May 22, 2012

The Bastrop City Council met in regular session on May 22, 2012 at 6:00 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, Julie Hart, Kay Garcia McAnally and Dock Jackson.

ANNOUNCEMENTS

1. CALL TO ORDER

At 6:00 p.m. Mayor Terry Orr called the meeting to order with all members present with the exception of Joe Beal who was absent due to being out of the Country.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Julie Hart led the pledges of allegiance to the U.S. and Texas flags. Reverend Jimmy Cottle led the invocation.

3. PRESENTATIONS

A. MAIN STREET BENCH PROJECT – NANCY WOOD

Main Street Manager, Nancy Wood addressed the Council. Ms. Wood gave a PowerPoint presentation on the Bastrop Main Street Program Advisory Board and Design Committee recommendation for bench designs and locations on Main Street. Ms. Wood stated they are proposed five (5) locations: 1) in front of LaRoux restaurant; 2) in front of Baxter's on Main restaurant; 3) in front of Liberty Glenn store; 4) in front of the First National Bank and 6) at the parking lot at Spring Street. Ms. Wood stated the Main Street Program is seeking consensus from the Council that the Program be allowed to do fundraising to pay for the benches.

It was the consensus of Council to allow the Main Street Program to begin fundraising to pay for the benches.

4. PROCLAMATIONS

There were no proclamation.

5. ANNOUNCEMENTS

Council Member Kay Garcia McAnally welcomed Andy Cope, the co-producer of the movie "Flutter" being filmed in Bastrop.

CANVASS OF ELECTION RETURNS:

1. COUNCIL TO CANVASS RETURNS AND DECLARE RESULTS OF MAY 12, 2012 GENERAL ELECTION.

Mayor Orr appointed Dock Jackson and Julie Hart as the Canvassing Board to canvass the May 12, 2012 General Election.

Dock Jackson reported that the tabulations were correct and declared that as tabulations indicated, Joe Beal was the winner of the Place 2 Council race, Willie DeLaRosa was the winner of the Place 4 Council race, and Terry Orr was the winner of the Mayor's race.

	Votes Cast Early	**At Poll Votes**	**Total**
MAYOR			
Terry Orr	**313**	**306**	**619**
COUNCIL MEMBER – PLACE 2			
Joe Beal	**289**	**283**	**572**
COUNCIL MEMBER – PLACE 4			
Willie DeLaRosa	**216**	**255**	**472**
Kristi L. Koch	**167**	**112**	**280**

Kay Garcia McAnally moved to declare Terry Orr as the winner of the Mayor's race, Joe Beal as the winner of Place 2 Council Member and Willie DeLaRosa as the winner of Place 4 Council Member. Seconded by Ken Kesselus and carried unanimously.

2. OATH OF OFFICE TO BE ADMINISTERED TO NEWLY ELECTED OFFICIALS OF THE CITY.

Judge Ronnie McDonald administered the Oath of Office to Mayor Terry Orr.

City Secretary, Teresa Valdez administered the Oath of Office to Council Member Place 4 Willie DeLaRosa.

RECOGNITION OF OUTGOING COUNCIL MEMBER:

Mayor Orr presented a crystal award to Julie Hart for her four (4) years of service to the citizens of Bastrop as a Council Member Place 4. Mayor Orr stated Ms. Hart had served the citizens of Bastrop in an extraordinary conscientious manner.

Julie Hart thanked the Mayor for his kind words. Ms. Hart thanked City Manager, Mike Talbot and staff by saying that she did not think anybody really knows what they do because they have 8,000 citizen bosses and six (6) Council Members to answer to. Ms. Hart extended a special thanks to City Secretary, Teresa Valdez and Chief Financial Officer Karla Finance for their work with the Council. Ms. Hart thanked the citizens and everyone who had confidence in her to serve as a Council Member. Ms. Hart thanked City Attorney, J.C. Brown, the City's unsung hero. Ms. Hart thanked her friends and family, especially Paula for her support and Dawn Kana who was one of the first persons she met in Bastrop.

Clara Maynard addressed the Council. Ms. Maynard stated there are many citizens who appreciated the work of Julie Hart. Ms. Maynard stated Ms. Hart was the only person who took a stand that some of us did not take. Ms. Maynard stated she was proud of Ms. Hart and congratulated her for a job well done.

Mayor Orr congratulated Willie DeLaRosa on his win and welcomed him to the City Council. Mayor Orr stated Mr. DeLaRosa bring sharp intellect to city government.

Willie DeLaRosa stated that he is looking forward to working with the Council on challenges, both short-term and long-term.

Mayor Orr stated this is his last two (2) years to serve as Mayor. Mayor Orr stated this Council, particularly Council Member Kesselus has been moving toward a more systematic way for strategic planning. Mayor Orr stated he will be the flag carrier for the Council strategic planning. Mayor Orr stated Council has agreed to quarterly meetings where they will lay the ground work and blueprint for items to accomplish and then future councils can take and move forward as they see fit. Mayor Orr stated the Council will continue to have each Council Member to take on responsibilities of policy issues that need to be addressed and examine the subject that needs to come before Council to be addressed.

Mayor Orr stated Council Member Kay Garcia McAnally has agreed to become a member of the Utility Committee.

Mayor Orr stated Council Member Willie DeLaRosa has agreed to be the Council Member working on the infrastructure projects (paving, water, etc.) working with the City Manager to identify and look into the details and timing and make sure the Council looks at the City as a whole.

ORGANIZATION OF THE COUNCIL:

1. Consider adoption of Robert's Rules of Order.

Willie DeLaRosa moved to adopt <u>Robert's Rules of Order Newly Revised in Brief</u>, April 13, 2004 edition and elect Dock Jackson to serve as the Council's Parliamentarian. Seconded by Kay Garcia McAnally and carried unanimously.

2. CONSIDER ELECTION BY COUNCIL OF MAYOR PRO-TEM.

Kay Garcia McAnally moved to nominate Joe Beal as Mayor Pro-Tem. Seconded by Ken Kesselus and carried unanimously.

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

A. MEETINGS AND EVENTS ATTENDED:
   1. UTILITY COMMITTEE MEETING ON MAY 10, 2012.
   2. BASTROP ECONOMIC DEVELOPMENT CORPORATION MONTHLY BOARD MEETING ON MAY 14, 2012.
   3. LOST PINES GROUNDWATER CONSERVATION DISTRICT MONTHLY

BOARD MEETING ON MAY 6, 2012.
4. CAPITAL AREA COUNCIL OF GOVERNMENTS MEETING ON MAY 17, 2012.

B. UPDATE ON CITY PROJECTS:
1. STATUS OF THE CONSTRUCTION OF THE NEW SIDEWALK BEHIND THE LIBRARY.
2. SPECIAL COUNCIL MEETING OF MAY 29, 2012 REGARDING THE STRATEGIC DIRECTIONS REPORT.
3. SPLASH PAD PROJECT.
4. NEW SEWER LINE FOR FISHERMAN'S PARK.
5. BASTROP ART GUILD AND BASTROP ASSOCIATION FOR THE ART UPDATE REGARDING "ART FROM THE ASHES."
6. REVISIONS TO THE CITY OF BASTROP'S ORDINANCES REGARDING BOARDS AND COMMISSIONS.
7. PECAN STREET WASTEWATER IMPROVEMENTS PROJECT.
8. WATER WELL OPERATIONS IN FISHERMAN'S PARK.

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.

D. 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 apologized that he was unable to provide a written City Manager's Report to Council, due to circumstances beyond his control.

Mr. Talbot addressed Item B.2. Mr. Talbot stated he wanted to confirm that each Council Member received the Strategic Directions Report from Katherine Ray & Associates. Mr. Talbot stated the Council will have a Special Workshop Meeting on May 29, 2012 to discuss the Report.

Mr. Talbot addressed Item B.5. Mr. Talbot stated the "Art from the Ashes" will be on display in June and the Bastrop Art in Public Places Task Force will notify the City of the date.

Mr. Talbot addressed Item B.6. Mr. Talbot stated the first draft of the proposed Ordinance will be distributed to Council at next Tuesday's Special Council Workshop. Mr. Talbot asked that Council review the Ordinance, after they receive it, and forward their comments to him.
Mr. Talbot stated the FIRST READING of the proposed Ordinance will be on June 12, 2012 Council Agenda.

Mr. Talbot stated Gene Kruppa of BEFCO Engineering will address Item B.8.

Mr. Kruppa stated he had attended a meeting with the Texas Commission on Environmental (TCEQ) Quality and they are going to expedite the City's request to put in a 40,000 gallon storage tank. Mr. Kruppa then provided the Council with information on the TCEQ's request for the City to install cartridge filters in all water wells.

Brief discussion was held among Council and Mr. Kruppa.

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 MAY 5 AND MAY 8, 2012.

A.2 APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TEXAS COLORADO RIVER FLOODPLAIN COALITION AND THE CITY OF BASTROP, TEXAS.

A.3 APPROVAL OF THE FIRST READING OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP APPROVING A PROJECT (CONSTRUCTION OVERRUN COST ASSOCIATED WITH PHASE II OF THE CHESTNUT STREET SIDEWALK IMPROVEMENT PROJECT) USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING $10,000.

Willie DeLaRosa moved to approve the Consent Agenda. Seconded by Kay Garcia McAnally and carried unanimously.

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: REQUESTING VARIANCES TO SUBDIVISION REGULATIONS SECTION 1.30.6 A. “MINIMUM ROAD STANDARDS” AND SECTION 1.30.6 C. “SUBSTANDARD STREET IMPROVEMENTS” TO NOT REQUIRE THE EXTENSION OF INDUSTRY LANE TO BE BUILT TO THE END OF MURCHISON 1 LOT 1, BEING APPROXIMATELY 0.525 ACRES OF LAND WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

Planning and Development Director, Melissa McCollum addressed the Council. Ms. McCollum stated Sierra Classic Custom Homes is requesting approval of a variance to the Subdivision Ordinance to not require the developer to extend Industry Lane to be built to the end of the platted lot that is being developed. Ms. McCollum stated the right-of-way is already dedicated but the actual construction of Industry Lane does not extend to the end of this property/lot. Ms. McCollum stated the Subdivision Ordinance does require that all development applications including Site Development applications be reviewed for compliance to Section 1.30.6 to ensure that adequate transportation infrastructure is in place to support the development.
Ms. McCollum stated access to the property in question is available from other adjacent roadways, Highway 71 in this case. Ms. McCollum stated the applicants are seeking variances to the City’s Subdivision Ordinance Section 1.30.6.A and Section 1.30.6.C. Ms. McCollum stated staff recommends approval of the requested variances.

Discussion was held among Council and Ms. McCollum

Ron Chamberlain, Vice President of Operations of Sierra Classic Custom Homes, addressed the Council. Mr. Chamberlain stated they are looking forward to wrapping up this last phase of the development and requested Council grant the variances.

Mayor Orr stated that since the Bastrop fire, trees have become a commodity and he would ask that if there is a way to preserve the trees at the back of the property, to please try and do so.

There were no public comments.

B.2 DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO GRANT VARIANCES TO SUBDIVISION REGULATIONS SECTION 1.30.6 A. “MINIMUM ROAD STANDARDS” AND SECTION 1.30.6 C. “SUBSTANDARD STREET IMPROVEMENTS” TO NOT REQUIRE THE EXTENSION OF INDUSTRY LANE TO BE BUILT TO THE END OF MURCHISON 1 LOT 1, BEING APPROXIMATELY 0.525 ACRES OF LAND WITHIN THE CITY OF BASTROP, TEXAS.

Melissa McCollum, Planning and Development Director stated staff recommends approval.

Dock Jackson moved to grant the variances. Seconded by Kay Garcia McAnally and carried unanimously.

B.3 CITIZEN COMMENTS.

There were no citizen comments.

C. OLD BUSINESS

There was no old business.

D. NEW BUSINESS

City Manager, Mike Talbot stated Agenda Item D.6 was being pulled from the Agenda and will be on the Agenda for the Council Special Workshop meeting on Tuesday, May 29, 2012.

Mayor Orr stated the Council will be considering Item D.7 after Item D.3.

ORDINANCES FOR FIRST READING:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2012 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Chief Financial Officer, Karla Stovall addressed the Council. Ms. Stovall reviewed the budget amendments.

Brief discussion was held among Council and Ms. Stovall.

Ken Kesselus moved to approve the First Reading of the Ordinance and place the Ordinance under the Consent Agenda at the next regular Council Meeting for the Second Reading. Seconded by Kay Garcia McAnally and carried unanimously.

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

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON AWARDING THE BID FOR THE BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PHASE II PROJECT.

City Manager, Mike Talbot called the Council's attention to the engineer's letter of recommendation and bid tabulation sheet included in the Agenda packet. Mr. Talbot stated the construction of these improvements will be funded by the Water & Wastewater Bonds issued earlier this year. Mr. Talbot stated the amount of bond funds issued for this project was in the amount of $1,525,000.00. Mr. Talbot stated the engineer's letter of recommendation is that the City award the bid to the low bidder Archer Western Construction in the amount of $1,616,000.00. Mr. Talbot stated as a result the City will be short $91,000.00 cost of this project. Mr. Talbot stated he has reviewed the financial situation of this project with the City's Chief Financial Officer and he has been advised the City has a $100,000.00 in a capital reserve account in the wastewater fund for Fiscal Year 2012. Mr. Talbot stated this reserve account will cover the shortage in the bid for this project. Mr. Talbot stated that in light of Mr. Kruppa's report given to Council at the beginning of the meeting he would recommend that the City Manager be authorized to issue a change order to implement the system as required by the Texas Commission on Environmental Quality (TCEQ).

Discussion was held among Council and Mr. Talbot.

Dock Jackson moved to award the bid to Archer and authorize the City Manager to issue a change order to implement the system as required by TCEQ. Seconded by Willie DeLaRosa and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON AWARDING THE BID FOR THE RELOCATION OF THE WATERLINE AT LOST PINES MOVIE THEATER 8 AS PER THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BASTROP AND SP BASTROP THEATER, L.P.

City Manager, Mike Talbot called the Council's attention to the engineer's letter of recommendation and bid tabulation sheet included in the Agenda packet. Mr. Talbot stated the relocation of the waterline is in accordance with the City Economic Development Agreement entered into with SP Bastrop Theater L.P. Mr. Talbot stated this project will be funded by the funds received for the reimbursement of the Loop 150 project. Mr. Talbot stated the reason for the relocation is the expansion of four (4) additional screens in the theater. Mr. Talbot stated five (5) bid packets were hand delivered to potential bidders. Mr. Talbot stated the City is required to get three (3) bids but only received two (2). Mr. Talbot stated one (1) contractor forgot to return his bid. Mr. Talbot stated he recommended awarding the bid to the low bidder of Qro Mex Construction.

Ken Kesselus moved to award the bid to Qro Mex Construction per the recommendation of the City Manager. Seconded by Kay Garcia McAnally and carried unanimously.

D.7 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADJUSTING THE SPEED LIMIT ON FARM STREET.

City Manager, Mike Talbot stated that pursuant to the Council's direction staff conducted a traffic survey on Farm Street. Mr. Talbot called the Council's attention to the "Speed Analysis – Farm Street" included in the Agenda packet. Mr. Talbot reviewed the Speed Analysis. Mr. Talbot read the summary: "The City of Bastrop residential streets have a posted speed limit of 30 miles per hour. Normally, a narrow street, school zone or other obstacles would warrant a lesser speed limit. However, Farm Street from Fayette to Gill's Branch is a newly constructed wide residential street with adequate space. With the data above, I would recommend that the speed limit of 30 mph remain in place as is common with residential streets. Changing the speed limit on a residential street could cause other issues in other locations for the City of Bastrop."

Kay Garcia McAnally stated there are several schools and a nursery on Farm Street and there are several reasons that the speed limit should be lowered. Ms. Garcia McAnally stated there is a piece of legislation that permits a speed limit to be lowered if there are enough citizen signatures on a petition.

City Attorney, J.C. Brown stated she had just received the legislative information and she would have to research it more.

Jane Campos addressed the Council. Ms. Campos stated the speed limit on Farm Street needed to be lowered for a variety of reasons: children playing, cars are parked along the street, it is a Chicken Sanctuary and the railroad tracks.

Regina Holland addressed the Council. Regina Holland stated that several chickens had been hit by cars on Farm Street and she would appreciate the Mayor and Council lowering the speed limit on Farm Street.

Willie DeLaRosa stated this was an enforcement issue, that the Police Department should be out there enforcing the speed limit.

Carolyn Banks stated she travels from Chestnut Street down to Fayette Street and then to Cedar Street and in addition to lowering the speed limit on Farm Street a stop sign should also be placed.

Discussion was held among Council and Mr. Talbot.

Mayor Orr stated he thought the Council has to look at what has occurred in the City in a cumulative way in the last few years. Mayor Orr stated there is a movie theater, a convention center, a performing arts center, and now a Chicken Sanctuary in this area and the Council needs to take all that into consideration. Mayor Orr stated he would encourage the Council to ask the City Manager to take an overall view of Farm Street and all its entities and come back with a recommendation for that street.

Kay Garcia McAnally moved to ask the City Manager to take a look at the totality of conditions of Farm Street and review his findings and recommendation with the City Council with a view that Farm Street is unique when compared to other streets in the community. Seconded by Dock Jackson and carried unanimously.

Council took a brief recess from 8:10 p.m. to 8:15 p.m.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVING THE CITY OF BASTROP, BASTROP ART IN PUBLIC PLACES TASK FORCE BYLAWS.

City Manager, Mike Talbot thanked Karol Rice and City Attorney, J.C. Brown for their work on the Bastrop Art in Public Places Task Force Bylaws. Mr. Talbot stated he did not see any problems with the Bylaws.

Kay Garcia McAnally moved to approve the Bylaws. Motion was seconded by Ken Kesselus.

Dock Jackson asked why under Article 1.4 it states that the Bastrop Art in Public Places Task Force shall not be subject to the Open Meetings Act for the purpose of posting regular meetings.

City Attorney, J.C. Brown stated this Task Force is a small group which works informally and everything they do will come to Council which is subject to the Open Meetings Act.

Karol Rice addressed the Council. Ms. Rice stated she agrees the Open Meetings Act is an important part of government. Ms. Rice stated that following the adoption of these Bylaws a handbook is being developed which involves panels for selection of art and public calls for art and this should be posted and put in the newspaper. Ms. Rice stated as Chair of the Task Force it has been difficult to get the group together because most of the members work and they may have to change a meeting time or date at the last minute.

Mayor Orr stated there were inconsistencies in the Resolution regarding the “Chair” compared to the Bylaws. Mayor Orr stated in Article 7.1 needs to have more definition.

Carolyn Banks asked why the names of the Task Force member and other information on it were not on the City’s website.

Karol Rice stated the Task Force has not gotten to that point. Ms. Rice stated this has been discussed with the City Manager and when the Handbook is completed it will all be published on the City’s website.

Ken Kesselus moved to amend the original motion to approve the Bylaws with the following amendments: 1) Article 7.1 to state that the ex-officio Council Member shall be appointed by the Mayor and 2) In Article 8.2 delete the following words "who is appointed by the City Council" in the first sentence. Seconded by Kay Garcia McAnally and carried unanimously.

City Secretary Teresa Valdez called the roll on the original motion made by Kay Garcia McAnally and seconded by Ken Kesselus. Motion carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION OF THE CITY COUNCL OF BASTROP, TEXAS APPROVING AN EMERGENCY PUBLIC HEALTH AND SAFETY RELATED EXPENDITURE, IN EXCESS OF $50,000 PURSUANT TO THE APPLICABLE GENERAL EXEMPTION SET FORTH IN THE LOCAL GOVERNMENT CODE §252.022, *ET SEQ.*

City Manager, Mike Talbot stated he is deeply concerned about the City's water supply. Mr. Talbot stated he has given further consideration to this matter since placing the Resolution on the Agenda in light of the fact that Well "C" has gone down and wells "D" and "E" have reduced production. Mr. Talbot stated next week they will begin cleaning Well "C" and may be able to bring it back to pumping 200 gallons per minute, but he does not think we will be able to bring it back to what it was previously pumping. Mr. Talbot stated if the cleaning operation of Well "C" proves successful then we will move over to cleaning Wells "D" and "E". Mr. Talbot stated again Wells "D" & "E" were producing 600 gallons per minute and now they are producing 200 gallons per minute. Mr. Talbot stated there is a long hot summer ahead and he thinks it is essential that the City begin exploring for water as soon as possible. Mr. Talbot stated what he is proposing is based upon the City's consultant, Mr. Bene's advice after going through the data at the Groundwater District. Mr. Talbot stated there are potential well sites, a deep well at Fisherman's Park and also Mayfest Park. Mr. Talbot stated the reason for selecting these two sites is that it is more cost effective to connect to our system rather than having to pipe it in from some other site. Mr. Talbot stated that the data indicates that we should hit water. Mr. Talbot stated he is recommending the City now drill a deep well in Fisherman's Park. Mr. Talbot stated he feels one well, not two, for evaluation, should be sufficient. Mr. Talbot stated the cost would not be $300,000 and should be around $150,000 to $175,000. Mr. Talbot stated the data from the well would be brought back to the Utility Committee to be evaluated and then brought to Council.

Discussion was held among Council and Mr. Talbot.

Mr. Talbot stated his recommendation and the fact that the City's need for water is great, is that he be authorized to spend no more than $200,000, without bringing it back to Council, for exploration of water, and bring back to Council on a bi-monthly basis updates on how things are going.

Ken Kesselus moved that the City get with the consultant and get the data that is needed and meet with the Utility Committee before next week Tuesday's Special Workshop Meeting on May 29, 2012, then post this for action at the Special Workshop Meeting. Seconded by Kay Garcia McAnally.

Brief discussion was held regarding the Utility Committee meeting.

Ken Kesselus withdrew his motion.

Kay Garcia McAnally withdrew her second of the motion.

Mayor Orr stated it was the consensus of Council to have the data presented to the Utility Committee at a meeting to be held before the Special Workshop Meeting on Tuesday.

D.6 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE CITY OF BASTROP'S DROUGHT CONTINGENCY PLAN TO AMEND THE DEFINITION OF TOTAL PRODUCTION CAPABILITY AND THE PERMITTED WATER TIMES FOR "STAGE 3" RESTRICTIONS; PROVIDING THE CITY MANAGER WITH AUTHORITY TO IMPOSE ADDITIONAL WATER RESTRICTIONS DURING CERTAIN EVENTS; DECLARING A SAFETY AND HEALTH NECESSITY TO DISPENSE WITH TWO READINGS OF THE ORDINANCE DUE TO PUBLIC EMERGENCY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was pulled from the Agenda.

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 ABOUT REAL PROPERTY: ACQUISITION, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY FOR PUBLIC PURPOSES.
3. SECTION 551.086 – CERTAIN PUBLIC POWER UTILITIES: COMPETITIVE MATTERS.

At 8:45 p.m., 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 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 About Real Property: Acquisition, exchange, lease or value of real property for public purposes.
3. Section 551.086 – Certain Public Power Utilities: 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.

At 10:07 p.m., Mayor 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 10:08 p.m., Willie DeLaRosa moved to adjourn. Seconded by Kay Garcia McAnally and carried unanimously.

APPROVED: ATTEST:

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Terry Orr, Mayor Teresa Valdez, City Secretary