendment creating "SWIFT & SWIFT".
   2. Status of Upgrading the School Zones
   3. Water Consumption Report for the period from August 13, 2013 through August 18, 2013.
   4. Update on the Short and Long Term Water Supply Projects.
   5. Update on the Construction of the Sidewalk across the Rail Road Tracks on Chestnut St.
   6. Update on the Top 10 Strategic Priorities for 2013-2016.
   7. FY-14 Proposed Operating Budget
   8. Issuance of Revenue Bonds and Certificate of Obligations

C. Update on City Business:
   1. Convention Center Activities
   2. Main Street Program
   3. Commercial/Residential Construction Projects in the City
   4. YMCA Activities

D. Department and Board Reports

E. Inviting input from Council related to issues for possible inclusion on future agenda's 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.

Item B-8 Mr. Talbot informed Council that the absolute last day to make a decision to issue bonds will be September 10, 2013. Mr. Talbot will present a project list to Council at the September 3, 2013 Budget Workshop Meeting. He stated that if we wait any longer our financial advisor feels we would be going up against some large cities and that may not be favorable for the City.

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 Members so requests.

A.1 Approval of meeting minutes of August 13, 2013 Regular Council Meeting Minutes and August 13, 2013 Special Workshop Meeting.

A.2 Consideration, discussion and possible action on Resolution to designate the historic downtown commercial district and adjacent properties as a Culinary District was to support a major downtown industry, and to market and advertise the food experience to draw culinary travelers and local residents to the area.

A.3 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for The Replat of Lot 51, Piney Ridge Subdivision, Section 3 to create 2 residential lots; portions of the proposed lots are within the City Limits of Bastrop, Texas and portions are in the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

A.4 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for The Grove, Phase 1, Lot 1 Block A Final Plat for 1 commercial lot south of Highway 71 West and east of Highway 304 and Centers of Woodland Shopping Center within the City Limits of Bastrop, Texas.

A.5 Approval of the Special Event Permit Application submitted by DBA to host "Halloween Fest" on Thursday, October 31, 2013 in downtown Bastrop.

Mr. Talbot requested that Item A.5 be removed from the Consent Agenda because DBA submitted a revised application and there was no time to review it. Item was pulled per Mayor Orr.

Mr. Jackson stated that he had informed Ms. Chavez of an error in the minutes and he wanted to confirm that the minutes the Council were approving were the corrected ones. Ms. Chavez confirmed that they were and that all the Council had been given a copy of the corrections. Mayor Orr and Mr. Beal stated that they both had read the correction and did not understand it and asked Mr. Jackson to explain it to them.

Mr. Beal made motion to approve the Consent Agenda with the revised minutes and removal of item A.5. Mr. DeLaRosa seconded. The motion passed unanimously.

B. PUBLIC HEARINGS AND ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

B.1 CONDUCT A PUBLIC HEARING: The City Council will conduct the first "Public Hearing "on the Proposed Property Tax Rate for the City of Bastrop for Fiscal Year 2014. Mayor Orr read the caption.

Mr. Talbot gave overview of the Proposed Property Tax Rate using a power point. Discussion held among Council and Mr. Talbot. Council was pleased that Mr. Talbot was able to balance the budget and keep service levels high without raising taxes. Mr. DeLaRosa and Mr. Jackson thanked Mr. Talbot and Staff for all their hard work on the budget. There were no public comments and Mayor Orr closed the Public Hearing.

B.2 Citizen Comments:

There were no citizen comments

C. OLD BUSINESS

D. NEW BUSINESS

D.1 Consideration, discussion and possible action on Acceptance of the unaudited Monthly Financial Reports for the period ending July 31, 2013

Ms. Stovall gave an overview of the Financial Reports. Mr. Beal asked if there was anything the Council should be concerned with. Ms. Stovall stated she felt we were right where we should be. Mr. Talbot gave an update regarding various avenues in searching for water. He stated that whatever Council decides will require increases to our rate structure. Mr. Talbot stated that he would be putting together a matrix showing pros, cons and costs to each of the avenues we are currently looking at to help the Council make a decision as to which way they want to go. Mr. Talbot informed the Council that whichever way they go the City will have to increase water rates. Mr. Talbot stated that he had the privilege of being interviewed by Mr. Fred Cantu with K-EYE News, and Mr. Cantu commended the City and Council with having taken on the task of searching for water resources now as opposed to later. He stated that after checking with the City of Austin, Bastrop is about 9 months ahead of Austin in securing water for the future.

Mr. Beal moved to approve the Monthly Financial Statements. Mr. DeLaRosa seconded the motion. Motion carried unanimously.

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session at 7:04 PM pursuant to the Texas Government Code, Chapter 551, *et seq,* to discuss the following:

1. Section 551.071(1) (A) and Section 551.071(2) – Consultations with Attorney: (1) threatened, pending and/or contemplated litigation or claims, and/or (2) matters 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 551.0-74 – City Manager – Personnel Administration

At 7:04 PM, Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551 to discuss the following:

1. Section 551.071(1) (A) and Section 551.071(2) – Consultations with Attorney: (1) threatened, pending and/or contemplated litigation or claims, and/or (2) matters 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 551.0-74 – City Manager – Personnel Administration

At: 8:40 PM, Mayor Orr reconvened the Bastrop City Council into regular session to discuss, consider and/or take any action(s) necessary related to the Executive Session noted herein.

City Manager, Mike Talbot, requested that he be authorized to execute Letter of Engagement and Agreement for joint representation for Bickerstaff to act as co-defense for Council in the pending suit against the City filed by the Pine Forest Investment Group.

Mr. Jackson made the motion that Council approve Mr. Talbot's request. Mr. DeLaRosa seconded the motion. Motion passed unanimously.

F. ADJOURN

At 8:42 PM, Mr. DeLaRosa moved to adjourn. Motion was seconded by Mr. Jackson and carried unanimously.

APPROVED:

Terry Orr

Terry Orr, Mayor

ATTEST:

Traci Chavez

Traci Chavez, Interim City Secretary