

Bastrop, TX City Council Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



March 22, 2022

Executive Session at 5:30 P.M.

Regular Meeting at 6:30 P.M.

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE IN ATTENDANCE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT WWW.CITYOFBASTROP.ORG/CITIZENCOMMENTFORM BEFORE 5:00 P.M. ON MARCH 22, 2022. COMMENTS SUBMITTED BY THIS TIME WILL BE DISTRIBUTED TO THE CITY COUNCIL PRIOR TO MEETING COMMENCEMENT, REFERENCED AT THE MEETING, AND INCLUDED WITH THE MEETING MINUTES. COMMENTS FROM EACH INDIVIDUAL WILL BE LIMITED TO THREE (3) MINUTES WHEN READ ALOUD.

1. CALL TO ORDER

2. EXECUTIVE SESSION

2A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071, .074 Real Property, and .087 Economic Development to seek the advice of legal counsel regarding public-private partnerships for possible multipurpose lodging projects.

- 2B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Bastrop Charter section 3.11 (Investigations) in terms of State of Texas v. James Robert Crouch, Bastrop Municipal Court of Record Cause No. 20211193, Bastrop Code of Ordinances section 3.01.003 (Working without a Permit), and Councilman Crouch's conduct related to Bastrop Code of Ordinances section 1.15.009(e) (Undue Influence), section 1.15.009(d) (Representing Private Parties), and Charter sections 3.05 (Giving Orders to Staff) and 3.01 (Personal Interest in City Contracts) as relates to projects at 602 Martin Luther King, Jr. Drive, 709 Spring Street, 906 Pine Street, and 1305 State Highway 95.

3. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

4. CALL TO ORDER – REGULAR SESSION – 6:30 P.M.

- 5. PLEDGE OF ALLEGIANCE** – Mason Goertz and Parker Connell, Mina Elementary Harry Potter Club

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

- 6. INVOCATION** – Dale Burke, Police Chaplain

7. PRESENTATIONS

- 7A. Mayor's Report

- 7B. Council Members' Report

- 7C. City Manager's Report

- 7D. A proclamation of the City Council of the City of Bastrop, Texas, recognizing April 3rd-9th as National Library Week. (Submitted by: Ann Franklin, City Secretary)

8. WORK SESSION/BRIEFINGS - NONE

9. STAFF AND BOARD REPORTS

- 9A. Receive presentation on the unaudited Monthly Financial Report for the period ending February 28, 2022. (Submitted by: Tracy Waldron, Chief Financial Officer)

- 9B. Receive presentation on Cultural Arts Commission Year 1 and Year 2 Work Plan and provide feedback as appropriate (Submitted by: Rebecca Gleason, Assistant City Manager)

10. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on March 22, 2022. Comments submitted by this time will be distributed to the city council prior to meeting commencement, referenced at the meeting, and included with the meeting minutes. Comments from each individual will be limited to three (3) minutes when read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

11. CONSENT AGENDA

The following may be acted upon in one motion. A Council Member or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 11A. Consider action to approve City Council minutes from the March 8, 2022, Regular meeting. (Submitted by: Ann Franklin, City Secretary)
- 11B. Consider action to approve the first reading of Ordinance No. 2022-10 of the City Council of the City of Bastrop, Texas, amending Chapter 9, "Personnel," by adopting Chapter 9, Article 9.05, Division 2; and amending Divisions 3 and 6; and Chapter 9, Article 9.09, Divisions 2, 3, and 4; by creating the Chief of Police position and removing the remaining references to the repealed Director of Public Safety position; and by reassigning duties formerly delegated to the Director of Public Safety and clarifying the duties and authority of the Chief of Police and Fire Chief; and providing for findings of fact, enactment, a repealer, and severability; establishing an effective date; proper notice and meeting. (Submitted by: Tanya Cantrell, Human Resources Director)
- 11C. Consider action to approve Resolution No. R-2022-25 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Nicole DeGuzman to Place 7 of the Cultural Art Commission, as required in Section 3.08 of the City's Charter, and establishing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 11D. Consider action to approve Resolution No. R-2022-26 of the City Council of the City of Bastrop, Texas, confirming appointment by the Mayor of Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation, as required in Section 3.08 of the City's Charter, and establishing an effective date. (Submitted by: Ann Franklin, City Secretary)

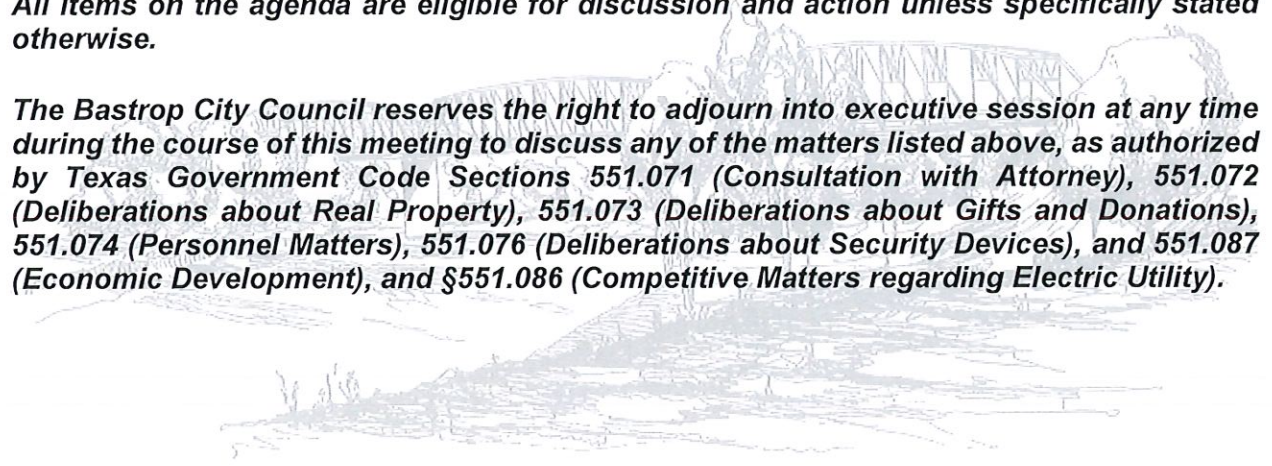
12. ITEMS FOR INDIVIDUAL CONSIDERATION

- 12A. Consider action to approve Resolution No. R-2022-28 of the City Council of the City of Bastrop, Texas, awarding a contract for the mowing of various parks and City Rights-of-Way to Brightview Landscape Services, Inc., in the amount of Two Hundred Fifteen Thousand Eight Hundred Ninety-Six And 24/100 Dollars (\$215,896.24) as attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date. (Submitted by: Curtis Hancock, Director of Public Works)
- 12B. Consider action to approve the first reading of Ordinance No. 2022-12 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2022 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the April 12, 2022 City Council agenda for a second reading. (Submitted by: Tracy Waldron, Chief Financial Officer)

13. ADJOURNMENT

All items on the agenda are eligible for discussion and action unless specifically stated otherwise.

The Bastrop City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development), and §551.086 (Competitive Matters regarding Electric Utility).



I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Thursday, March 17, 2022 at 4:00 p.m. and remained posted for at least two hours after said meeting was convened.


Victoria Psencik, Deputy City Secretary



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 2A

TITLE:

Seek the advice of legal counsel regarding public-private partnerships for possible multipurpose lodging projects.

STAFF REPRESENTATIVE:

Rebecca Gleason, Assistant City Manager





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 2B

TITLE:

City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Bastrop Charter section 3.11 (Investigations) in terms of State of Texas v. James Robert Crouch, Bastrop Municipal Court of Record Cause No. 20211193, Bastrop Code of Ordinances section 3.01.003 (Working without a Permit), and Councilman Crouch's conduct related to Bastrop Code of Ordinances section 1.15.009(e) (Undue Influence), section 1.15.009(d) (Representing Private Parties), and Charter sections 3.05 (Giving Orders to Staff) and 3.01 (Personal Interest in City Contracts) as relates to projects at 602 Martin Luther King, Jr. Drive, 709 Spring Street, 906 Pine Street, and 1305 State Highway 95

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 3

TITLE:

Take any necessary or appropriate action on matters posted for consideration in closed/executive session

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 7A

TITLE:

Mayor's Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

ATTACHMENTS:

- Power Point Presentation

Mayor's Report
March 22, 2022



Latest Activities

Mar 8 - 17

Events in 2022: 67



BCMA
Mayor's Prayer
Luncheon
Dr. Renee Cervantes



Empty Bowl Event



Cedar Creek Elementary
Career Day



The Treehouse Learning Center



Rising Sun Vineyard
Alive After Five



Texas Restaurant Association



City Manager Update



Farm Street Opry

Planned Events

March 18 - 22

- March 18 - Ambassador's Meeting
- March 21 – BEDC Board Meeting
- March 22 – City Council Meeting



Upcoming Events & City Meetings

- March 24 – FCI Breakfast
- March 25 –
 - BEST Breakfast
 - Chamber Golf Tournament
- March 26 –
 - Friends of the Library Book and Plant Sale
 - Little League Opening Day
- April 2 –
 - Bubble Run (COTA)
 - First Saturday Market Days (Main Street)
 - Movies in the Park “Peter Rabbit 2”
- April 4
 - ERCOT Board Meeting
 - Library Board Meeting
- April 5 – Special City Council Workshop
- April 6 – Chamber Lunch
- April 7 – Farm Street Opry
- April 12–
 - Government Affairs Committee
 - City Council Meeting





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 7B

TITLE:

Council Members' Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 7C

TITLE:

City Manager's Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 7D

TITLE:

A proclamation of the City Council of the City of Bastrop, Texas, recognizing April 3rd-9th as National Library Week.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary





PROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, today's libraries are more about what they can do with and for their communities, and not just about what they have on the shelves;

WHEREAS, libraries have long served as trusted institutions, often the heart of their cities, towns, schools, and academic campuses;

WHEREAS, libraries serve people of all ages, interests and backgrounds providing the resources and space to engage in life-long learning;

WHEREAS, libraries offer equipment and professional staff support to utilize technology, programs and services; often free or with nominal charges to users;

WHEREAS, libraries are a resource for all - regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status;

WHEREAS, we recognize librarians as information professionals who provide expertise, services and guidance for patrons to access credible sources and material, making their own informed decisions about the world today;

WHEREAS, librarians thoughtfully develop collections and programs that are wide-ranging and explore the diversity of our changing society;

WHEREAS, the PA Forward™, Literacy is POWER, initiative highlights how libraries and staffs encourage literacy in Basic, Information, Civic & Social, Health, and Financial, which contributes to greater personal and community success;

WHEREAS, America is celebrating National Library Week including April 5th as National Library Workers' Day and the immeasurable contributions made by library workers; April 6th as National Bookmobile Day showing library services are not limited to their physical location; and April 7th as Take Action for Libraries Day encouraging community support for libraries;

NOW, THEREFORE, I, Connie B. Schroeder, Mayor of the City of Bastrop, Texas, do hereby proclaim April 3-9, 2022 as:

NATIONAL LIBRARY WEEK

IN WITNESS WHEREOF, I have here unto set my hand and caused the Seal of the City of Bastrop, Texas to be affixed this 22nd day of March, 2022.

Connie B. Schroeder, Mayor





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 9A

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending February 28, 2022.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Water-Wastewater Fund, Bastrop Power & Light and the HOT Tax Fund.

REVENUE

General Fund exceeded the forecast by 5%

- Sales tax is 12.4% above forecast and 17.6% over same period prior year
- Development fees are 18% above forecast
- The are other categories that are below forecast – specifically court fines and interest

Debt Service shows a slight negative and this is due to timing of property tax receipts

Capital Bond Projects reflects the bond issuance that closed in February – this is included in the budget amendment on this agenda.

Impact Fee Fund is in negative status – the revenue projections were based on the timing of specific developments paying into this fund – these developments are behind the projected schedule causing the fund to be short of forecast.

Hotel Occupancy Tax Fund – This page was updated this month to change the reporting from accrual to cash. The accrual method was skewing the forecast to actual. The forecast and actual columns were updated.

All other funds are performing positive to forecast.

EXPENDITURES

All funds are positive to forecast amounts.

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, as adopted by Resolution R-2021-80 on August 24, 2021.

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending February 28, 2022

CITY OF BASTROP

Comprehensive Monthly Financial Report February 2022



Performance at a Glance as of February 28, 2022



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY	POSITIVE	Page 3-4
SALES TAXES	POSITIVE	Page 5
PROPERTY TAXES	WARNING	Page 6
GENERAL FUND EXPENSE BY DEPARTMENT	POSITIVE	Page 7
WATER/WASTEWATER REVENUES	POSITIVE	Page 8
WATER/WASTEWATER EXPENDITURES BY DIVISION	POSITIVE	Page 9
ELECTRIC REVENUES	POSITIVE	Page 10
HOTEL OCCUPANCY TAX REVENUES	POSITIVE	Page 11
HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION	POSITIVE	Page 12
LEGAL FEES BY ATTORNEY/CATEGORY	POSITIVE	Page 13
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of > 5% compared to seasonal trends	

BUDGET SUMMARY OF ALL FUNDS

	FY2022 <u>Approved Budget</u>	FY2022 <u>Forecast YTD</u>	FY2022 <u>Actual YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 15,481,868	\$ 8,647,215	\$ 9,153,523	5.9%
Designated	66,908	12,563	14,289	13.7%
Innovation	445,500	295,500	296,010	0.2%
Street Maintenance	3,000	1,100	1,094	-0.5%
Debt Service	3,358,143	2,942,444	2,900,266	-1.4%
General Gov's Projects	457,000	62,500	62,500	0.0%
Water/Wastewater	6,958,580	2,549,655	2,980,502	16.9%
Water/Wastewater Debt	3,619,436	1,135,078	1,134,797	0.0%
Water/Wastewater Capital Proj	481,000	200,417	198,797	-0.8%
Impact Fees	4,505,950	1,239,136	883,671	-28.7%
Vehicle & Equipment Replacement	1,560,236	1,259,931	1,281,844	1.7%
Electric	6,877,639	2,505,503	2,730,785	9.0%
HOT Tax Fund	2,226,904	797,535	921,121	15.5%
Library Board	20,600	6,917	10,392	50.2%
Cemetery	108,200	42,583	58,321	37.0%
Capital Bond Projects	1,027,708	6,196	3,681,165	59312.0%
Grant Fund	100,000	12,960	12,960	0.0%
Park/Trail Land Dedicaiton	1,365	569	592	4.0%
Hunter's Crossing PID	575,879	560,906	569,624	1.6%
Bastrop EDC	5,074,414	1,401,362	2,401,037	71.3%
TOTAL REVENUES	\$ 52,950,330	\$ 23,680,070	\$ 29,293,290	23.7%

POSITIVE

= Positive variance or negative variance < 1% compared to forecast

WARNING

= Negative variance of 1-5% compared to forecast

NEGATIVE

= Negative variance of >5% compared to forecast

BUDGET SUMMARY OF ALL FUNDS				
	FY2022 <u>Approved Budget</u>	FY2022 <u>Forecast YTD</u>	FY2022 <u>Actual YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 16,111,889	\$ 7,177,378	\$ 6,682,829	-6.9%
Designated	298,100	2,840	1,730	-39.1%
Innovation	445,500	25,184	25,180	0.0%
Street Maintenance	655,000	30,904	30,799	-0.3%
Debt Service	3,494,221	610,615	606,868	-0.6%
General Gov't Projects	457,000	20,500	11,219	-45.3%
Water/Wastewater	7,442,749	3,212,033	2,994,358	-6.8%
Water/Wastewater Debt	3,992,281	1,074,337	1,074,337	0.0%
Water/Wastewater Capital Proj.	352,500	231,300	226,316	-2.2%
Revenue Bond, Series 2020	8,343,830	2,758,053	2,754,486	-0.1%
CO, Series 2021	35,720,000	4,472,115	4,397,413	-1.7%
Impact Fees	910,250	540,000	539,569	-0.1%
Vehicle & Equipment Replacement	1,231,430	153,000	154,204	0.8%
Electric	7,495,049	2,809,785	2,800,683	-0.3%
HOT Tax Fund	2,780,873	1,638,682	1,487,921	-9.2%
Library Board	87,950	36,646	7,379	-79.9%
Cemetery	148,828	54,512	42,072	-22.8%
Hunter's Crossing PID	572,547	79,427	67,411	-15.1%
CO, Series 2013	299,450	-	-	0.0%
CO, Series 2018	655,500	-	-	0.0%
Limited Tax Note, Series 2020	424,043	22,000	21,992	0.0%
Grant Fund	100,000	377,803	336,365	-11.0%
Bastrop EDC	5,296,378	791,891	641,161	-19.0%
TOTAL EXPENSES	\$ 97,315,368	\$ 26,119,005	\$ 24,904,292	-4.7%

POSITIVE

WARNING

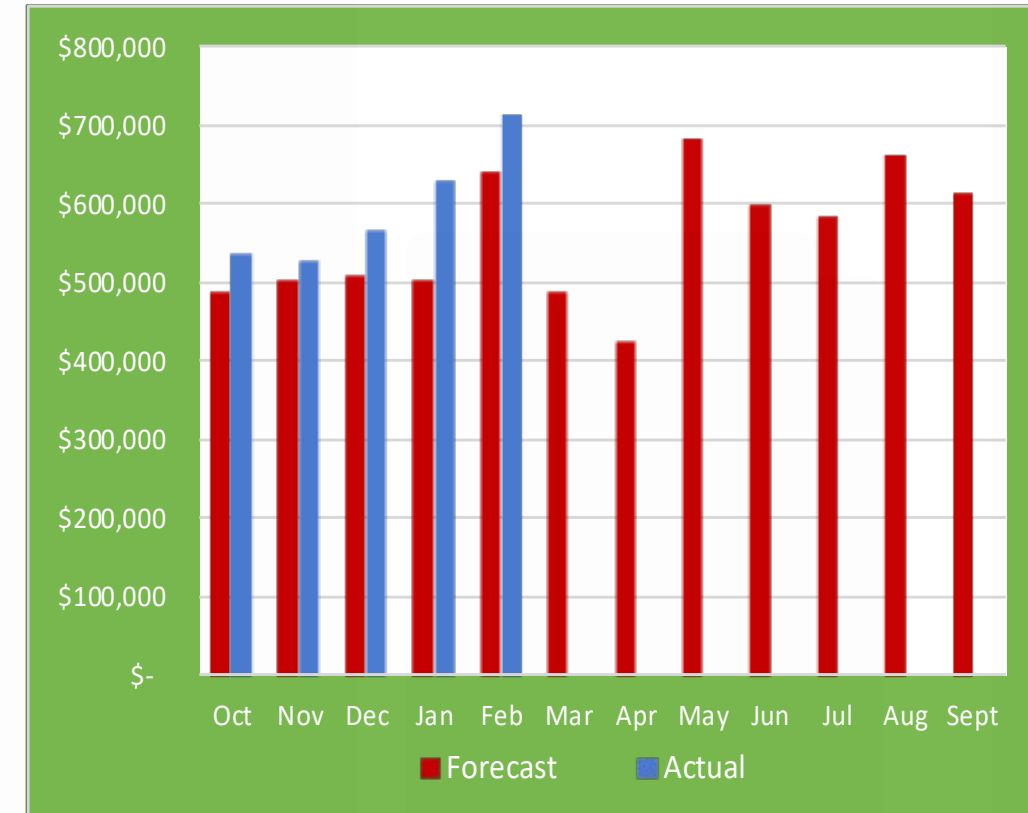
= Negative variance or positive variance < 1% compared to forecast

= Positive variance of 1-5% compared to forecast

REVENUE ANALYSIS

SALES TAX REVENUE

<u>Month</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 485,995	\$ 533,267	\$ 47,272
Nov	499,587	525,903	\$ 26,316
Dec	507,178	564,058	\$ 56,880
Jan	500,737	625,837	\$ 125,100
Feb	638,271	708,736	\$ 70,465
Mar	485,980		\$ -
Apr	423,143		\$ -
May	680,505		\$ -
Jun	597,880		\$ -
Jul	581,620		\$ -
Aug	658,217		\$ -
Sept	611,983		\$ -
Total	\$ 6,671,096	\$ 2,957,801	\$ 326,033
Cumulative Forecast	\$ 2,631,768		
Actual to Forecast	\$ 326,033	12.4%	

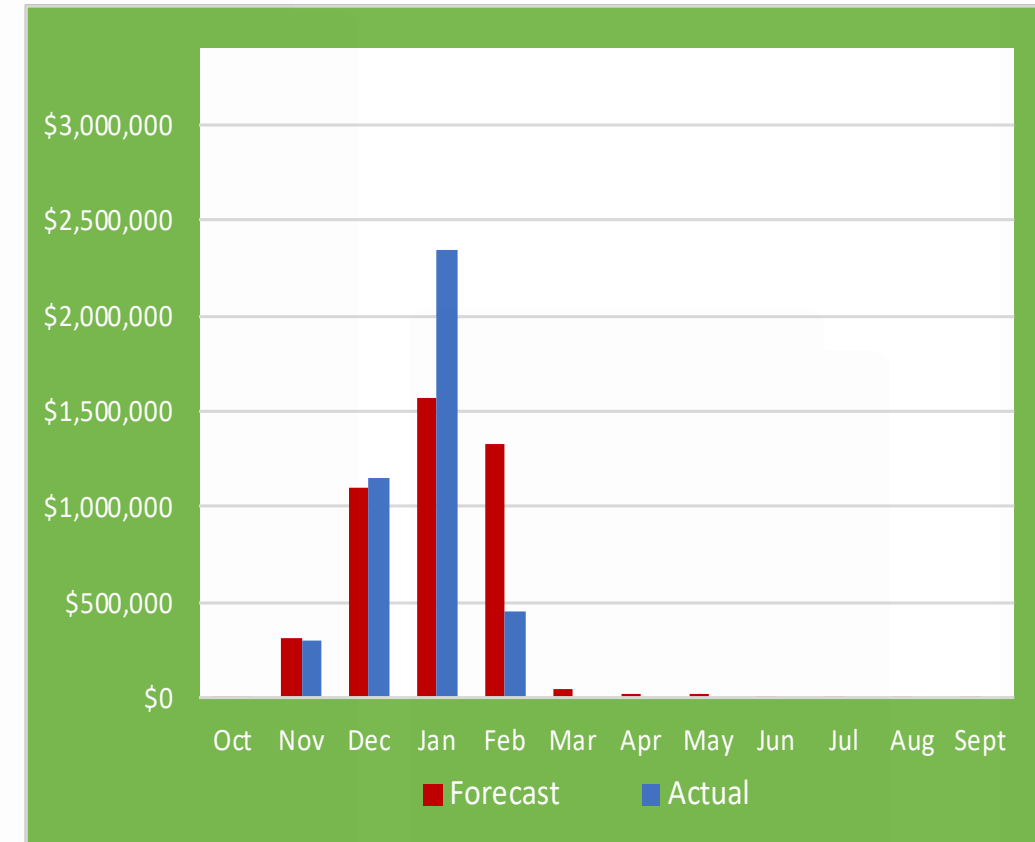


POSITIVE

Sales Tax is 42% of the total budgeted revenue for General Fund. The actual amounts for Oct. and Nov. are estimated due to the State Comptroller's two month lag in payment of these earned taxes. The actual is almost 12.5 % greater than forecasted and almost 17.6% over the same period last year.

PROPERTY TAX REVENUE

<u>Month</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 150	\$ 182	\$ 32
Nov	309,543	300,872	\$ (8,671)
Dec	1,105,509	1,147,364	\$ 41,855
Jan	1,565,401	2,340,230	\$ 774,829
Feb	1,326,611	453,211	\$ (873,400)
Mar	44,220		
Apr	17,688		
May	17,688		
Jun	8,844		
Jul	8,844		
Aug	8,844		
Sept	8,694		
Total	\$ 4,422,036	\$ 4,241,859	\$ (65,355)
Cumulative Forecast	\$ 4,307,214		
Actual to Forecast	\$ (65,355)	-1.52%	



WARNING

Property tax represents 31% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The forecast has been updated based on actual payment patterns this fiscal year. The Actual is 1.5% negative of forecast. This will even out over the next several months.

GENERAL FUND EXPENDITURES BY DEPT.

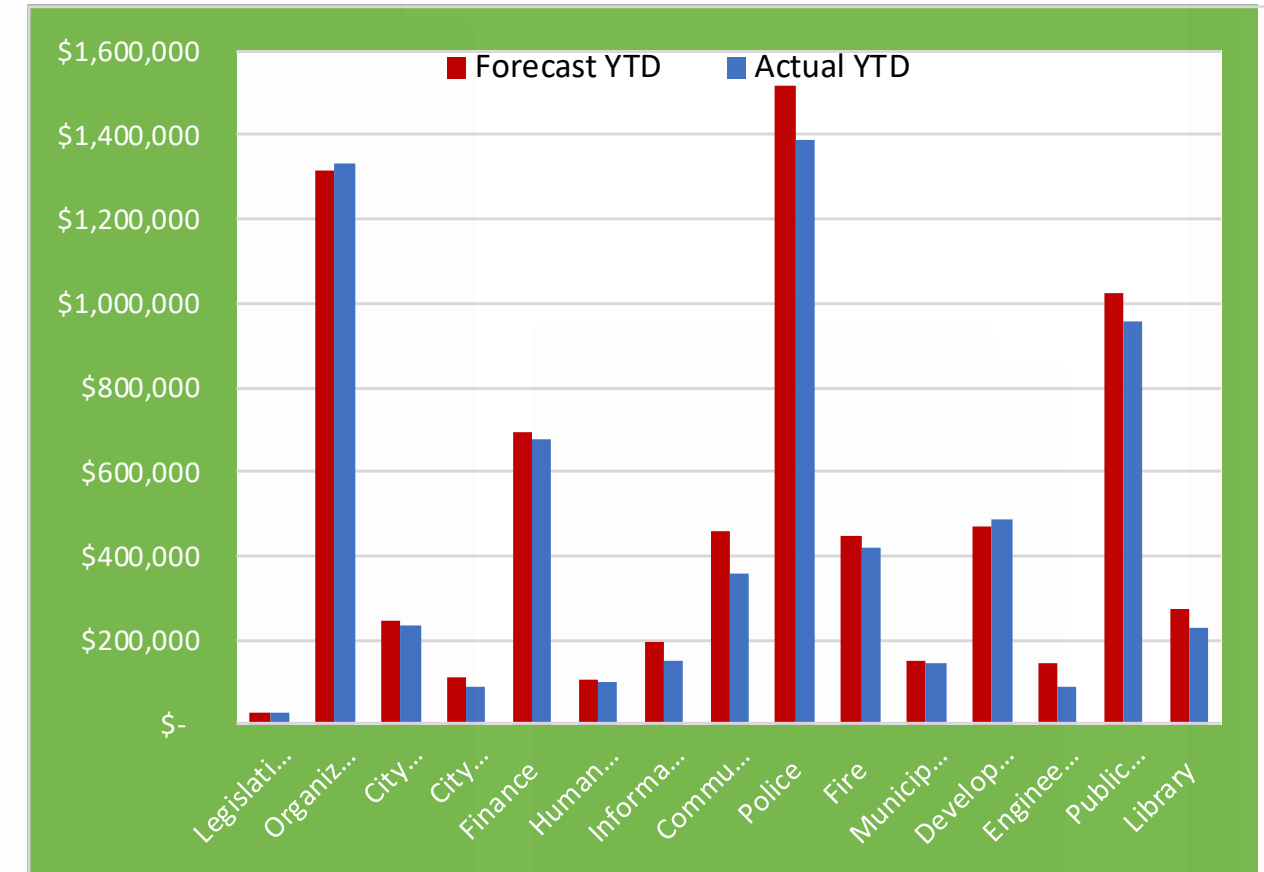
<u>Division</u>	<u>FY2022 Forecast YTD</u>	<u>FY2022 Actual YTD</u>	<u>Variance</u>
Legislative	\$ 28,625	\$ 27,056	\$ (1,569)
Organizational	1,316,353	1,334,169	\$ 17,816
City Manager	245,546	233,971	\$ (11,575)
City Secretary	109,773	88,292	\$ (21,481)
Finance	694,652	677,391	\$ (17,261)
Human Resources	103,872	100,568	\$ (3,304)
Information Technology	192,870	149,770	\$ (43,100)
Community Engagemen	457,920	359,797	\$ (98,123)
Police	1,514,864	1,388,303	\$ (126,561)
Fire	449,467	417,056	\$ (32,411)
Municipal Court	151,049	143,136	\$ (7,913)
Development Services	470,715	488,538	\$ 17,823
Engineering	146,884	88,350	\$ (58,534)
Public Works	1,022,996	957,103	\$ (65,893)
Library	271,792	229,329	\$ (42,463)
Total	\$ 7,177,378	\$ 6,682,829	\$ (494,549)

Actual to Forecast

93.1%

POSITIVE

This page in the financial report looks at forecast to actual by department within the General Fund. YTD the actual is 93% of forecast. The Organizational department is running over forecast due to elevated legal expenses and Development Services due to increased inspection fee services.

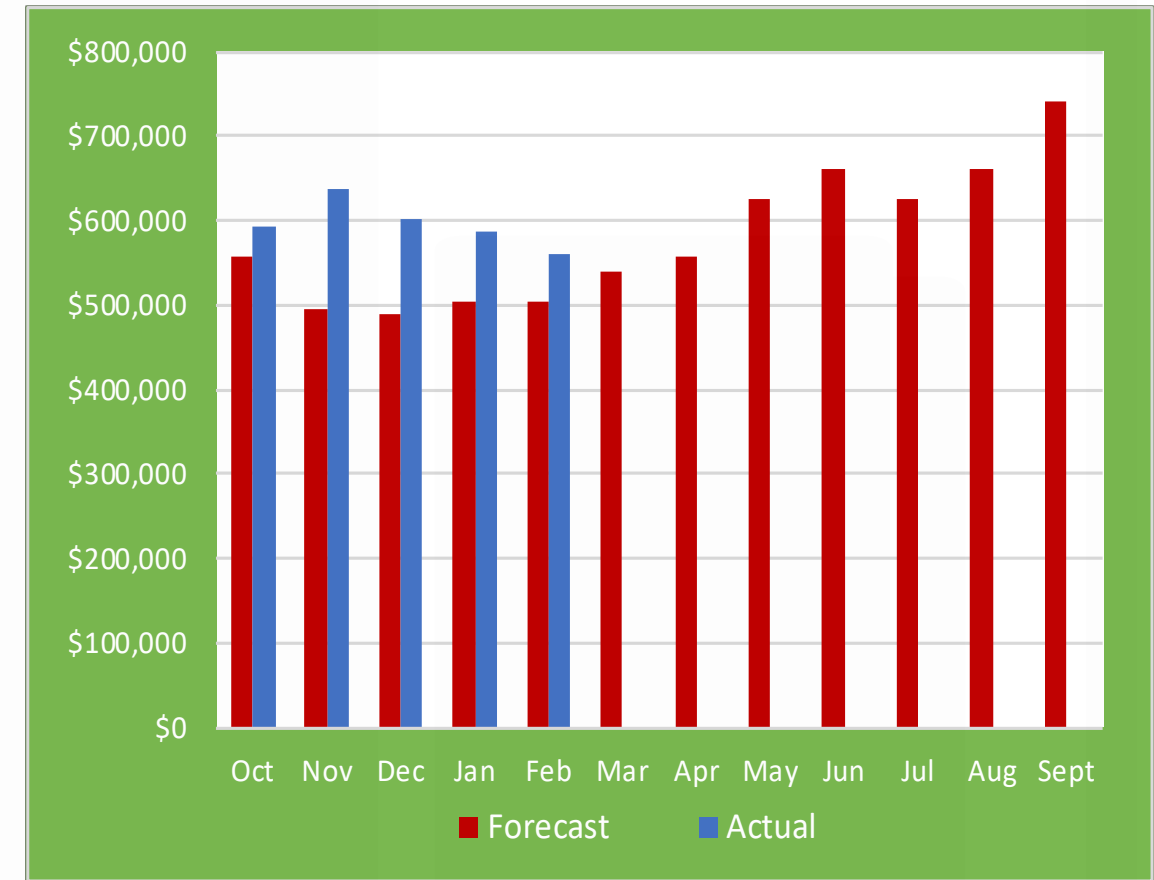


COMPREHENSIVE MONTHLY FINANCIAL REPORT – February 2022

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

<u>Month</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 556,791	\$ 592,481	\$ 35,690
Nov	494,957	637,628	\$ 142,671
Dec	487,757	602,279	\$ 114,522
Jan	505,193	587,955	\$ 82,762
Feb	504,957	560,158	\$ 55,201
Mar	539,355		
Apr	556,791		
May	626,062		
Jun	660,698		
Jul	625,826		
Aug	660,461		
Sept	739,732		
Total	\$ 6,958,580	\$ 2,980,501	\$ 430,846
Cumulative Forecast	\$ 2,549,655		
Actual to Forecast	\$ 430,846	16.90%	



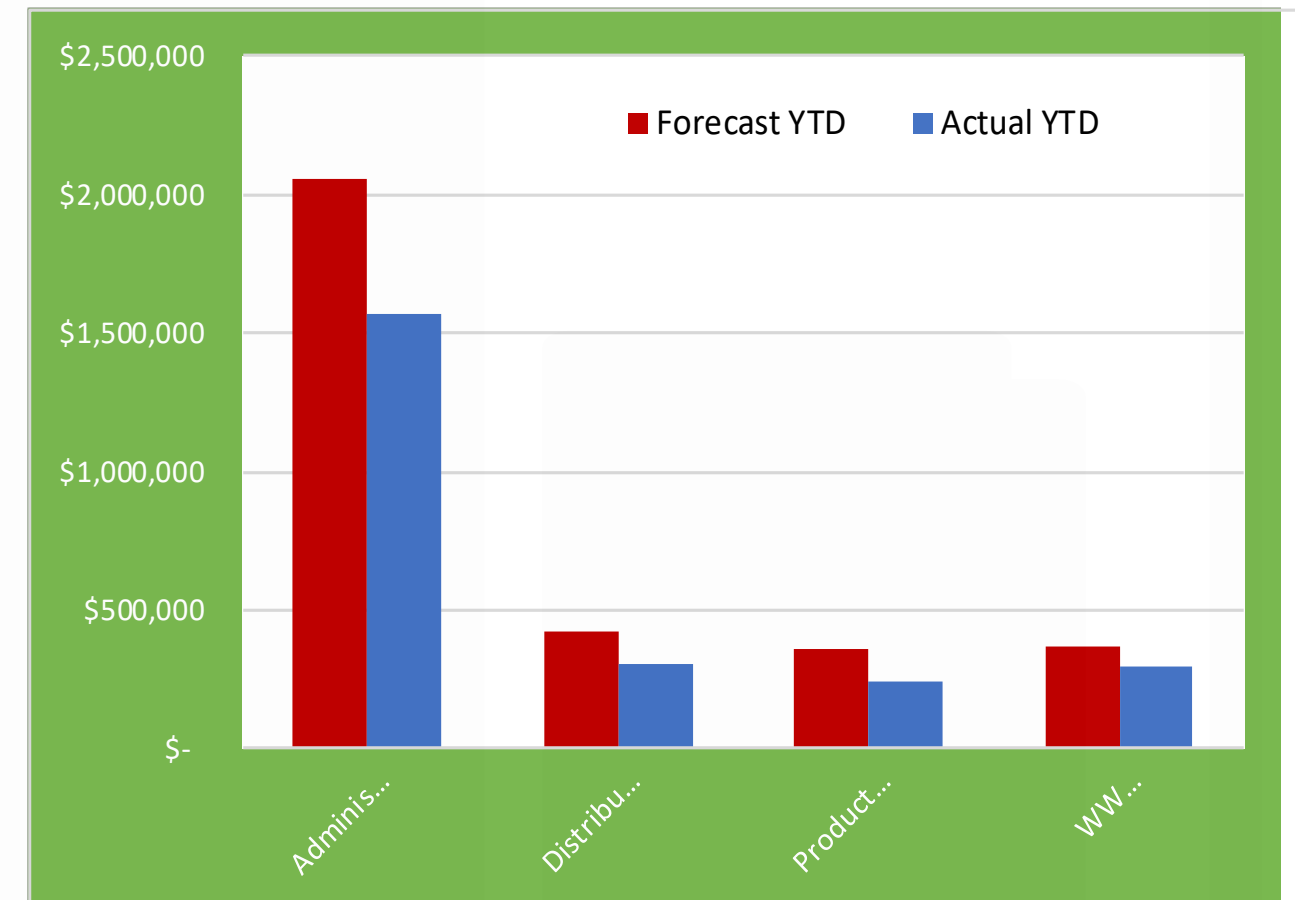
POSITIVE

The water and wastewater actual revenue is higher than forecast almost 17%. There were 51 new meters set this month 50 residential and 1 commercial.

EXPENSE ANALYSIS

WATER/WASTEWATER EXPENDITURES BY DIVISION

<u>Division</u>	<u>FY2022 Forecast YTD</u>	<u>FY2022 Actual YTD</u>	<u>Variance</u>
Administration	\$ 2,056,547	\$ 1,564,338	\$ (492,209)
Distribution/Collection	425,530	305,065	\$ (120,465)
Production/Treatment	364,141	238,284	\$ (125,857)
WW Treatment Plant	<u>365,815</u>	<u>296,433</u>	<u>\$ (69,382)</u>
 Total	 <u>\$ 3,212,033</u>	 <u>\$ 2,404,120</u>	 <u>\$ (807,913)</u>
 Actual to Forecast	 74.8%		



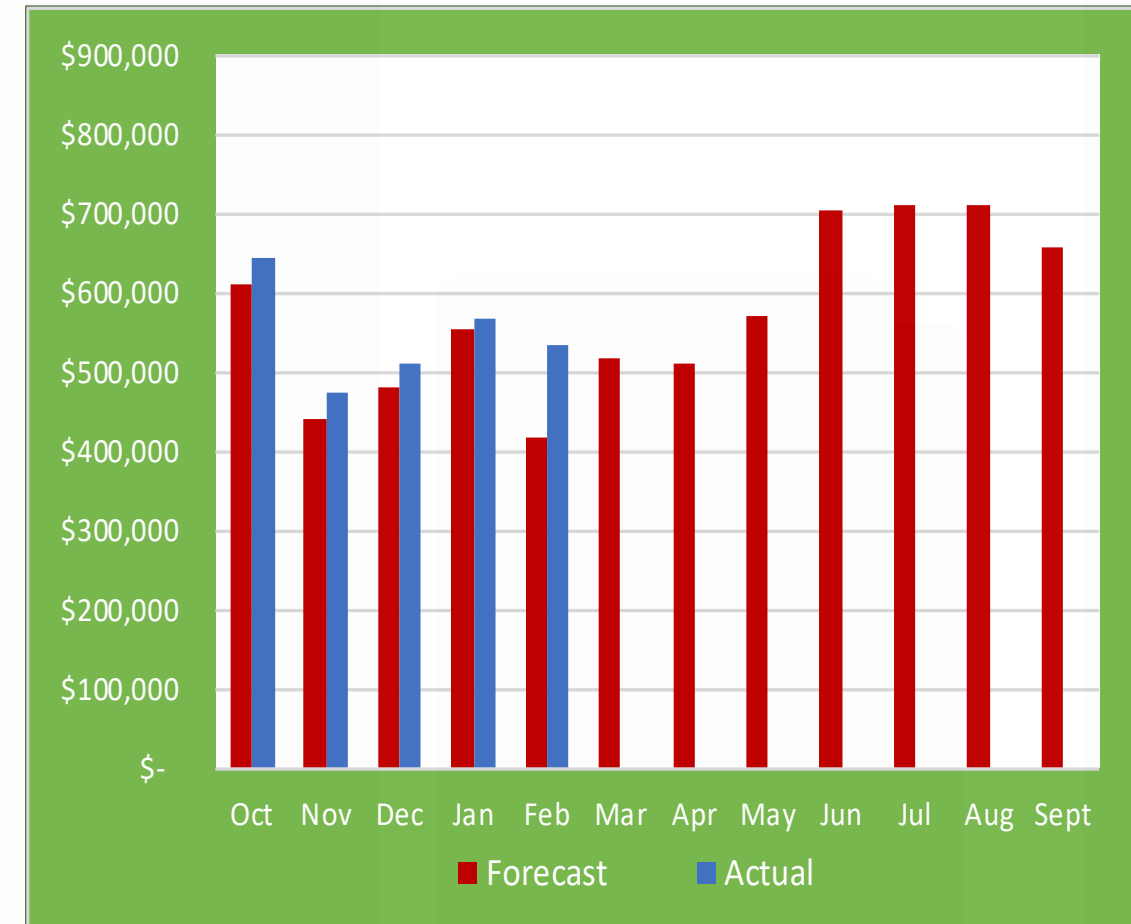
POSITIVE

This page tracks the actual to forecast by divisions within the Water/Wastewater department. The actual is 93% of forecast. Most of the variance is related to salary savings.

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

<u>Month</u>	<u>FY2022 Forecast</u>	<u>FY2022 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 609,386	\$ 643,338	\$ 33,952
Nov	441,560	475,082	\$ 33,522
Dec	481,473	510,608	\$ 29,135
Jan	554,648	567,579	\$ 12,931
Feb	418,436	534,178	\$ 115,742
Mar	516,256		
Apr	509,604		
May	569,473		
Jun	702,515		
Jul	709,167		
Aug	709,167		
Sept	655,954		
Total	\$ 6,877,639	\$ 2,730,785	\$ 225,282
Cumulative Forecast	\$ 2,505,503		
Actual to Forecast	\$ 225,282	8.99%	



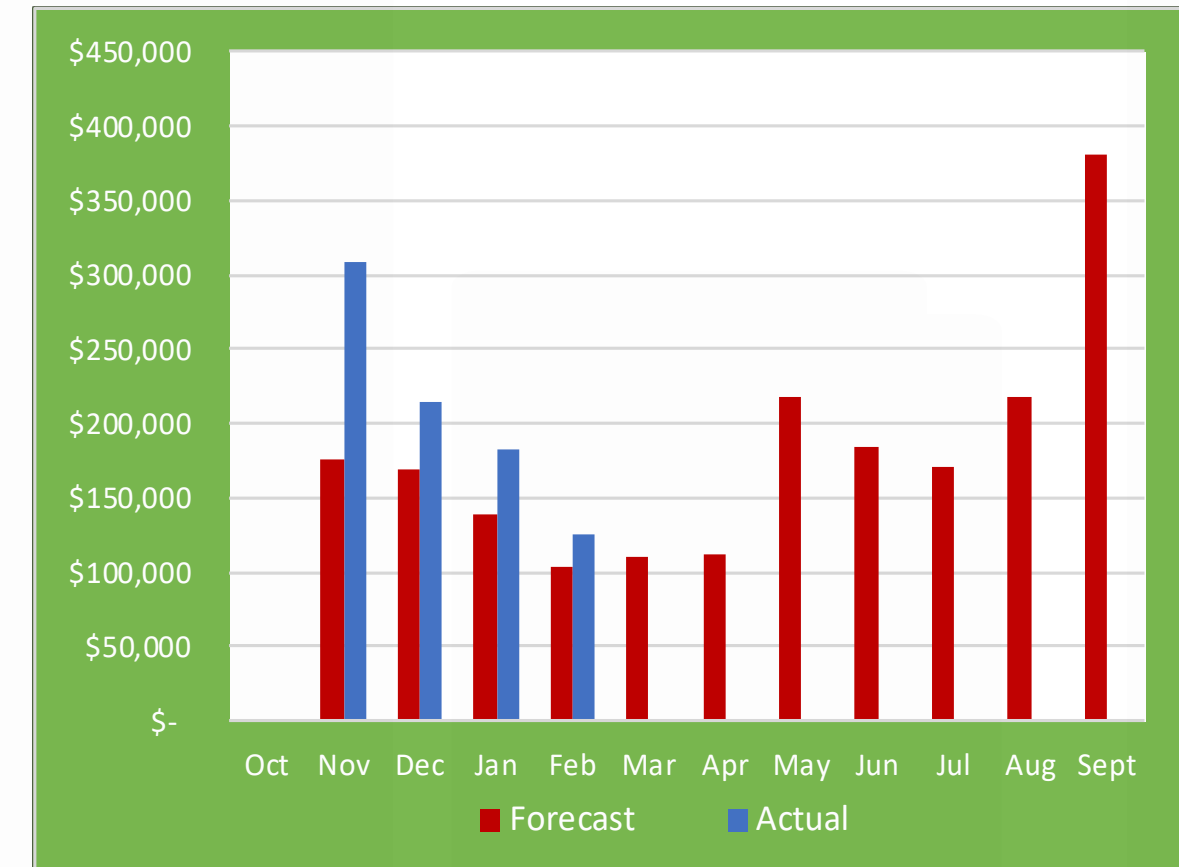
POSITIVE

The Electric utility revenue is almost 9% above forecasted revenue. There was 16 new meters set this month, 11 residential and 5 commercial.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

Month	FY2022 Forecast	FY2022 Actual	Monthly Variance
Oct	\$ -	\$ -	\$ -
Nov	175,141	308,282	\$ 133,141
Dec	169,815	213,812	\$ 43,997
Jan	139,201	182,958	\$ 43,757
Feb	103,751	125,124	\$ 21,373
Mar	109,813		
Apr	111,466		
May	217,859		
Jun	183,880		
Jul	171,572		
Aug	217,551		
Sept	381,299		
Total	\$ 1,981,348	\$ 830,176	\$ 242,268
Cumulative Forecast	\$ 587,908		
Actual to Forecast %	\$ 242,268	41.2%	



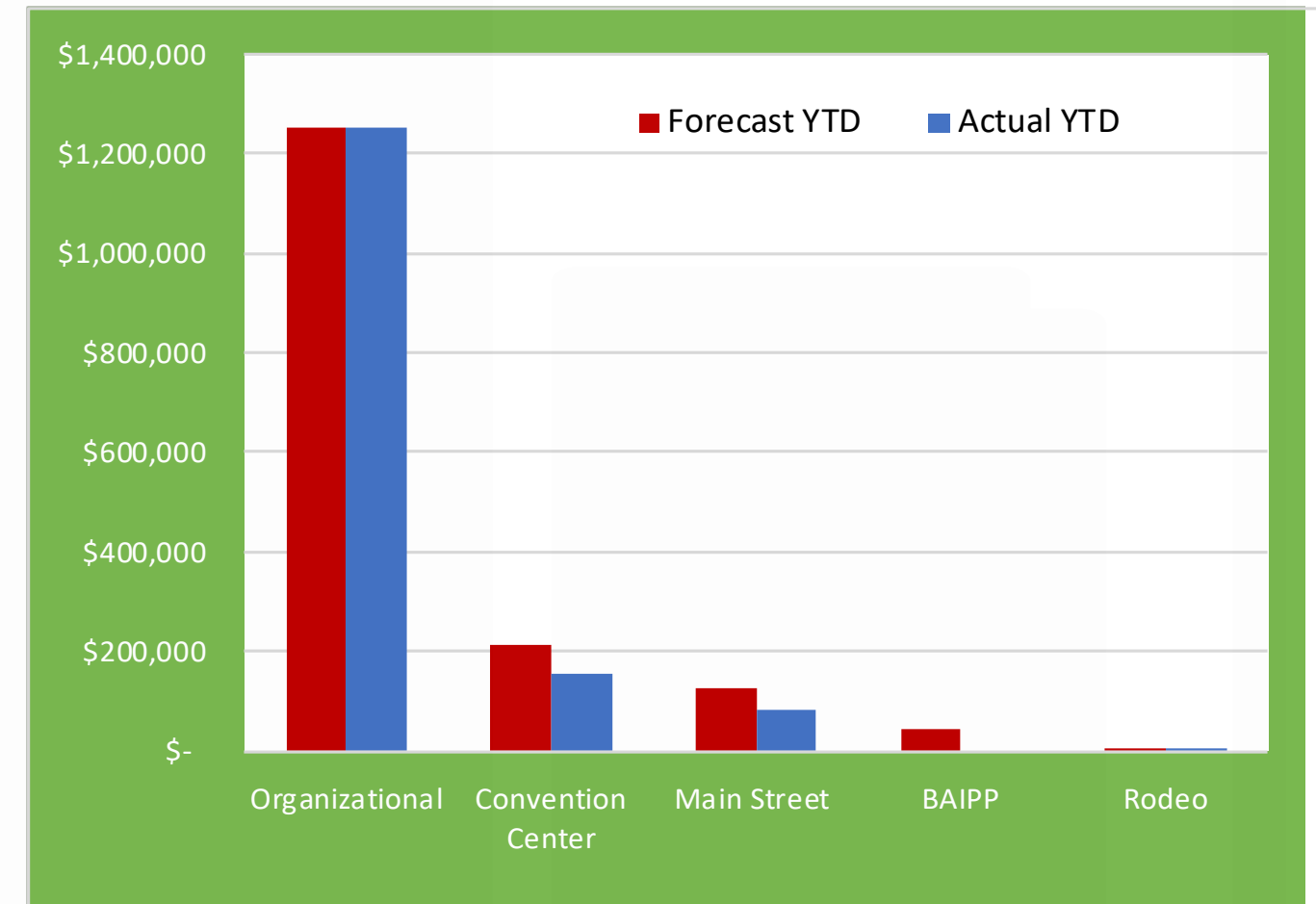
POSITIVE

This page has been updated to reflect cash method and remove accrual method to better reflect the funds true collections. So far YTD we are slightly over 41% positive actual to forecast. ***The Hotel Tax revenue YTD is \$325,3433 more than same time last year.***

EXPENSE ANALYSIS

HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION

<u>Division</u>	<u>FY2022 Forecast YTD</u>	<u>FY2022 Actual YTD</u>	<u>Variance</u>
Organizational	\$ 1,252,739	\$ 1,251,347	\$ (1,392)
Convention Center	211,937	155,260	\$ (56,677)
Main Street	127,528	80,013	\$ (47,515)
BAIPP	45,271	-	\$ (45,271)
Rodeo	<u>1,208</u>	<u>1,300</u>	<u>\$ 92</u>
Total	\$ 1,638,683	\$ 1,487,920	\$ (150,763)
Actual to Forecast		90.8%	



POSITIVE

This report shows the actual to forecast for each division located in the Hotel Occupancy Tax Fund. YTD is reporting actual is almost 91% of forecast.

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT – February 2022

FIRM	CASE	FY19-20	FY20-21	FY21-22
BUNDREN				
	Pine Forest Interlocal	\$ 1,298	\$ 944	\$ 2,596
BOJORQUEZ				
	General Legal	\$ 185,102	\$ 166,756	\$ 103,957
	NEU Review	\$ -	\$ 8,493	\$ -
	Bastrop 552	\$ -	\$ 2,810	\$ 3,064
	Crouch Suit	\$ -	\$ -	\$ 5,532
	Cox Suit	\$ -	\$ -	\$ 11,122
	COVID-19	\$ 8,687	\$ 186	\$ -
	Pine Forest Interlocal	\$ 1,275	\$ -	
	Prosecutor (Municipal Court)	\$ 15,526	\$ 16,331	\$ 12,446
	Water/WW	\$ 57,168	\$ 96,362	\$ 39,392
RUSSEL RODRIGUEZ HYDE				
	Hunter's Crossing PID	\$ 7,378	\$ 10,466	\$ 958
MULTIPLE FIRMS				
	XS Ranch Water Rights	\$ 4,888	\$ -	\$ -
	Hunter's Crossing PID	\$ 10,391	\$ -	\$ -
	W/WW Contract reviews	\$ -	\$ 1,425	\$ 6,441
	Cox Suit	\$ -	\$ -	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM				
	71 Bastrop & MC Bastrop 71	\$ -	\$ 7,333	\$ 6,188
	Red Light Camera Suit	\$ 64	\$ -	\$ -
		\$ 291,777	\$ 311,106	\$ 191,694

SUMMARY OF CASE/TYPE

Row Labels	Sum of FY19-20	Sum of FY20-21	Sum of FY21-22
71 Bastrop & MC Bastrop 71	\$ -	\$ 7,333	\$ 6,188
Bastrop 552	\$ -	\$ 2,810	\$ 3,064
COVID-19	\$ 8,687	\$ 186	\$ -
General Legal	\$ 185,102	\$ 166,756	\$ 103,957
Hunter's Crossing PID	\$ 17,769	\$ 10,466	\$ 958
NEU Review	\$ -	\$ 8,493	\$ -
Pine Forest Interlocal	\$ 2,573	\$ 944	\$ 2,596
Prosecutor (Municipal Court)	\$ 15,526	\$ 16,331	\$ 12,446
Red Light Camera Suit	\$ 64	\$ -	\$ -
W/WW Contract reviews	\$ -	\$ 1,425	\$ 6,441
Water/WW	\$ 57,168	\$ 96,362	\$ 39,392
XS Ranch Water Rights	\$ 4,888	\$ -	\$ -
Crouch Suit	\$ -	\$ -	\$ 5,532
Cox Suit	\$ -	\$ -	\$ 11,122
Grand Total	\$ 291,777	\$ 311,106	\$ 191,694



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 9B

TITLE: Receive presentation on Cultural Arts Commission Year 1 and Year 2 Work Plan and provide feedback as appropriate.

STAFF REPRESENTATIVE:

Rebecca Gleason, Assistant City Manager

BACKGROUND/HISTORY:

In December of 2017, a Joint Workshop was held between the City Council and the Bastrop Art in Public Places (BAIPP) Board. After discussion, the City Council affirmed that BAIPP was the appropriate board to oversee the development of a Cultural Arts Master Plan (CAMP). In March of 2018, a contract was signed between the City of Bastrop and Go Collaborative to develop the CAMP. In September of 2019, the Bastrop City Council accepted the final Cultural Arts Master Plan as presented from the BAIPP Chair, Ed Skarnulis. The Cultural Arts Master Plan Ad Hoc Working Group was created by Council in February of 2020 and assigned with the task of making recommendations to the City Council regarding the approach to implementation of the plan. The Cultural Arts Master Plan Ad Hoc Working Group has drafted a Themes, Values, & Priorities document (attached as Exhibit A) and made distinct recommendations to the Bastrop City Council regarding the creation of a Cultural Arts Commission, decommissioning of the Bastrop Arts in Public Places board, and adopting the priorities as set forth by the working group. The Cultural Arts Commission was formally created by the City Council in February of 2021 with the appointment of the inaugural seven members.

The CAMP outlined four major components as outlined below to move Bastrop forward as a cultural arts destination.

- Place Competitiveness
- Creative Placemaking
- Creative Economy
- Cultural Inclusion

Over the last year, the Cultural Arts Commission worked diligently on the creation of a Work Plan for Years 1 and 2 of its existence to meet the intent of its adopted Themes, Values & Priorities while following the direction of the Cultural Arts Master Plan. The draft Work Plan is attached and focuses heavily on collaborating with existing networks and partnerships to leverage the hard work being done by groups across the City toward creating and promoting Cultural Arts.

FUNDING SOURCE:

Budget as already allocated during the Fiscal Year 2022 Budget to Bastrop Art in Public Places from the Hotel Occupancy Funds (HOT). Funding for the Fiscal Year 2023 Budget will be discussed during the upcoming budget season.

RECOMMENDATION:

N/A

ATTACHMENT:

- Exhibit A – Cultural Arts Commission Work Plan
- Exhibit B – Cultural Arts Master Plan Themes, Values, & Priorities



EXHIBIT A

City of Bastrop

Cultural Arts Commission



Fiscal Year 2022

	Action	T, V & P	CAMP	Notes	Cost/Source
1	Raise the profile of the Cultural Arts Commission and CAMP among members of the Bastrop cultural art community for the following purposes: • Across-the- arts collaboration and cooperation, planning, events and other initiatives. • Nurture perceptions of shared responsibility among the arts community for the promotion of the community to local and distance audiences.	Partnership & Collaboration	Creative Economy- <i>Strong Networks: Local businesses and the creative community have deep and mutually supportive relationships</i>	• Announce the launch of the CAMP to arts/cultural organizations; project plans for the coming biennium and invite their individual participation in planning and implementation. • Begin compiling a database of members of arts/culture community for the purpose of developing a communications network.	\$1,000
2	Partner with Visit Bastrop, Explore Bastrop, Main Street, the Texas Commission for the Arts, Visitor Center, and other local arts/cultural entities regarding arts/culture content in print, broadcast, and social media.	Promotion of Bastrop	Place Competitiveness- <i>Creating Dynamic Environments: Build on the strong tradition of arts and culture events and festivals by helping to promote year-round offerings for residents and visitors alike</i>		\$5,000

City of Bastrop

Cultural Arts Commission

3	Launch a “Mini Grants” program aligned with our core themes, values and priorities, specifically, Diversity & Inclusion, Partnerships and Collaborations, and Political, Social and Economic Stability of the Arts.	Promotion of Bastrop	Cultural Inclusion- <i>Telling Local Stories: Enable local residents to create visual and performing arts experiences</i>	Mini-grant program will help grow and strengthen our local arts community and creative economy by contributing support to arts and culture events and activities that make us a Cultural Arts Destination.	\$15,000
4	Iconic Murals and Other Public Art	Promotion of Bastrop	Creative Placemaking- <i>Creating a Vibrant Physical Realm</i>	Creation of Iconic Public Art Committee that includes seats from City Boards & Commissions	\$25,000

Fiscal Year 2023

	Action	T, V & P	CAMP	Notes	Cost/Source
1	2D and 3D Public Art	Promotion of Bastrop	Creative Placemaking- <i>Creating a Vibrant Physical Realm</i>	Focus on partnerships for implementation	
2	Funding Diversification	Political, Social, and Economic Stability of the Arts	Creative Economy- <i>Fostering Community Investment</i>	Collateral pieces for promotion and education	
3	Art Everywhere Art Everyone Campaign	Promotion of Bastrop	Place Competitiveness- <i>Creating Dynamic Environments: Build on the strong tradition of arts and culture events and festivals by helping to promote year-round offerings for residents and visitors alike</i>	Iconic Murals Public Art	

EXHIBIT B



Cultural Arts Master Plan Ad Hoc Working Group

Implementation Recommendations

Background:

In September of 2019, the Bastrop City Council accepted the Cultural Arts Master Plan as presented by Bastrop Art in Public Places board chair Ed Skarnulis. The Cultural Arts Master Plan Ad Hoc Working Group was created by Council in February of 2020 and assigned with the task of making recommendations to the City Council regarding the approach to implementation of the plan.

CAMP Ad Hoc Working Group's activities:

The CAMP Working Group has met four times, roughly every two weeks, to discuss the Cultural Arts Master Plan, go through brainstorming exercises, and consider implementation next-steps. While the plan was made for Bastrop, it was understood that it would take 'custom fitting' the plan to our community. In these discussions, consensus was reached on the following and priorities: Diversity & Inclusivity; Partnerships and Collaboration; Political, Social, and Economic Stability of the Arts; Accountability and Transparency; Effective Management of the CAMP; Promotion of Bastrop as an Arts Destination/Arts & Culture Related Tourism.

It is the CAMP Working Group's intention that these major themes be the foundational values that inform all the decisions made in the implementation process.

THEMES, VALUES, & PRIORITIES:

- Diversity & Inclusivity: Founded on principle of diverse and inclusive community engagement.

- Recruit people of all ages, ethnicities, and abilities to participate in the arts.
- Weave local histories and neighborhood narratives into arts programming.
- Actively involve all the arts.
- Be culturally relevant and appropriate.
- Take advantage of history and heritage.

- Partnerships and Collaboration: Foster and promote partnerships and collaboration.

- Develop strategic, cross-sector relationships and partnerships.
- Encourage buy-in from the community.
- Connect with schools, all arts organizations, individual artists, businesses.
- Build and maintain a network.

- Political, Social, and Economic Stability of the Arts:

- Unify local resources.
- Define and perhaps create income-driven events that bring current resources together.

- Structure in such a way that will be resilient despite changes to political office.
- Utilize City staff support.
- Define expectations for three transition phases: initial phase of creation, second phase of growth, and third phase of Cultural Arts Commission finding stability through grants and other funding sources.
- Find secure and sustainable funding.
- Elicit financial support.
- Create an agile environment, versus a bureaucratic structure.
- Explore “percent for art” funding which dedicated a % of capital improvement projects to funding arts and culture projects and programming.

- Accountability and Transparency:

- Provide evidence of growth, success.
- Report to Council quarterly about progress and direction.
- Define metrics for measurement and charting success.

-Effective Management of the CAMP:

- Create a Bastrop-centric process for implementation.
- Define the goals of the commission.
- Oversee the Cultural Arts Master Plan and use it as a blueprint.
- Define roles for all groups involved.
- Recruit volunteers.

- Promotion of Bastrop as an Arts Destination: Arts & Culture Related Tourism

- Create marketing for art destination travelers.
- Build/Create bridges to Visit Bastrop and other boards, commissions, and organizations.
- Bring back Main Street Festivals.
- Sponsor annual art focused projects.

RECOMMENDATIONS

1. Create a Cultural Arts Commission
2. Adopt the Themes, Values, and Priorities as the foundational charge to the Cultural Arts Commission.
3. Create the commission's bylaws which include accountability measures that require an annual presentation by the Commission to City Council
4. Define a Bastrop Art in Public Places transition process that captures and documents the work of BAIPP while decommissioning BAIPP as a board and recommending that the Cultural Arts Commission establish an Art in Public Places committee.

Cultural Arts Commission – Shall consist of 7 members composed of representatives from Arts and Culture assets across the city, including, but not limited to, the Bastrop County Historical Society Museum and Visitor Center, the Bastrop Opera House, the Lost Pines Art Center, BISD, arts and culture business representatives, and others. This commission manages the Cultural Arts Master Plan and will have the continued implementation of the CAMP as its charge. The Commission will create committees as appropriate.

Bylaws – The development of a set of bylaws for the Cultural Arts Commission will ensure that the management of the Cultural Arts Master Plan is carried out in a way that is both accountable and sustainable.

BAIPP Transition

The Cultural Arts Commission is a broader umbrella than BAIPP. The City's development of this broader structure to support the arts does not preclude the efforts or programming of BAIPP. The public art locations should continue to be filled through public calls and the council still needs an advisory body in the subject of public art to consider public art projects, mural approvals, art acquisitions, etc.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 10

TITLE:

CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on March 22, 2022. Comments submitted by this time will be distributed to the city council prior to meeting commencement, referenced at the meeting, and included with the meeting minutes. Comments from each individual will be limited to three (3) minutes when read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 11A

TITLE:

Consider action to approve City Council minutes from the March 8, 2022, Regular Meeting.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

Ann Franklin, City Secretary recommends approval of the City Council minutes from the March 8, 2022, regular meeting.

ATTACHMENTS:

- March 8, 2022, DRAFT Regular Meeting Minutes.



MARCH 8, 2022

The Bastrop City Council met in a regular meeting on Tuesday, March 8, 2022, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Mayor Pro Tem Peterson and Council Members Jackson, Crouch, Rogers, and Plunkett. Officers present were City Manager, Paul A. Hofmann; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Schroeder called the Regular Council Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Xander Jones, Grace Mouser, Tyler Allen, and Jasper Ellis, Emile Child Development Center, Pre-Schoolers, led the Pledge of Allegiance.

INVOCATION

Stephen Bunger, Worship Pastor for River Valley Christian Fellowship, gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report

STAFF AND BOARD REPORTS

- 6A. Receive the Annual Comprehensive Financial Report for the period ending September 30, 2021, which includes the independent auditor's report presented by the independent audit firm of Belt Harris Pechacek, LLLP. (Submitted by: Tracy Waldron, Chief Financial Officer)
Presentation was made by Robert Belt of Belt Harris Pechacek, LLLP.

WORK SESSION/BRIEFINGS

- 5A. Receive presentation on the enforcement of **Bastrop Building Block (B³) Code**, Chapter 8 – Temporary Signs (Best of Bastrop banners) and provide direction as appropriate. (Submitted by: Rebecca Gleason, Assistant City Manager)
Presentation was made by Rebecca Gleason, Assistant City Manager.

SPEAKERS

Debbie Denny
702 Jefferson St.
Bastrop, TX 78602
512.844.3930

Jan Hudgins
706 Pine
Bastrop, TX 78602
512.332.2991

STAFF AND BOARD REPORTS CONTINUED

- 6B. Receive presentation of the amended Strategic Planning Calendar for Fiscal Year 2022-2023. (Submitted by: Tracy Waldron, Chief Financial Officer)
Presentation was made by Paul A. Hofmann, City Manager.

CITIZEN COMMENTS

Joe Grady Tuck
1503 Wilson Street
Bastrop, TX 78602
512. 321.2442

CONSENT AGENDA

A motion was made by Council Member Jackson to approve Items 8A, 8B, 8C, 8D, and 8E as listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the February 22, 2022, Regular meeting. (Submitted by: Ann Franklin, City Secretary)
- 8B. Consider action to approve the Certification of Unopposed Candidates for the May 7, 2022, General Election for Bastrop, Texas. (Submitted by: Ann Franklin, City Secretary)
- 8C. Consider action to approve the first and second readings of Ordinance No. 2022-09 of the City Council of the City of Bastrop, Texas, declaring unopposed candidates in the May 7, 2022, Election, as Exhibit A, General City Election to Place 1 and Place 5; canceling the election, as Exhibit B; declaring the candidates elected; and providing for an effective date. (Submitted by: Ann Franklin, City Secretary)
- 8D. Consider action to approve the first and second readings of Ordinance No. 2022-11 of the City Council of the City of Bastrop, Texas declaring measures moot in the May 7, 2022, Special Election on Charter Amendments; canceling the election, as Exhibit A; and providing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 8E. Consider action to approve Resolution No. R-2022-34 of the City Council of the City of Bastrop, Texas in support of The Capital Area Council of Governments' application for Enhanced Fine Particulate Matter Monitoring in Central Texas; and establishing an effective date. (Submitted by: Paul A. Hofmann, City Manager)

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve the second reading of Ordinance No. 2022-08 of the City Council of the City of Bastrop, Texas, annexing the Colorado River, for 35.5 acres of land out of the Stephen F. Austin Survey, Abstract No. 2, located west of Lovers Lane and south of the Pecan Park Subdivision, as shown in Exhibit A, providing for findings of fact, adoption, establishing zoning and character district, repealer, severability, filing and enforcement; establishing an effective date; and proper notice and meeting. (Submitted by: Jennifer Bills, Director of Planning Department)

Presentation was made by Jennifer Bills, Director of Planning Department.

A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2022-08, seconded by Mayor Pro Tem Peterson, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:54 p.m. in a closed/executive session pursuant to the Texas Government Code, sections 551.071, consultation with an attorney and 551.074, personnel matters, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding State of Texas v. James Robert Crouch, Cause No. 20211193, Notice of Ordinance Violation for Working without a Permit at 602 Martin Luther King, Jr. Drive, Bastrop, Texas, including a briefing on the assignment of a visiting judge, appointment of an outside prosecutor, upcoming jury trial, related expenses, and matters related to compliance with the Code of Ordinances and Charter.

Mayor Schroeder recessed the Executive Session at 10:44 p.m.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS CONSIDERED IN CLOSED/EXECUTIVE SESSION

No Action Taken

Adjourned at 10:45 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on March 22, 2022, by Council Member motion, Council Member second. The motion was approved on a vote.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 11B

TITLE:

Consider action to approve the first reading of Ordinance No. 2022-10 of the City Council of the City of Bastrop, Texas, amending Chapter 9, "Personnel," by adopting Chapter 9, Article 9.05, Division 2; and amending Divisions 3 and 6; and Chapter 9, Article 9.09, Divisions 2, 3, and 4; by creating the Chief of Police position and removing the remaining references to the repealed Director of Public Safety position; and by reassigning duties formerly delegated to the Director of Public Safety and clarifying the duties and authority of the Chief of Police and Fire Chief; and providing for findings of fact, enactment, a repealer, and severability; establishing an effective date; proper notice and meeting.

AGENDA ITEM SUBMITTED BY:

Tanya L. Cantrell, Human Resources Director
Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:

The City Council of the City of Bastrop, Texas adopted Ordinance 2020-34, which removed the Director of Public Safety position. The Director of Public Safety position incorporated the duties being performed by the Chief of Police. Ordinance 2020-34 repealed the Director of Public Safety position with the intention of reassigning those duties to the Chief of Police who was performing those duties. This amendment adds the Chief of Police position, and establishes qualifications, compensation, supervision, and duties for the Chief of Police.

This amendment also removes the remaining references to the Director of Public Safety in Chapter 9 and reassigns any duties previously assigned to the Director of Public Safety to either the Chief of Police or the Fire Chief.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the first reading of Ordinance No. 2022-10 of the City Council of the City of Bastrop, Texas amending Chapter 9, "Personnel," by adopting Chapter 9, Article 9.05, Division 2; and amending Divisions 3 and 6; and Chapter 9, Article 9.09, Divisions 2, 3, and 4; by creating the Chief of Police position and removing the remaining references to the repealed Director of Public Safety position; and by reassigning duties formerly delegated to the Director of Public Safety and clarifying the duties and authority of the Chief of Police and Fire Chief; and providing for findings of fact, enactment, a repealer, and severability; establishing an effective date; proper notice and meeting.

ATTACHMENTS:

- Ordinance No 2022-10

CITY OF BASTROP

ORDINANCE NO. 2022 - 10

**CREATING CHIEF OF POLICE POSITION AND REMOVING
REMAINING REFERENCES TO DIRECTOR OF PUBLIC SAFETY
POSITION AND CLARIFICATION OF DUTIES AND AUTHORITY
OF CHIEF OF POLICE AND FIRE CHIEF**

**AN ORDINANCE OF THE CITY OF BASTROP
AMENDING CHAPTER 9 OF THE CITY CODE OF
ORDINANCES; CREATING THE CHIEF OF POLICE
POSITION AND REMOVING THE REMAINING
REFERENCES TO THE REPEALED DIRECTOR OF
PUBLIC SAFETY POSITION; AND REASSIGNING
DUTIES FORMERLY DELEGATED TO THE DIRECTOR
OF PUBLIC SAFETY AND CLARIFYING THE DUTIES
AND AUTHORITY OF THE CHIEF OF POLICE AND
FIRE CHIEF; PROVIDING FOR FINDINGS OF FACT,
ENACTMENT, A REPEALER, AND SEVERABILITY;
ESTABLISHING AN EFFECTIVE DATE; PROPER
NOTICE AND MEETING.**

WHEREAS, pursuant to the authority granted under City of Bastrop Home Rule Charter Section 4.04, Powers and Duties of the City Manager, and Code of Ordinances Section 9.02.005, Powers and duties, the City of Bastrop's City Manager has engaged in a limited reorganization of certain city staff positions including the abolition of the Director of Public Safety job title, which was previously a shared duty of the Chief of Police, and creating the Chief of Police position; and

WHEREAS, pursuant to Article III of Bastrop's Home Rule Charter, the City Council has the authority to establish, consolidate, or abolish administrative departments; and

WHEREAS, City of Bastrop City Council finds it to be reasonable and necessary to amend the Code of Ordinances to be consistent with the current organizational chart and allocation of certain duties; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its residents to create the municipal office of Chief of Police, establish qualifications for the Chief of Police, compensation, supervision, and duties for the Chief of Police as provided for in this Ordinance; and

WHEREAS, the City Council finds the attached amendments reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the Bastrop City Council, that:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Chapter 9, Article 9.05, Division 2 of the City of Bastrop Code of Ordinances is hereby adopted; and Chapter 9, Article 9.05, Divisions 3 and 6 are hereby amended; and Chapter 9, Article 9.09, Divisions 2, 3, and 4 are hereby amended, and after such amendment, shall read in accordance with *Attachment "A,"* which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

READ & ACKNOWLEDGED on First Reading on this, the 22nd day of March 2022.

READ & APPROVED on the Second Reading on this, the ____ day of ____ 2022.

APPROVED:

by: _____
Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Bastrop Code of Ordinances

Chapter 9: Personnel

Article 9.05 - Public Safety

Division 2: Chief of Police

Sec. 9.05.021 - Creation of the office of Chief of Police. The position of Chief of Police is hereby created.

Sec. 9.05.022 - Qualifications. The Chief of Police shall be a person qualified by training and experience to properly carry out the duties of this office.

Sec. 9.05.023 - Appointment. The Chief of Police shall be appointed by the City Manager.

Sec. 9.05.024 - Supervision. The Chief of Police shall report directly to the City Manager and shall be independent of any other city office, provided that the Chief of Police shall perform all the duties and responsibilities as may be required as the head of the Police Department.

Sec. 9.05.025 - Term/at will employee. The Chief of Police is an "at will" employee of the city and is subject to the provisions of the city's personnel policies, the city's ordinances, and the city's Home Rule Charter.

Sec. 9.05.026 - Compensation. The Chief of Police shall receive as compensation for services a salary set in accordance with the city's wage and compensation plan, approved by the City Manager in accordance with the adoption of same as set forth in the city's annual operating budget, as adopted and approved by the City Council.

Sec. 9.05.027 - Supervision of police department and police force. The Chief of Police shall exercise general supervision over the city's police department and municipal police force and shall report to the City Manager any failure to perform official duties or any abuse of authority.

Sec. 9.05.028 - Powers and duties of the Chief of Police. The Chief of Police shall:

- (1) Appoint an Assistant Chief of Police, with the advice and consent of the City Manager.
- (2) Attend, in person or by delegation to the Assistant Chief of Police or others, all sessions of the municipal court and shall promptly and faithfully execute all writs and process issued out of the court.
- (3) Have like powers with the sheriff of the county to execute search warrants.
- (4) Actively quell riots, disorders and disturbances within the city, and shall take into custody all persons offending against the peace of the city.

- (5) Accept suitable bail for appearances before the municipal court.
- (6) Arrest without warrant all persons who violate the peace of the city, or who obstruct or interfere with the execution of police duties, or persons guilty of disorderly conduct.
- (7) Attend, in person or by delegation to the Assistant Chief of Police, all meetings of the City Council.
- (8) Perform such other duties as may be from time to time required by the City Manager.

Sec. 9.05.029 - Delivery of monies collected to City Secretary; reports of fines collected.

The Chief of Police shall pass over all fines or other monies collected to the City Secretary at least once each month and file with the City Secretary a monthly statement, subscribed by him, of all fines collected, from whom collected, and the amount of each.

Article 9.05 – Public Safety **Division 3: Assistant Chief of Police**

Sec. 9.05.033 - Appointment. The Assistant Chief of Police shall be appointed by the Chief of Police, with the consent of the City Manager.

Sec. 9.05.034 - Supervision. The Assistant Chief of Police shall report directly to the Chief of Police.

Sec. 9.05.037 - Supervision of police force. The Assistant Chief of Police shall exercise general supervision over the police force, subject to the supervision and control of, and as from time to time delegated by, the Chief of Police.

Sec. 9.05.038 - Powers and duties. The Assistant Chief of Police shall:

- (1) Attend in person as directed and delegated by the Chief of Police, all sessions of the municipal court and shall promptly and faithfully execute all writs and process issued out of the court.
- (2) Have like powers with the Sheriff of the county to execute search warrants.
- (3) Actively quell riots, disorders, and disturbances within the city, and shall take into custody all persons offending against the peace of the city.
- (4) Accept suitable bail for appearances before the municipal court.
- (5) Arrest without warrant all persons who violate the peace of the city, or who obstruct or interfere with the execution of police duties, or persons guilty of disorderly conduct.
- (6) Attend in person as directed and delegated by the Chief of Police, all meetings of the City Council.
- (7) Perform such other duties as may be from time to time required by the City Manager or the Chief of Police.

Article 9.05 – Public Safety
Division 6: Reserve Police Unit

Sec. 9.05.132 - Membership; control by the Chief of Police. The reserve police unit shall be a volunteer organization with a membership restricted to no more than ten (10) reputable citizens to be selected by the Chief of Police, or by the Assistant Chief of Police as delegated by the Chief of Police, and approved by the City Manager. The reserve unit will be under the control and direction of the Chief of Police, or as delegated by the Chief of Police, under the control and direction of the Assistant Chief of Police.

Sec. 9.05.133 - Operation generally. The reserve police unit shall be operated under basic policies and rules as established by the Chief of Police and approved by the City Manager. The Chief of Police, or as delegated by the Chief of Police, the Assistant Chief of Police, shall be responsible for ensuring that the policies and rules of the unit are adhered to, and for the development of training programs and operating procedures.

Sec. 9.05.134 - Police powers. Members of the reserve police unit shall act in the capacity of police officers only upon the direction and under the immediate supervision of the Chief of Police, or as delegated by the Chief of Police, upon the direction and under the supervision of the Assistant Chief of Police. A member of the reserve police unit shall have no police authority or power except when specifically assigned to duty by the Chief of Police, or the Assistant Chief of Police, as delegated by the Chief of Police.

ARTICLE 9.09 - Bastrop Volunteer Fire Department
Division 2 – Bastrop Volunteer Fire Department

Sec. 9.09.013 - Volunteer members of the Bastrop Volunteer Fire Department. The Bastrop Volunteer Fire Department depends on a largely volunteer force to fulfill its authorized purpose. Bastrop Volunteer Fire Department volunteer firefighters are under the supervision, control, and direction of the Fire Chief. The Fire Chief, with consent from the City Manager, shall issue eligibility requirements for volunteer members, and shall have the authority to grant and revoke volunteer membership in the Bastrop Volunteer Fire Department, provided, however, that volunteer firefighters who are currently members of the organization known as "Bastrop Fire Department, Inc." shall be considered automatically eligible as volunteer members of the Bastrop Volunteer Fire Department upon their decision to so join the Bastrop Volunteer Fire Department for the first thirty (30) days following the effective date of this ordinance. The volunteer members of the Bastrop Volunteer Fire Department shall be subject to rules, regulations, and bylaws as authorized by the Fire Chief and the City Manager, and shall be subject to the provisions of this code of ordinances and the statutes of this state.

Sec. 9.09.014 - Election of officers. The members of the Bastrop Volunteer Fire Department shall elect officers subject to the requirements of the bylaws authorized by the Fire Chief and the City Manager.

ARTICLE 9.09 - Bastrop Volunteer Fire Department
Division 3 –Fire Chief

Sec. 9.09.022 - Appointment. The Fire Chief shall be appointed by the City Manager.

Sec. 9.09.023 - Supervision. The Fire Chief of the Bastrop Volunteer Fire Department shall report directly to the City Manager.

Sec. 9.09.027 - Supervision of Bastrop Volunteer Fire Department employees and volunteers. The Fire Chief shall exercise general supervision over the Bastrop Volunteer Fire Department and shall report to the City Manager any failure to perform official duties or any abuse of authority.

Sec. 9.09.029 - Delegation of duties. The Fire Chief may delegate to an Assistant Fire Chief such duties as the Fire Chief shall determine, with the consent of the City Manager.

Division 4 –Fire Inspector

Sec. 9.09.031 - Appointment. The Fire Inspector shall be appointed by the Fire Chief, by and with the consent of the City Manager.

Sec. 9.09.036 - Prosecution of arsonists. If, in the opinion of the Fire Inspector, there is sufficient evidence to indicate that a fire or explosion was caused by design or was incendiary in nature, the Fire Inspector shall turn over such evidence and related information to the Fire Chief, or, as delegated by the Fire Chief, to the Assistant Chief of Police for further investigation. The fire inspector shall assist the investigation as may be necessary and practical.



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 11C

TITLE:

Consider action to approve Resolution No. R-2022-25 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Nicole DeGuzman to Place 7 of the Cultural Art Commission, as required in Section 3.08 of the City's Charter, and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Recommend approval of Resolution No. R-2022-25 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Nicole DeGuzman to Place 7 of the Cultural Art Commission, as required in Section 3.08 of the City's Charter, and establishing an effective date.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2022-25

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS,
CONFIRMING APPOINTMENT BY THE MAYOR OF NICOLE DEGUZMAN TO
PLACE 7 OF THE CULTURAL ART COMMISSION, AS REQUIRED IN SECTION
3.08 OF THE CITY'S CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

WHEREAS, Mayor Connie Schroeder has appointed Nicole DeGuzman to Place 7 of the Cultural Art Commission; and

WHEREAS, City Council must confirm this appointment as required by the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That Mayor Connie Schroeder has appointed Nicole DeGuzman to Place 7 of the Cultural Art Commission.

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointment of Nicole DeGuzman to Place 7 of the Cultural Art Commission.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of March 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 11D

TITLE:

Consider action to approve Resolution No. R-2022-26 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation, as required in Section 3.08 of the City's Charter, and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Recommend approval of Resolution No. R-2022-26 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation, as required in Section 3.08 of the City's Charter, and establishing an effective date.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2022-26

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CONFIRMING APPOINTMENT BY THE MAYOR OF LYLE NELSON TO PLACE 7 OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, AS REQUIRED IN SECTION 3.08 OF THE CITY'S CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

WHEREAS, Mayor Connie Schroeder has appointed Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation; and

WHEREAS, City Council must confirm this appointment as required by the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That Mayor Connie Schroeder has appointed Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation.

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointment of Lyle Nelson to Place 7 of the Bastrop Economic Development Corporation.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of March 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 12A

TITLE:

Consider action to approve Resolution No. R-2022-28 of the City Council of the City of Bastrop, Texas, awarding a contract for the mowing of various parks and City Rights-of-Way to Brightview Landscape Services, Inc., in the amount of Two Hundred Fifteen Thousand Eight Hundred Ninety-Six And 24/100 Dollars (\$215,896.24) as attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Curtis Hancock, Director of Public Works

BACKGROUND/HISTORY:

This item is identified in the FY18 Work Plan as CS#14 (Community Safety) in an effort to better manage the appearance of the City's rights-of-way areas. A Request-for-Proposal (RFP) was initiated that also included some of the City's Park areas. The Contract term will be for twelve (12) months. The contract will automatically renew for a 12-month period beginning April 1, 2023, unless terminated by either party, as provided in the Contract can be renewed for two(2) consecutive 12-month terms.

POLICY EXPLANATION:

The City is required to maintain its parks and right-of-way areas in a manner that is aesthetically pleasing, and in such a way as to minimize hazards, while providing recreational opportunities and maintenance of utilities.

FUNDING SOURCE:

These funds were budgeted into Public Works budget.

RECOMMENDATION:

Consider action to approve Resolution No. R-2022-28 of the City Council of the City of Bastrop, Texas, awarding a contract for the mowing of various parks and City Right-of-Ways to Brightview Landscape Services, Inc., in the amount of Two Hundred Fifteen Thousand Eight Hundred Ninety-Six and 24/100 Dollars (\$215,896.24); authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Bid Tabulation
- Power Point

RESOLUTION NO. R-2022-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AWARDED A CONTRACT FOR THE MOWING OF VARIOUS CITY PARKS AND RIGHTS-OF-WAYS, TO BRIGHTVIEW LANDSCAPE SERVICES, INC., IN THE AMOUNT OF TWO HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED NINETY-SIX AND 24/100 DOLLARS (\$215,896.24); AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

WHEREAS, The City Manager is responsible for the proper administration of all affairs of the City; and

WHEREAS, The City Council has the steadfastness to ensure the maintenance of our city Parks and rights-of-ways; and

WHEREAS, The City of Bastrop has received all proposals, and found the lowest responsible bidder to be qualified.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That the City Manager is hereby authorized to execute a contract, to Brightview Landscape Services, Inc., for the annual mowing of various City Parks and Rights-of-Ways in the amount of Two Hundred Fifteen Thousand Eight Hundred Ninety-Six And 24/100 Dollars (\$215,896.24).

Section 2: That the City Council of the City of Bastrop has found BrightView Landscape Services, Inc., to be a subject matter expert in the field of landscape care and maintenance.

Section 3: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 22nd day of March 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



City of Bastrop Public Works
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8920

BID OPENING TABULATION

Bid Number: PW-2022-02

Bid Title: MAINTENANCE, MOWING, AND LANDSCAPING SERVICES

Opening Date: March 7, 2022

Opening Time: 2:30 pm

Opened By: Sandy Holder

Title: Public Works Technician

Verified By: David Juarez

Title: Public Works Superintendent

VERIFICATION SIGNATURE:

NOTES:

PUBLIC/BIDDERS IN ATTENDANCE: Tyler Johnson, BrightView Landscape

**** AWARD TO BE MADE FOLLOWING STAFF REVIEW/RECOMMENDATION AND CITY COUNCIL APPROVAL AT A LATER DATE. ****

Selection Criteria.

The City will evaluate each qualified Proposal and select a single Bidder based on criteria deemed important to providing a competent provider to provide the type of work and services outlined in this RFP. Each Proposal will be ranked by the following criteria:

- Professionalism and completeness of the Proposal
- Ability to perform
- Detail in which service is described
- Experience and references
- Proposed costs

REQUIRED BID DOCUMENTATION AND ATTACHMENTS (CHECK EACH ITEM SUBMITTED) and BID AMOUNT TABULATION

COMPLETE BIDDER CONTACT INFO IN PACKET	ORIGINAL, COPY (1), & FLASH DRIVE	SIGNATURES & COMPANY INFO (page 7)	REFERENCES MINIMUM OF 3 (PAGE 12)	PRICE & BID PROPOSAL SHEET	CONFLICT OF INTEREST FORM (CIQ FORM) (PAGE 29)	A. See Description Below			Total Bid
Brightview Landscape Serv	✓	✓	✓	✓	✓				\$ 215,896.24

***Per House Bill 1295, this form must be signed prior to submitting signed Contract. We must have a completed, printed & signed Form 1295 with the certification of filing number. The City must acknowledge receipt of the filed form not later than the 30th day after receipt of the form.**

Fireman's Park

600 Hill Street

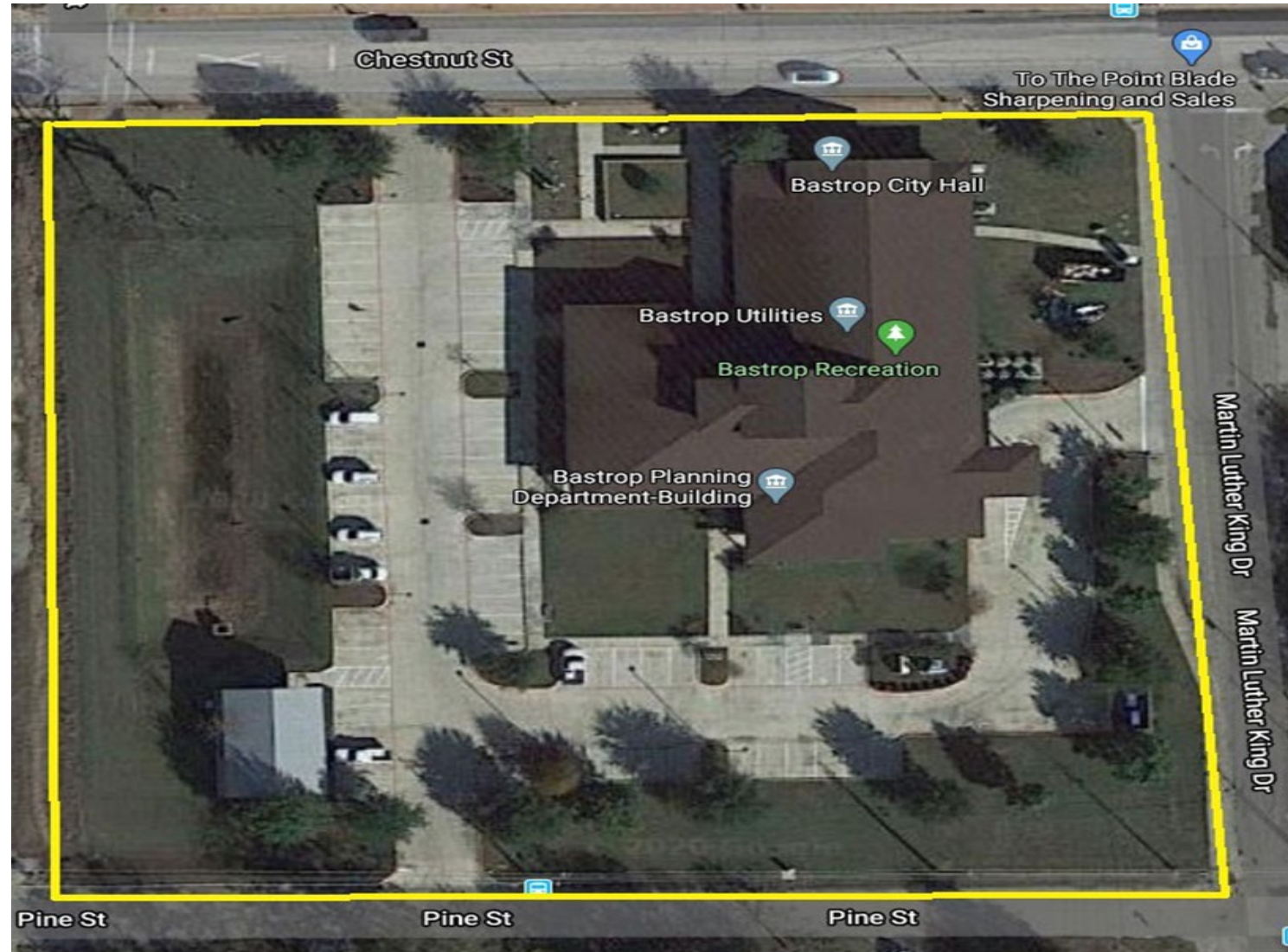


Police Department 104 Grady Tuck Lane



City Hall

1311 Chestnut Street



Library

1100 Church Street

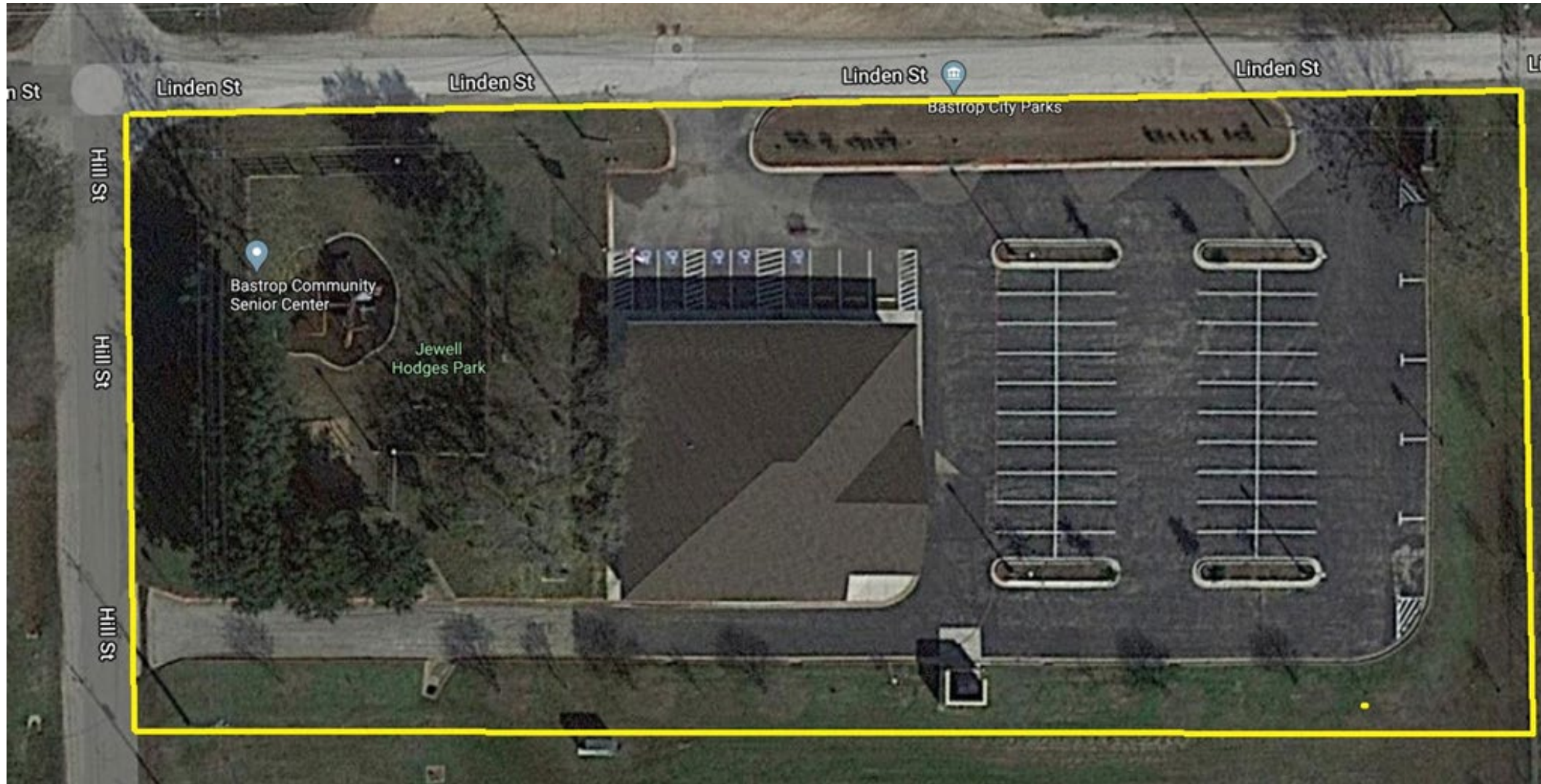


Bark Park

401 Grady Tuck Lane



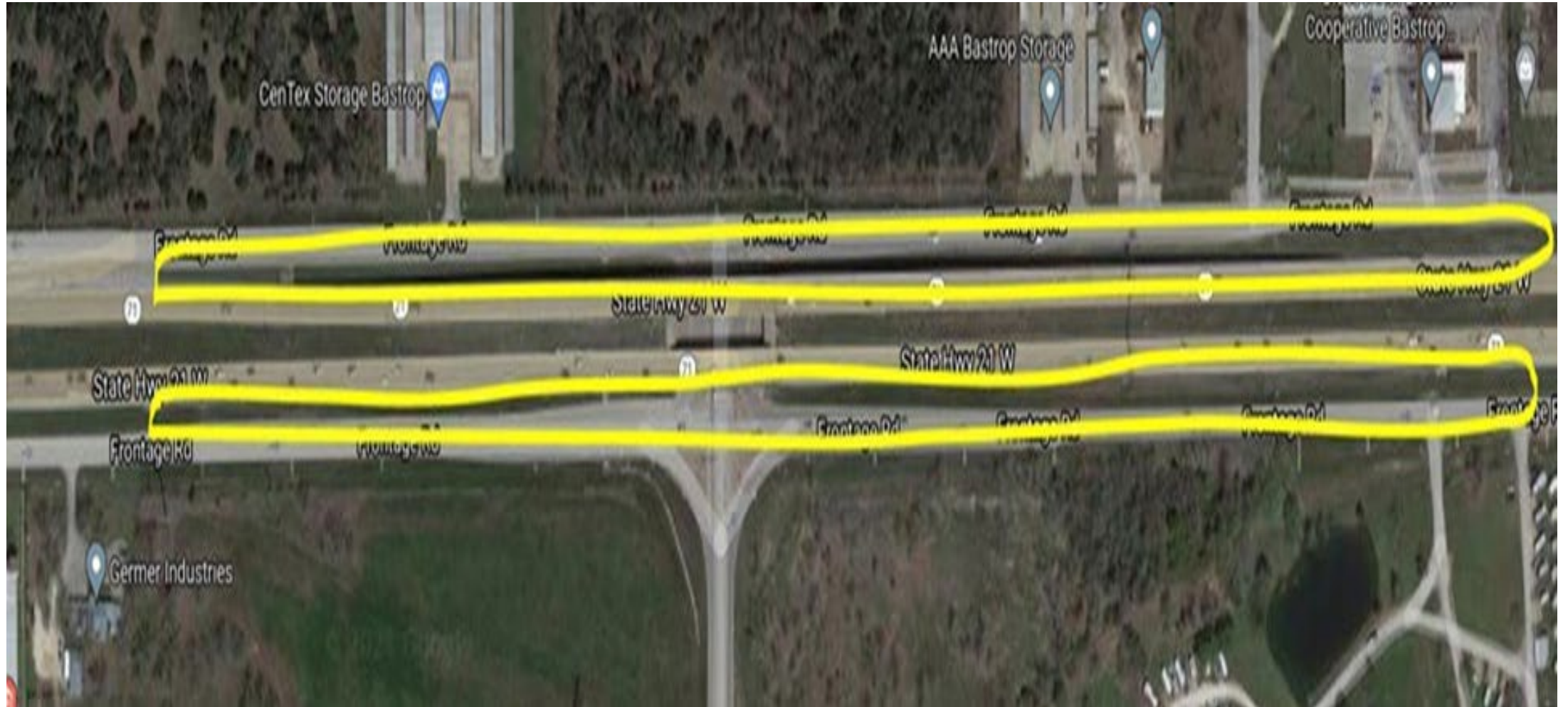
Jewell Hodges Park/ Bastrop Senior Center 1200 Linden Street



Jackson St. Overpass/Hwy 71



Hwy 20 Overpass/Hwy 71



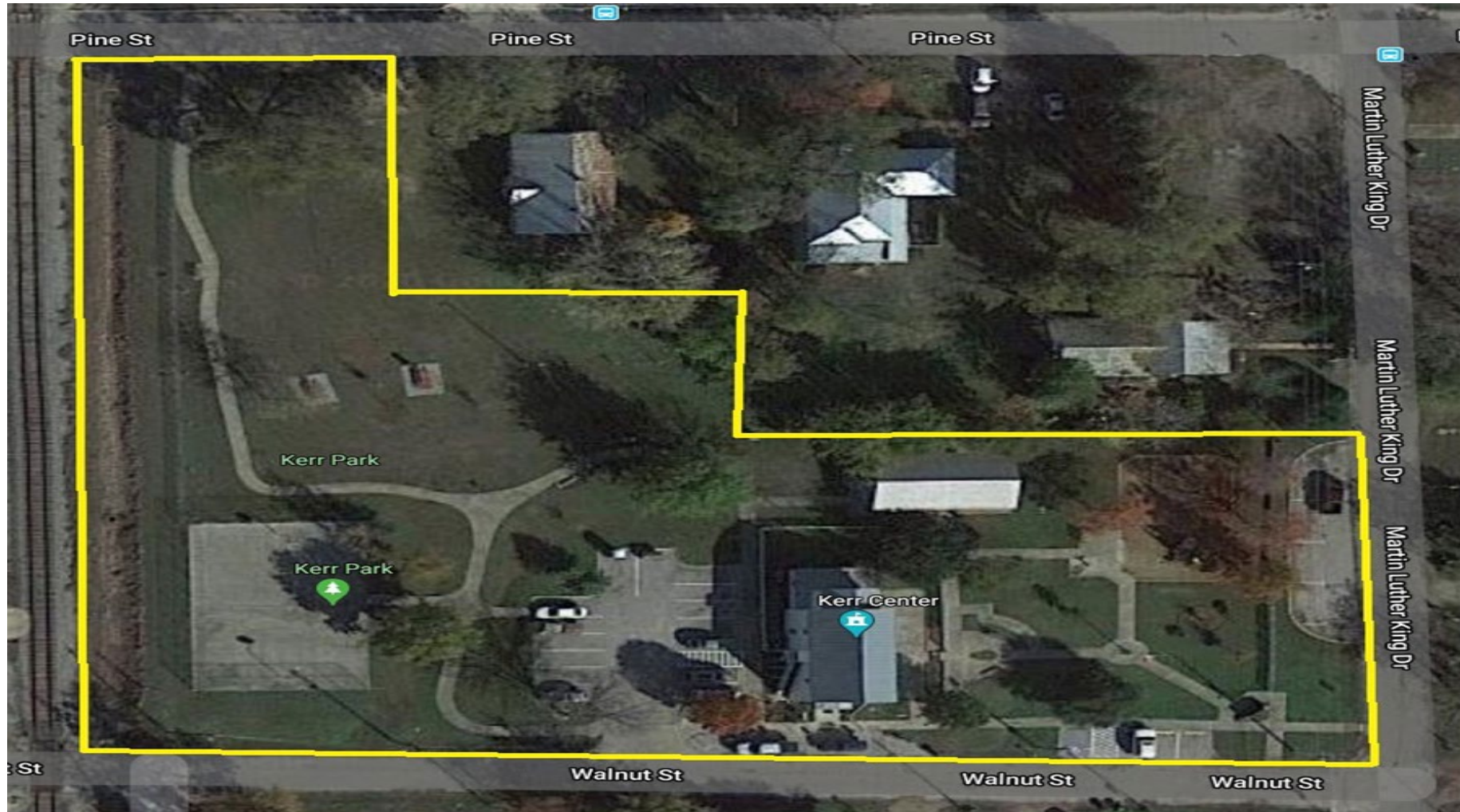
Mayfest Park

25 American Legion Drive



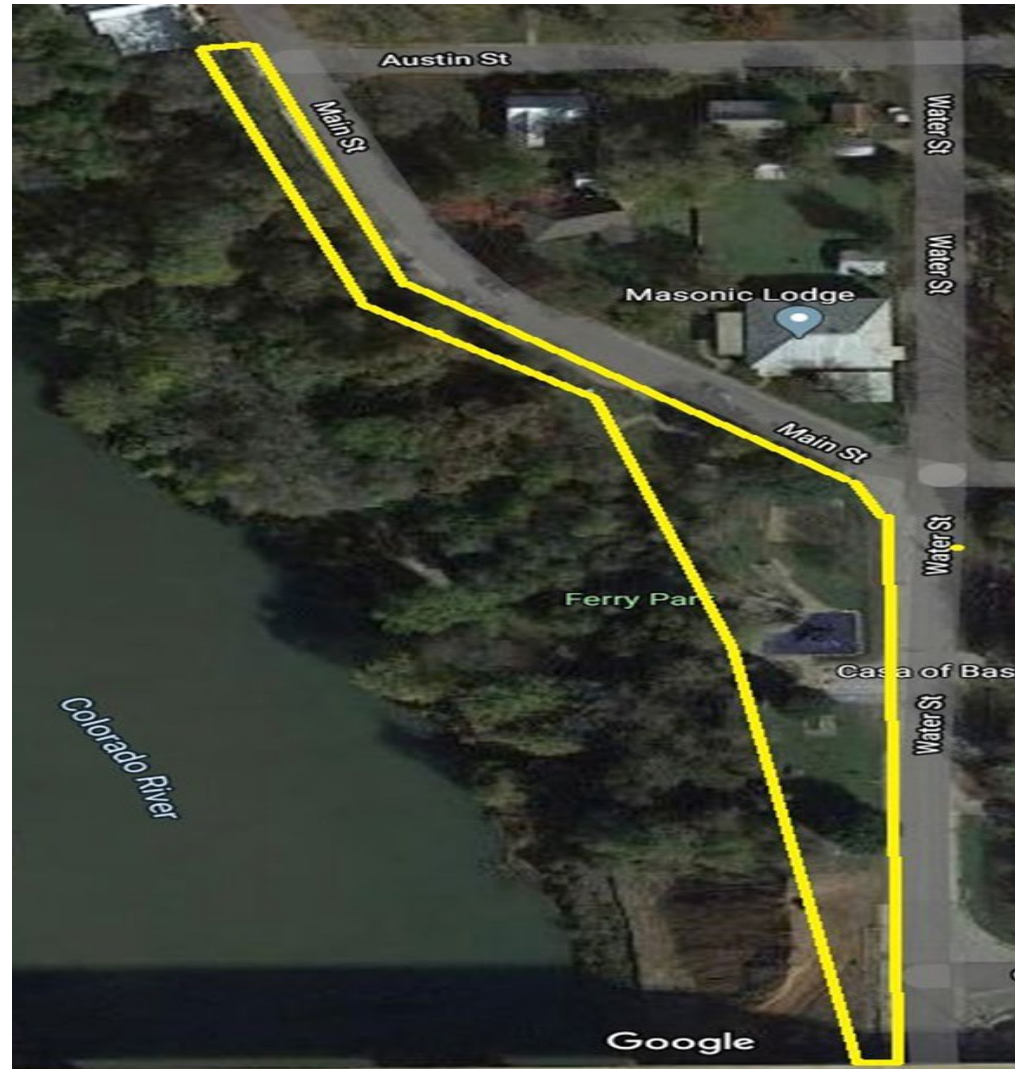
Kerr Community Park

1308 Walnut Street



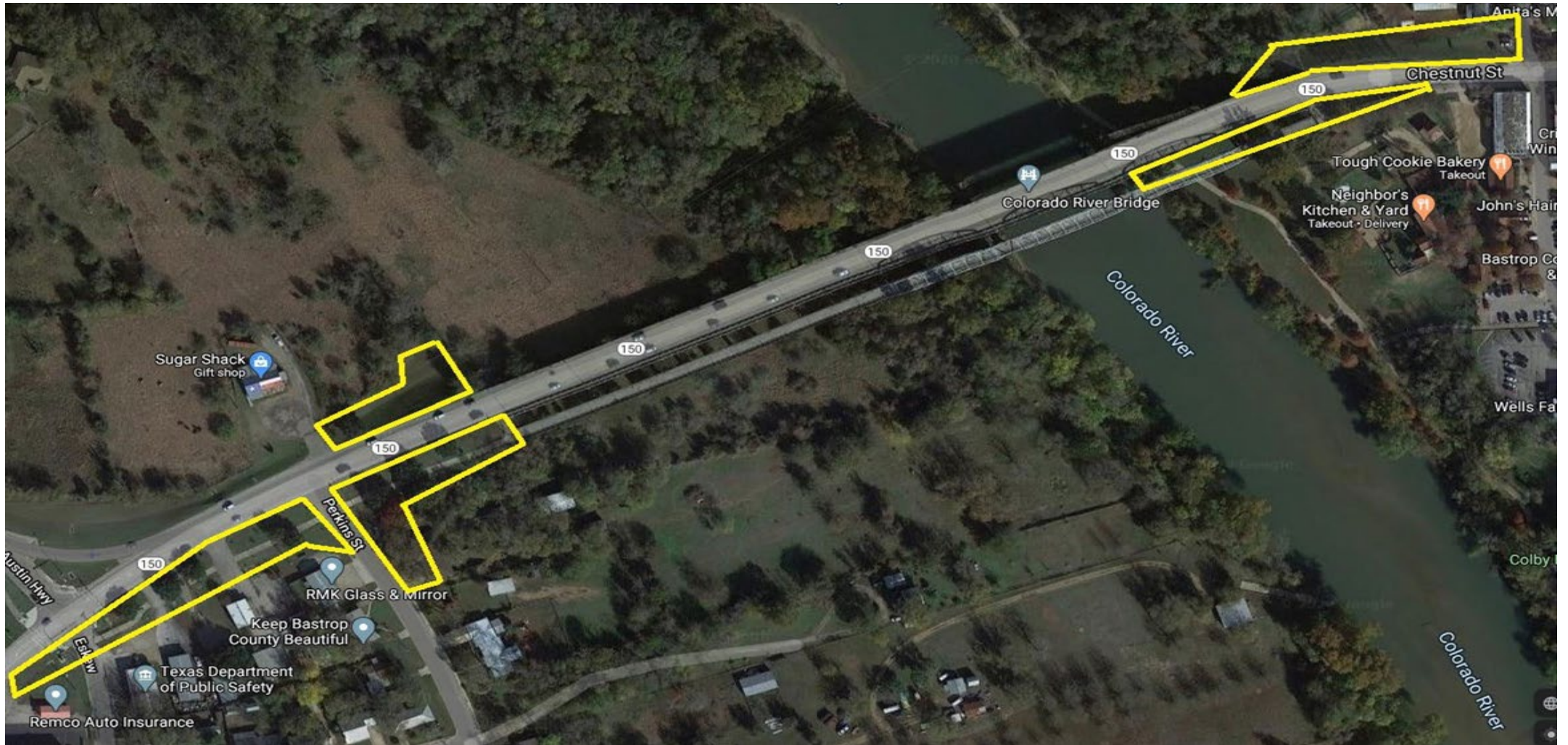
Ferry Park

502 Water Street



Old Iron Bridge

100 - 600 TX-150 Loop



Tahitian Fire Station

120 Corporate Drive



Little League Fields-2200 Hill Street

Only areas outside of the ball fields, including the fences, need to be mowed and weed eaten. The Bastrop Little League maintains the fields.



Bastrop 1832 Farmers Market

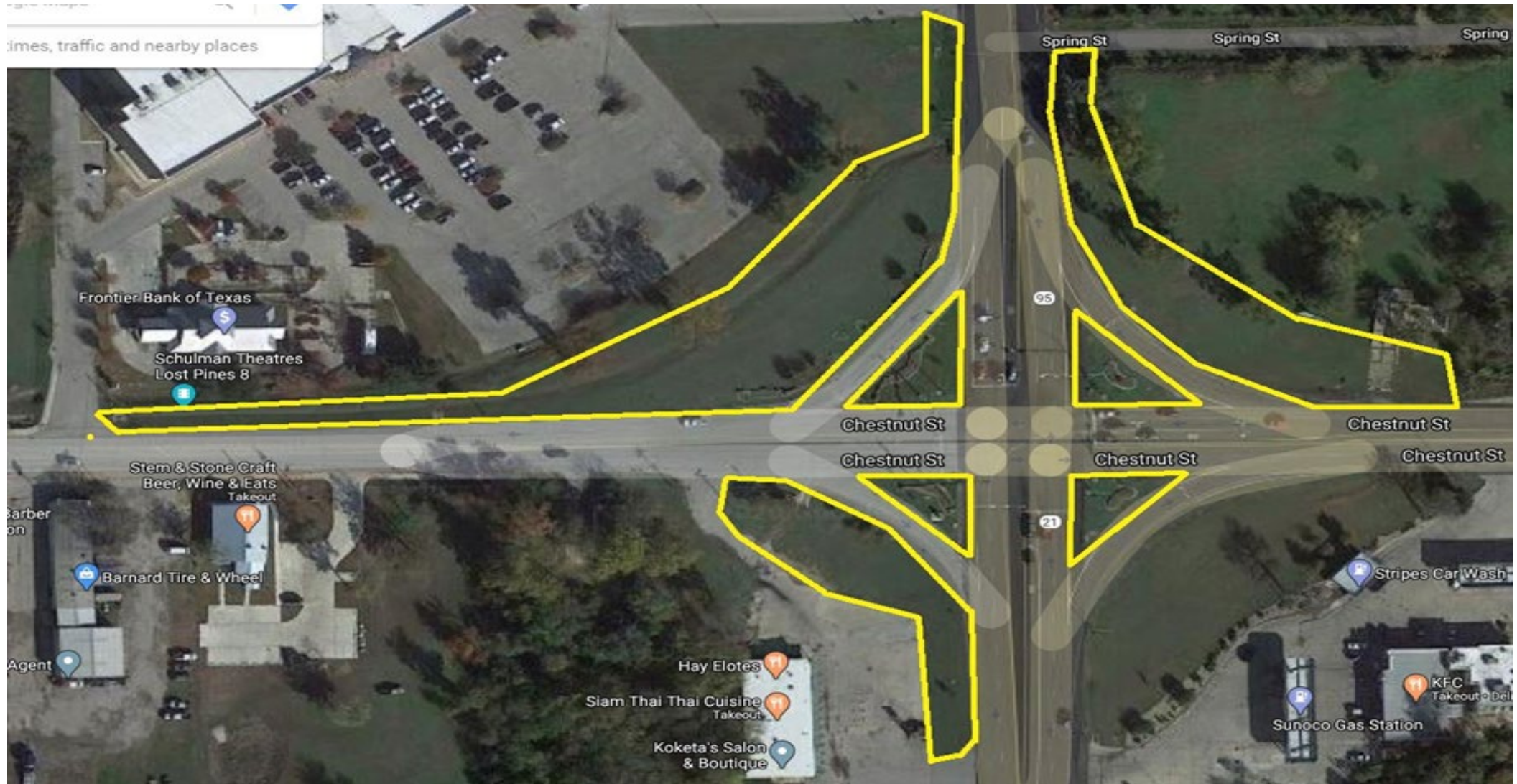
1302 Chestnut Street



PD Lot 117 Old Austin Highway



East Gateway TX-95/SH-21

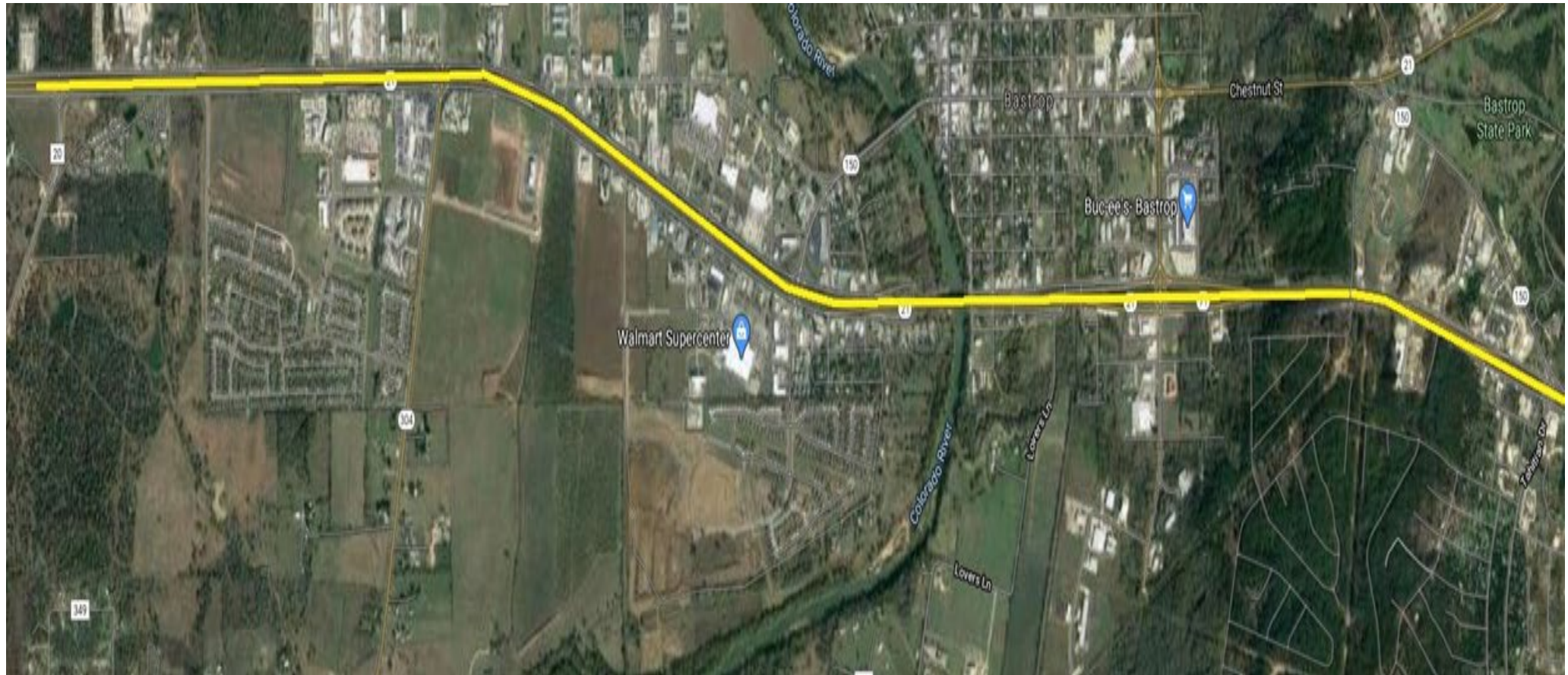


West Gateway 110-118 TX 150 Loop



HWY 71 Right-of Ways HWY 20 to Tahitian Drive

All right-of-ways, including sidewalks, on the north and south sides of HWY 71 from just past the Tahitian Drive intersection, to just past the HWY 20 intersection.





STAFF REPORT

MEETING DATE: March 22, 2022

AGENDA ITEM: 12B

TITLE:

Consider action to approve the first reading of Ordinance No. 2022-12 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2022 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the April 12, 2022 City Council agenda for a second reading.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The FY2022 budget was approved by City Council on September 21, 2021. The City Council is being requested to consider amendments to the original budget.

Exhibit A explains in detail the nature of each of the budget amendments being requested.

The Financial Management Policy states that the level of budgetary control is at the department level in all Funds. If transfers are required between departments, this must be approved by City Council.

The City Charter requires that when the budget is amended, that the amendment be made by Ordinance.

FUNDING SOURCE:

Various – See Ordinance Exhibit A

RECOMMENDATION:

Tracy Waldron, CFO recommends approval of the first reading of Ordinance No. 2022-12 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2022 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the April 12, 2022, City Council agenda for a second reading.

ATTACHMENTS:

- Ordinance 2022-12
- Exhibit A
- Lost Pine Art Center memo
- All Funds Summary FY2022 – updated to reflect proposed amendments

ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2022 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2022; and

WHEREAS, the Mayor and City Council have now provided for and conducted a public hearing on the budget as provided by law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2022, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2022.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and APPROVED on First Reading on the 22nd day of March 2022.

READ and ADOPTED on Second Reading on the 12th day of April 2022.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

GENERAL FUND

Budget Amendment #1: Revenue

FY 2022 Budget Book (Page 67-69)

Original Budget	\$ 15,481,868
<u>Recommended Increases</u>	
City Sales Tax (101-00-00-4001)	\$ 153,335
Insurance Proceeds (101-00-00-4537)	\$ 13,551
Inspection Fees (101-00-00-4012)	\$ 285,000
Public Improv Fees (101-00-00-4016)	<u>\$ 50,000</u>
New Total Revenue	\$ 15,983,754

This amendment increases several General Fund revenue sources. Sales Tax revenue has been running approximately 13% over forecast. This amendment increase is conservative to specifically cover requested increases in this budget amendment. The city has received insurance proceeds to cover damages that were paid by the city. The offset increase to expense is reflected in this budget amendment. The increase to Inspection Fees is to cover the additional third-party inspection costs associated with the level of inspections we are experiencing.

Budget Amendment #2: Expenditures-Organizational

FY 2022 Budget Book (Page 115)

Original Budget	\$ 1,730,628
Ord 2021-21	<u>\$ 21,500</u>
Amended Budget	\$ 1,752,128
Communications (101-02-00-5401)	<u>\$ 13,551</u>
New Total Expenditures	\$ 1,765,679

The city incurred damages to the fiber that runs over HWY 71 caused by the highway contractor. This additional expense is offset by the increase in insurance proceeds reflected in the budget amendment #1.

Budget Amendment #3: Expenditures-Community Engagement (Admin)

FY 2022 Budget Book (Page 133-134)

Original Budget	\$ 345,042
Community Support (101-08-10-5690)	<u>\$ 31,262</u>
New Total Expenditures	\$ 376,304

This amendment is to recognize the PHI Air Medical membership agreement. This should have been included in the community support line item but after review, was not included in the original budget. This agreement has seen an increase from FY2021 of approximately \$9,000 due to increased household count and a one dollar increase in the annual fee amount. This amendment is covered by the additional sales tax revenue reflected in budget amendment #1.

Budget Amendment #4: Expenditures-Development Services-Building Inspection**FY 2022 Budget Book (Page 149)**

Original Budget	\$ 631,999
Professional Services (101-15-18-5505)	\$ 285,000
New Total Expenditures	\$ 916,999

This amendment is necessary due to the high volume of homes actively under construction and the multiple re-inspections that are being required. This amendment is offset by an increase in Inspection Fees reflected in budget amendment #1.

Budget Amendment #5: Expenditures-Planning**FY 2022 Budget Book (Page 149)**

Original Budget	\$ 551,665
Operational Salary (101-15-00-5101)	\$ 50,000
New Total Expenditures	\$ 601,665

This amendment is to increase the planning budget by 1 Full-time employee with the Assistant Planning Director title. This amendment is necessary due to the high volume of development activity that is projected to continue for the foreseeable future. There is a need for additional assistance with plan review at a minimum. This amendment is offset by an increase in Public Improvement Fees reflected in budget amendment #1.

Amendment #6: Expenditures-Public Works-Streets and Drainage**FY 2022 Budget Book (Page 155)**

Original Budget	\$ 987,665
Capital Outlay (101-18-15-6000)	\$ 122,075
New Total Expenditures	\$ 1,109,740

This amendment is related to the Public Works Detention Pond project and is the city's required grant match of \$80,975 plus \$41,100 for additional construction inspection and material testing for adding the pump station. This amendment is offset by an increase in sales tax revenue reflected in budget amendment #1. The grant portion of this project was brought to council with the Ord. 2021-21. The below information is an update from Fabiola De Carvalho:

The City of Bastrop City Council authorized approval of a professional engineering services agreement between City and BEFCO Engineering on October 25th, 2018, for the Public Works Detention Pond (design and construction), which was completed in 2020.

This project was completed under budget. The City worked with the engineer to determine an appropriate addition to the project that would utilize the available grant funds. The City requested a budget adjustment from the Federal Emergency Management Agency (FEMA) for the possibility of using the remainder of the grant funds to design and construct a pump station (PS) at the detention pond. The Public Works (PW) Detention Pond PS consists of designing and constructing a permanent stormwater pump station to help discharge the PW detention pond in lieu of having to

EXHIBIT A

set up a temporary pumping operation during or immediately after significant rainfall event. The PS will be located at the southwest corner of the detention pond and would discharge into the City's existing drainage system.

An approval was granted by FEMA for this amendment which included the obligation of additional funds in November of 2021.

Total project cost:	\$365,000
Current Available funding:	<u>\$242,075</u>
Budget Amendment needed	\$122,925

Funding Sources:

- Leftover funds from prior grant: \$152,582
- New grant: \$90,343
- Total grant funding: \$242,925
- **City 25% match: \$ 80,975**
- **Additional City funds: \$41,100**

PW Detention Pond PS Costs:

- BEFCO: \$38,000
- Engineer's Construction Cost Estimate: \$270,500
- Total Project Cost Estimate: \$365,000 (including materials testing, construction inspection, and grant administration).

BEFCO was the Engineer selected originally for the PW Detention Pond project and will continue to assist the City on engineering services for this project as well.

SUMMARY OF GENERAL FUND BY DEPARTMENT		
Organizational	\$13,551	New Expenditures
Community Engagement – Admin	\$31,260	
Planning	\$50,000	
Development Services – Building Inspection	\$285,000	
Public Works-Streets/Drainage	\$122,075	
City Sales Tax	(\$153,335)	New Revenue
Insurance Proceeds	(\$13,551)	
Inspection Fees	(\$285,000)	
Public Improvement Fees	(\$50,000)	
Total Net Adjustment	<u>\$ 0</u>	

OTHER FUNDS

Budget Amendment #7: Impact Fee Fund

FY 2022 Budget Book (Page 84)

Original Budget	\$ 910,250
West Bastrop Village upsizing proj (306-51-51-6176)	\$ 539,569
Westside Collection Phase II (306-51-51-6176)	<u>\$ 2,000,000</u>
New Total Expenditures	\$ 3,449,819

This amendment is to utilize available fund balance in this fund to use toward eligible projects. The expense increases are to appropriate the necessary amounts for two projects. The first is the West Bastrop Village upsizing project that was approved by City Council on January 26, 2021 with Ord. 2021-10, originally estimated at \$1,225,358. The second is the Westside Collection System Phase II project that was originally projected for FY2023 but needs to be accelerated due to timing with other WWTP#3 projects.

Budget Amendment #8: Expenditures-Hunter's Crossing Public Improv. District

FY 2022 Budget Book (Page 97)

Original Budget	\$ 572,547
Maintenance & Operations (710-00-00-5300)	<u>\$ 32,000</u>
New Total Expenditures	\$ 604,547

This amendment is to increase expense to cover the erosion project that will be completed in conjunction with the fence replacement. This amendment was taken to the Local Government Corporation Board on February 16, 2022 where it was voted on unanimously. This amendment will reduce the fund balance of the fund by \$32,000.

Budget Amendment #9: Water/Wastewater Fund

FY 2022 Budget Book (Page 160 & 161)

Original Budget	\$ 7,442,749
Improvements, WWW (202-35-41-6240)	<u>\$ 52,500</u>
New Total Expenditures	\$ 7,495,249

This amendment is related to the Riverwood Waterline Replacement project that has been approved for grant funding. This amendment represents the city's required match. This amendment is reducing the funds ending fund balance by this amount but is still above the 35% required level.

Budget Amendment #10: Hotel Occupancy Tax Fund

FY 2022 Budget Book (Page 85-87)

Original Budget	\$ 2,226,904
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EXHIBIT A

Hotel Occupancy Tax (501-00-00-4007)	<u>\$ 249,781</u>
New Total Revenue	\$ 2,476,685
Original Budget – Organizational (page 86)	\$ 1,854,608
Destination Marketing Org (501-80-005576)	<u>\$ 172,668</u>
Lost Pines Art Center (501-80-00-5578)	<u>\$ 29,516</u>
New Total Expenditures - Organizational	\$ 2,056,792

Since the approval of the FY2022 budget, Hotel Occupancy Tax has reported positive variances to forecast every month. This amendment reflects an increase in projected revenue by 25% based on the information that is currently available. The revenue for November through January was very strong but did drop off some in February. This increase is a conservative projection. Since the Destination Marketing Organization (Visit Bastrop) funding is directly related to revenue projections, this amendment increases their funding line using the calculation provided in the contract (revenue-debt x 50%). The Lost Pines Art Center has requested that their approved funding be increased to the amount in their request proposal. A memo from that organization explaining their request is attached.

Budget Amendment #11: Grant Fund

FY 2022 Budget Book

Original Budget	\$ 100,000
Ord 2021-21	\$ 1,968,235
Grant Revenue (801-00-00-4500)	\$ 350,000
Grant Revenue (801-00-00-4500)	<u>\$ 250,000</u>
New Total Revenue	\$ 2,668,235

The proceeds need to be applied to the following account:

FY 2022 Budget Book

Original Budget	\$ 100,000
Ord 2021-21	\$ 1,968,235
Riverwood Water Line rplc (801-00-00-6000)	\$ 350,000
Parks Master Plan (801-00-00-5505)	<u>\$ 250,000</u>
New Total Expenditures	\$ 2,668,235

This fund is not represented separately in the budget book (oversight). The totals are included in the Special Revenue column on the All Funds Summary. We have received several awards since the FY2022 budget was approved and since the last budget amendment. See the list below:

- \$350,000 from the Texas Department of Agriculture for partial replacement of the water line on Riverwood
- \$250,000 from St. David's Foundation for a Parks Master Plan

Budget Amendment #12: Cemetery Fund**FY 2022 Budget Book (Page 93)**

Original Budget	\$ 148,827
Road Maintenance (525-00-00-5348)	<u>\$ 25,000</u>
New Total Expenditures	\$ 173,827

This amendment is to appropriate funds for street maintenance to be incorporated into the City's request for proposal for street maintenance. The amendment is reducing the fund balance to a projected ending amount of \$34,481.

Budget Amendment #13: CO, Series 2021**FY 2022 Budget Book**

Original Budget	\$ - 0-
Bond Proceeds (731-00-00-4380)	<u>\$ 3,676,250</u>
New Total Revenue	\$ 3,676,250

The proceeds need to be applied to the following account:

FY 2022 Budget Book

Original Budget	\$ - 0-
Issuance Costs (731-00-00-5610)	\$ 76,250
Old Austin Hwy (731-00-00-6132)	\$ 1,600,000
Street Rehabilitation (731-00-00-6132)	<u>\$ 2,000,000</u>
New Total Expenditures	\$ 3,676,250

This issuance was referenced in the FY2022 budget but not appropriated. This bond issuance was funded in February and will be used for street rehabilitation projects.



City of Bastrop
1311 Chestnut Street
Bastrop, TX 78602

Dear Mayor Schroeder, Councilmembers and City Manager,

I am writing on behalf of the Lost Pines Art Center regarding the organization's HOT funds and the opportunity to restore LPAC to its full funding request for this fiscal year. When the City's 2021-22 HOT funding budget was approved by City Council the Art Center's request was reduced from \$89,500 to \$60,000. During that approval process Council requested that the Art Center improve its reporting and we were encouraged that, when that was complete, Council would consider providing the reduced funding amount.

At this time, we believe we have fulfilled the City's HOT fund reporting requirements and humbly request that City Council consider providing the additional \$39,500. These additional funds will help us expand our weekend services by allowing the center to be open every Saturday along with remaining open during evening and weekend activities promoted by the City. In addition, as COVID restrictions ease we are getting more requests for art classes and experiences. Additional funding will help us provide those for visitors and community members alike.

We look forward to our continued partnership with the city, the other community assets and cultural arts organizations creating a unique destination for visitors along with enhancing the quality of life for all who live here.

Sincerely,

Kaye Sapikas

ALL FUND SUMMARY FY 2022

	GENERAL FUND	DEBT SERVICE FUNDS	HOTEL TAX FUND	SPECIAL REVENUE FUNDS	WATER/ WASTEWATER FUNDS	BP&L FUND	CAPITAL IMPROVEMENT FUNDS	INTERNAL SERVICE FUND	ECONOMIC DEVELOPMENT CORP	TOTAL ALL FUNDS
BEGINNING FUND BALANCES	\$ 6,194,200	\$ 189,672	\$ 2,329,717	\$ 4,442,130	\$ 5,755,994	\$ 3,081,727	\$ 47,000,060	\$ 3,090,557	\$ 5,249,159	\$ 77,333,216
REVENUES:										
AD VALOREM TAXES	4,418,537	2,432,572		-	-	-	-			6,851,109
SALES TAXES	6,824,432			-	-	-	-		3,331,500	10,155,932
FRANCHISE & OTHER TAXES	541,100		2,231,131	24,000	-	-	-			2,796,231
LICENSES & PERMITS	2,181,230		-	-	-	-	-			2,181,230
CHARGES FOR SERVICES	796,100		159,000	5,174,204	6,927,080	6,847,639	-	501,809	15,870	20,421,702
FINES & FORFEITURES	299,000			14,000	-	-	-			313,000
INTEREST	30,000	10,000	20,000	21,200	37,906	30,000	23,150	13,000	15,000	200,256
INTERGOVERNMENTAL	69,804	275,059	66,554	2,568,235	-	-	5,140,808			8,120,460
OTHER	53,551		-	144,133	6,500	-	1,365		1,712,044	1,917,593
TOTAL REVENUES	15,213,754	2,717,631	2,476,685	7,945,772	6,971,486	6,877,639	5,165,323	514,809	5,074,414	52,957,513
OTHER SOURCES										
Other Financing Sources	-						-			-
Interfund Transfers	770,000	640,512	-	-	4,087,529	-	445,500	1,045,427		6,988,968
TOTAL REVENUE & OTHER SOURCES	15,983,754	3,358,143	2,476,685	7,945,772	11,059,015	6,877,639	5,610,823	1,560,236	5,074,414	59,946,481
TOTAL AVAILABLE RESOURCES	\$ 22,177,954	\$ 3,547,815	\$ 4,806,402	\$ 12,387,902	\$ 16,815,009	\$ 9,959,366	\$ 52,610,883	\$ 4,650,793	\$ 10,323,573	\$ 137,279,697
EXPENDITURES:										
GENERAL GOVERNMENT	5,800,622			27,600	-	-	683,500			6,511,722
PUBLIC SAFETY	5,259,353			62,850	-	-	72,000			5,394,203
DEVELOPMENT SERVICES	1,875,086			-	-	-	-			1,875,086
COMMUNITY SERVICES	2,400,144		-	697,607	-	-	-			3,097,751
UTILITIES				99,950	4,178,469	6,175,061	-			10,453,480
DEBT SERVICE		3,494,221		-	3,992,281	171,072	-		483,456	8,141,030
ECONOMIC DEVELOPMENT			2,437,355	-	-	-	299,450		3,159,722	5,896,527
CAPITAL OUTLAY				5,415,454	526,000	383,250	50,421,313	1,252,930	2,368,700	60,367,647
TOTAL EXPENDITURES	15,335,205	3,494,221	2,437,355	6,303,461	8,696,750	6,729,383	51,476,263	1,252,930	6,011,878	101,737,446
OTHER USES										
Interfund Transfers	1,318,027	-	545,702	979,017	3,314,280	839,400	14,043	-	-	7,010,468
TOTAL EXPENDITURE & OTHER USES	16,653,232	3,494,221	2,983,057	7,282,478	12,011,030	7,568,783	51,490,306	1,252,930	6,011,878	108,747,914
ENDING FUND BALANCES	\$ 5,524,722	\$ 53,594	\$ 1,823,345	\$ 5,105,424	\$ 4,803,979	\$ 2,390,583	\$ 1,120,577	\$ 3,397,863	\$ 4,311,695	\$ 28,531,783