MINUTES OF REGULAR MEETING
BASTROP CITY COUNCIL
AUGUST 13, 2013

The Bastrop City Council met in a Regular Meeting on Tuesday, August 13, 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, Ken Kesselus, Kay Garcia McAnally, Dock Jackson and Willie DeLaRosa.

ANNOUNCEMENTS

1. CALL TO ORDER

At 6:21 PM Mayor Terry Orr called the meeting to order with a quorum being present.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Interim City Secretary, Traci Chavez led the pledges of allegiance to the U.S. and Texas Flags. Reverend Phil Woods led the invocation.

3. PRESENTATIONS

A. CHARACTER EDUCATION – BASTROP ISD STUDENT

Amy Pyle a Junior at Cedar Creek High School presented the Character Education character trait "Respect" for the month of August.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

Mayor Orr announced that Mr. Beal is absent tonight. He also stated that Sales Tax Revenue is 3.6% above this same period last year.

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

A. Meeting and Events Attended:
   1. The Ethic's Commission Meeting of July 29, 2013.
   2. The Hunter's Crossing Local Government Corporation Meeting of July 29, 2013.
B. Update on City Projects and Issues:
   1. Update on the Short and Long Term Water Supply Project.
   2. Update on the Construction of the Sidewalks across the Rail Road Tracks on Chestnut Street.
   3. Water Consumption Report for the period from July 24, 2013 through August 11, 2013.
   4. Bastrop Economic Development Corporation – Retail Coach Services.
   5. The Bastrop Marketing Corporation Report as of July 31, 2013.
   6. Update on the Top 10 Strategic Priorities for 2013-2016.
   7. Creation of a Culinary District in the "Central Business District".

8. Development of the FY-14 Budget.
9. Discussion of proposed issuance of Bonds for Water/Wastewater Improvements Projects for FY-2013.
10. Update on the Golf Voucher Program.

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.

Regarding Item B.3 Mr. Talbot stated that based on water usage reports that the community is following the Drought Contingency Plan and he commends them for their efforts and cooperation.

Regarding Item B.7 Mr. Talbot feels this is a good thing for the City and anticipates bringing a resolution before the Council in the near future.

Regarding Item B.8 Mr. Talbot reminded Council that input from the Council on the proposed budget is necessary and welcome at any time.

Regarding Item B.9 Mr. Talbot informed Council that the City is moving forward with this project and gave them an update on current water issues as well as discussion regarding CO's vs General Obligation Bonds. Mr. Talbot explained that he would provide a summary/explanation of how bonds/co's work. Mr. Talbot also stated that he did provide Council with a Bond Timeline a few months back but never received feedback from Council. Discussion continued. Mr. Kesselus and Ms. McAnally both would like to see this on the Agenda as soon as possible. Mr. Talbot asked that the Council to submit to him, with in the next two days, what capital projects were on their priority list.

Mr. Kesselus stated that he heard from a third party that the City was about out of LUE's and that the City told a developer that we either get him 39 LUE's, and he asked Mr. Talbot if the water situation was that drastic. Mr. Talbot stated that he did use the figure in a general discussion when trying to explain to the Developer that we were pursuing short term water supply and not knowing the terms of the ultimate contract I could not quote him a price because there will be a change in our impact fees based upon whatever type of contract we end up with and whomever we go with. Mr. Talbot stated that he hoped to bring that to fruition in the next 30 days and once I know the specifics I will be in a much better place to address those issues. Mr. Talbot did tell the Council that a decision must be made in the next 30 days about the short term water supply.

Mayor Orr commented that he was excited about the Culinary District project and glad to see it on Mr. Talbot's report.

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 July 23, 2013 Regular Council Meeting Minutes.

A.2 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for The Grove Preliminary Plat creating 8 commercial lots south of Highway 71 West and east of Highway 304 and Centers of Woodland Shopping Center within the City limits of Bastrop, Texas.

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

A.4 Approval of City of Bastrop and Comprehensive Fund Balance Policy for FY2013-2014.

A.5 Approval of a Preliminary Plat for Hunters Crossing, Section 5B (55 residential lots) located west of State Highway 304 and north of Hunters Point Drive within the City limits of Bastrop, Texas.

A.6 Approval of a Preliminary Plat for Hunters Crossing, Section 3E (17 residential lots) located west of State Highway 304 and south of Hunters Point Drive within the City limits of Bastrop, Texas.

A.7 Approval of the Special Event Permit Application submitted by Colorado River 100 to host "Colorado River 100 Race" on Friday and Saturday, August 30-31, 2013, in Fisherman's Park.

A.8 Approval of request by Bastrop Fire Department to use the Intersection of Main and Chestnut for MDA "Fill the Boot" on August 31, 2013 from 8:00 AM to 5:00 PM.

Kay Garcia McAnally move to approve the Consent Agenda. Motion was seconded by Willie DeLaRosa and carried unanimously.

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

None

B.1 Citizen Comments

Ms. Barbara Adkins addressed the Council to express her concerns for safety at the intersection of Pine Street and Pecan Street. Ms. Adkins would like the Council to consider placing a four-way stop at this location. She feels that with parking on both sides of the street, it is a hazard when crossing Pecan or pulling out onto Pecan. She also feels that MLK and Pine Street intersection could benefit from additional stop signs. Mr. Talbot stated he would review this issue and report back to council. The Mayor thanked Ms. Adkins for her time.

C. OLD BUSINESS

D. NEW BUSINESS

D.1 Consideration, discussion and possible action on the preliminary funding level allocation to entity's requesting Hotel Motel Funding for Fiscal Year 2013-2014.

Karla Stovall gave overview of item and explained the spreadsheet details.

Mr. Kesselus made the motion to place in the budget the items that we determined from our separate voting that is reflected on page 6 in the packet to be placed in the budget. Seconded by Kay Garcia McAnally. Dock Jackson abstained from voting. Motion carried.

D.2 Consideration, discussion and possible action on the preliminary funding level and allocation to organizations requesting Community Support funding for Fiscal Year 2013-2014.

Ms. Stovall gave overview of the item and spreadsheet which was included in the agenda packet. Mr. Kesselus Stated that Mr. Marsh (CARTS) had requested that his organization be dropped from the Community Support Funding and be funded out of the general fund because he did not feel it fair to compete with the other agencies requesting funding. Mr. Kesselus stated that when he wrote in his "vote" for the funding he put zero dollars for CARTS because he had hoped the Council would come up with other funding. He suggested taking CARTS completely out of this budget as well as $10,000 and put it elsewhere to pay CARTS. Ms. McAnally stated that she felt CARTS was essential for the community and felt they should be in this budget but if you take out CARTS she wants the $10,000 left and distributed among the other organizations. Discussion among Council continued. Mr. Jackson would like to see a study from CARTS to see what they need and what they will provide with the additional money and then the money come out of the Community Support Fund. Mayor Orr asked Mr. Talbot if the City and CARTS had a transportation type contract. Mr. Talbot stated only our standard Community Support Agreement. Mayor Orr suggested that the City possibly look toward developing a Transportation Contract between the City and CARTS. Discussion continued. Mr. Jackson feels the City should move toward a different type of funding agreement with CARTS for next year but in the interim the funding should come out of Community Support for FY 2014.

Mr. Kesselus made the motion to fund, but in budget the spreadsheet in the packet that we take the amount for CARTS and make it $10,000. There was no second to the motion. Discussion ensued.

Mr. Jackson made the motion to approve all items exception CARTS be funded as shown and have Mr. Talbot work with CARTS to find out how much they need but the total not to exceed the $80,000 total cap. Ms. McAnally seconded the motion. Mr. Kesselus addressed Mr. Jackson and wanted to clarify that his motion would have given CARTS $10,000 and this (Mr. Jacksons) motion will give them less? Mr. Jackson said yes, this is a compromise motion. Motion passed unanimously.

D.3 Consider and act upon a Resolution of the City Council of the City of Bastrop, Texas, to take a record vote to place a proposal for adoption of the Fiscal Year 2013-2014 budget and tax rate on the September 24, 2013 agenda; specifying the proposed property tax rate; establishing dates for public hearings on the proposed property tax rate; and providing for publication as provided by the Texas Property Tax Code.

Ms. Stovall gave overview of the item and explained requirements provided by the Texas Property Tax Code. Mr. Talbot reminded the Council that once this is set you may always lower the tax rate but not raise it. Mr. Jackson made the motion for a Roll-Call Vote. Ms. McAnally seconded the motion.

The City Council of the City of Bastrop, Texas met in a public meeting on August 13, 2013, and accepted this resolution with a majority vote as follows:

Mayor Pro Tem Joe Beal	ABSENT
Council Member Willie DeLaRosa	NAY
Council Member Ken Kesselus	YEA
Council Member Dock Jackson	YEA
Council Member Kay Garcia McAnally	YEA

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) and Section 551.071(2) – Consultations with Attorney: (1) threatened, pending and/or contemplated litigation or claims, including but not limited to "Pine Forest Investments Group, LLC vs The City of Bastrop, et al, Cause No. 29,052, In The 21st. Judicial District Court of Bastrop County, Texas" 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.

At: 7:20 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, including but not limited to "Pine Forest Investments Group, LLC vs The City of Bastrop, et al, Cause No. 29,052, In The 21st. Judicial District Court of Bastrop County, Texas" 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.

At 8:34 PM, Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive sessions notes herein, or regular agenda items, notes above, and/or related items.

Mr. Talbot recommended that "no action" be taken out of the executive session and that the Council adjourn.

F. ADJOURNMENT

At 8:34 PM, Willie DeLaRosa moved to adjourn. Motion was seconded by Dock Jackson and carried unanimously.

APPROVED:

Terry Orr

Terry Orr, Mayor

ATTEST:

Traci Chavez

Traci Chavez, Interim City Secretary