April 9, 2013

The Bastrop City Council met in regular session on April 9, 2013 at 6:15 p.m. at the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Ken Kesselus, Kay Garcia McAnally, Joe Beal, Willie DeLaRosa and Dock Jackson.

ANNOUNCEMENTS

1. CALL TO ORDER

At 6:15 p.m. Mayor Terry Orr called the meeting to order with all members present.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Information Technology Director, Andres Rosales led the pledges of allegiance to the U.S. and Texas flags. Revered Phil Woods led the invocation.

3. PRESENTATIONS

A. CHARACTER EDUCATION – BASTROP STUDENT

Russell Cole a Junior at Cedar Creek High School presented the Character Education character trait "Self Discipline" for the month of April.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

City Manager, Mike Talbot announced that tonight was the City Secretary, Teresa Valdez's last Council Meeting. Mr. Talbot stated Ms. Valdez is relocating to the City Rockport, Texas and will be employed by the City of Rockport as City Secretary. Mr. Talbot stated Ms. Valdez has been City Secretary for the City of Bastrop for 14 years and she will be missed. Mr. Talbot announced a reception for Ms. Valdez will be held on April 16, 2013 from 5:00 p.m. to 6:00 p.m. Mr. Talbot thanked Ms. Valdez for her service to the City of Bastrop, offered personal comments and stated it was a pleasure to work with her.

Mayor Terry Orr, Council Member Joe Beal, and Council Member Dock Jackson thanked Ms. Valdez for her service to the City and offered personal comments.

Ms. Valdez thanked the City Manager and the City Council for their comments and the many learning opportunities she experienced while employed by the City.

CITY MANAGER INFORMATIONAL UPDATE REPORT: ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

A. MEETINGS AND EVENTS ATTENDED:
   1. COUNCIL MEETING MARCH 26, 2013.
   2. MEETING WITH AQUA & WSC ON MARCH 26, 2013.
   3. HOTEL/MOTEL AND COMMUNITY SUPPORT FUNDING MEETING (UNABLE TO ATTEND).

B. UPDATE ON CITY PROJECTS:
   1. BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PROJECT.
   2. STATE HIGHWAY 71 WASTEWATER PIPE BURSTING PROJECT.
   3. FAYETTE STREET WASTEWATER IMPROVEMENTS PROJECT.
   4. PECAN PARK SUBIVISION.
   5. CONSTRUCTION NOTIFICATION SIGN AREA OF STATE HIGHWAY 71/STATE HIGHWAY 20 OVERPASS.
   6. SHORT-TERM GOALS FOR WATER SUPPLY ESTABLISHED BY THE CITY COUNCIL AT THEIR PLANNING RETREAT OF MARCH 9, 2013.
   7. SUBMITTAL OF THE "STRATEGIC PLANNING REPORT" FROM THE CITY COUNCIL PLANNING RETREAT. RAY & ASSOCIATES TO REVIEW AND DISCUSS THE REPORT AT THE SPECIAL COUNCIL MEETING ON APRIL 22, 2013.
   8. SPECIAL EVENTS ORDINANCE.
   9. ALLEY "A" SCHOOL ZONE IMPROVEMENTS.
   10. SERVICE ROADS ASSOCIATED WITH STATE HIGHWAY 71/STATE HIGHWAY 20 OVERPASS.
   11. COVERT PROJECT.
   12. PROPOSED "RIVER TERRACE PROJECT" AT HUNTERS CROSSING PLANNED DEVELOPMENT LOT 9 BY JHS HOLDINGS GROUP OF COLUMBIA, MISSOURI.

C. UPDATE ON CITY BUSINESS:
   1. CONVENTION CENTER ACTIVITIES.
   2. MAIN STREET PROGRAM ACTIVITIES.
   3. COMMERCIAL/RESIDENTIAL CONSTRUCTION PROJECTS IN THE CITY.
   4. YMCA ACTIVITIES.
   5. HOTEL/MOTEL AND COMMUNITY SUPPORT FUNDING MEETING.

D. DEPARTMENT AND BOARD REPORTS (INCLUDING STORM DAMAGE).

E. INVITING INPUT FROM 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.

City Manager, Mike Talbot stated his written City Manager Report was sent to the Council on Friday, April 9, 2013.

Mr. Talbot addressed Item B.7. Mr. Talbot stated that due to a multitude of conflicts the meeting scheduled for April 22, 2013 has been cancelled by the Mayor. Mr. Talbot stated the Special Meeting to meet with Ray & Associates to discuss the Strategic Planning Report should be rescheduled as soon as possible.

Council Member Ken Kesselus suggested the Council take 30 minutes at a regular meeting to discuss the Strategic Planning Report.

Council Member Joe Beal suggested the Council have a Special Council Meeting at 5:15 p.m. before the next Council Meeting if Council Member Willie DeLaRosa's work schedule would allow him to be there at that time.

It was the consensus of the Council that a Special Council Meeting be held on April 23, 2013 at 5:15 p.m. to discuss the Strategic Planning Report with Ray & Associates.

City Manager, Mike Talbot addressed Item B.12. Mr. Talbot stated he has not had any contact in the last several weeks with the developer of this project. Mr. Talbot stated he has been told, but he has not confirmed that this project does not have the highest amount of points in the Texas Department of Housing and Community Affairs (TDHCA) scoring process.

Council Member Willie DeLaRosa stated the Bastrop Economic Development Corporation Board is going to revisit their support of this project. Mr. DeLaRosa stated the Board does not know if they made a quick judgment. Mr. DeLaRosa stated the citizens that we represent in Hunters Crossing Subdivision are upset about this development project and they are looking to us to help them and not support this project.

Willie DeLaRosa moved that the City Council not support this project in any shape or form, and send a letter to the State stating such. Motion was seconded by Ken Kesselus.

Mayor Orr stated that the information he has on this project is really complete. Mayor Orr stated there seems to be some gaps compared to what the Bastrop Economic Development Corporation Board was told by the developer. Mayor Orr stated he was not sure what information was correct.

Mr. Talbot stated he feels the same way. Mr. Talbot stated he was going to call the case officer from TDHCA who is processing the application and get additional information, but with the action taken by Council tonight he does not see any need to do that.

Mr. Beal stated he will vote in favor of the motion because of the outpouring from the community, but he wanted to comment that just because someone is available to take advantage of lower rents does not make them bad people.

Council Member Dock Jackson stated he concurred with Mr. Beal's comments and he could not have said it better himself.

City Secretary, Teresa Valdez called the roll for vote on the motion:

FOR MOTION: Willie DeLaRosa, Ken Kesselus, Dock Jackson, Joe Beal and Kay Garcia McAnally.

Motion carried unanimously.

Council Member Willie DeLaRosa then addressed Item B.6. Mr. DeLaRosa stated this was discussed at the Planning Retreat and he knows the Council is waiting on information, but summer is on us again and he wants to make sure the Council knows what their goals are and a time line is developed to get there.

City Manager, Mike Talbot stated he has been working on that this week. Mr. Talbot stated he had conversations with Mr. Jason Allan and also the XS Ranch developer. Mr. Talbot stated the XS Ranch had drilled a well and hit a supply of water to meet the City's need. Mr. Talbot stated the XS Ranch had contacted Armbrust & Brown, legal counsel, and they are drafting a proposal. Mr. Talbot stated he met with Aqua Water and he is anticipating a proposal to be delivered to the City in the next two weeks. Mr. Talbot stated he did receive this week the long-term water supply study from K. Friese and he is going to review this with Ms. Gilpin.

Ken Kesselus stated that with the new well at Bob Bryant Park the City is in a little better shape this year than where we were last year. Mr. Kesselus suggested the City put a letter in the newspaper and ask for volunteer conservation which would be a good civic act.

Ken Kesselus then addressed Item A.1. Mr. Kesselus stated he wanted to clarify that the Ad Hoc Committee set up for Form-based Codes says that the Mayor appoints a couple of citizens, who could be members of City Boards or Commissions, but does not have to be. Mr. Kesselus stated this would give the Mayor an opportunity to appoint any citizen of Bastrop.

Joe Beal stated the City Manager self-evaluation was due March 1, 2013 and he would like to know the status of that.

Mr. Talbot stated he is about one-half complete with the self-evaluation, but he has been trying to respond to a multitude of projects and he put water planning above his self-evaluation.

Council Member Kay Garcia McAnally asked if the Council could look at giving help to the Bastrop Robotics Club attend the national competition, maybe ask the Bastrop Economic Development Corporation. Ms. McAnally stated these are the kind of children we want to continue to be in our community.

Mr. Talbot stated this was not posted for discussion tonight and it could be put on the next Council Agenda for discussion.

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 APPROVAL OF MEETING MINUTES OF MARCH 26, 2013 SPECIAL COUNCIL MEETING AND MARCH 26, 2013 REGULAR COUNCIL MEETING.

A.2 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.

A.3 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAY FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF INDUSTRIAL PARK SUBDIVISION, LOTS 2 AND 3, BLOCK

B EAST OF INDUSTRIAL DRIVE WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.4 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE ADMINISTRATIVE PLAT OF LOPEZ SUBDIVISION ON THE CORNER OF FARM STREET AND JEFFERSON STREET BEING APPROXIMATELY 0.583 ACRES OUT

OF BUILDING BLOCK11, EAST OF MAIN STREET IN THE CITY LIMITS OF BASTROP, TEXAS.

A.5 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF MAYFAIR PARK SUBDIVISION, LOTS 2 AND 3, BLOCK A, NORTH OF HIGHWAY 71 EAST WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.6 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE ADMINISTRATIVE PLAT OF OAK HOLLOW, LOT 1, BEING APPROXIATELY 6.4159 ACRES OUT OF THE BASTROP TOWN TRACT A-11 WITHIN THE 1 MILE EXTRA TERRITORIAL JURISDICTION(ETJ) OF THE CITY OF BASTROP, TEXAS.

A.7 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDING PLAT OF TAHITIAN VILLAGE, LOT 2-1224 AND 2-1225, BLOCK 14 UNIT 2 WITHIN THE 1 MILE EXTRA TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF BASTROP, TEXAS.

A.8 ADOPTION OF AN ORDINANCE OF THE CITY COUNCL OF THE CITY OF BASTROP, TEXAS, AMENDING AND CLARIFYING THE CITY F BASTROP'S PERSONNEL POLICIES MANUAL, CHAPTER 11, SECTION 5: "MEALS", SPECIFICALLY RELATED TO REIMBURSEMENT FOR "DAY-TRIP" MEALS, BUSINESS MEALS, AND GROUP MEALS; AND SECTION 2: "AUTHORIZATION REQUIRED", RELATED TO ADVANCED NOTIFICATION AND APPROVAL BY THE CITY MANAGER FOR BUSINESS RELATED TRAVEL BY CITY DEPARTMENT HEADS; REPEALING CONFLICTING RESOLUTONS AND POLICIES; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

A.9 ADOPTION OF AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR 2012-2013 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDIANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

A.10 ADOPTION OF AN ORDINANE AUTHORIZING THE VACATION AND ABANDONENT OF 0.354 ACRE PORTION OF UNOPENED MILL STREET – EAST

OF JACKSON STREET, NORTH OF BUILDING BLOCK 100 AND SOUTH OF BUILDING BLOCK 101, PLATTED CITY OF BASTROP OWNERSHIP; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH VACATION AND ABANDONMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED FOR THE 0.354 ACRES TO BE VACATED AND ABANDONED; AND PROVIDING FOR AN EFFECTIVE DATE.

A.11 ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING A PROJECT (JAMCo PROJECT IN THE BASTROP BUSINESS & INDUSTRIAL PARK IN AN AMOUNT NOT TO EXCEED $1,300,000), USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION IN AN AMOUNT EXCEEDING $10,000.

A.12 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDING PLAT OF LOT 1-1368 OF THE RE-SUBDIVISION OF PINE BLUFF SUBDIVISION AND LOTS 1-1351 AND 1368, BLOCK 10, TAHITIAN VILLAGE UNIT 1 AND LOT 1-1367, BLOCK 10, TAHITIAN VILLAGE, UNIT 1 WITHIN THE 1 MILE EXTRA TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF BASTROP, TEXAS.

Mayor Orr read the captions of the three (3) Ordinances.

Willie DeLaRosa moved to approve the Consent Agenda. Motion was seconded by Dock Jackson and carried unanimously.

B. PUBLIC HEARINGS

B.1 CITIZEN COMMENTS.

There were no citizen comments.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON PRESENTATION FROM DAVE MARSH, GENERAL MANAGER OF CAPITAL AREA RURAL TRANSPORTATION SYSTEM (CARTS) ON REVISED BUS ROUTES, SERVICE TIMES AND SIGNAGE.

Planning and Development Director Melissa McCollum addressed the Council. Ms. McCollum stated City staff has been talking to CARTS staff about new revised bus routes and signage.

David Marsh addressed the Council. Mr. Marsh introduced CARTS staff members Vanessa Owens, Dana Platt and Lyle Nelson. Mr. Marsh gave a PowerPoint presentation on CARTS. Mr. Marsh stated they have been working with City staff to revise bus routes as well as signage and covered bus stops. Mr. Marsh stated they have been discussing trading out services, CARTS would provide $50,000 for the covered bus stops; design them in context with City at two or three locations. Mr. Marsh stated the next steps in the process are: 1) Public Hearing scheduled for April 22, 2013 to discuss with the public the proposed changes; 2) Interlocal Agreement with the City; 3) Signage replacement; 4) New routes; and 5) Identify shelter locations.

Council Member Willie DeLaRosa stated the Mr. Marsh had stated in his presentation that CARTS wanted to get more senior citizens and handicapped to utilize the bus. Mr. DeLaRosa stated that 99% of the comments he received were from senior citizens and handicapped and they want to be able to go more places.

Council Member Ken Kesselus stated he was glad the City staff is working with CARTS.

Council Member Dock Jackson stated he was glad to see CARTS is continuing to provide service and new things. Mr. Jackson stated this service is very important to many residents of Bastrop.

Mayor Orr stated when he first became Mayor he was not an avid support of CARTS but Council Members Jackson showed him the error of his ways. Mayor Orr stated it is education and to assist in growing ridership, education could be a goal. Mayor Orr stated that what he has seen lacking in the CARTS service in Bastrop was signage. Mayor Orr asked if Mr. Marsh could provide percentage statistics on load factor, how many passengers at a certain time of the day.

Mr. Marsh stated he could provide that information.

Council Member Joe Beal asked that when Mr. Marsh gathers the information requested by the Mayor that it be compared to other communities. Mr. Beal stated he thinks there are a lot of people in town and maybe a communication process to get the word out about when and where the bus goes would increase ridership.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN 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 AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.072 – DELIBERATION REGARDING REAL PROPERTY: REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY.

At 7:20 p.m., Mayor Terry 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 and/or contemplated litigation, and (2) Matters upon which the attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 - Deliberation regarding real property: Regarding the purchase, exchange, lease or value of real property.

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.

At 8:04 p.m., Mayor Terry Orr reconvened the Bastrop City Council 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 action was taken.

F. ADJOURNMENT

At 8:05 p.m., 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