February 14, 2012

The Bastrop City Council met in regular session on February 14, 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 Joe Beal, Ken Kesselus, Bill Peterson and Kay Garcia McAnally.

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 Julie Hart who was ill.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Bill Peterson led the pledges of allegiance to the U.S. and Texas flags. Reverend R.D. Smith led the invocation.

Joe Beal left the Council Chambers from 6:05 p.m. to 6:35 p.m.

3. PRESENTATIONS

A. CHARACTER EDUCATION – BASTROP STUDENT

The Bastrop student was not in attendance to present the Character Education trait of "Justice" for the month of February.

B. TEXAS REGISTERED MUNICIPAL CLERK RECERTIFICATION AND SCHOLARSHIP AWARD – TERESA VALDEZ

Mayor Terry Orr stated City Secretary, Teresa Valdez has completed the required professional education for her Second Recertification as a Texas Registered Municipal Clerk. Mayor Orr stated the Certification Program located at the University of North Texas, the only university level professional education program for city clerks and secretaries in Texas, is the third oldest of 33 such programs in the country. Mayor Orr stated original certification required successful completion of approximately 200 hours of individual home study over a four-course curriculum, a comprehensive exam over each of the four courses and attendance at eight two-day professional development seminars. Mayor Orr stated recertification requires 72 classroom hours of instruction, completion of three texts and three comprehensive written papers. Mayor Orr presented Ms. Valdez with the Texas Registered Municipal Clerk Recertification Certificate. Mayor Orr stated Ms. Valdez also received notification that she is the recipient of a major Texas Municipal Clerks Certification Program scholarship for 2012. Mayor Orr stated Ms. Valdez has received the Dorothy Byrd Scholarship in the amount of $500 which she will use to attend a required seminar this year as she begins her studies for her Third Recertification.

Council Member Bill Peterson stated that even though he will not be serving as the Texas Municipal League Region 10 President, Ms. Valdez has agree to continue to serve as the

Secretary for the Texas Municipal League Region 10.

Teresa Valdez, City Secretary, thanked the Mayor, City Council and City Manager for allowing her to attend the required seminars to further her education and be one of the best City Secretaries in the State of Texas.

C. LIBRARIAN OF THE YEAR – MICKEY DUVALL

City Manager, Mike Talbot stated Mickey Duvall was recently selected at the Librarian of the Year for the Central Texas Region. Mr. Talbot presented Mr. DuVall with a gift and the award plaque naming him Librarian of the Year.

D. SERVICE PIN AWARDS

Mayor Terry Orr stated Council Member Kay Garcia McAnally had previously agreed to be the Council's liaison for the City's Boards and Commissions. Mayor Orr stated Ms. Garcia McAnally had discussed with him the fact that there were people that had served on various City Boards and Commission for years and years.

Council Member Kay Garcia McAnally stated the Council wanted a way to thank these people and the Council adopted a Resolution on April 26, 2011 to recognize the dedicated volunteer service of individuals who have served and are still serving on the City's various boards and commissions. Ms. Garcia McAnally stated on behalf of the community, the City Council is going to show its gratitude to volunteers by awarding service pins to those who have served for five (5) years, ten (10) years, or fifteen (15) years and for "Lifetime Service." Ms. Garcia McAnally stated most of the recipients are probably somewhere in between the 5, 10 and 15 years, but for the first time of awarding these pins they will be recognized for 5, 10 or 15 years. Ms. Garcia McAnally stated the Council will present service pins as the next several Council meetings until all recipients have been recognized.

Mayor Orr and the Council presented service pins to the following recipients who have served on the Bastrop Library Board: Rebecca Bennett – 15 year pin; Mary Jo Jenkins – 15 year pin; Ellen Moore – 15 year pin; Becky Schaefer – 15 year pin; Lisa Crick – 15 year pin; Willie Schlickeisen – 10 year pin (was not present to accept service pin); Jimmy Cottle – 10 year pin; Jamie McDonald – 5 year pin; Lesa Neese – 5 year pin; Carolyn Wiginton – 5 year pin (was not present to accept service pin) and Mary Schiff – 5 year pin (Ms. Schiff should have received a 20 year pin).

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

Mayor Orr stated that this month's sales tax was 12.5% above where it was last year this time.

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

A. MEETINGS AND EVENTS ATTENDED:
   1. LOST PINES GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTOR'S 2012 RULES COMMITTEE MEETING ON JANUARY 26, 2012.
   2. PLANNING AND ZONING COMMISSION SPECIAL MEETING ON JANUARY 26, 2012.
   3. INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL (IEDC) LEADERSHIP CONFERENCE IN SAN ANTONIO ON JANUARY 29-31, 2012.
   4. PARKS BOARD MONTHLY MEETING ON FEBRUARY 2, 2012.
   5. SPECIAL CITY COUNCIL MEETING ON FEBRUARY 8, 2012 REGARDING FORM-BASED CODES.

B. UPDATE ON CITY PROJECTS:
   1. CONSTRUCTION OF THE NEW SIDEWALK BEHIND THE LIBRARY.
   2. FARM STREET PROJECT.
   3. SPLASH PAD PROJECT – GROUNDBREAKING CEREMONY FEBRUARY 17, 2012 AT 10:00 A.M.
   4. NEW SEWER LINE FOR FISHERMAN'S PARK.
   5. BASTROP STATE PARK SWIMMING POOL.
   6. CONVENTION CENTER WELL.
   7. ZONING ISSUES – RED GRANITE DRIVEWAYS.
   8. GILLS BRANCH DRAINAGE PROJECT.
   9. CONSTRUCTION OF WATER WELL I.
   10. BASTOP FINE ARTS GUILD PROJECT.
   11. REVIEW OF THE BONDING RATING PROCESS – FEBRAURY 7, 2012.
   12. BUC-EE'S PROJECT.
   13. BACK-UP GENERATORS FOR WATER/WASTEWATER OPERATIONS.
   14. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) – GILLS BRANCH SEWER PROJECT.
   15. ALLEY B PROJECT.
   16. E930 – INTERATED EMERGENCY MANAGEMENT COURSE (IEMC): COMMUNITY-SPECIFIC TRAINING (4 DAY CLASS)
       a. EMPLOYEE EMERGENCY MANAGEMENT TRAINING

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. DEPARTMENT AND BOARD REPORTS.

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 gave an informational update on the listed items.

Mr. Talbot stated the Planning and Zoning Commission had reviewed the City's Code regarding red granite driveways and they had not come up with a compelling reason to change the City's current Code and recommended that the City's Code not be revised regarding red granite driveways.

Mr. Talbot called the Council's attention to a handout of the letter received from the Texas Commission on Environmental Quality regarding the site assessment for the property purchased by the Bastrop Fine Arts Guild. Mr. Talbot stated the Bastrop Fine Arts Guild will be using Option #1 for site remediation and closure.

Mr. Talbot stated that on March 26-29, 2012 the City Council will be involved in the Emergency Management Training exercise. Mr. Talbot stated the City Council needs to complete on-line coursework prior to the training to be prepared for the exercise. Mr. Talbot stated he will be sending an email to Council regarding the on-line coursework.

Kay Garcia McAnally asked Mr. Talbot when he thought the City Council would start looking at putting into place the form-based codes that the Council received a presentation on at the February 8, 2012 Special Council Meeting.

Mr. Talbot stated a report will be written and presented to Council on this because the program will require some funding to retain the services of Gateway Planning.

Ms. Garcia McAnally stated the City start as soon as possible because the City may have jumped the gun a bit on the red granite driveway issue because the City does not have a new code yet. Ms. Garcia McAnally stated historic homes look more authentic with crushed granite. Ms. Garcia McAnally asked how the Council would go about reviewing the red granite driveways again.

Mr. Talbot stated he would place that on the next Council agenda for the Council to review because the Council can recommend a change to the Zoning Ordinance.

Ken Kesselus stated he wanted to give credit to the Planning and Zoning Commission regarding their recommendation on the red granite driveways, but he would like to know what their logic and reasoning was for their recommendation to not change the City's Code. Mr. Kesselus asked that City staff do something more complete than Planning and Zoning Minutes on this.

Mr. Talbot restated the Planning and Zoning Commission did not come up with a compelling reason to change the Ordinance on red-granite driveways. Mr. Talbot stated the Council wants him to hold off on putting this on an Agenda so he can get details per Mr. Kesselus' request for additional information.

Mayor Orr stated he understood the City was still under Stage II of the Drought Contingency Plan.

Mr. Talbot stated that was correct. Mr. Talbot stated consumption at the present time is way below what the City saw this summer because of the recent rainfall.

Mayor Orr asked that the Water Committee take this under consideration and bring back a recommendation to Council.

Joe Beal apologized for missing the first part of the meeting, but he had watched it on the monitor, while he was taking care of a business commitment.

Mr. Beal stated he and Mr. Kesselus had visited about the way the Council conducts their meetings and the length of time for the meetings. Mr. Beal stated he and Mr. Kesselus had met with the Mayor regarding this. Mr. Beal stated he wanted to provide the Council with some things to think about: 1) Data – In 2011 the Council held 22 regular meetings and 60% of those meetings lasted four (4) hours; 18% of those meetings lasted five (5) hours or longer; two (2) of those meetings or 10% lasted six (6) hours; and the average length of meetings is four (4) hours; 2) Other cities length of meetings - San Marcos averages three (3) to four (4) hours with their meetings being six (6) hours over a year ago; Round Rock averages two (2) or three (3) hours; and Cedar Park averages three (3) hours. Mr. Beal stated he is convinced there are some things that can be done to shorten the meetings. Mr. Beal stated he has spoken with the City Manager about this. Mr. Beal stated some of the things that can be done include causing ourselves (the Council) to watch the time and the City Manager's Report be provided in writing – citizens can obtain a copy of it, the Council could ask the City Manager to focus on 2-3-4 items when giving the report at the Council meeting. Mr. Beal stated he is still not convinced that the Mayor has to read every single citation word by word – the City Attorney will be providing legal counsel on that. Mr. Beal suggested the Council have a goal that meetings average three (3) hours which would be a 25% reduction of where they are today. Mr. Beal stated that if this is something the Council wants to pursue the City Manager can pursue by looking at other cities. Mr. Beal stated there will be three winners from this: 1) the public we serve, 2) the City Manager who works extremely hard, and 3) the Council – by 9:00 p.m. I get tired and probably do not make as good decisions.

Ken Kesselus thanked Mr. Beal for his research and he agrees that the Council needs to be intentional about making this change. Mr. Kesselus stated he attended a Clean Air Coalition Meeting and it lasted one hour and twenty minutes because the members were under a level of discipline.

Kay Garcia McAnally asked if the City Manager is going to continue to do City Talk at BCAT and if the City Manager's report could be covered and run on the web site.

Mr. Talbot stated the City already has a link to BCAT. Mr. Talbot stated during City Talk he is not given the discretion of what questions they are going to ask, they set the pace and questions. Mr. Talbot stated he could stress that the City Manager's report is available at front desk of City Hall.

Mayor Orr stated for the Executive Session he could certainly do a better job of getting the Council in and out.

Mr. Talbot stated as of the next Council meeting the City Manager's Report will be in written format and the Council will receive that on the Monday preceding the Council meeting and then he can discuss at the meeting the items Council requests. Mr. Talbot stated he will also visit other cities regarding the length of agendas.

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 JANUARY 24 AND FEBRUARY 8, 2012.

A.2 ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP APPROVING A PROJECT (DEVELOPMENT OF A STRATEGIC PLAN UTILIZING THE SERVICES OF A PROFESSIONAL FIRM IN A CONTRACT NOT TO EXCEED $52,000) USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING $10,000.

A.3 RE-APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL OF ALTERNATE MEMBER TO REGULAR MEMBER ON THE BASTROP ZONING BOARD OF ADJUSTMENT; AND APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL OF MEMBER TO THE BASTROP ZONING BOARD OF ADJUSTMENT.

A.4 APPROVAL OF INTERJURISDICTIONAL MUTUAL AID AGREEMENT APPROVED BY CAPITAL AREA COUNCIL OF GOVERNMENTS ON FEBRUARY 8, 2006 BETWEEN BASTROP COUNTY, CITY OF ELGIN, CITY OF SMITHVILLE AND CITY OF BASTROP.

A.5 APPROVAL OF BASTROP MARKETING CORPORATION’S REQUEST FOR REIMBURSEMENT OF EXPENSES.

A.6 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE PRELIMINARY AND FINAL PLAT FOR 40’ OF BEAR HUNTER DRIVE PHASE 1 LOCATED ON THE WESTERN PORTION OF HUNTERS CROSSING SUBDIVISION EXTENDING FROM THE LCRA EASEMENT TO THE FRONTAGE ROAD OF HIGHWAY 71 WEST WITHIN THE CITY LIMITS OF THE CITY OF BASTROP, TEXAS.

A.7 APPROVAL OF A THIRD EXTENSION REQUEST TO THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE PRELIMINARY PLAT FOR BASTROP GROVE LOCATED EAST OF STATE HIGHWAY 304 IN THE CITY LIMITS OF BASTROP, TEXAS.

A.8 APPROVAL OF AN EXTENSION TO THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF LOTS 2-1, 2-1 AND 2-81, BLOCK 1, TAHITIAN VILLAGE, UNIT 2 TO COMBINE THREE LOTS INTO 1 RESIDENTIAL LOT LOCATED WITHIN THE CITY OF BASTROP, TEXAS, EXTRA TERRITORIAL JURISDICTION (ETJ).

A.9 ADOPTION OF AN ORDINANCE GRANTING A CONDITIONAL USE

PERMIT TO ALLOW FOR THE CONSTRUCTION OF A 70 FOOT TALL COMMERCIAL CELL TOWER ANTENNA, WHERE 35 FEET IS ALLOWED, WITH THE CONSTRUCTION TO BE LOCATED ON 0.06 +/- OF AN ACRE LEASE SPACE, OUT OF A PARENT TRACT OF 3.75 +/- ACRES IN THE BASTROP WEST COMMERCIAL, SECTION ONE, LOT 2, BLOCK A, AN AREA ZONED C2, COMMERCIAL LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

A.10 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY BASTROP BUSINESS WOMEN'S CLUB TO HOST "PINE STREET MARKET DAYS" ON THE SECOND SATURDAY OF EVERY MONTH FROM APRIL THROUGH DECEMBER 2012, AS WELL AS THE SATURDAY OF YESTERFEST; AND APPROVAL OF REQUEST TO EXTEND SOUTH ONTO WATER STREET FROM THE INTERSECTION OF PINE STREET AND WATER STREET DOWN TO THE INTERSECTION OF WATER STREET AND WALNUT STREET ON THE SECOND SATURDAYS IN NOVEMBER AND DECEMBER DURING THE VETERAN'S DAY CAR SHOW EVENT AND THE CHRISTMAS PARADE AND SALEBRATIONS.

A.11 APPROVAL OF REQUEST BY BOY SCOUT MICHAEL RAGAN FOR WAIVER OF PERMIT FEES RELATED TO HIS EAGLE SCOUT PROJECT AT THE BASTROP FOOD PANTRY.

A.12 ADOPTION OF A RESOLUTION CALLING FOR AND ESTABLISHING THE LINDEN AND 95 AS A REVITALIZATION PLAN AREA, BASTROP, TEXAS.

Mayor Orr requested that Consent Agenda Item A.9 be pulled for separate discussion because he has two persons in the audience who have requested to speak regarding this item.

Bill Peterson moved to adopt the Consent Agenda minus Item A.9. Seconded by Kay Garcia McAnally and carried unanimously.

Mayor Orr read the caption of the Ordinance listed as Consent Agenda A.9.

Mr. Talbot stated this is the second reading of the Ordinance. Mr. Talbot stated the Council had approved the Ordinance on the first reading.'

Nhat To addressed the Council. Mr. To stated he felt the tower needs to be located somewhere else. Mr. To voiced concerns regarding the tower location and its distance from his business, the parking lot, senior citizen home and the easement utilized for travel access.

Kay Garcia McAnally asked if anyone had measured where the tower would fall if it did fall.

Planning and Development Director, Melissa McCollum stated the tower is built to fall upon itself and there is a 70 foot fall zone.

Bebb Francis addressed the Council and stated the tower is designed to collapse upon itself if that ever happened.

Joe Beal moved to approve Consent Agenda Item A.9. Seconded Bill Peterson 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:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF "CERTIFICATION OF UNOPPOSED CANDIDATE" AND APPROVAL OF THE FIRST READING OF AN ORDINANCE DECLARING UNOPPOSED CANDIDATE IN THE MARCH 3, 2012 SPECIAL CITY ELECTION ELECTED TO OFFICE; CANCELLING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Secretary, Teresa Valdez stated according the Texas Election Code Section 2.052, as soon as possible after the deadline for declaration of write-in candidacy, if no candidate in an election is opposed on the ballot or by a declared write-in candidate, the city secretary must deliver to the city council a certification that each candidate for office is unopposed. Ms. Valdez called the Council's attention to page 69 of the Agenda packet containing the unsigned "Certification" with the official signed and stamped "Certification" being copied and placed in front of the Mayor and Council tonight. Ms. Valdez stated upon receiving the "Certification", the City Council may, by order or ordinance, declare the unopposed candidate elected to office, in which case the election is not held. Ms. Valdez stated the proposed Ordinance cancelling the Election is included in the Agenda packet on page 70. Ms. Valdez recommended approval of the Ordinance.

Bill Peterson moved to accept the "Certification of Unopposed Candidate", approve the First Reading of the Ordinance cancelling the March 3, 2012 Special Election and have this placed on the Consent Agenda of the next Council Meeting for the Second Reading and adoption. Seconded by Kay Garcia McAnally and carried unanimously.

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS 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.

Chief Financial Officer Karla Stovall addressed the Council. Ms. Stovall stated these budget amendments increase the budget appropriations for Fiscal Year 2012. Ms. Stovall stated funds included in these amendments include: General Fund, Water Wastewater Fund, Bastrop Power & Light Fund and Library Board Fund. Ms. Stovall stated she could review the proposed amendments farther if the Council had any questions.

Brief discussion was held among Council and Ms. Stovall.

Joe Beal moved to approve the First Reading of the Ordinance and have this placed on the Consent Agenda of the next Council Meeting for the Second Reading and adoption. Seconded by Ken Kesselus and carried unanimously.

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

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING A REQUEST FROM THE BASTROP COUNTY AUDUBON SOCIETY TO CONSTRUCT A CHIMNEY SWIFT TOWER HONORING JUDY ING TO BE LOCATED AT BOB BRYANT PARK.

City Manager, Mike Talbot stated the Bastrop County Audubon Society made a presentation regarding the construction of a "Chimney Swift Tower" to be located at Bob Bryant Park to the Parks Board at their February monthly board meeting. Mr. Talbot stated the purpose is to honor Judy Ing a long time conservationist who passed away unexpectedly in May 2010. Mr. Talbot called the Council's attention to the complete proposal included in the Agenda packet.
Mr. Talbot stated the Parks Board voted to recommend to the City Council that the Bastrop County Audubon Society be approved for constructing the tower at Bob Bryant Park. Mr. Talbot stated he advised the Audubon Society that the Council may require a lease agreement between the City and the Society to construct the tower at the park. Mr. Talbot stated the Audubon Society proposal is on page 86 of the Agenda packet.

Discussion was held among Council and Mr. Talbot.

Sue Brubaker, a member of the Audubon Society, addressed the Council. Ms. Brubaker answered questions regarding the Chimney Swift birds.

Mr. Talbot stated the Council could direct the City Manager to include in the lease that if the "Tower" fell into a state of disrepair the City would have the authority to take the "Tower" down.

Ken Kesselus moved to instruct the City Manager to do whatever it takes to make the project happen with a five (5) year lease agreement and the provision that the City have the authority to remove the Tower if it falls into a state of disrepair. Seconded by Kay Garcia McAnally and carried unanimously.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING A REQUEST FROM THE GULF COAST HEALEY CLUB OF HOUSTON, TEXAS FOR A

SPECIAL EVENTS PERMIT TO DISPLAY VINTAGE AUSTIN HEALEY SPORTS CARS ON MAIN STREET FROM CHESTNUT STREET TO SPRING STREET ON APRIL 14, 2012.

City Manager, Mike Talbot stated the City has received a Special Events Permit Application from the Gulf Coast Healey Club of Houston, Texas to hold a "Car Show" displaying vintage "Austin Healey" on Main Street from Chestnut Street to Spring Street on April 14th from 8:00 a.m. to Noon. Mr. Talbot stated since this is a one-half day event public safety matters can be handled by the officers on duty on the 14th of April. Mr. Talbot stated no additional staff will be required. Mr. Talbot stated the Main Street Manager has contacted all the businesses in the area of the car show and fully supports issuance of the Special Events Permit.

Ken Kesselus asked Mr. Talbot that since this is a small event, the City can support it more than big events.

City Manager, Mike Talbot stated "Yes" because it required minimum City staff and the downtown businesses were interviewed and the merchants are okay with the event.

Kay Garcia McAnally stated this was not going to cost the City anything and the merchants are okay with the event.

Mr. Talbot stated "Yes" and no additional City staff was required .

Joe Beal moved to approve the Special Events Permit Application. Seconded by Bill Peterson and carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING A REQUEST FROM LONE STAR RELAYS FOR A SPECIAL EVENTS PERMIT TO COMMENCE THE TEXAS INDEPENDENCE RELAY IN THE CITY OF BASTROP.

City Manager, Mike Talbot called the Council's attention to his Memo (attached below) included in the Agenda packet. Mr. Talbot stated the Application states the event will be finished by 2:00 p.m., but it is the City's experience that by the time you take down street barricades and such it would probably be 3:00 p.m. before the event is finished. Mr. Talbot called the Council's attention to Page 128 of the Agenda packet showing two (2) suggested routes.

Kay Garcia McAnally asked how the City will benefit from this event.

Mr. Talbot stated the applicant has stated that 80 rooms at Hotels have been reserved and he has also reserved the Convention Center.

Mayor Orr stated he was concerned about shutting down Main Street and the downtown area. Mayor Orr stated he thinks this event will benefit the City and successful events get people to come back on their own. Mayor Orr stated he did not see why this would not fall under Hotel Occupancy Tax funding to pay for the City's expenses concerning this event.

Jay Hilscher, Event Coordinator, addressed the Council. Mr. Hilscher stated he has met here in Bastrop since last March with the Chamber of Commerce, the Main Street Manager, and the

Bastrop Economic Development Corporation to see if there was an interest to host this event. Mr. Hilscher stated there are questions to resolve and they did not want retailers to be upset. Mr. Hilscher stated it is their intent to bring people downtown.

Discussion was held among Council, Mr. Talbot and Mr. Hilscher regarding the event and alternate routes.

Joe Beal moved to instruct the City Manager to work with the Texas Independent Relay promoter to cause this race to happen in Bastrop, with it beginning in Fisherman's Park and taking a route determined by the City Manager and safety professionals; further indicate to the public how we anticipate doing this in 2013; instruct the City Manager to work with Hotel Occupancy Tax funds to reimburse the City for the expenses incurred for this event; and the event to utilize the County parking area if approved by the County Judge and if not approved by the County, the use of the Catholic Church parking lot or City Hall parking lot. Seconded by Bill Peterson and carried unanimously.

MEMO

TO: MAYOR ORR & CITY COUNCIL MEMBERS

FROM: MICHAEL H. TALBOT, CITY MANAGER

DATE: FEBRUARY 7, 2012

RE: – REQUEST FOR SPECIAL EVENT PERMIT FOR "LONE STAR RELAYS."

OVERVIEW OF EVENT:

Lone Star Relay (the "Applicant") is a for profit company that puts on an annual running event called "The Texas Independence Relay" for the purpose of celebrating Texas's history. The Texas Independence Relay is a 203 mile, twelve (12) person team, running event ("Event"), that is scheduled to take place on Saturday, March 30, 2012. The last few years the Event was started in Gonzales, Texas. The City of Bastrop has received a "Special Permit Application" requesting the City's permission to start the Event in Bastrop this year, with the Event ending in La Porte, Texas. The Applicant has advised the City that this year the Event is expecting approximately 200 teams, accordingly, the Applicant has advised the City Bastrop that it anticipates there will be approximately 2,000 runners participating. With the Event starting in Bastrop, there will be about 250 people (both runners and organizers) at the "starting location," during peak times. To reach the finish line by sundown on Sunday March 31st the slowest teams must start no later than approximately 6:00 to 6:30 a.m. on Saturday. Each team is assigned their own individual start time. Throughout most of the morning, teams will start in "203 minute" increments (and there will be a few 5-10 minute breaks each hour, as well). Most of the teams will have been started by 11:00 a.m.. However, because each "minute/per mile (in average pace) results in a difference in finishing time of over 3 hours, the fastest teams will not start until after 2:00 p.m. on Saturday March 3rd. In reviewing the proposed details of this Event with the Applicant, it appears that activities in Bastrop (i.e., the starting point) will likely not be finished until at least 3:00 p.m.

APPLICANT'S PROPOSED ROUTING ALTERNATIVES:

A proposed Route Map of the Event is attached to this memo. The Applicant is requesting to start the Event in "Fisherman's Park," with twelve (12) person racing teams beginning the race at the entrance of the "Riverwalk" and having the teams exiting the "Riverwalk" at "Ferry Park". If Route One is used, once the runners exit Ferry Park, the 12 person teams would run down Main Street, to the intersection of Chestnut and Main Street. Once at the intersection of Chestnut and Main Street, the 12 persons team will break up, and only one runner from each team would continue running eastward, on the Chestnut Street sidewalks, through the intersection of Chestnut Street and Highway 95. From there, the runner would continue eastward on the shoulder of Loop 150, all the way to the Bastrop State Park. If Route Two is used, the teams would again exit at Ferry Park, then the teams would run down Water Street, taking a right on Walnut Street, left on Pecan Street, left on to Pine Street and, then, right on to Main Street, with the team run ending (as with Route One) at the intersection Main and Chestnut Streets. At that point, a single team member would run for the team, as outlined for the Route One alternative.

The Applicant representative has advised City Staff that he prefers "Route Two," if that is acceptable to and approved by the Council.

Either route would require the closing of Main Street, from Pine Street to the intersection of Main and Chestnut Street for the duration of the "start," which is from approximately 6:00 a.m. to approximately 3:00 p.m.

CITY STAFFING/BUDGET:

Costs to the City for hosting this Event are not included the FY-12 budget. To facilitate this Event, the City would be required to utilize the employees in the Public Works Department, the Parks Department, as well as a number of Police Officers , to ensure public safety, etc. The City staff has estimated that the cost for the City to support this Event would be approximately $5,300.00.

MAIN STREET MERCHANT INPUT:

Since this is a first time event for the City, and either Route proposed would impact a portion of Main Street, I asked the Main Street Manager, Nancy Woods, to survey all of the potentially affected businesses on Main Street. A list of those businesses surveyed is attached to this Memo as Exhibit "B." ***All*** surveyed businesses ***were opposed*** to the closing of Main Street for the period of time requested by the Applicant.

TRAFFIC/SAFETY:

A final planning issue it that the Applicant has advised that there would be a number of vans parked through-out the downtown area to support this Event, because as the teams "break-up" the remainder of the team members are transported by Event vans, rive to be transported to the location where the next runner will take over the run.

With 200 teams envisioned, the van traffic would result in increased traffic and parking throughout the downtown area.

PARKS BOARD REVIEW/RECOMMENDATION:

The Parks Board (the "Board") reviewed the Applicant's proposal extensively at their February Board meeting, taking into account the factors outline above. The Board also recognized and considered that the runner and their supporters would potentially stay at local Bastrop hotels/inns/B&Bs, and that the preceding Friday night March 29, 2012 the Event sponsors/Applicant would rent the Convention Center for a pre-Event gathering. **The Board recommends that the City Council deny** the original request, but it suggests that the Applicant consider staging the Event at Mayfest Park. If Mayfest Park is used, the Event would be safer, would not disrupt the Downtown merchants, and would also have a reduced impact on City staff and budget.

D.6 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS DESIGNATING A PORTION OF THE CITY AS AN "HISTORIC CHICKEN SANCTUARY" AREA.

City Manager, Mike Talbot stated that Council Member Kay Garcia McAnally feels that a portion of Farm Street is a historic area because of the chickens. Mr. Talbot stated that previous action by the City Council made the chickens a protected species in this area.

Kay Garcia McAnally stated that the people who reside on Farm Street so love their chickens. Ms. Garcia McAnally stated the chickens are a tourist attraction and they need real protection.

Brief discussion was held among Council.

Kay Garcia McAnally moved to adopt the Resolution. Seconded by Ken Kesselus and carried unanimously.

D.7 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING THE SPEED LIMIT ON FARM STREET FROM STATE HIGHWAY 95 TO FAYETTE STREET.

City Manager, Mike Talbot called the Council's attention to a map included in the Agenda packet illustrating the various speed limits on Farm Street from the entrance of Fisherman's Park to State Highway 95. Mr. Talbot stated as shown on the map the speed limit on Farm Street from the entrance of Fisherman's Park to Water Street is 20 miles per hour. Mr. Talbot stated he did a brief review of the City's file and cannot find a reason or what the City might have been planning for when they set the speed limit for this area of Farm Street. Mr. Talbot stated Council Member McAnally requested that this item be placed on the Agenda.

Kay Garcia McAnally stated the people who live on Farm Street had asked her to come and sit on their porches and see how many people speed. Ms. Garcia McAnally stated she was proposing that the entire Farm Street speed limit be changed to 20 miles per hour.

Discussion was held among Council and Mr. Talbot.

It was the consensus of the Council that the City conduct an in-house traffic study for a two (2) week period and also have the school give the City Manager a count on how many school buses travel through there.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, SECTION 551.071(1)(A) AND SECTION 551.071(2) (CONSULTATIONS WITH ATTORNEY); SECTION 551.072 (DELIBERATIONS ABOUT REAL PROPERTY); SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS)TO DISCUSS THE FOLLOWING:

1. 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. DELIBERATIONS ABOUT REAL PROPERTY: ACQUISITION, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY FOR PUBLIC PURPOSES.
3. PERSONNEL: APPEAL OF EMPLOYEES TERMINATION.
4. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: PROJECT HOLLYWOOD.

At 8:16 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.071(1)(A) and Section 551.071(2) (Consultations with Attorney); Section 551.074 (Personnel Matters) and Section 551.087 (Deliberation Regarding Economic Development Negotiations) to discuss the following:

1. 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:
3. Personnel: Appeal of employees termination.
4. Deliberation Regarding Economic Development Negotiations: Project Hollywood.

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 9:37 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.

The City Council directed the City Manager to negotiate a 380 Agreement for Project Hollywood.

F. ADJOURNMENT

At 9:40 p.m., Joe Beal moved to adjourn. Seconded by Kay Garcia McAnally and carried unanimously.

APPROVED:	ATTEST:
______________________	______________________
Terry Orr, Mayor	Teresa Valdez, City Secretary