

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



May 28, 2019 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.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during 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 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.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE – Youth Advisory Council Members

TEXAS PLEDGE OF ALLEGIANCE

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

3. INVOCATION – Jimmie Cottle, Police Chaplain

9. INDIVIDUAL CONSIDERATION – PART 1 OF 2

(This item is being moved to the beginning of the agenda to provide an opportunity for the Mayor to administer the Oath of Office to the new members.)

- 9B. Consider action to approve Resolution No. R-2019-51 of the City Council of the City of Bastrop, Texas confirming the Youth Advisory Council appointments of the Mayor, as required in Section 3.08 of the City Charter; providing for a repealing clause; and establishing an effective date.

4. PRESENTATIONS

- 4A. Administer Oath of Office to Members of the Youth Advisory Council by Mayor Connie Schroeder.
- 4B. Mayor's Report
- 4C. Councilmembers' Report
- 4D. City Manager's Report
- 4E. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 28, 2019 as Girl Scout Gold Award Recipient Abbey Bowlin Day.

5. WORK SESSION/BRIEFINGS

- 5A. Update and discussion of current Legislative Session and its impact on local municipalities.
- 5B. Provide Mid-Year Update on FY 2019 Work Plan.
- 5C. Review and discuss existing land-use chart to determine limitations or exclusions.
- 5D. Update on Pop-Up Presentation scheduled for June 8, 2019.
- 5E. Provide an update on the Chicken Relocation Project in Downtown Bastrop, Texas.

6. STAFF AND BOARD REPORTS

- 6A. Receive Monthly Development Update.
- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending April 30, 2019.
- 6C. Receive Monthly Report from Visit Bastrop.

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Council meeting. 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 Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

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

8. CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from the May 14, 2019, Regular meeting.
- 8B. Consider action to approve the second reading of Ordinance No. 2019-18 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a brewery, distillery and winery use on 0.266 acres of Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form-Based Code - HMS, Historic Main Street within the city limits of Bastrop, Texas; as shown in Exhibit A; setting out conditions; providing a severability clause; and establishing an effective date.
- 8C. Consider action to approve the second reading of Ordinance No. 2019-19 of the City Council of the City of Bastrop, Texas amending Chapter 12, "Traffic and Vehicles," of the City of Bastrop City Code of Ordinances to add Article 12.13, "Use of Portable Electronic Devices While Operating a Motor Vehicle," sections 12.13.001, 12.13.002, 12.13.003, and 12.13.004; restricting the use of portable electronic devices while operating a motor vehicle in the City of Bastrop; providing for: findings of fact, enactment, repealer, severability, criminal fines not to exceed \$300 per offense; effective date, codification, and proper notice and meeting.

9. ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2

- 9A. Consider action to approve Resolution No. R-2019-50 of the City Council of the City of Bastrop, Texas approving a Developer's Agreement for Piney Creek Bend Subdivision, Phase II, between the City of Bastrop and KB Homes; attached in Exhibit A; and authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.
- 9B. **SEE ABOVE.**
- 9C. Consider action to approve the first reading of Resolution No. R-2019-54 of the City Council of the City of Bastrop, Texas, approving the Executive Director or Interim Executive Director of the Bastrop Economic Development Corporation obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS for construction of a building to the lot at 921 Main Street; repealing all resolutions in conflict; providing severability; and providing an effective date.

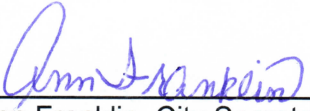
10. EXECUTIVE SESSION

- 10A. City Council shall convene into closed session pursuant to Section 551.071 of the Texas Government Code for a legal briefing by the City Attorney on contractual issues regarding the Chapter 380 Agreement between the City and Bastrop Retail Partners, LP (executed September 4, 2007).

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

12. ADJOURNMENT

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: Friday, May 24, at 1:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 4A

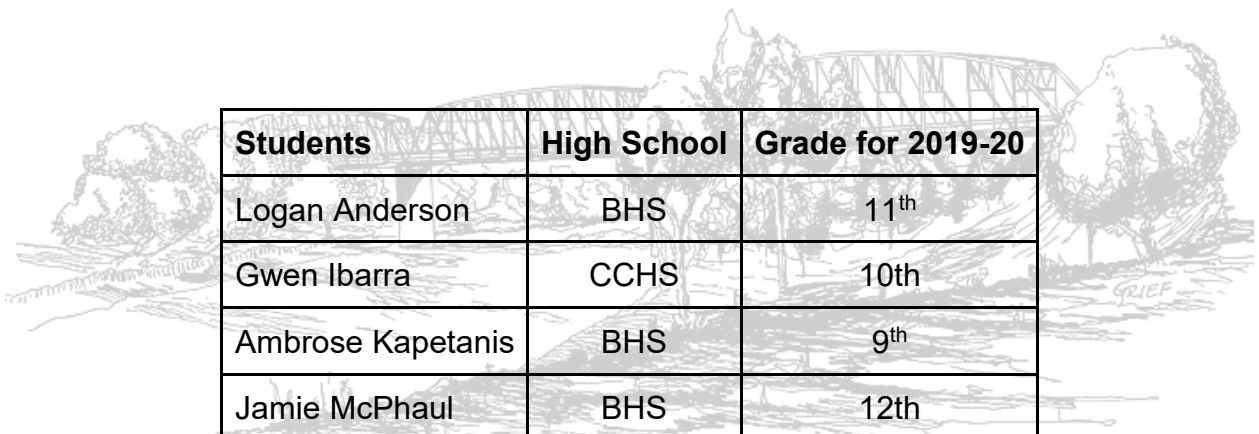
TITLE:

Administer Oath of Office to Members of the Youth Advisory Council by Mayor Connie Schroeder.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

APPOINTMENTS TO THE YOUTH ADVISORY COUNCIL ARE:



Students	High School	Grade for 2019-20
Logan Anderson	BHS	11 th
Gwen Ibarra	CCHS	10 th
Ambrose Kapetanis	BHS	9 th
Jamie McPhaul	BHS	12 th
Magel Zhu	CRCA	10 th



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 4B

TITLE:

Mayor's Report

STAFF REPRESENTATIVE:

Lynda Humble, 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
May 28, 2019





The Refuge

Latest Activities

May 2 – May 15

Events in 2019: 126

Code Rodeo



National Tourism Celebration



Dove Tiles



Dr. Abee & Staff of Keeling Center



Peace Officers Memorial



McCaul visit with Chamber



Leo's Italian Grill



National Day of Prayer



Gateway Teacher Appreciation Thanks Ruth!



Planned Events

May 16 – May 28

- May 16/17 – TML Small Cities Conference
- May 20 – BEDC Board Meeting
- May 22 – Texas Vision Ribbon Cutting
- May 23 – Bastrop County Emergency Food “NIBBLES” Ribbon Cutting
- May 25 – BAIPP Award Ceremony
- May 27 – Memorial Day
 - City Offices Closed
 - Memorial Service (Fairview Cemetery)
- May 28 - City Council Meeting



Upcoming Events & City Meetings

- May 30/31 – City Essentials Conference
- May 30 – Lee Dildy CARTS Ribbon Cutting
- June 1 –
 - Paint Only Hazardous Waste Collection in Smithville
 - Healthy Kids Day (Rescheduled from earlier due to weather)
- June 3 – Library Board Meeting
- June 5 – Chamber Luncheon
- June 6 – TML Region 10 Quarterly Meeting (Pflugerville)
- June 8 –
 - Run off Election
 - Building Bastrop Pop Up Event
 - CASA Casino Night
- June 11 –
 - Quarterly Community Support Meeting
 - City Council





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 4C

TITLE:

Councilmembers' Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

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STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 4D

TITLE:

City Manager's Report

STAFF REPRESENTATIVE:

Lynda Humble, 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: May 28, 2019

AGENDA ITEM: 4E

TITLE:

Proclamation of the City Council of the City of Bastrop, Texas recognizing May 28, 2019 as Girl Scout Gold Award Recipient Abbey Bowlin Day.

STAFF REPRESENTATIVE:

Lynda Humble

ATTACHMENTS:

- Proclamation for May 28, 2019 as Girl Scout Gold Award Recipient Abbey Bowlin Day





PROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, Girl Scouts of Central Texas (GSCTX) is the preeminent leadership development organization for girls. Girl Scouts offers every girl a chance to practice a lifetime of leadership, adventure, and success. GSCTX spans 46 counties in Central Texas with more than 17,000 girls and 12,000 adult volunteers experiencing new adventures every single day and making friendships that will last a lifetime; and

WHEREAS, in 1916 – before women in the U.S. even had the right to vote – the beloved founder of Girl Scouts- Juliette Gordon-Low, recognized the importance of community service and had the vision to honor girls who went above and beyond to serve the needs of others and promote them to the highest level of Girl Scouting achievement. Then, it was called the Golden Eaglet. Today it's called the Gold Award and though the name has changed, the character of the girl earning it remains remarkable; and

WHEREAS, the Girl Scout Gold Award is the highest award a Girl Scout can earn. By using her values and skills, each girl chooses a community issue that she cares about and creates a plan for a sustainable project, one that lasts after the girl's involvement ends. Once achieved, her project shows colleges, employers, and her community that she is changing the world. As a Gold Award recipient, these girls are part of an elite group of women; and

WHEREAS, Abby Bowlin of Bastrop Texas, received the Gold Award on January 18, 2019, through her project called "Angel Sleeping Bags," she gathered 120 tiny biodegradable sleeping bags that will be used during burials for prematurely born babies. All of the shrouds were given to a Green Cemetery in Cedar Creek called "Eloise's Woods" and to the other green cemetery in Texas.

NOW THEREFORE, I, Connie Schroeder, Mayor of the City of Bastrop, do hereby recognize May 28, 2019 as:

Girl Scout Gold Award Recipient Abbey Bowlin Day

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 28th day of May 2019.

Connie B. Schroeder, Mayor



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 5A

TITLE:

Update and discussion of current Legislative Session and its impact on local municipalities.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 5B

TITLE:

Provide Mid-Year Update on FY 2019 Work Plan.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





FY 2019 Mid-Year Update

**FY 2019 Mid-Year Work
Plan Update.**



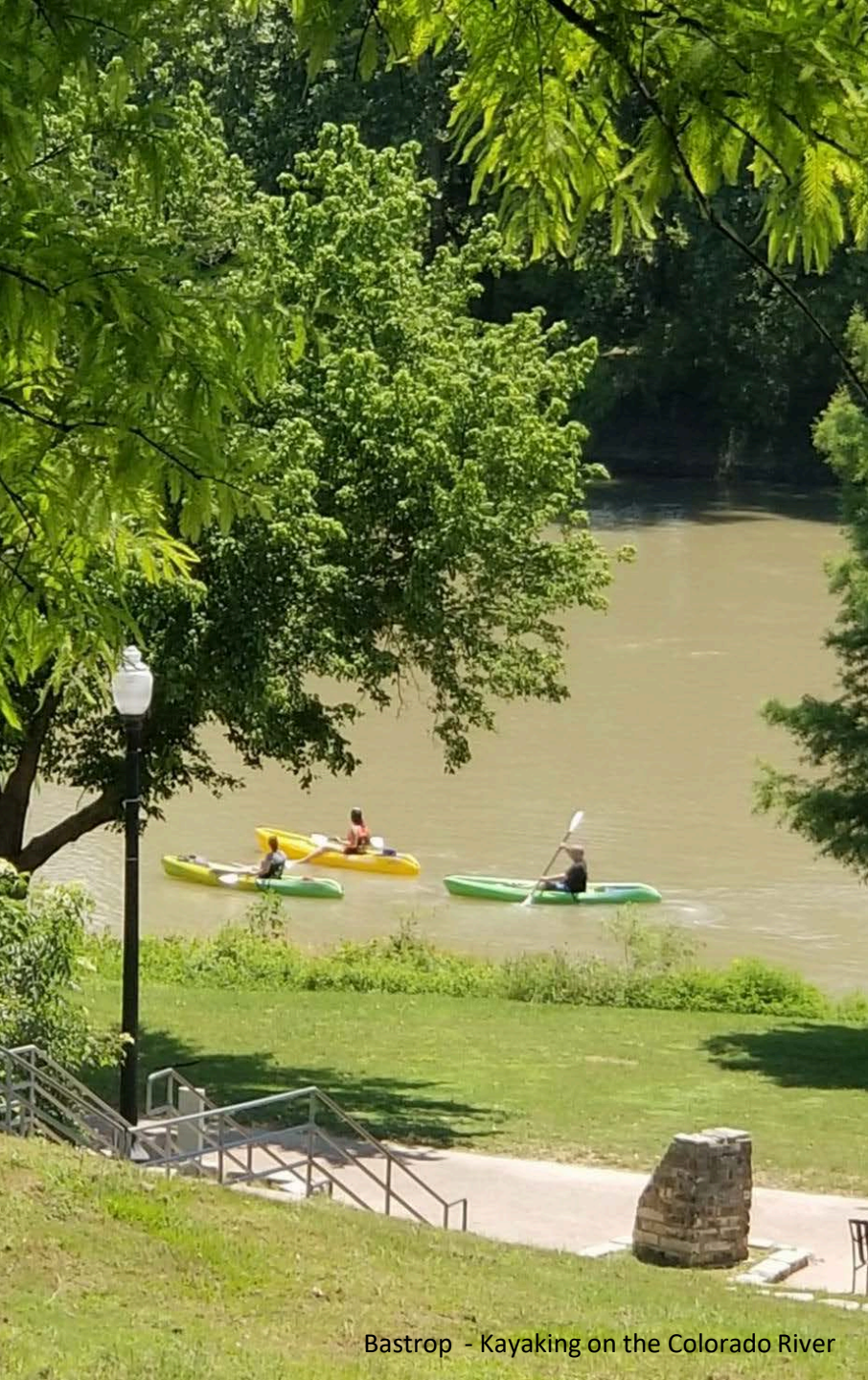


Bastrop's Old Iron Bridge at Sunset

Authentic Bastrop

Maintain and enhance our historic community feel by leveraging the combination of community, cultural and recreational assets that make Bastrop a special place to live and work.





Bastrop - Kayaking on the Colorado River

Authentic Bastrop

Main Street Rehabilitation Project

- Will serve as a “Catalyst” Project for Bastrop Building Block Codes.
- Pop-Up Project on June 8th to showcase elements of the Codes.
- July 9th agenda – discuss remaining easements and proposed construction schedule.





Heroes & Hotrods Car Show – Veterans' Day Weekend

Authentic Bastrop

Chicken Relocation Project





Annual Lighted Christmas Parade – 2nd Saturday annually

Authentic Bastrop

North Main Community Rehabilitation Project

- **Drainage project is complete.**
- **Sewer project will be awarded June 11th.**
- **Water project will begin in June.**
- **Street project will begin in September.**





One of Bastrop's Historic Homes

Authentic Bastrop

Status of Other Projects:

- **Cultural Arts Master Plan – scheduled to come to Council in September.**
- **Skate Park – Bid should come to Council in September for award.**
- **Local Government Certification Program – Kick-off this summer; Certification by year-end.**





Communication

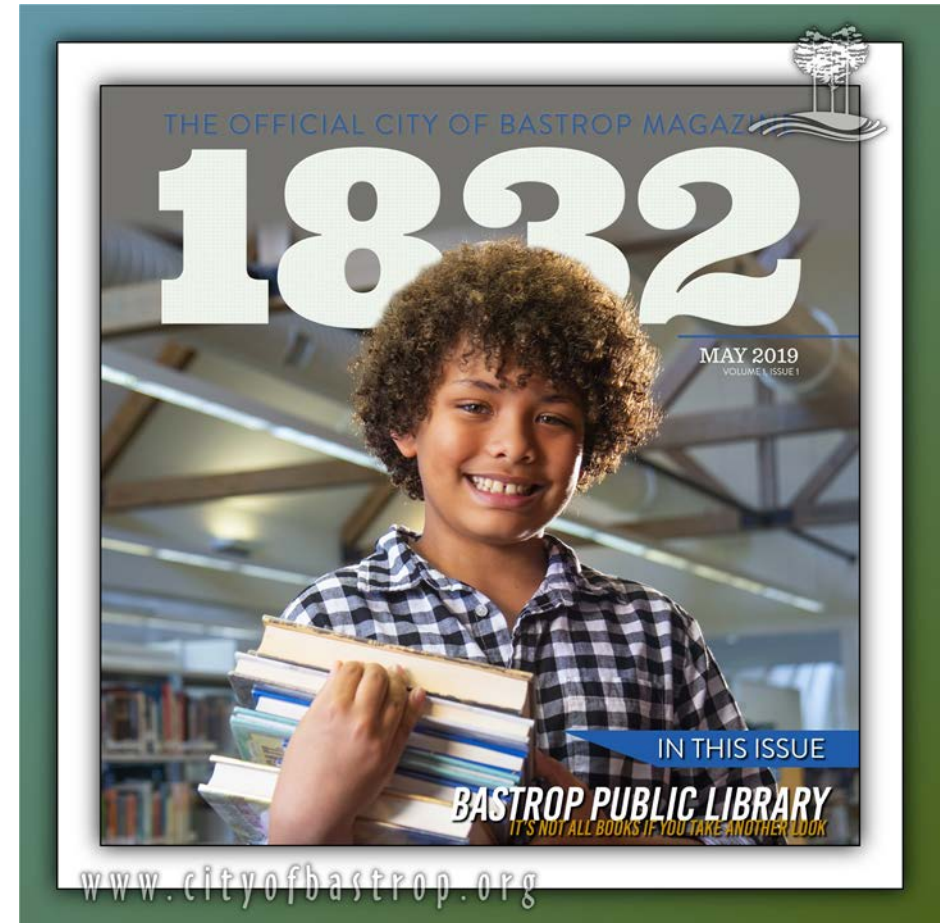
Support and enhance open 2-way communication between the City and its residents and businesses.





Communication

Monthly Electronic Newsletter



Communication

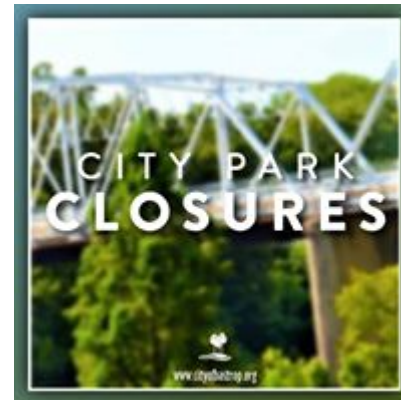
Improve Communication with Development Community

- Bi-weekly meetings with developers' (on-going projects).
- Comprehensive update of processes/checklists, etc.
- Establishing performance measures and setting expectations.
- Code Rodeos/ Specific meetings with Developers/ Transportation & Drainage Rodeo.



Communication

Improved presence on Social Media





Bastrop - Morning Mist on the Colorado River

Communication

Building Bastrop – Public Input

Building Bastrop – Public Input to Date (Includes Social Media, Press Releases, TV Interviews, Website Updates, Posters)	
October 27, 2018	Community Walking Tour & Bike Tour of Downtown
November 26, 2018	Mobility Tour of Downtown
November 26, 2018	Developers’ Forum
November 29 & 30, 2018*	Two – Day Design Rodeo – Downtown Bastrop
December 13 & 14, 2018*	Two – Day Code Rodeo – Downtown Bastrop
April 10, 2019	Transportation & Drainage Rodeo – City Hall
May 9, 2019*	Final Code Update – Bastrop Opera House

***City-wide postcards mailed.**



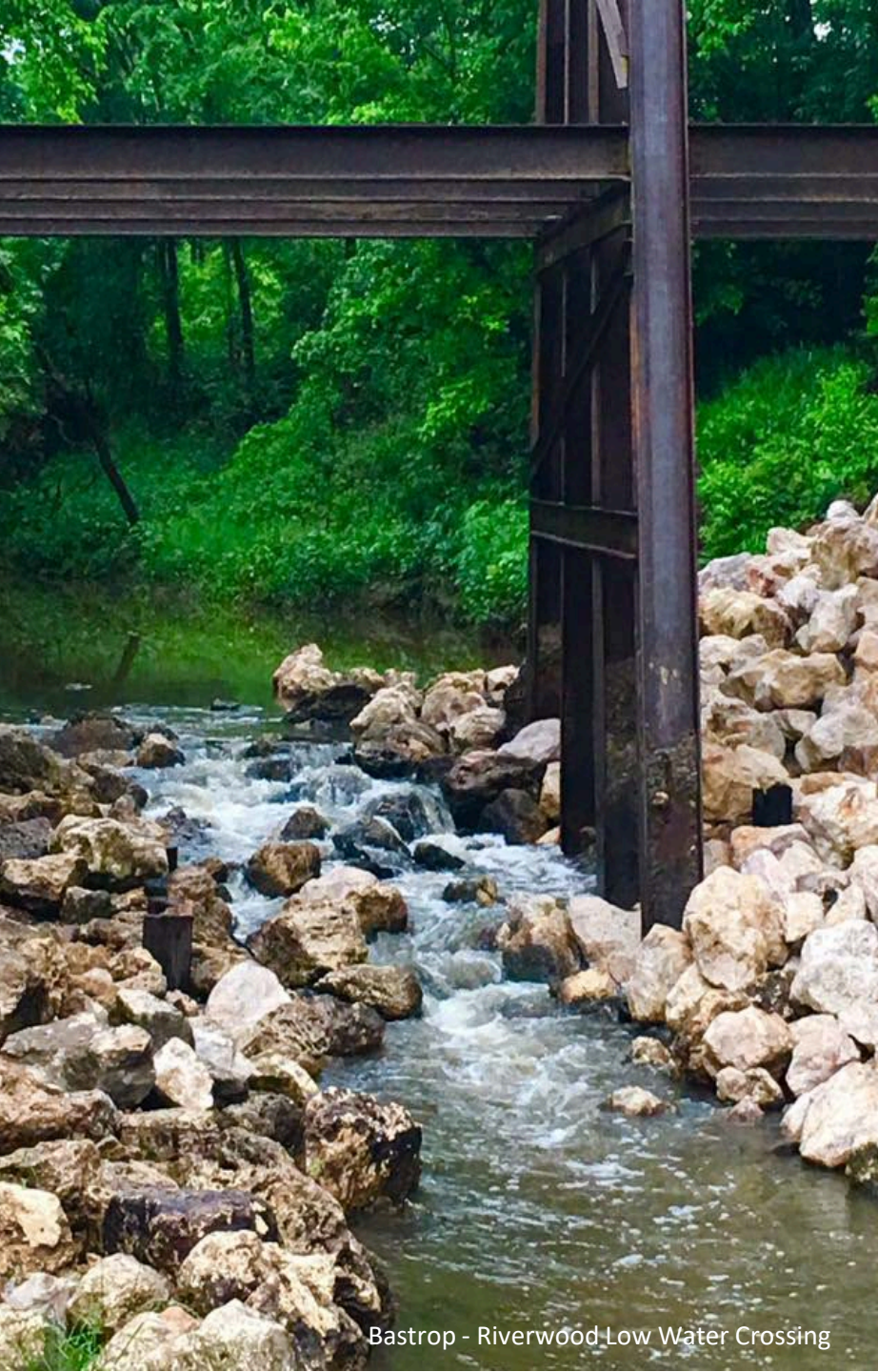


Pet & Pal Parade – Held Annually during Patriotic Festival

Community Safety

Keep citizens, businesses, and visitors safe.





Bastrop - Riverwood Low Water Crossing

Community Safety

Design and Build a Wastewater Treatment Plant #3

- **30% Plan Design – Presentation to Council in July.**
- **Permit has been submitted to TCEQ (permit expires Sept. 2019); administratively approved; waiting on Director signature.**
- **Public meeting in August.**
- **90% Plan Design estimated in September – Submit to TCEQ at that time.**



Larryland Music Porch Pickin' – First Friday of @ Month



Community Safety

Update Drainage Regulations
(include 2018 Halff Drainage Study
and Atlas 14 Map Data) without
negatively impacting existing
population or environment





Bastrop Homecoming Rodeo – 1st Weekend in August Annually

Community Safety

Status of Other Projects:

- **Water Tower – Bids approved; Construction to start in June.**
- **Public Works Detention Pond & Jasper/Newton – Design completed; waiting on TX Dept. of Emergency Management to fund construction.**
- **Water Treatment Plant – Finalizing water quality to establish water treatment processes.**





Creating Unique Art at Deep in the Heart Art Foundry

Economic Vitality

Create sustainability by infrastructural renewal and investment; enhancing public/private partnerships; efficient planning and development processes; and fostering an inclusive and diverse environment that encourages entrepreneurial ventures and tourism.

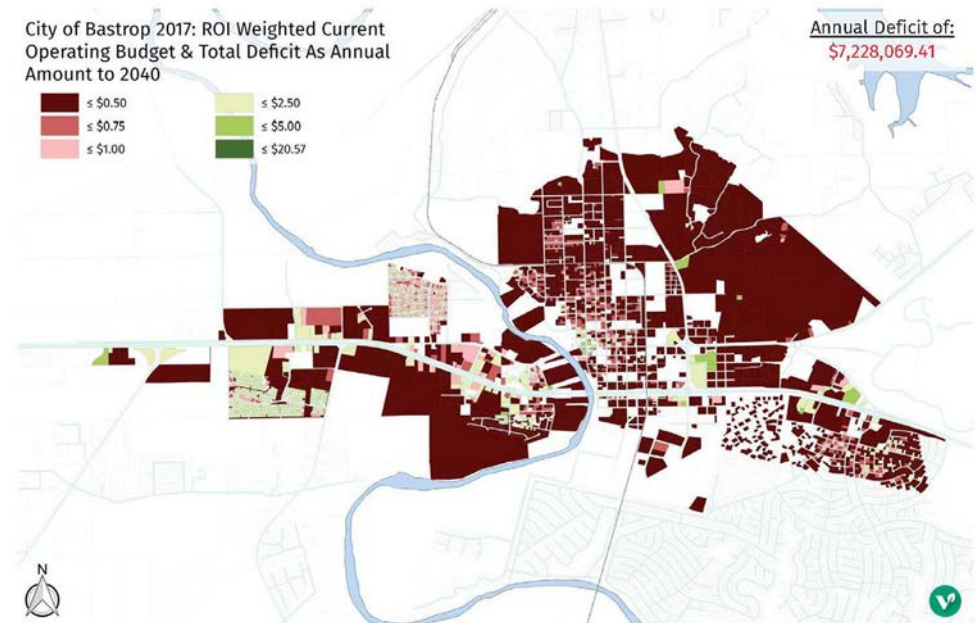




Community Gardens – Indoor/Outdoor Marketplace

Economic Vitality

Develop a Fiscal Impact Analysis to determine development related financial sustainability.





Fairview Cemetery – Burial Site for Governor J.D. Sayers (1899 - 1903)

Economic Vitality

Continue increasing rental revenue of Convention Center by supporting local businesses, small conventions, and conferences.

- 54% increase in revenue when comparing FY19 to FY 18.





Piney-Creek Chop House

Economic Vitality

Conduct Food Truck Pilot Project, address concerns, and finalize Ordinance.





Pecan Street Inn

Fiscal Responsibility

**Prepare and Manage Budget;
fiduciary responsibility.**





Sarah Rudolph Collins & Hannibal Lokumbe
Living Proof that Love is Everything

Fiscal Responsibility

Implement Year 1 of Street Maintenance Program.

- **Old Austin Highway – Bid Award on June 11th.**
- **Completed before August 14th – School Start Date.**

Fiscal Responsibility

Develop Wholesale Water & Wastewater Rate Categories; Adopt Standardized Wholesale Water & Wastewater Contracts.

- **Adopted Standardized Contracts.**
- **Adopting Wholesale Rates - 1st Reading – June 11th; 2nd Reading – June 25th.**
- **1st Wholesale Customer Contract – end of June/1st of July.**

Bluff overlooking Colorado River





Bastrop Opera House – The Wizard of Oz

Manage Growth

Plan for and manage growth, development, and redevelopment to maintain Bastrop's authentic feel and character.





Tubing on the Colorado River

Manage Growth

Update Zoning & Sign Ordinance (Phase 1 – Code Update) to be fiscal sustainable and geographically sensitive and in alignment with Comprehensive Plan.

- **Draft submitted May 24, 2019.**
- **Joint Council/P&Z Commission Meeting May 29, 2019.**
- **P&Z Commission Review – May 30, June 6, June 22.**





Kerr Community Center, Established 1914

Manage Growth

Adopt Interlocal Agreement that establishes standards for the City's ETJ in partnership with Bastrop County.





Multi-Modal

Improved mobility for all modes of transit to integrate the community through connectivity.

Paul Quinn AME Church, Established June 13, 1886





Copper Shot Distillery

Multi-Modal Mobility

Complete gaps in residential sidewalks for traffic safety in the downtown corridor.

- **Will kick-off project in October once Codes are finalized.**
- **Will follow street-design formats identified in the Code for sidewalk design and placement (unless filling gap of existing sidewalks).**





Bu-cee's Bastrop –
Sculpture designed and created by Clint Howard
at Deep in the Heart Foundry in Bastrop

Multi-Modal Mobility

Complete the downtown trail expansion in partnership with BEDC.

- **Scheduled to be bid in September.**
- **Construction – Late October/Early November.**
- **Completed – August/September 2020.**





Enjoying outdoor music at Neighbor's Kitchen & Yard

Multi-Modal Mobility

Address mobility challenges on west side of river on the north and south sides of SH 71.

- Submitted EDA Grant for Agnes Street Funding - \$1.5 million.
- Waiting to hear from EDA – All documentation has been submitted.





Southside Market & Barbeque – Established 1882

Organizational Excellence

Organize governance; progressive operational policies and procedures; employee and citizen volunteer recognition.





Porch Pickin' – First Friday of every month

Organizational Excellence

Develop an organization-wide strategy to be paperless by 2021.

- **All Ordinances, Resolutions, Agendas, & Minutes have been scanned.**
- **Permanent Annexation Records, Deeds & Easements – 40%.**
- **Building Plans & As-Built Drawings – 60%.**





Sip, Shop, & Swirl – Annually in February

Organizational Excellence

Complete City Hall Renovations

- **Bid Award – June 11th Council Meeting.**
- **Construction Completion - October.**





Organizational Excellence

Hire a Building Inspector and other key personnel funded in FY 2019.

- Additional P/T Receptionist ✓
- Planning & Zoning Planner ✓
- Building Inspector ✓
- Digital Media Manager ✓
- Community/Council Liaison –
(Waiting on City Hall Renovation
for space & furniture.)
- Assistant Main Street Director. ✓
- Two Police Officers. ✓





Organizational Excellence

Evaluate police vehicles for fleet replacement in FY 2020 including the establishment of evaluation criteria.





1832 Farmers Market – Open Saturdays 10 - 2

Unique Environment

Continue beautification of natural areas, parks, river, and landscape.





Bastrop Table on Main Street

Fiscal Responsibility

Support community-wide brand identity efforts led by Visit Bastrop.





Bu-gee's Bastrop

Other Notables

- **Great Places – APA Texas Award.**
- **W/WW AA- Bond Rating.**
- **Grandfathering Ordinance.**
- **Safe School Grant Submittal.**
- **2018 Texas Downtown Association “Spirit of Downtown” Presidents Award.**
- **Banking Depository Contract**
- **Aqua Water Partnership.**
- **Bought additional 3,000 acre-feet of water rights.**
- **2D Analysis on Gills Branch.**
- **Generators Installed Gills Branch & Central Lift Stations.**





Other Notables

- **Neogov (HR) – Up and running.**
- **Utility Customer Portal – Soft Launch.**
- **Transitioned to 100% in-house building inspections.**
- **Video Update/Server at Police Department.**
- **Completed Video Equipment Update of Council Chambers.**
- **5 times Fisherman Park been cleaned due to high river – 468.5 man-hours (Oct, Dec, Apr, May).**



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 5C

TITLE:

Review and discuss existing land-use chart to determine limitations or exclusions.

STAFF REPRESENTATIVE:

Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:

Building Bastrop launched on August 15, 2018 to create a new set of tools that will support the community in a responsible manner for generations to come. Building Bastrop is all about connecting people to policy. It is about humanizing an otherwise complicated and mundane process of rewriting the City's land-use regulations. The City of Bastrop is taking a journey, weaving together its history and the philosophies that define authentic Bastrop. It is about love, community pride, and defining the City's way of life. It's about Building Bastrop together, honoring our authentic past, and planning for our sustainable future.

City Council adopted a purpose statement and policy statement for Building Bastrop Codes at their February 26, 2019 regularly scheduled meeting. The purpose statement is as follows:

"Create a fiscally sustainable, timeless community through land-use regulations that are locally made (authentic Bastrop), geographically sensitive, and fiscally sustainable."

Building upon the purpose statement, the Council approved a policy statement to offer an explanation on key concepts that must be utilized for all development related codes to ensure clarity and consistency. The Building Bastrop Policy Statement provides clarity and consistency to all code revisions and rulemaking procedures that impact development in the City of Bastrop. The policy statement covers the following:

- What is Building Bastrop.
- Why Building Bastrop is important.
- Building Bastrop Purpose Statement.
- What the Purpose Statement really means.
- What the elements of Fiscally Sustainable are.

Permitted Uses are one element that require additional attention as the codes will focus more on building form rather than function. There may be some land-uses that are not appropriate in some Place Types or Character Districts within the new codes. City Council will need to provide staff with policy direction in order to appropriately regulate incompatible land-uses within the Place Types without compromising the intent of the codes.

POLICY EXPLANATION:

The City Council recognizes there will be certain components of the Building Bastrop Codes that are nonnegotiable in order to follow the policy and achieve the purpose of the codes as adopted by Council at their February 26, 2019 regularly scheduled meeting. There are also elements within the code, which include land-uses, that require additional attention and will require specific policy guidance from City Council in order to develop standards within the Bastrop Building Codes.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Review and discuss existing land-use chart to determine limitations or exclusions.

ATTACHMENT:

- Permitted Use Chart
- FBC Permitted Use Chart



USE CHART ZONING ORDINANCE CITY OF BASTROP, TEXAS

	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CT	C-1	C-2	IP	LI	PD	MHO
X = Permitted in District; = Prohibited in District; C = May be allowed with a Conditional Use Permit																					
Primary Residential Uses Sec. 36.2																					
Bed and Breakfast Inn or Facility	X	C	C	C	C	C	C	X	X		X	X	X	X	X	X	X			X	
Boarding or Rooming House								X	X		X	X	X	X						X	
Community Home (per State Statue)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fraternity or Sorority House								X	X		X	X	X	X							
Housing for the Elderly/Senior								X	X		X	X	X	X						X	
Manurfactured/HUD-Code Mobile Home	C	C	C	C	C					X										X	X
Manufacured Home Park										X										X	X
Mobile Home Subdivision										X										X	X
Multiple Family Dwelling (Apartment)									X		X	X	X	X						X	
Multiple Family Dwelling (Quadraplex)								X	X		X	X	X	X							
Patio Home (Zero Lot Line Dwelling)																				X	
Single Family Dwelling Attached						C	X	X	X					X						X	
Single Family Dwelling Detached		X	X	X	X	X	X	X	X	X				X	X					X	X
Two Family Dwelling (Duplex)						X	X	X	X											X	
Accessory and Incidental Uses Sec. 36.3																					
Accessory Building (Residential) +240 s.f. -	X	C	C	C	C	C	C	C	X		X	X	X	X	X	X	X		X	X	
Accessory Building (Residential) -240 s.f.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X
Accessory Building Non Residential (Bus/Ind)											X	X	X	X	X	X	X	X	X	X	
Caretaker's or Guard's Residence	X	C						X	X		X	X	X	X	X	X	X	X	X	X	X
Garage/Accessory Dwelling (See Sec 40.4)	X	X	C	C	C	C	C	X	X		X	X	X	X	X	X	X		X	X	
Home Occupation	See Definitions A-3, Home Occupation (123)																		See Def.		
	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X
Swimming Instruction as Home Occupation	C	C	C	C	C	C	C	C	C	C	X	X	X	X	X	X	X		X	X	C
Swimming Pool (Private)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	
Temp Field Office/Const.Yard or Office																					
Subject to Permit issued by Building Official																					
Tennis Court (Lighted)	C	C							C		X	X	X	X	X	X	X		X	X	C
Tennis Court (Private)(No Lights)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X

[illegible]

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[illegible][illegible]

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Educational, Institutional and Special Uses Sec. 36.6																					
Art Gallery/Museum											X	X	X	X	X	X	X			X	
Assisted Living Facility								C	X		X	X	X	X						X	
Cemetery/Musoleum	C										C	C	C	C		C	C		C	X	
Cemetery, Animal	C																			X	
Child Care Center w/ Church	C	C	C	C	C	C	C	C	C		X	X	X	X		X	X			X	
Child Care Center/Day Care Center									C		X	X	X	X		X	X	C	C	X	
Church, Rectory or Temple	C	C	C	C	C	C	C	C	X	X	X	X	X	X	X	X	X		X	X	X
College/University	C	C	C	C	C	C	C	C	C	C	X	X	X	X	X	X	X	X	X	X	C
Community Center (Public)	X										X	X	X	X	X	X	X			X	X
Continuing Care Retirement Community									C		X	X	X	X		X	X			X	
Convent/Monastery	C	C	C	C	C	C	C	C	C	C	X	X	X	X		X	X			X	C
Fairgrounds/Exhibition Area	C																		C	X	
Family Home (Child Care)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X
Fraternal/Lodge/Union/Hall/Civic Center	C										C	C	X	X		X	X		X	X	
Group Daycare Center	C							C	C	C	X	X	X	X		X	X			X	C
Hospital, Acute Care	C										X	X	X	X		X	X			X	C
Hospital, Chronic Care	C										C	C	X	X		X	X			X	
Institution for Alcoholic, Narcotic, Psychiatric	C										C	C	C	C		C	C			X	
Institution for Religious, Charitable or Philanthropic Nature	C								C	C	X	X	X	X		X	X			X	
Kindergarten/Nursery School (Private)	C							C	C	C	C	X	X	X		X	X			X	C
Non Profit Activities by a Church	C							X	X	X	X	X	X	X	X	X	X			X	X
Rehab Care Facility (Halfway House)								C	C		C	C	C	C		C	C			X	
Retirement Housing for the Elderly							X	X	X		X	X	X	X						X	
School Driving/Defensive Driving													X	X		X	X		X	X	
School Private (Primary/Secondary)	C							C	C	C	C	X	X	X		X	X			X	
School, Business													C	C		X	X	C	C	X	
School, Commercial Trade													C	C		X	X	C	C	X	
School, Federally Funded Preschool Pgrm.	C	C	C	C	C	C	C	C	X		X	X	X	X		X	X		X		

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Educational, Institutional and Special Uses Sec. 36.6																					
School, Public/Parochial	X	C	C	C	C	C	C	C	X	X	X	X	X	X	X	X	X		X	X	X
Seasonal Uses (Temporary)	C										C	C	C	C	C	C	C		C	C	
Skilled Nursing Facility									C		X	X	X	X	C	X	X			X	
Transportation Related Uses Sec. 36.7																					
Airport/Landing Field	C																		C	X	
Bus Station/Other Terminal of Similar Nature														C	C	X	X		X	X	
Hauling/Storage Co w/outside Storage																	X		X	X	
Heliport	C																C		C	X	
Helistop	C															C	C	C	C	C	
Motor Freight Company																	X	C	X	X	
Parking Lot/Structure Commercial-Auto													C	C	C	X	X		X	X	
Parking Lot, Truck/Trailers																	X		X	X	
Tractor Sales																	X		X	X	
Automobile and Related Uses Sec. 36.8																					
Auto Accessory Installation, Minor														C		C	X		X	X	
Auto Financing/Leasing(No outdoor lot/display)											C	C	X	X		X	X		X	X	
Auto Glass/Seat Cover/Upholstery/Muffler Shop																C	X		X	X	
Auto Laundry/Car Wash																C	X		X	X	
Auto Painting/Body Rebuilding Shop																	X		X	X	
Auto Parts/Accessory Sales (Indoor)													C	X		X	X		X	X	
Auto Rental														C		C	X		X	X	
Auto Repair, Major																	X		X	X	
Auto Repair, Minor														C		C	X		X	X	
Auto Storage/Auto Auction																				X	
Automotive Gasoline/Motor Fuel Service Station														C		C	X		X	X	
Boat Sales																C	X		X	X	
Motorcycle Sales/Repair																C	X		X	X	
New/Used Auto Sales																C	X		X	X	

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Automobile and Related Uses Sec. 36.8																					
RV/Camper Sales																C	X		X	X	
Tire Dealership														C		C	X		X	X	
Trailer/Heavy Load Vehicle Repair																	X		X	X	
Trailer/Truck Rental																	C		X	X	
Used Auto Sales																	X		X	X	
Window Tinting, Auto																C	X		X	X	
Office and Professional Uses Sec. 36.9																					
Accountant/Bookkeeping Office											X	X	X	X	X	X	X			X	
Architect's Office											X	X	X	X	X	X	X			X	
Armed Services Recruiting Center											X	X	X	X	X	X	X			X	
Bank/Savings&Loan/Credit Union/Brokerage											C	C	X	X	X	X	X			X	
Check Cashing Service/Loan Agency												C	C	C	C	X	X			X	
Dental Clinic/Laboratory/Office											X	X	X	X	X	X	X			X	
Medical Clinic or Office											X	X	X	X	X	X	X			X	
Medical Laboratory												C	C	C	C	X	X			X	
Minor Medical Emergency Clinic											C	C	X	X	X	X	X			X	
Mortgage/Loan Agency											C	X	X	X	X	X	X			X	
Offices, General Business/Professional											X	X	X	X	X	X	X			X	
Optician/Optomertist											X	X	X	X	X	X	X			X	
Radio/TV Broadcasting w/o Tower											C	X	X	X	X	X	X			X	
Real Estate Office											X	X	X	X	X	X	X			X	
Telemarketing Agency											C	C	C	C	C	C	C			X	

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Retail and Service Type Uses Sec. 36.10																					
Animal Humane Society	C																C		X	X	
Antique Shop/Sales Indoor												C	X	X	X	X	X			X	
Appliance Rental													X	X		X	X			X	
Art Supply Store												X	X	X	X	X	X			X	
Bakery/Confectionery Shop (Retail)											X	X	X	X	X	X	X			X	
Banking, Automatic Teller Only											X	X	X	X	X	X	X			X	
Barber Shop/Hair Salon											X	X	X	X	X	X	X				
Book/Stationery/Newstand Shop												X	X	X	X	X	X			X	
Building Material/Hardware/																X	X		X	X	
Home Improvement (Indoor)																					
Building Material/Hardware/																C	X		X	X	
Home Improvement (Outdoor)																					
Celluar Phone/Pager Sales (Indoor)												C	X	X	X	X	X		X	X	
Cleaning Plant (Commercial/Wholesale)																	X		X	X	
Cleaning Shop/Laundry Pick-up												X	X	X	X	X	X			X	
Self-Service (Small Shop)																					
Computer Sales												C	X	X	X	X	X			X	
Consignment Store												C	X	X	X	X	X			X	
Copy Shop											C	C	X	X	X	X	X			X	
Custom Personal Service Shop											C	C	X	X	X	X	X			X	
Discount/Department Store													X	X	X	X	X			X	
Donut Shop												X	X	X	X	X	X			X	
Drapery/Needlework/Weaving Shop													X	X	X	X	X			X	
Drug Store/Pharmacy											C	X	X	X	X	X	X			X	
Florist Shop											C	X	X	X	X	X	X			X	
Food/Beverage Sales Store w/Gasoline												C		C		X	X		X	X	
Food/Beverage Sales Store w/o Gasoline												X	X	X	C	X	X		X	X	
Food Store												C	X	X	X	X	X		X	X	
Funeral Home/Mortuary												C	C	X		X	X			X	

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Retail and Service Type Uses Sec. 36.10																					
Furniture,Home Furnishings/Appliance														X	X	X	X			X	
Garden Shop												C	C	X	X	X	X			X	
Greenhouse/Plant Nursery w/Outside														X	X	X	X			X	
Display of Plants (Retail)																					
Handicraft/Art Object Sales Shop												C	X	X	X	X	X			X	
Hardware Shop/Store													C	X	X	X	X			X	
Hobby Shop												C	X	X	X	X	X			X	
Household Appliance Service/Repair														X	X	X	X			X	
Ice Cream/Yogurt Sales												X	X	X	X	X	X			X	
Incidental/Accessory Retail/Service Uses												X	X	X	X	X	X			X	
Key Shop												X	X	X	X	X	X			X	
Kisok											C	C	C	C	C	C	C			X	
Laundromat/Self Service Washateria												C	X	X	C	X	X			X	
Medical Appliances,Fitting,Sales/Rental											X	X	X	X	C	X	X			X	
Metal Recycling Center																	C		C	X	
Mini-Warehouse																	C		X	X	
Off-Premises Sales Office													X	X	X	X	X				
Pawn Shop																	X		X		
Pet Shop/Grooming												C	X	X	C	X	X			X	
Restaurant/Drive Thru													C		C	X	X			X	
Restaurant/Cafeteria (Not a Drive Thru)												C	X	X	X	X	X			X	
Restaurant/Eating Place (Drive In Service)													X	X	X	X	X			X	
Retail Shop/Apparel/Gift/Accessory Similar												X	X	X	X	X	X			X	
Securtiy Systems Installation Company													X	X	X	X	X			X	
Silk Screening Studio/Tee-Shirt Shop													X	X	X	X	X			X	
Studio/Decorator/Artist/Photographer											C	X	X	X	X	X	X			X	
Studio/Health/Reducing Service (or Similar)											C	X	X	X	X	X	X			X	
Studio/Music/Dance/Drama											C	X	X	X	X	X	X			X	

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Retail and Service Type Uses Sec. 36.10																					
Temp Outdoor Retail Sales Commercial													C	X	X	X	X			X	
Tool/Light Equipment Rental (Indoor)													C	X	C	X	X			X	
Travel Bureau/Travel Consultant											X	C	X	X	X	X	X			X	
Trophy Sales/Engraving													X	X	C	X	X			X	
Used Merchandise/Second Hand Thrift														C	C	X	X			X	
Used Merchandise/Second Hand(non profit)														C	C	X	X			X	
Vacuum Cleaner Sales and Repair													C	X	C	X	X			X	
Variety Store/Similar Retail Outlet													X	X	X	X	X			X	
Vet Hospital (Inside Animal Pens Only)	C												X	X	C	X	X			X	
Vet Hospital (Outside Animal Pens Only)	C															C	X		X	X	
Veterinarian Office (No Animal Hospital)	C										C	X	X	X	C	X	X			X	
Wallpaper/Flooring/Carpet Store													C	X	C	X	X			X	
Commercial Type Uses Sec. 36.11																					
Alcoholic Beverage Establishments (Beer																					
Wine) See Bastrop Code 4.100																					
Alcoholic Beverage Establishments																					
(Liquor) See Bastrop Code 4.100																					
Ambulance Service																X	X			X	
Bakery/Confectionery Shop (Commercial)														C		X	X		X	X	
Bakery/Confectionary Ship (Wholesale)														C		X	X	X	X	X	
Book Binding																	X	X	X	X	
Bottling Works																	X	X	X	X	
Cabinet Shop														C			X	X	X	X	
Clothing/Similar Light Manufacturing																	X	X	X	X	
Contractor Shop w/Outside Storage Yard																	C		C	X	
Distribution Center																		X	X	X	
Drapery/Furniture Upholstery Shop														C		X	X	X	X	X	
Dyeing/Laundry Plant (Commercial)																	X	X	X	X	
Equipment Rental (Heavy)																	C		X	X	

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Commercial Type Uses Sec. 36.11																					
Equipment Sales (New/Used)																	C		X	X	
Feed/Grain Store																X	X		X	X	
Flea Market (Indoor)																C	X		X	X	
Food Processing Plant																	C		X	C	
Furniture Manufacture/Refinishing Shop														C			X		X	X	
Heating/AC Sales																X	X		X	X	
Heavy Machinery Sales Storage																	X		X	X	
Kennel (Indoor Pens)	C															X	X		X	X	
Kennel (Outdoor Pens)	C																C		X	X	
Labortatory Equipment Manufacturing																	X	X	X	X	
Labortatory Scientific/Research																	X	X	X	X	
Landscaping Service/Construction																	X		X	X	
Light Manurfacturing/Assembly Processes																	X	X	X	X	
Lithorgraphic/Print Shop														C		X	X	X	X	X	
Maintenance/Repair Service for Buildings																	X		X	X	
Manufactured or Lt. Industrialized Home New																	C		X	X	
Manufactured or Lt. Industrialized Home Used																	C		X	X	
Milk Depot, Dairy/Ice Cream Plant																	X	X	X	X	
Motel/Hotel (Less than 75 Rooms)													C	C	X	X	X			X	
Motel/Hotel (More than 75 Rooms)														C	C	X	X			X	
Newspaper Printing																	C	X	X	X	
Office Showroom														C	C	C	X	C	X	X	
Office Warehouse																	X	X	X	X	
Open Storage/Display/Work Area for																	X		X	X	
Merchandise or Machinery																					
Paint Shop														C		C	C	C	X	X	
Palm Reader/Card Reader																	X		X	X	
Plumbing Shop																	X		X	X	

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Commercial Type Uses Sec. 36.11																					
Portable Building Sales (Outdoor Display)																	C		X	X	
Printing Company														C		C	X		X	X	
Propane Sales (Retail)																C	X		X	X	
Taxidermist																X	X		X	X	
Tinsmith/Sheet Metal Shop																	X		X	X	
Welding/Machine Shop																	X		X	X	
Industrial and Related Uses Sec. 36.12																					
Animal Rendering Plant																			C		
Any Use Which Could Potentially Create A																			C		
Problem To The Enviroment Due To																					
Emmissions, Odor,Noise, Etc																					
Cement/Hydrated Lime Plant																			C		
Concrete/Asphalt Batching Plant (Perm)																			C		
Concrete/Asphalt Batching Plant (Temp)																	C		C		
With 6 Month, With One Extension																					
Grain Elevator	C																		C		
Hatcheries	C																		C		
High Risk/Hazardous Industrial Mnfctrng.																			C		
Wholly Enclosed Within a Bldg See 31.2																					
High Risk/Hazardous Industrial Mnfctrng.																					
Not Wholly Enclosed Within Building																					
Light Manufactruing/Industrial Use as																		X	X	X	
Defined in Appendix A-3																					
Livestock Auction Facilities	C																		C		
Low Risk Industrial Manufacturing Not																			C	X	
Wholly Enclosed Within a Building																					
Low Risk Industrial Manufacturing Wholly																		C	C	X	

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Industrial and Related Uses Sec. 36.12																			
Enclosed Within A Building																			
Petroleum Storage/Collection Facilities																C			
Sand/Topsoil/Gravel/Stone/Petroleum	C															C	X		
Extraction or Storage																			
Sexually Oriented Business (See 43.9)																C			
Slaughtering Facilities																C			
Smelter/Refinery/Chemical Plant																C			
Storage/Wholesale Warehouse																X	X		
Wrecking Yard																C			

Table 5-1 – Schedule of Uses

P=Permitted

NP= Not Permitted

P/C= Permitted as a Conditional Use

Character Zone	Historic Main Street	Downtown Mixed Use	Civic / Cultural Arts	Commercial Mixed Use	Live-Work	Neighborhood	Neighborhood Transition	Neighborhood Tourism	Neighborhood Professional Office	Neighborhood Services
Land Use										
Commercial Uses (Office, Retail, Sales and Service Uses)										
Retail Sales or Service <u>with no drive through facility</u> (includes alcohol sales*).	P	P	P	P	P/C	NP	NP	P/C	NP	P/C
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales and alcohol sales*).	NP	P/C	P/C	P	NP	NP	NP	NP	NP	NP
Retail establishments with incidental sales, no onsite food preparation or alcohol sales*. Also included in this category are facilities for occasional events.	P	P	P	P	P	NP	NP	P	P	P
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u> . Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages*.	P	P	P	P	P/C	NP	NP	P/C	NP	P/C
Art, antique, museum, furniture or galleries (retail, repair or fabrication; excludes auto or electronics sales or service)	P	P	P	P	P	NP	NP	P	P	NP
Theater, cinema, or music venue	P	P	P	P	NP	NP	NP	P/C	NP	NP
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u>	P	P	P	P	P	NP	NP	NP	P	NP
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.	P	P	P	P	P	NP	NP	NP	P	NP
Auto-related Sales establishments ¹	P	P	P	P	NP	NP	NP	NP	NP	NP
Pet and animal sales or service ¹	P	P	P	P	P	NP	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	P	NP	NP	P/C	P	P/C
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P	P	P

¹ No Outside Operations Permitted

*See Bastrop Zoning Code 4.100 [Art. 4.02]

Table 5-1 – Schedule of Uses

P=Permitted

NP= Not Permitted

P/C= Permitted as a Conditional Use

Character Zone	Historic Main Street	Downtown Mixed Use	Civic / Cultural Arts	Commercial Mixed Use	Live-Work	Neighborhood	Neighborhood Transition	Neighborhood Tourism	Neighborhood Professional Office	Neighborhood Services
Educational, Public Administration, Health Care and Other Institutional Uses										
Business associations and professional membership organizations	P	P	P	P	P	NP	NP	NP	P	NP
Child day care and preschools	P	P	P	P	P	NP	NP	NP	P	P/C
Schools, libraries, community/civic facilities and religious institutions	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Universities and Colleges and Technical, trade, and specialty schools	NP	P	P	P	NP	NP	NP	NP	NP	NP
Hospitals and nursing establishments	NP	P	P	P	NP	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	P	NP	NP	NP	P	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP	P	NP
Funeral homes	NP	P	P	P	NP	NP	NP	NP	NP	NP
Residential Uses										
Single Family Residential	NP	P	P	NP	P	P	P	P	P	P
Accessory Building Residential Unit (Garage Apt.)	P	P	P	NP	P	P	P	P	P	P
Multi-Unit Home	NP	P	P	P	P	NP	P	P	P	NP
Single-family residential attached dwelling unit (Townhomes)/ Patio Home, Duplex	NP	P	P	P	P	NP	P	P	NP	NP
Multi-family Residential Ground floor *See Section 7.4	P*	P	P	P	P	NP	P	NP	NP	NP
Multi-family Residential Upper floors	P	P	P	P	P	NP	P	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	P	P	P
HUD manufactured housing	NP	P/C	P/C	NP	P/C	P/C	P/C	P/C	P/C	P/C
Manufacturing, transportation, communication, and utility uses										
Auto Service Establishment	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Brewery, Distillery and Winery	P/C	P/C	P/C	P/C	NP	NP	NP	P/C	NP	NP

Table 5-1 – Schedule of Uses

P=Permitted

NP= Not Permitted

P/C= Permitted as a Conditional Use

Character Zone	Historic Main Street	Downtown Mixed Use	Civic / Cultural Arts	Commercial Mixed Use	Live-Work	Neighborhood	Neighborhood Transition	Neighborhood Tourism	Neighborhood Professional Office	Neighborhood Services
Commercial food, textile and product manufacturing	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	P	P	P	P	NP	NP	NP	NP	NP	NP
Wholesale trade establishment/ Warehouse and Storage Services	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	P/C	P/C	NP	NP	NP	NP	NP	NP
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc)	P	P	P	P	NP	NP	NP	NP	NP	NP
Utilities and utility services (electric, natural gas, alternative)	P	P	P	P	P	P	P	P	P	P
Other Uses										
Hotel (45 or fewer rooms)	P	P	P	P	NP	NP	NP	P/C	NP	NP
Hotels (more than 45 rooms)	NP	NP	P	P	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer rooms and owner managed)	P	P	P	P	P/C	P/C	P/C	P/C	P/C	P/C
Parking, structured	NP	P	P	P	NP	NP	NP	NP	NP	NP
Veterinary clinic with Outdoor Services	NP	NP	NP	P	NP	NP	NP	NP	NP	NP



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 5D

TITLE:

Update on Pop-Up Presentation scheduled for June 8, 2019.

STAFF REPRESENTATIVE:

Rebecca Gleason, Main Street Manager

BACKGROUND/HISTORY:

With the launching of Building Bastrop in August 2018, the City, along with its Consultant Team, have been writing its building codes to ensure that future development in Bastrop is fiscally sustainable, geographically sensitive, and authentic Bastrop. The Building Bastrop process began by studying the DNA of Downtown, which serves as an important foundation for the new codes. Key code elements a series of gridded blocks, timeless design, and a loveable and walkable place, all included to provide for Bastrop's fiscally sustainable future. With the Code update nearly finished, it is time demonstrate some of these elements in the \$1.9 million Main Street Rehabilitation Project, which will serve as a catalyst project.

A Building Bastrop Pop-Up Event has been scheduled for June 8th, 2019 from 9:00 am - 2:00 pm in order to bring the codes to life for our community. We will be showcasing for the public our extended sidewalks, enhanced landscaping, sidewalk cafes, and public art. We will be collecting community input through two Dreaming of Bastrop chalk boards (Visitor Center & Museum and at the CARTS table at Spring and Main) along with four comment card stations (Ferry Park, Visitor Center & Museum, the Education Center, and the CARTS table at Spring Street and Main Street). One of the comment cards will be randomly drawn to win a donated Yeti Cooler. The Education Center will be at The Hub (913 Main Street) and include educational items from previous Code Rodeos.

The Main Street Program has partnered with Building Bastrop to host a Summer in the City event during the same time to help the community to see how we will use our revised community space. This will include a Kid's Zone at Ferry Park with a children's musician, face painting, Bastrop coloring pages, and a bounce house. We will also have musicians throughout the day at the Visitors Center & Museum as well as the North side of Main Street. We have partnered with the 1832 Farmer's Market and Community Gardens to bring farmer's market vendors along Main Street and will be hosting a scavenger hunt among our local businesses to help spur traffic through their doors. We have also partnered with the Lost Pines Art Center to infuse the space with public chalk art to bring color into our historic downtown for the day.

The event will take place along Main Street from Spring down to Water Street. Main Street will be open throughout the entire event although we will be closing the street, at 1:00 am on Saturday morning and reopening at 8:00 am or once the installation is complete.

Main Street Manager Rebecca Gleason has sent an email alerting the entire Main Street District of the event. She has also walked along and visited with all businesses from Spring Street to Walnut Street. Notifications of overnight street closure have been emailed to the entire Main Street District, hand delivered to all Main Street businesses from Farm Street to Water Street, and door hangers have been placed on all resident's doors from Farm Street to Water Street.

Official Community Partners for the event include the YMCA, Community Gardens, The 1832 Farmer's Market, Graystone Gardens, Bastrop Visitor's Center & Museum, and the Art Pines Art Center.

ATTACHMENT:

- PowerPoint Presentation



Update on Pop-Up Presentation



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.



June 8th, 2019 9:00 am – 2:00 pm



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

THE BASTROP MAIN STREET PROGRAM PRESENTS

**SUMMER
IN THE CITY**





POP-UP EVENT



	Item	Location
A-1	CARTS stop	Spring & Main
A-2	Farmer's Market Vendors	1015 OR 1017 Main
SC-A	Group Seating Area	Anita's, Simply Sweet, Pit Stop, Bastrop Beer Co, Paw Paw's
A-3	Farmer's Market Vendors	922 Main
A-4	Chamber Bistro Sets and Games	927 Main
A-5	EDC Vacant Space	921 Main
A-6	Edu Center	913 Main
SC-B	Maxine's Parklet	905 Main
A-7	Visitor's Center & Museum	904 Main
SC-C	Ma'Coco Parklet	813 Main
SC-D	Food Truck & Parklet	704 Main
A-8	Kids Zone	Ferry Park



Building Bastrop Pop-Up

- Expanded Sidewalks
- Benches
- Increased Landscaping
- Multi-Mobility



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.



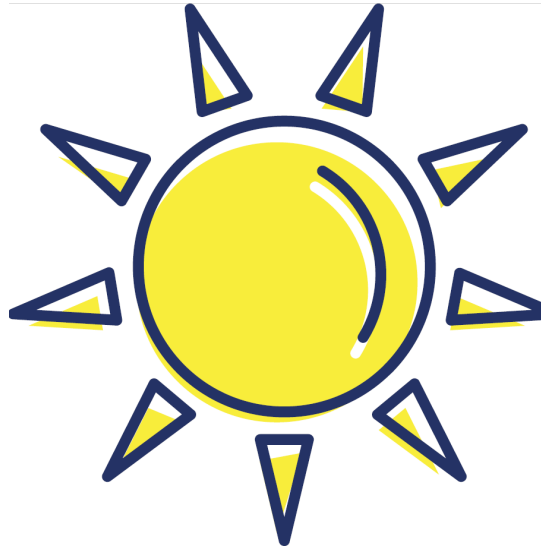
Main Street Summer in the City

- Ferry Park Kid Zone
- Musicians
- Games
- Scavenger Hunt



Ferry Park

- Bounce House
- Mr. Will 9:30; 10:30
- Ms. Poppy the Clown
- Coloring Station



**MS. POPPY
THE CLOWN**



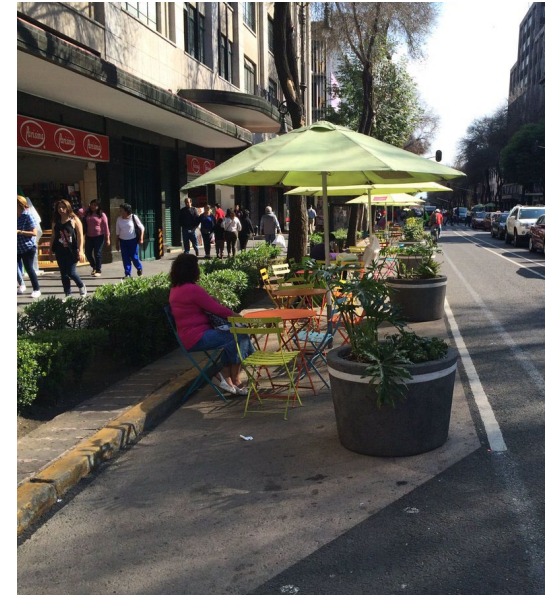
Bastrop Museum and Visitor's Center

- Dreaming of Bastrop Board
- Music TBD
- Texas Love Birds

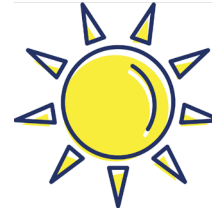


Sidewalk Cafes

- Sidewalk Café A- "The Lounge"
(The Pit Stop, Bastrop Beer Co., Paw Paw's)
- Sidewalk Café B-
(Maxine's Café & Bakery)
- Sidewalk Café C-
(Ma'Coco)
- Sidewalk Café D-
(Gourdough's Donuts)



Farmer's Market Vendors



- Green Gate Farms
- Green Acre
- Radiant Mama
- Grammy's County Kitchen & Farm



Musicians

- Ferry Park
Mr. Will 9:30; 10:30
- Bastrop Museum & Visitor's Center
TBD 9:00-10:30
Texas Love Birds 12:00-1:30
- North Main
TBD 11:00-1:30



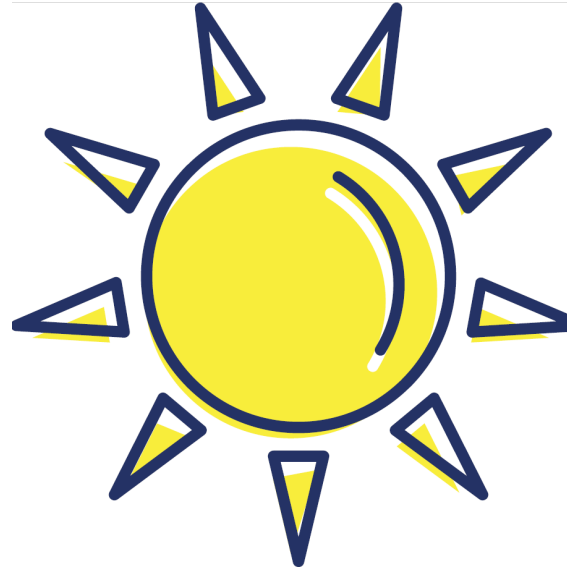
Landscaping

- Sidewalk Cafes
- Crosswalks
- Bump Outs
- Street Trees



Public Art

- Crosswalks
- Selfie Installations
- Sidewalk Art



**FUTURE
SIDEWALK**



LOST PINES

Art Center

BASTROP • TEXAS



BASTROPTX
Heart of the Lost Pines / Est. 1832

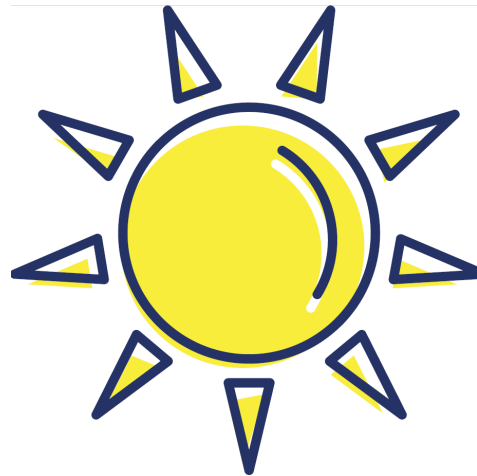
Edu Center- The Hub

- Code Rodeo Materials
- Building Bastrop Postcards
- City of Bastrop Planning Department
- Mayor Connie Schroeder



Community Feedback

- Dreaming of Bastrop Board
- Edu Center
- Building Bastrop Postcards



Community Partners



Questions ?



BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

THE BASTROP MAIN STREET PROGRAM PRESENTS

**SUMMER
IN THE CITY**





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 5E

TITLE:

Provide an update on the Chicken Relocation Project in Downtown Bastrop, Texas.

STAFF REPRESENTATIVE:

James K. Altgelt, Director of Public Safety/Chief of Police



Chicken Relocation Project Update



Progress / Changes Since May 14, 2019

Awaiting Newspaper Publication of
Updated Ordinance Number 2019-15



Progress to Date

From March 2018 through today at noon,
XXX chickens
have been captured, transported, and
relocated.

- XX hens
- XX chicks
- XX roosters



Monthly Breakdown

Month	Hens	Chicks	Roosters	Monthly Total	Grand Total
March – December 2018	46	26	27	99	99
January 2019	0	0	0	0	99
February 2019	3	0	0	3	102
March 2019	13	6	14	33	135
April 2019	19	32	26	77	212
May 2019	X	X	X	X	XXX

QUESTIONS ?





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 6A

TITLE:

Receive Monthly Development Update.

STAFF REPRESENTATIVE:

Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:

The Planning and Development Department's mission is preserving the past, while facilitating growth and quality of life in harmony with the vision for the City of Bastrop's future. The purpose of the department is to maximize community strengths and minimize weaknesses; protect property rights and enhance property values; anticipate growth and provide adequate public facilities and services; balance economic growth with quality of life issues; and avoid unmanageable concentrations or dispersal of population.

POLICY EXPLANATION:

Regular update for City Council and community regarding planning and development related items.

ATTACHMENT:

- PowerPoint presentation



PLANNING & DEVELOPMENT



Monthly Development Update



Planning and Development

Mission and Purpose

Mission:

Preserving the past while facilitating growth and quality of life in harmony with the vision for the City of Bastrop's future.

Purpose:

To maximize community strengths and minimize weaknesses; protect property rights and enhance property values; anticipate growth and provide adequate public facilities and services; balance economic growth with quality of life issues; and avoid unmanageable concentrations or dispersal of population.



April - May Activity Matrix

	March - April	FYTD
Counter Visits	172	1,302
Permits Issued	68	549
Pre-Application Meetings	23	120

Moratorium Metrics

Total Permits Issued	675
Trade	513
Building (Residential & Commercial)	162
Exception Applications	25
Exception Letters Issued	26
Exemption Applications	48
Exemptions Approved	46
Pre-Submission Meetings Held	137
Pre-Submission Meetings Scheduled For Upcoming	5

**As of May 15, 2019*



New Certificate of Occupancy

- **Hunter's Crossing Apartments – 1006 Home Depot Way**
 - **Building 2**
- **Mike Fisher Building – 9-1-1 Call Center – 1501 Business Pkwy**
- **Astro Record Store – 705 Pine Street**



Ongoing Commercial Projects

- **Stem and Stone – 1007 Chestnut**
 - **Estimated Completion June 2019 - 90% complete**



Ongoing Commercial Projects

- **Home Goods – 753 C HWY 71 W**
- **Estimated Completion July 2019 – 80% complete**



Ongoing Commercial Projects

- **Seton Hospital – 630 HWY 71 W**
- **Estimated Completion October 2019 – 60% complete**



Ongoing Commercial Projects

- **365 Mini Storage – 510 HWY 71 W**
- **Estimated Completion December 2019 – 25% complete**



Ongoing Commercial Projects

- **Lost Pines Professional Building – 711 Old Austin Highway**
- **Estimated Completion September 2019 – 50% complete**



Residential Projects

- **Pecan Park**
 - **151 lots**
- **Piney Creek Bend**
 - **77 lots**
- **The Preserve at Hunter's Crossing**
 - **140 units**
- **Hunter's Crossing Apartment Homes**
 - **182 units**



Training and Certifications

David Brasich

- **Attended training and passed testing**
- **International Code Council (ICC)**
 - **Fire Inspector I**
 - **Fire Inspector II**



Events

- **Chamber of Commerce Luncheon**
- **Quarterly Employee Luncheon**
- **May 9th Code Rodeo**





BUILDING BASTROP

HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

Questions or Comments?





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 6B

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending April 30, 2019.

STAFF REPRESENTATIVE:

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.

POLICY EXPLANATION:

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, adopted in conjunction with the FY2019 budget on September 25, 2018.

FUNDING SOURCE:

N/A

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending April 30, 2019

CITY OF BASTROP

Comprehensive Monthly Financial Report

April 2019



Performance at a Glance as of April 30, 2019



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY	POSITIVE	Page 4-5
GENERAL FUND REV VS EXP	POSITIVE	Page 6
SALES TAXES	POSITIVE	Page 7
PROPERTY TAXES	POSITIVE	Page 8
WATER/WASTEWATER FUND REV VS EXP	POSITIVE	Page 9
WATER/WASTEWATER REVENUES	POSITIVE	Page 10
ELECTRIC FUND REV VS EXP	POSITIVE	Page 11
ELECTRIC REVENUES	WARNING	Page 12
HOT TAX FUND REV VS EXP	POSITIVE	Page 13
HOTEL OCCUPANCY TAX REVENUES	POSITIVE	Page 14
Legal fees	N/A	Page 15
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	

COMPREHENSIVE MONTHLY FINANCIAL REPORT – April 2019

ECONOMIC INDICATORS	April 30, 2019— NEWS FOR YOU
ECONOMY	
<u>National:</u>  Real gross domestic product (GDP) increased at an annual rate of 3.2% in the 1st quarter of 2019. This is up from 2.2% from 4th quarter 2018. The personal income increased by .1% in Mar. 2019 after increasing in Feb. 2019 by .2%. (All of these reported by the Bureau of Economic Analysis.) <u>U.S. Retail Sales:</u>  Down .2% in Apr. 2019 <u>Texas Retail Sales:</u>  This index is a single summary statistic that sheds light on the future of the state's economy. The index is a composition of eight leading indicators. The index is at 127.30 in Mar. 2019, up .25% from Feb. 2019 and down 1.76% from one year ago.	Attached is the Comprehensive Monthly Financial report for April 2019. This is 7 month of FY2019, or 58% of the fiscal year is complete. <u>Revenues:</u> Overall, the City has earned \$22,484,495. This amount is 58% of the approved budget of \$38,755,937 and is 1.3% higher than the amount forecasted through the month of April. <u>Expense:</u> Overall, the City has spent 11.2% less than forecasted.
UNEMPLOYMENT	Noteworthy
<u>State-wide:</u>  The state unemployment is 4% in Mar. 2019 which is up from Dec. 2018. <u>Bastrop:</u>  Bastrop County has an unemployment rate of 3.0% in Mar. 2019 which is down from 3.4% in Feb. 2019.	N/A

COMPREHENSIVE MONTHLY FINANCIAL REPORT – April 2019

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2019 Budget</u>	<u>FY2019 Forecast</u>	<u>FY2019 YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 11,509,784	\$ 7,912,219	\$ 7,961,635	0.6%
Designated	58,100	30,267	37,710	24.6%
Innovation	763,825	270,564	279,367	3.3%
Street Maintenance	1,106,000	1,103,500	1,113,822	0.9%
Debt Service	2,637,663	1,929,764	1,949,290	1.0%
Water/Wastewater	5,707,190	2,977,503	3,006,923	1.0%
Water/Wastewater Debt	2,235,643	972,971	976,991	0.4%
Water/Wastewater Capital Proj	155,000	90,417	104,078	15.1%
Impact Fees	509,600	251,267	217,558	-13.4%
Vehicle & Equipment Replacement	611,563	448,287	457,062	2.0%
Electric	7,721,040	3,759,301	3,703,771	-1.5%
HOT Tax Fund	3,571,246	1,874,879	1,957,469	4.4%
Library Board	20,550	9,488	11,011	16.1%
Park/Trail Land Dedicaiton (1)	102,791	250	1,366	446.4%
Cemetery	113,700	48,500	52,939	9.2%
Capital Bond Projects	75,000	43,750	73,442	67.9%
Grant Fund	1,416,576	53,500	54,171	1.3%
Hunter's Crossing PID	440,666	427,896	525,890	22.9%
TOTAL REVENUES	\$ 38,755,937	\$ 22,204,323	\$ 22,484,495	1.3%

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

Expense:

(1) Budgeted
revenue was
received at end of
FY18

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2019 Budget</u>	<u>FY2019 Forecast</u>	<u>FY2019 YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 11,519,785	\$ 6,417,907	\$ 6,144,668	-4.3%
Designated	535,150	108,421	66,804	-38.4%
Innovation	2,210,488	993,349	791,447	-20.3%
Street Maintenance	566,797	20,000	16,137	-19.3%
Debt Service	2,716,641	644,287	644,413	0.0%
Water/Wastewater	5,821,984	3,327,424	3,235,234	-2.8%
Water/Wastewater Debt	1,425,805	402,430	385,862	-4.1%
Water/Wastewater Capital Proj.	2,582,500	623,102	538,087	-13.6%
Impact Fees	710,242	29,115	28,050	-3.7%
Vehicle & Equipment Replacement	423,764	28,500	27,378	-3.9%
Electric	8,192,778	4,473,760	4,237,659	-5.3%
HOT Tax Fund	3,929,045	2,178,260	2,030,884	-6.8%
Library Board	21,475	12,527	3,786	-69.8%
Park Dedication	107,977	-	-	0.0%
Cemetery	97,480	54,122	42,599	-21.3%
Hunter's Crossing PID	112,720	76,170	89,284	17.2%
Capital Projects (Bond)	5,551,132	3,116,660	1,703,639	-45.3%
Grant Fund	1,416,576	231,526	210,632	-9.0%
TOTAL EXPENSES	\$ 47,942,339	\$ 22,737,560	\$ 20,196,563	-11.2%
Surplus/(Shortfall)	\$ (9,186,402)	\$ (533,237)	\$ 2,287,932	-529.1%

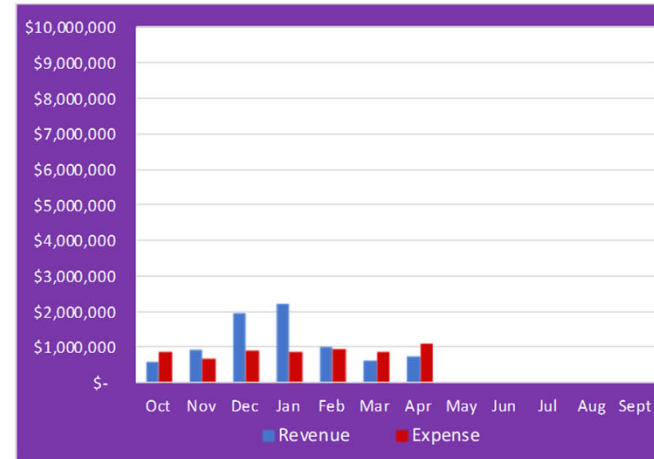
POSITIVE	= Negative variance or positive variance < 1% compared to forecast
WARNING	= Positive variance of 1-5% compared to forecast
NEGATIVE	= Positive variance of >5% compared to forecast

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES

Month	FY2019 Revenue	FY2019 Expense	Monthly Variance
Oct	\$ 579,372	\$ 860,860	\$ (281,488)
Nov	911,134	664,939	\$ 246,195
Dec	1,937,802	897,305	\$ 1,040,497
Jan	2,180,486	846,227	\$ 1,334,259
Feb	998,718	931,640	\$ 67,078
Mar	611,908	864,243	\$ (252,335)
Apr	742,215	1,079,453	\$ (337,238)
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 7,961,635	\$ 6,144,667	\$ 1,816,968
Cumulative Forecast	\$ 7,912,219	\$ 6,417,907	\$ 1,494,312
Actual to Forecast \$	\$ 49,416	\$ 273,240	\$ 322,656
Actual to Forecast %	0.62%	4.26%	4.88%



POSITIVE

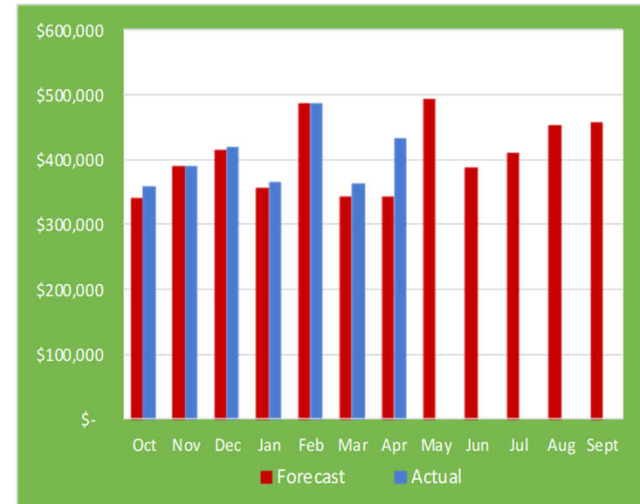
Cumulatively overall, the General Fund is better than forecasted for this time of year. The fund is net positive ~5%. The budget included a salary savings credit of \$172,000 anticipating that it would take time to fill the new budgeted positions and savings from turnover. As of April 30th we have exceeded the salary savings adopted in the budget and will be submitting a budget amendment to move the excess into contingency. The positive variance between forecast and actual is timing of expense. Staff has spent significant time trying to anticipate when budgeted dollars will get spent but for some accounts this is an estimate. Even though the expense shows a positive variance, there are some departments that have experienced unforeseen expenses. Staff is monitoring these budgets closely and will bring to Council a budget amendment if necessary.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

REVENUE ANALYSIS

SALES TAX REVENUE

Month	FY2019 Forecast	FY2019 Actual	Monthly Variance
Oct	\$ 340,507	\$ 357,918	\$ 17,411
Nov	389,151	389,073	\$ (78)
Dec	413,473	417,882	\$ 4,409
Jan	356,548	364,452	\$ 7,904
Feb	485,934	485,877	\$ (57)
Mar	342,660	362,397	\$ 19,737
Apr	341,233	430,868	\$ 89,635
May	492,115		\$ -
Jun	385,827		\$ -
Jul	408,944		\$ -
Aug	452,076		\$ -
Sept	455,922		\$ -
Total	\$ 4,864,390	\$ 2,808,467	\$ 138,961
Cumulative Forecast	\$ 2,669,506		
Actual to Forecast	\$ 138,961	5.2%	



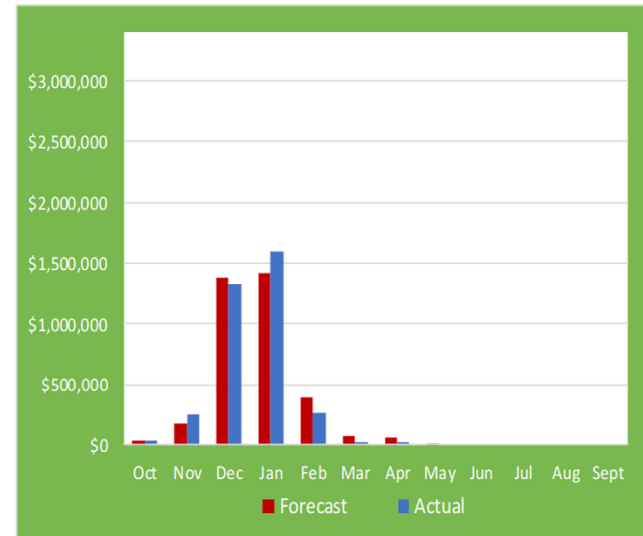
POSITIVE

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 5% greater than forecasted YTD. The April actual is higher due to several taxpayers prepaying future tax periods. This will reflect in an actual amount for May lower than forecasted.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

PROPERTY TAX REVENUE

Month	FY2019 Forecast	FY2019 Actual	Monthly Variance
Oct	\$ 35,395	\$ 39,476	\$ 4,081
Nov	176,976	251,445	\$ 74,469
Dec	1,380,410	1,331,743	\$ (48,667)
Jan	1,415,806	1,601,144	\$ 185,338
Feb	389,347	261,204	\$ (128,143)
Mar	70,790	21,379	\$ (49,411)
Apr	64,790	27,483	\$ (37,307)
May	6,000		
Jun	-		
Jul	-		
Aug	-		
Sept	-		
Total	\$ 3,539,514	\$ 3,533,874	\$ 360
Cumulative Forecast	\$ 3,533,514		
Actual to Forecast	\$ 360	0.01%	



POSITIVE

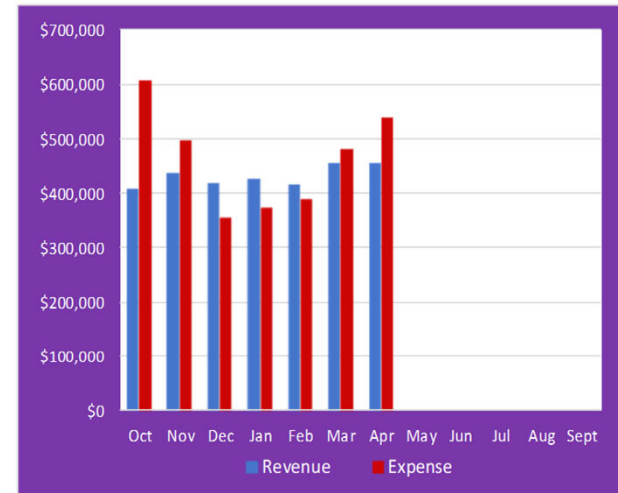
Property tax represents 31% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The forecast to actual is breakeven YTD.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

OVERALL FUND PERFORMANCE

WATER/WASTEWATER FUND REVENUES VS EXPENSES

Month	FY2019 Revenue	FY2019 Expense	Monthly Variance
Oct	\$ 407,528	\$ 606,317	\$ (198,789)
Nov	436,189	495,625	\$ (59,436)
Dec	416,157	353,565	\$ 62,592
Jan	425,650	372,610	\$ 53,040
Feb	413,959	388,972	\$ 24,987
Mar	452,893	480,740	\$ (27,847)
Apr	454,547	537,405	\$ (82,858)
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 3,006,923	\$ 3,235,234	\$ (228,311)
Cumulative Forecast	\$ 2,977,503	\$ 3,327,424	\$ (349,921)
Actual to Forecast \$	\$ 29,420	\$ 92,190	\$ 121,610
Actual to Forecast %	0.99%	2.77%	3.76%



POSITIVE

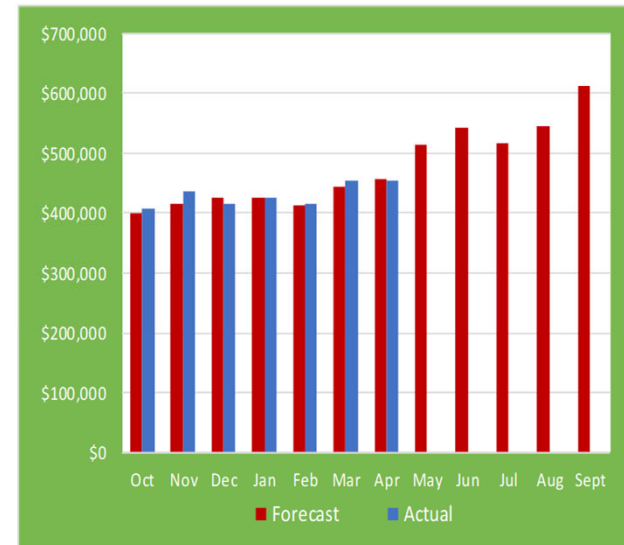
Water and wastewater fund is 3.7% net positive. The elevated expense we experienced in Oct., due to a flood even and the purchase of extra filters, has leveled off over the last few months. Our summer months tend to generate higher revenue totals.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

<u>Month</u>	<u>FY2019</u> <u>Forecast</u>	<u>FY2019</u> <u>Actual</u>	<u>Monthly</u> <u>Variance</u>
Oct	\$ 400,030	\$ 407,528	\$ 7,498
Nov	414,677	436,189	\$ 21,512
Dec	424,677	416,157	\$ (8,520)
Jan	424,677	425,650	\$ 973
Feb	412,353	413,959	\$ 1,606
Mar	444,384	452,894	\$ 8,510
Apr	456,707	454,547	\$ (2,160)
May	513,384		
Jun	541,722		
Jul	517,076		
Aug	545,414		
Sept	612,091		
Total	\$ 5,707,192	\$ 3,006,924	\$ 29,419
Cumulative Forecast	\$ 2,977,505		
Actual to Forecast	\$ 29,419	0.99%	



POSITIVE

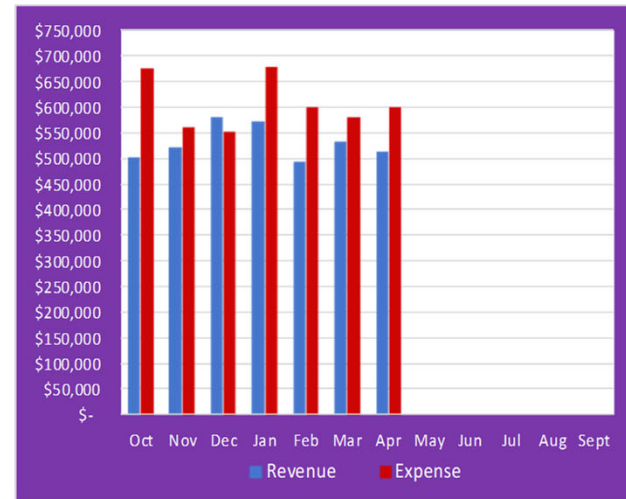
The water and wastewater actual revenue is 1% net positive to forecast. There was 1 new residential meter set this month for residential.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

OVERALL FUND PERFORMANCE

ELECTRIC FUND REVENUES VS EXPENSES

Month	FY2019 Revenue	FY2019 Expense	Monthly Variance
Oct	\$ 501,810	\$ 675,329	\$ (173,519)
Nov	519,423	559,757	\$ (40,334)
Dec	578,558	550,649	\$ 27,909
Jan	571,345	676,791	\$ (105,446)
Feb	491,235	599,338	\$ (108,103)
Mar	530,156	578,108	\$ (47,952)
Apr	511,244	597,689	\$ (86,445)
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 3,703,771	\$ 4,237,661	\$ (533,890)
Cumulative Forecast	\$ 3,759,301	\$ 4,473,760	\$ (714,459)
Actual to Forecast \$	\$ (55,530)	\$ 236,099	\$ 180,569
Actual to Forecast %	-1.48%	5.28%	3.80%



POSITIVE

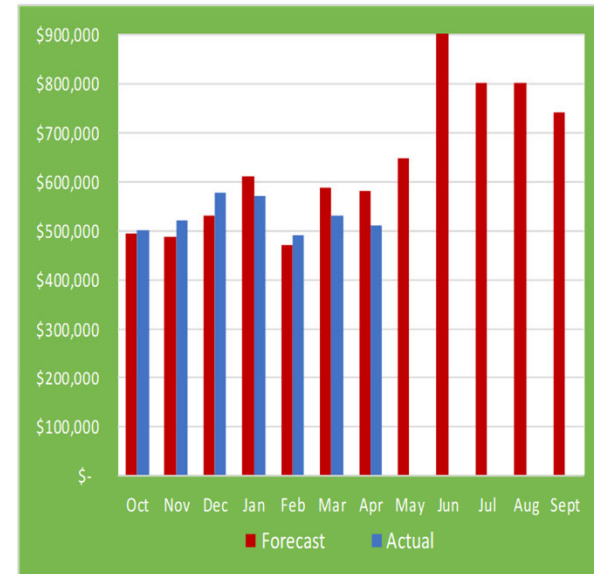
The Electric utility fund is 3.8% net positive. The expense is higher in October due to budgeted annual transfers that were processed during this month.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

<u>Month</u>	<u>FY2019 Forecast</u>	<u>FY2019 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 492,992	\$ 501,810	\$ 8,818
Nov	485,679	519,423	\$ 33,744
Dec	529,557	578,558	\$ 49,001
Jan	610,001	571,345	\$ (38,656)
Feb	471,740	491,235	\$ 19,495
Mar	588,062	530,156	\$ (57,906)
Apr	581,270	511,244	\$ (70,026)
May	646,045		
Jun	973,778		
Jul	800,140		
Aug	800,140		
Sept	741,636		
Total	\$ 7,721,040	\$ 3,703,771	\$ (55,530)
Cumulative Forecast	\$ 3,759,301		
Actual to Forecast	\$ (55,530)	-1.48%	



WARNING

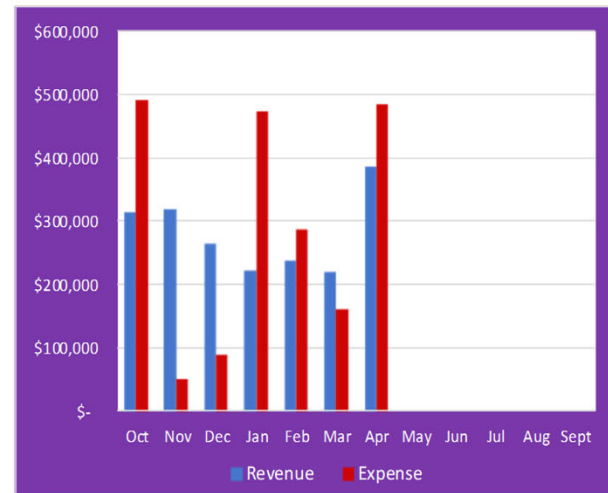
The Electric utility revenue is 1.5% negative to forecasted revenue. There were 4 new meter sets all residential.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

OVERALL FUND PERFORMANCE

HOT TAX FUND REVENUES VS EXPENSES

Month	FY2019 Revenue	FY2019 Expense	Monthly Variance
Oct	\$ 313,999	\$ 489,369	\$ (175,370)
Nov	318,578	50,241	\$ 268,337
Dec	263,379	89,111	\$ 174,268
Jan	221,133	471,250	\$ (250,117)
Feb	235,767	286,720	\$ (50,953)
Mar	220,037	160,987	\$ 59,050
Apr	384,575	483,210	\$ (98,635)
May			
Jun			
Jul			
Aug			
Sept			
Total	\$ 1,957,468	\$ 2,030,888	\$ (73,420)
Cumulative Forecast	\$ 1,874,879	\$ 2,178,260	\$ (303,381)
Actual to Forecast \$	\$ 82,589	\$ 147,372	\$ 229,961
Actual to Forecast %	4.41%	6.77%	11.17%



POSITIVE

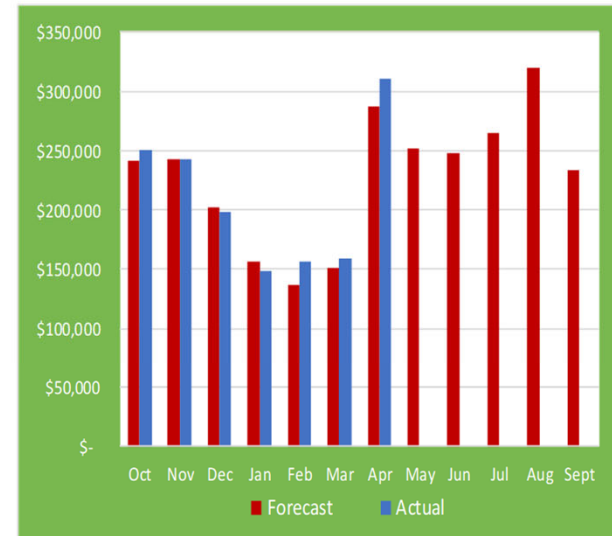
The HOT Tax fund is 11% net positive. For FY2019, this fund is now a combined fund of all the HOT funded programs. Visit Bastrop is paid on a quarterly basis along with community asset organizations.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

Month	FY2019 Forecast	FY2019 Actual	Monthly Variance
Oct	\$ 241,423	\$ 250,073	\$ 8,650
Nov	242,303	242,469	\$ 166
Dec	202,506	198,757	\$ (3,749)
Jan	156,454	148,141	\$ (8,313)
Feb	137,463	156,795	\$ 19,332
Mar	150,729	159,156	\$ 8,427
Apr	286,784	311,067	\$ 24,283
May	251,767		
Jun	247,863		
Jul	265,283		
Aug	319,298		
Sept	234,127		
Total	\$ 2,736,000	\$ 1,466,458	\$ 48,796
Cumulative Forecast	\$ 1,417,662		
Actual to Forecast %	\$ 48,796	3.4%	



POSITIVE

So far YTD we are 3% positive actual to forecast. *The Hotel Tax revenue YTD is \$23,535 less than same time last year.*

Legal fees by Attorney/Category

FIRM	CASE	FY16-17	FY17-18	FY18-19
BUNDREN				
	Pine Forest Interlocal	\$ 83,620	\$ 26,612	\$ 1,711
	Vandiver	\$ 2,343	\$ -	\$ -
	Aqua CCN	\$ 12,898	\$ -	\$ -
	Red Light Camera Suit	\$ -	\$ -	\$ -
TERRELL LAW FIRM				
	Water permit	\$ 37,630	\$ 135	\$ -
DAVID BRAGG, P.C.				
	General legal	\$ 48,215	\$ -	\$ -
	Vandiver	\$ 9,640	\$ -	\$ -
	Water Permit	\$ 3,120	\$ -	\$ -
	Pine Forest Interlocal	\$ 3,560	\$ -	\$ -
BOJORQUEZ LAW FIRM				
	General legal	\$ 3,299	\$ 245,168	\$ 178,919
	Vandiver	\$ 4,546	\$ 5,079	\$ 1,857
	Pine Forest Interlocal	\$ -	\$ 10,116	\$ -
	Prosecutor	\$ -	\$ 19,633	\$ 12,809
	Water/Wastewater	\$ -	\$ 18,425	\$ 15,567
MULTIPLE FIRMS				
	XS Ranch Bankruptcy	\$ 7,415	\$ 11,770	\$ -
RUSSEL RODRIGUEZ HYDE				
	XS Ranch Water Rights	\$ 7,607	\$ 27,965	\$ 5,532
	Hunters Crossing PID	\$ 17,927	\$ 83,524	\$ 33,704
	Water/Wastewater	\$ -	\$ 910	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP				
	Red Light Camera Suit	\$ 443	\$ 2,124	\$ 601
Total Legal		\$ 242,263	\$ 451,460	\$ 250,700

COMPREHENSIVE MONTHLY FINANCIAL REPORT –April 2019

Summary by Case/Type

Row Labels	Sum of FY16-17	Sum of FY17-18	Sum of FY18-19
Aqua CCN	\$ 12,898	\$ -	\$ -
General legal	\$ 51,514	\$ 245,168	\$ 144,109
Hunters Crossing PID	\$ 17,927	\$ 83,524	\$ 33,704
Pine Forest Interlocal	\$ 87,180	\$ 36,728	\$ 1,711
Prosecutor	\$ -	\$ 19,633	\$ 11,289
Red Light Camera Suit	\$ 443	\$ 2,124	\$ 601
Vandiver	\$ 16,529	\$ 5,079	\$ 152
Water permit	\$ 40,750	\$ 135	\$ -
Water/Wastewater	\$ -	\$ 19,335	\$ 11,163
XS Ranch Bankruptcy	\$ 7,415	\$ 11,770	\$ -
XS Ranch Water Rights	\$ 7,607	\$ 27,965	\$ 5,532
Grand Total	\$ 242,263	\$ 451,460	\$ 208,260



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 6C

TITLE:

Receive Monthly Report from Visit Bastrop.

STAFF REPRESENTATIVE:

James K. Altgelt, Director of Public Safety/Chief of Police
Susan Smith, President/CEO of Visit Bastrop, DMO

BACKGROUND/HISTORY:

Visit Bastrop, a 501(c)6 organization, was engaged to provide destination marketing services and provide brand marketing for Bastrop as a destination.

As outlined in the Annual Management Agreement, the City and Visit Bastrop recognize the visitor industry as a key economic generator. Visit Bastrop's purpose is to provide "brand" marketing for Bastrop as a destination and to serve as the primary brand advocate. Visit Bastrop will also leverage utilization of existing facilities, while providing global oversight of Bastrop's visitor assets and activities. Visit Bastrop will also provide a level of unity and representation to maximize Bastrop's brand potential.

The Visit Bastrop Board of Directors meets monthly on the third Thursday at 8:30 a.m. and rotates meeting locations at different hospitality venues.

City Council established that the Visit Bastrop Board of Directors include broad representation of community assets and identified those as Arts, History, Hotels, Restaurants, Sports, Outdoors, Recreation, Hyatt, Nightlife, Entertainment, and Film in the Destination Services Management Agreement.

Per their management agreement, Visit Bastrop must make a monthly presentation to the City Council outlining progress in implementing their annual Business Plan, meeting performance targets, and the scope of services pursuant to that agreement.

Specifically Visit Bastrop shall work to:

- (1) attract leisure visitors to the City and its vicinity;
- (2) attract and secure meetings, events, retreats, and conventions to the City and its vicinity; and
- (3) serve as a liaison to local businesses (including hoteliers, restaurateurs, and other similar entities) and City departments to attract leisure and business visitors, meetings, events, retreats, and conventions to the City and its vicinity.

Visit Bastrop shall also:

- (A) carry out the actions defined in the applicable Annual Business Plan;

- (B) utilize research reports on economic trends, growth sectors, and regional competitive strengths and weaknesses, as is customary in the destination and marketing organization industry;
- (C) provide marketing and imaging campaigns for the City's tourism and convention industry;
- (D) inform and partner with the City regarding high-profile or significant recruitment/attraction efforts;
- (E) provide, in appropriate detail in accordance with the Tax Code, reports listing the Visit Bastrop's expenditures made with Hotel Occupancy Tax (HOT), and Visit Bastrop's progress in performing the services in conformance with implementation of the Annual Business Plan; and
- (F) provide expertise in destination management in conjunction with the City of Bastrop to leverage available resources (such as community assets and activities to maximize opportunities to attract visitors to Bastrop, both leisure and business) recognizing the critical role tourism plays in Bastrop's economy, both in HOT and sales tax revenue.

POLICY EXPLANATION:

On September 12th, 2017, the City Council passed Resolution Number R-2017-74 which approved a Destination and Marketing Services Agreement between the City of Bastrop and Visit Bastrop. Pursuant to Section 2.3(C) of this agreement, Visit Bastrop committed to providing monthly and annual written reports to the City. Tonight's presentation is in compliance with this obligation.

FUNDING SOURCE:

Visit Bastrop receives approximately \$1.1 million dollars in Hotel Occupancy Tax annually from the City of Bastrop to provide destination marketing services and serve as the brand advocate for our community.

ATTACHMENTS:

- April 2019 Visit Bastrop President's Report



VISIT BASTROP | PRESIDENT'S REPORT

Reporting: April 1 - 30, 2019

Submitted: May 9, 2019

Presented: May 28, 2019

VISITBASTROP.COM SUMMARY - APRIL

WEBSITE (APRIL) SUMMARY

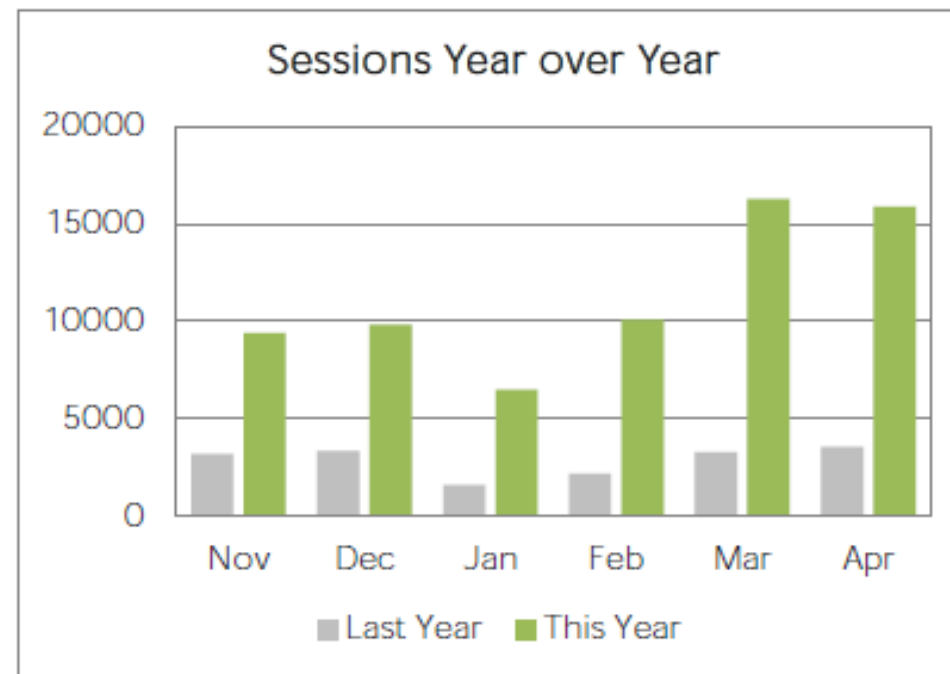
- Overall sessions on our website increased by 350% YoY
- Paid Traffic was the largest channel of traffic (43%)
- Average time on site 2:10

Top Organic Website Pages

- Things to do (553 sessions)
- Events (310 sessions)
- Hyatt Easter Celebration (310 sessions)
- Hyatt On-Site Activities (255 sessions)

Top Cities Viewing our Website

Austin, Houston, Bastrop, Dallas, San Antonio, Chicago, Washington, Wyldwood, Round Rock, Cypress



SOCIAL MEDIA STATISTICS - APRIL

	Total Fans	Fan Increase	Engagement	Impressions
Facebook	44,905	.0%	2,142	39,115
Instagram	1,085	3.4%	281	5,285

PUBLIC RELATIONS SUMMARY - APRIL



Article Mentions: 15

Est. Total Coverage Views: 8,273,849

Est. Advertising Value: \$1,674.40

PROACTIVE OUTREACH FOR ARTICLE GENERATION

- KTBC (FOX) – Hero Water Challenge
- KTBC (FOX), KEYE (CBS), KVUE (ABC), KXAN (NBC), Austin American Statesman – Canoe Trip Through Bastrop
- KXAN (NBC Austin) – 22-Year-Old Kayaks Across Texas to See His State with New Eyes



Austin American-Statesman



PUBLIC RELATIONS SUMMARY - APRIL



MEDIA ALERTS

TABLE ON MAIN

Distributed to Texas and national media outlets, freelance food and travel writers

HERO WATER CHALLENGE AT HERO WATER SPORTS

Distributed to Texas media outlets, freelance lifestyle and travel writers

SECURED COVERAGE

TABLE ON MAIN

THE AUSTIN CHRONICLE – Austin's Best Food and Drink Events This Week

<http://bit.ly/2LddnOf>

Est. Monthly Visits: 622K

HERO WATER CHALLENGE AT HERO WATER PARK

KTBC FOX 7– Good Day Austin In Studio Interview

A screenshot of the The Austin Chronicle website. The header includes a navigation bar with "SECTIONS", "SEARCH", and "THE AUSTIN CHRONICLE" logo. Below the header is a menu with "NEWS", "FOOD", "MUSIC", "SCREENS", "ARTS", "QUEER", "SXSW", "EVENTS", "CLASSIFIEDS", and "SUPPORT US". The main content area is titled "FOOD" and features an article titled "Austin's Best Food and Drink Events This Week" with a sub-headline "Dinner parties, farmer's markets, beer, wine, and more for the week of April 25, 2019". To the right of the article is a section titled "TODAY'S EVENTS" with a small image and text "grayDUCK Gallery: Misread Signs grayDUCK Gallery". Below the article is a section titled "BASTROP'S TABLE ON MAIN" with text: "Sure, it's a bit of a drive, but this third annual event is pretty damned cool and, hell, if Bastrop is good enough for the likes of Michael Moorcock to live in, it's good enough for the likes of you to visit, n'est-ce pas? At least look into it, this outdoor farm-to-fork dinner on a nearly 140-foot-long table arrangement, that starts off with a cocktail hour and features so much fresh local food and entertainment. Sun., April 28, 5pm. (2019) \$100. www.downtownbastrop.com".



PUBLIC RELATIONS SUMMARY - APRIL



SECURED COVERAGE

THE AUSTIN CHRONICLE –
Austin's Best Food and Drink Events
This Week

<http://bit.ly/2LddnOf>

Est. Monthly Visits: 622K

EVENT SUBMISSIONS

The below events were submitted to local Event Calendars and listed on the following websites:

TABLE ON MAIN

Do512

Est. Monthly Visits: 378K

Austin 360

Est. Monthly Visits: 1.65K

365 Things in Austin

Est. Monthly Visits: 30.6K

Visit Austin

Est. Monthly Visits: 205K

Elgin Courier

Est. Monthly Visits: 7.57K

Spectrum News Austin

Est. Monthly Visits: 968K

Austin Chronicle

Est. Monthly Visits: 622K

Culture Map Austin

Est. Monthly Visits: 291K

DRACULA: THE MUSICAL

Austin Monthly

Est. Monthly Visits: 65.9K

Culture Map Austin

Est. Monthly Visits: 232K

Community Impact

Est. Monthly Visits: 803K

BASTROP MUSIC FESTIVAL

Visit Austin

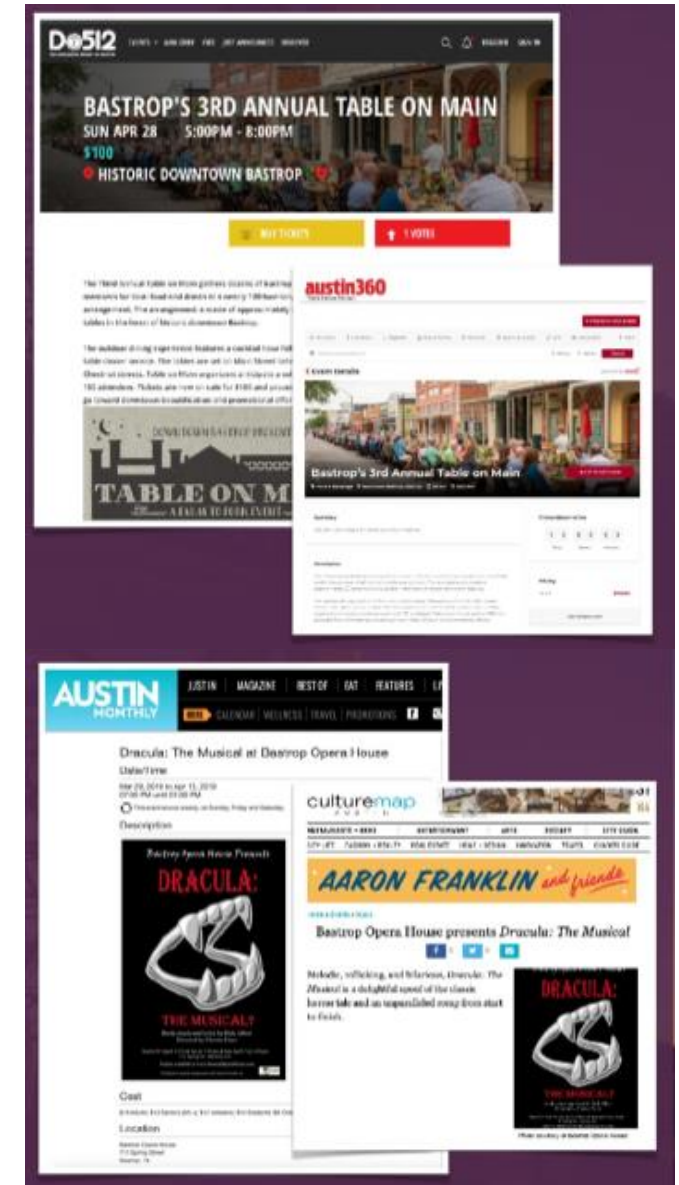
Est. Monthly Visits: 34.1K

Do512

Est. Monthly Visits: 635K

Other Submissions:

- Texas Co-Op Power
- Austin.com
- Travel Texas



GOOGLE SEARCH KEY INSIGHT - APRIL

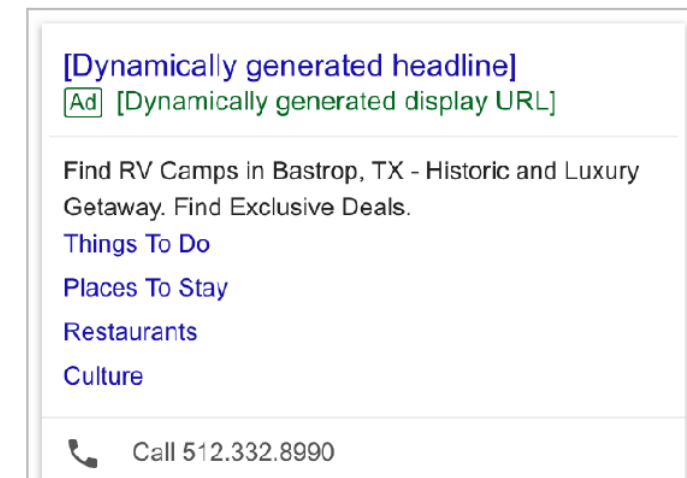
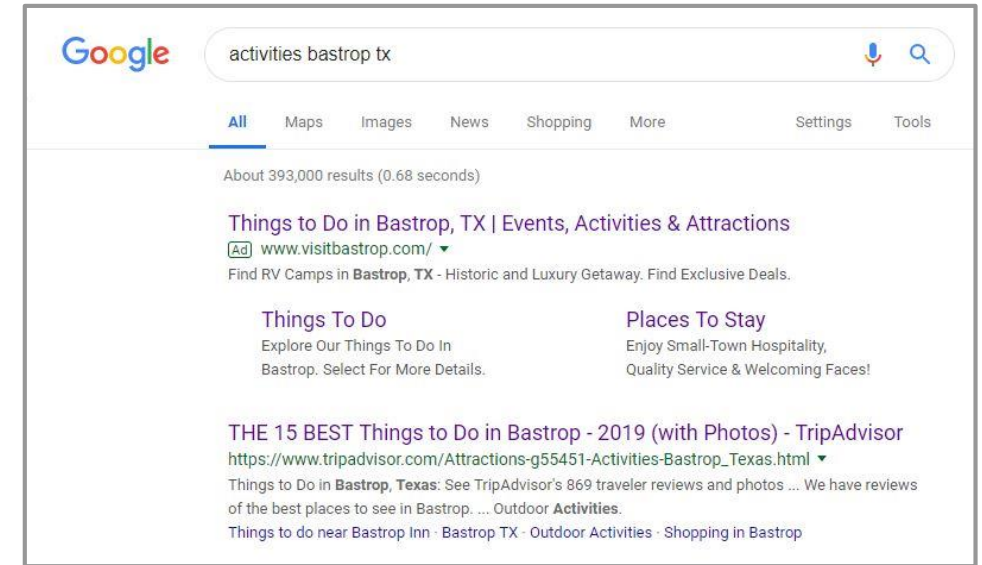


OBJECTIVES:

- Build Awareness of Visit Bastrop
- Drive qualified traffic to website
- Optimize keyword ad groups

KEY INSIGHTS:

- Created an impressive 2,402 conversions
- 6,864 clicks, 53,422 Impressions
- Top Demographics: Female, 45 – 54
- Top Users by Location: Austin, Houston, Dallas, San Antonio



LOOKING AHEAD – MARKETING INITIATIVES

- Media Kit – highlights the Visit Bastrop brand, main attractions, key factors & story ideas for potential media coverage
- Develop and submit an entry to *Reader's Digest* “Nicest Places 2019” contest.
- Continue sourcing Social Media Influencers to Visit Bastrop
- Development of Visitor Guide & Meeting Planner Guide
- Visit Bastrop Blog

LODGING INDUSTRY REPORT - MARCH

	Current Month - March 2019 vs March 2018											
	Occ %		ADR		RevPAR		Percent Change from February 2018					
	2019	2018	2019	2018	2019	2018	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
Bastrop	72.8	77.1	180.74	189.48	131.56	146.06	-5.6	-4.6	-9.9	-9.9	0.0	-5.6
Average	70.5	71.8	127.2	129.7	92.5	95.3	-2.1	-2.1	-4.1	-2.0	2.3	0.1

	Year to Date – March 2019 vs March 2018											
	Occ %		ADR		RevPAR		Percent Change from YTD 2018					
	2019	2018	2019	2018	2019	2018	Occ	ADR	RevPAR	Room Rev	Room Avail	Room Sold
Bastrop	61.8	60.6	155.83	159.91	96.36	96.97	2.0	-2.6	-0.6	-0.6	-0.6	2.0
Average	60.5	59.8	113.3	114.8	70.6	70.3	0.9	-1.5	-0.7	1.6	2.4	3.3

ADR – Average Daily Rate

RevPAR – Revenue per Available Room

Occ - Occupancy

SALES REPORT - APRIL

STATUS	QUANTITY	ROOM NIGHTS	ESTIMATED ATTENDEES	ECONOMIC IMPACT	YTD ECONOMIC IMPACT
LEADS	5	906	1950	\$250,899.82	\$2,598,957.96
DEFINITES	1	76	150	\$26,496.14	\$530,222.32
LEAD SERVICE REQUEST					
DEFINITE SERVICE REQUEST					
LOST LEADS					
LOST SERVICE REQUESTS					
UNABLE TO BID					
LEAD ASSIST - HYATT					\$1,050,712.94
DEFINITE ASSIST - HYATT					
LEAD SERVICE REQUEST - HYATT					
DEFINITE SERVICE REQUEST - HYATT					
LOST LEADS ASSIST – HYATT	-	-	-	-	

QUESTIONS, THOUGHTS COMMENTS?

Chamber of Commerce Newsletter
Board of Director Meetings
City Council Meetings

Susan Smith, President
512-332-8991
susan@visitbastrop.com



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 7

TITLE:

CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Comment portion of the Council meeting. 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 Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

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: May 28, 2019

AGENDA ITEM: 8A

TITLE:

Consider action to approve City Council minutes from the May 14, 2019, Regular meeting.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Ann Franklin, City Secretary

BACKGROUND/HISTORY:

N/A

POLICY EXPLANATION:

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 1. State the subject of each deliberation; and
 2. Indicate the vote, order, decision, or other action taken.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve City Council minutes from the May 14, 2019, Regular meeting.

ATTACHMENTS:

- May 14, 2019, DRAFT Regular Meeting Minutes.

BASTROP CITY COUNCIL
May 14, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, May 14, 2019, at 4:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Ennis, and Peterson. Officers present were City Manager, Lynda Humble, City Secretary, Ann Franklin and City Attorney, Alan Bojorquez.

WORK SESSION - CALL TO ORDER

At 4:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

Council Member Jones arrived at 4:36 p.m.

Council Member Rogers arrived at 4:41 p.m.

WORK SESSION

- 2A. Discussion on Bastrop Building Block Codes with Matt Lewis.
Discussion was led by Matt Lewis, President/CEO and Milosav Cekic of simplicitydesign.

Mayor Schroeder recessed the meeting at 5:57 p.m.

REGULAR SESSION - CALL TO ORDER

At 6:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

Cadet Commander Rena Richard; Cadet Lieutenant Alec Warby; and Cadet Senior Chief Petty Officer Dwayne Vassar, NJROTC led the pledges.

INVOCATION

Pastor Bernie Jackson gave the invocation.

INDIVIDUAL CONSIDERATION – PART 1 OF 2 (ELECTION PROTOCOL)

- 6A. Consider action to approve Resolution No. R-2019-42 of the City Council of the City of Bastrop, Texas to canvass the May 4, 2019 Election for Place 1 and Place 5 of the Bastrop City Council; and establishing an effective date.
A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-42, seconded by Council Member Ennis, motion was approved on a 5-0 vote.
- 6B. Consider action to approve Resolution No. R-2019-43 of the City Council of the City of Bastrop, Texas, calling for a runoff Election for Place 5 of the Bastrop City Council for a term of three years, designating the date of said Election; designating polling places; designating early voting hours and places; directing posting and publication of notice for said election; and providing an effective date.
Presentation was made by City Secretary, Ann Franklin.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-43, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 6C. Consider action to approve Resolution No. R-2019-48 of the City Council of the City of Bastrop, Texas, approving a contract for election services between the Elections Administrator of Bastrop County and the City of Bastrop for the June 8, 2019 Runoff Election for Bastrop, Texas, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; and providing an effective date.

Presentation was made by City Secretary, Ann Franklin.

SPEAKER

Dock Jackson
163 Tahitian
Bastrop, TX 78602

A motion was made by Council Member Rogers to approve Resolution No. R-2019-48, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 6D. Election of Mayor Pro Tem.

A motion was made by Council Member Ennis to elect Council Member Nelson as Mayor Pro Tem, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

OATH OF OFFICE

- 7A. Incoming Associate Judge Caroline McClimon
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
 - Signature of official documents, Ann Franklin, City Secretary
 - Welcome by Council
 - Comments by Judge Caroline McClimon
- 7B. Incoming Council Member Bill Peterson, Place 1
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
 - Signature of official documents, Ann Franklin, City Secretary
 - Welcome by Council
 - Comments by Council Member Bill Peterson

Mayor Schroeder recessed the Council Meeting at 7:00 PM

RECEPTION FOR NEWLY ELECTED COUNCIL MEMBER BILL PETERSON – RECESS MEETING FOR 20 MINUTES

Mayor Schroeder called the Council Meeting back to order at 7:20 PM

PRESENTATIONS

- 8A. Proclamation of the City Council of the City of Bastrop, Texas recognizing May as Motorcycle Safety and Awareness Month.

The proclamation was read into record by Mayor Schroeder.

- 8B. Proclamation of the City Council of the City of Bastrop, Texas recognizing the week of May 19 – 25, 2019 as National Public Works Week.

The proclamation was read into record by Mayor Schroeder and received by Trey Job and Public Work employees.

- 8C. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 13 - 19, 2019 as National Police Week for the City of Bastrop, Texas.

The proclamation was read into record by Mayor Schroeder and received by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt and Officers.

- 8D. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 5 - 11, 2019 as the 50th Anniversary of Municipal Clerks Week for the City of Bastrop, Texas.

The proclamation was read into record by Mayor Schroeder and received by City Secretary, Ann Franklin.

- 8E. Proclamation of the City Council of the City of Bastrop, Texas recognizing the Month of May as Building Safety Month.

The proclamation was read into record by Mayor Schroeder and received by Planning Director, Matt Jones and Fire Chief, Andres Rosales.

- 8F. Mayor's Report

- 8G. Councilmembers' Report

- 8H. City Manager's Report

ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2

- 13E. Consider action to approve the first reading of Ordinance Number 2019-19 of the City Council of the City of Bastrop, Texas Hands Free Devices An Ordinance of the City of Bastrop Amending Chapter 12, "Traffic and Vehicles," of the City of Bastrop City Code of Ordinances to add Article 12.13, "Use of Portable Electronic Devices While Operating a Motor Vehicle in the City of Bastrop; providing for: findings of fact, enactment, repealer, severability, criminal fines not to exceed \$300 per offense, effective date, codification, and proper notice and meeting, and place on the May 28, 2019 Consent Agenda for a second reading.

Presentation was made by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt.

SPEAKERS

Alexandra Rubio
114 Maegan Ln.
Cedar Creek, Texas
(512) 549-1870

Bryan Gonzalez
112 Pine Cove
Bastrop, Texas 78602
(512) 748-4341

James Etzel
115 Pheasant Trail
Bastrop, Texas 78602
(512) 549-0629

Itzel A. Martinez
111 Higgins Street
Bastrop, Texas 78602
(512) 486-0266

A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-19 and include on the May 28, 2019 Consent Agenda for second reading, seconded by Council Member Jones, motion was approved on a 5-0 vote.

CITIZEN COMMENTS

Cheryl Lee
801 Laurel St.
Bastrop, Texas 78602

ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2 CONTINUED

- 13A. Consider action and approve Resolution No. R-2019-44 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules).

Presentation was made by Assistant Director of Planning and Zoning, Jennifer Bills.

A motion was made by Council Member Jones to approve Resolution No. R-2019-44 for 437 and 443 Union Chapel Road, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

CONSENT AGENDA

A motion was made by Council Member Ennis to approve Items 12A, 12B, 12C, 12D and 12E listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Jones, motion was approved on a 5-0 vote.

- 12A. Consider action to approve City Council minutes from the April 23, 2019, regular meeting and April 24, 2019, Mid-Year Budget workshop meeting.

- 12B. Consider action to approve the second reading of Ordinance No. 2019-10 of the City Council of the City of Bastrop, Texas, enacting Chapter 1, Article 1.20, Sections 1.02.001 through 1.20.120 of the Bastrop Code of Ordinances; establishing construction and development standards and procedures for assertion, establishment, determination, and recognition of potential grandfathered development status or vested rights claims; and providing for the following: findings of fact; enactment; repealer; severability; effective date; codification; proper notice & hearing; popular name; purpose; and scope.
- 12C. Consider action to approve the second reading of Ordinance No. 2019-14 of the City Council of the City of Bastrop, Texas, amending Chapter 11, Taxation, Section 11.04, "Hotel Occupancy Tax", attached as Exhibit A, in accordance with Chapter 351 of the Texas Tax Code; providing for findings of fact, enactment, repealer, severability, effective date, proper notice and meeting.
- 12D. Consider action to approve the second reading of Ordinance No. 2019-15 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, Chapter 2 Titled "ANIMAL CONTROL," Article 2.01 Titled "GENERAL PROVISIONS," Sections 2.01.001 Titled "DEFINITIONS" amending the definitions of various terms; amending 2.01.004 Titled "RESTRICTIONS ON KEEPING LIVESTOCK AND FOWL" to extend application to fowl being maintained in violation of this section; Article 2.04 Titled "IMPOUNDMENT," DIVISION 2 Titled "LIVESTOCK" by requiring Animal Control to refer any impounded livestock to the County Sheriff and repealing specific procedures for impounding livestock; and amending Article 2.07 Titled "NUISANCES" Section 2.07.001 Titled "CREATING HEALTH HAZARD" to extend applicability to animals "maintained" in violation of this section and repealing all prior ordinances that are in conflict herewith; as attached in Exhibit A; and providing for findings of fact, enactment, effective date, repealer, severability, and proper notice and meeting.
- 12E. Consider action to approve the second reading of Ordinance No. 2019-16 of the City Council of the City of Bastrop, Texas, repealing Emergency Ordinance 2018-1 [*Temporary Moratorium*] and implementing enhanced permit review measures to continue a heightened level of evaluation for certain building, construction and development permits; and providing for legislative findings of fact, repealer, enactment, duration, extension, severability, enforcement, proper notice and meeting, effective date, applicability, alternate approvals, appeals, and definitions..

ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2 CONTINUED

- 13C. Conduct a public hearing and consider action to approve the first reading of Ordinance No. 2019-18 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a brewery, distillery and winery use on 0.266 acres of Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form-Based Code - HMS, Historic Main Street within the city limits of Bastrop, Texas; as shown in Exhibits A; setting out conditions; including a severability clause; establishing an effective date, and move to include on the May 28, 2019 Consent Agenda for second reading.
Presentation was made by Planning Assistant Director, Jennifer Bills.

A motion was made by Council Member Jones to approve the first reading of Ordinance No. 2019-18 and include on the May 28, 2019 Consent Agenda for second reading, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 13F. Consider action to approve Resolution No. R-2019-46 of the City Council of the City of Bastrop, Texas awarding a contract to relocate a sewer line near the SH71 Feeder Road Expansion to Herschap Backhoe & Ditching in the amount of One Hundred Thirty-Six Thousand One Hundred Ninety-Five Dollars and zero cents (\$136,195.00) attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by Managing Director of Public Works and Utilities, Trey Job.

A motion was made by Council Member Jones to approve Resolution No. R-2019-46, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS

- 9A. Update and discussion of current Legislative Session and its impact on local municipalities.
Update was provided by Mayor Schroeder and discussion was held.
- 9B. Provide an update on the Chicken Relocation Project in Downtown Bastrop, Texas.
Update was provided by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt.
- 9C. Receive updated presentation and policy discussion regarding Nuisance Ordinances and proposed revisions of the Code of Ordinances.
Presentation was made by Safety Director/Chief of Police and Interim Director of Downtown and Hospitality, James Altgelt.
- 9D. Continue discussion of Bastrop Building Block Codes with Matt Lewis.
This item was pulled from the agenda.

10. STAFF AND BOARD REPORTS - NONE

ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2 CONTINUED

- 13B. Consider action to approve Resolution No. R-2019-45 of the City Council of the City of Bastrop, Texas confirming a Board and Commission appointment of the Mayor, as required in Section 3.08 of the City's Charter; and establishing an effective date.
A motion was made by Council Member Ennis to approve Resolution No. R-2019-45, seconded by Council Member Rogers, motion was approved on a 5-0 vote.
- 13D. Consider action to approve the second reading of Ordinance No. 2019-17 of the City Council of the City of Bastrop, Texas, enacting a new Chapter 16, "Stormwater Drainage," of the Bastrop Code of Ordinances establishing stormwater drainage requirements in order to minimize flood risks, stabilize and decrease stream bank and channel erosion, and facilitate comprehensive watershed-based planning, and

repealing Emergency Ordinance 2018-2, Amendment to Emergency Ordinance 2018-2-A, and Section 1.40, "Drainage Criteria and Design Standards," Article 5.30, "Alleys," Article 5.90, "Drainage and Storm Sewers," Section 6.80.3, "Roadside Drainage Ditches," Article 6.100 "Rural Subdivision Drainage Requirements," and Article 7.50, "Drainage" from Chapter 10, "Subdivisions" of the Bastrop Code of Ordinances; adopting a stormwater drainage design manual ("The City of Bastrop Stormwater Drainage Design Manual"); and establishing an effective date.

Presentation was made by Managing Director of Public Works and Utilities, Trey Job.

A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-17, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 13G. Consider action to approve Resolution R-2019-49 of the City Council of the City of Bastrop, Texas authorizing the City to resolve an enforcement action from the Texas Commission on Environmental Quality (TCEQ) at a cost of Sixty-Six Thousand Four Hundred Twenty Dollars and 00 Cents (\$66,420.00); as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-49, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 13H. Consider action to approve Resolution R-2019-50 of the City Council of the City of Bastrop, Texas supporting the co-application by the City of Bastrop and Bastrop County of an ED-900P – Proposal for Economic Development Administration (EDA) Assistance Grant requesting funding to build Bastrop Community Center and Shelter Facility at Mayfest Park; ratifying the signature of the City Manager on the co-application and authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-50, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 9:08 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 14A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding possible litigation regarding Davenport/Dayton drainage.
- 14B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the

City Attorney regarding Bastrop Estates, LLC v. City of Bastrop, Texas and Lynda Humble.

The Bastrop City Council reconvened at 9:45 p.m. into open (public) session.

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

There was no action taken.

ADJOURNMENT

Adjourned at 9:46 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on May 28, 2019, by Council Member _____'s motion, Council Member _____'s second. The motion was approved on a _____ vote.



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 8B

TITLE:

Consider action to approve the second reading of Ordinance No. 2019-18 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a brewery, distillery and winery use on 0.266 acres of Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form-Based Code - HMS, Historic Main Street within the city limits of Bastrop, Texas; as shown in Exhibits A; setting out conditions; providing a severability clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:

Site Address: 919 Main Street (Exhibit A)
Total Acreage: 0.266 acres
Legal Description: 0.266 acres of Building Block 4, West of Water Street
Property Owner: Raymah Davis
Applicant Contact: Raymond Keyrouz

Existing Use: Restaurant
Existing Zoning: Downtown Form-Based Code - HMS, Historic Main Street
Future Land Use: Downtown Bastrop

BACKGROUND/HISTORY:

The 602 on Main is the current business at 919 Main Street. The applicant is looking to expand their business with the addition of a brewery. The system consists of a 3-barrel system that can produce up to 90 gallons in a cycle. The owner intends to brew approximately 300 gallons a week (Attachment 1).

POLICY EXPLANATION:

The purpose of conditional uses is to allow certain uses in districts that under some circumstances would not be compatible with other permitted uses but may be compatible if certain conditions and development restrictions are met. A Conditional Use Permit (CUP) is adopted by Ordinance, similar to a standard zoning request, with public hearings at Planning & Zoning Commission and City Council, as well as two ordinance readings at separate City Council meetings.

Section 33.2 of the Zoning Ordinance states that the Planning and Zoning Commission may consider the following criteria when approving a CUP:

- i. The use is harmonious and compatible with surrounding existing uses or proposed uses;

Small-scale production businesses and assembly space is compatible with the surrounding uses of historic downtown offices, retail, and restaurants.

- ii. The activities requested by the applicant are normally associated with the permitted uses in the base district;
Small-scale brewery within a restaurant is compatible with the Historic Main Street zoning district.
- iii. The nature of the use is reasonable;
Small retail breweries, distilleries and wineries are a reasonable size and scale use for the downtown.
- iv. Any negative impact on the surrounding area has been mitigated;
The production operations of the use will not produce any noxious emissions or noise. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.
- v. Any additional conditions specified [to] ensure that the intent of the district purposes are being upheld.
No additional criteria are required beyond mitigating production waste in the wastewater discharge.

Compliance with Emergency Ordinance 2018-1-A and 2018-2-A

The owner of the property held a Pre-Submission meeting with staff and qualifies for an Exception as a No Impact Project as no additional impervious cover or change to drainage is proposed.

PUBLIC COMMENTS:

Property owner notifications were mailed to four adjacent property owners on April 11, 2019. At the time of this report, four responses in support have been received (Attachment 3).

PLANNING & ZONING COMMISSION REPORT:

The Planning & Zoning Commission held a public hearing and considered this item at the April 25, 2019 regular meeting. The Commission voted 8 - 0 to recommend approval of the Conditional Use Permit with the standard listed conditions.

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2019-18 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a brewery, distillery and winery use on 0.266 acres of Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form-Based Code - HMS, Historic Main Street within the city limits of Bastrop, Texas; as shown in Exhibits A; setting out conditions; providing a severability clause; and establishing an effective date.

Standard Conditions from Section 33.2:

1. Construction and permits submitted shall be in conformance with the City of Bastrop regulations.
2. All necessary permits for the proposed development shall be acquired prior to construction on the subject property.
3. A Building Permit shall be applied for and secured within one (1) year from the date the

conditional use permit is granted (second reading of the ordinance).

Additional Condition for the Use:

4. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.

ATTACHMENTS:

- Ordinance 2019-18
- Exhibit A: Property Location Map
- Attachment 1: Letter from Applicant
- Attachment 2: Conceptual Site Layout
- Attachment 3: Response to Property Owner Notification
- Attachment 4: Zoning Map



ORDINANCE 2019-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A BREWERY, DISTILLERY AND WINERY USE ON 0.266 ACRES OF BUILDING BLOCK 4, WEST OF WATER STREET LOCATED AT 919 MAIN STREET, AN AREA ZONED DOWNTOWN BASTROP FORM-BASED CODE - HMS, HISTORIC MAIN STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; SETTING OUT CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE,

WHEREAS, Raymond Keyrouz (the “Applicant”) submitted a request for a Conditional Use Permit (CUP) to add a brewery, distillery, and winery use at 919 Main Street, within the city limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

WHEREAS, a property site plan is attached hereto as Exhibit “A” (the “Property”); and

WHEREAS, the Property is currently zoned as Downtown Bastrop Form-Based Code – Historic Main Street (HMS); and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the CUP was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the CUP request on April 25, 2019; and

WHEREAS, the applicant’s proposed development, with the stated conditions, meets the intent of the Zoning Ordinance, Section 33.2, Conditional Use Permit criteria; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission recommended approval of the proposed request, subject to certain conditions set forth herein; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to approve the CUP.

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

Section 1: A Conditional Use Permit to add a brewery, distillery, and winery use at 919 Main Street, within the city limits of Bastrop, Texas as more particularly shown on Exhibit A, shall be and is hereby approved with the following conditions:

- a. Construction and permits submitted shall be in conformance with the City of Bastrop regulations.
- b. All necessary permits for the proposed development shall be acquired prior to construction on the subject property.
- c. A Building Permit shall be applied for and secured within one (1) year from the date the conditional use permit is granted (second reading of the ordinance).
- d. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.

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 14th day of May 2019.

READ and ADOPTED on the Second Reading on the 28th day of May 2019.

APPROVED:

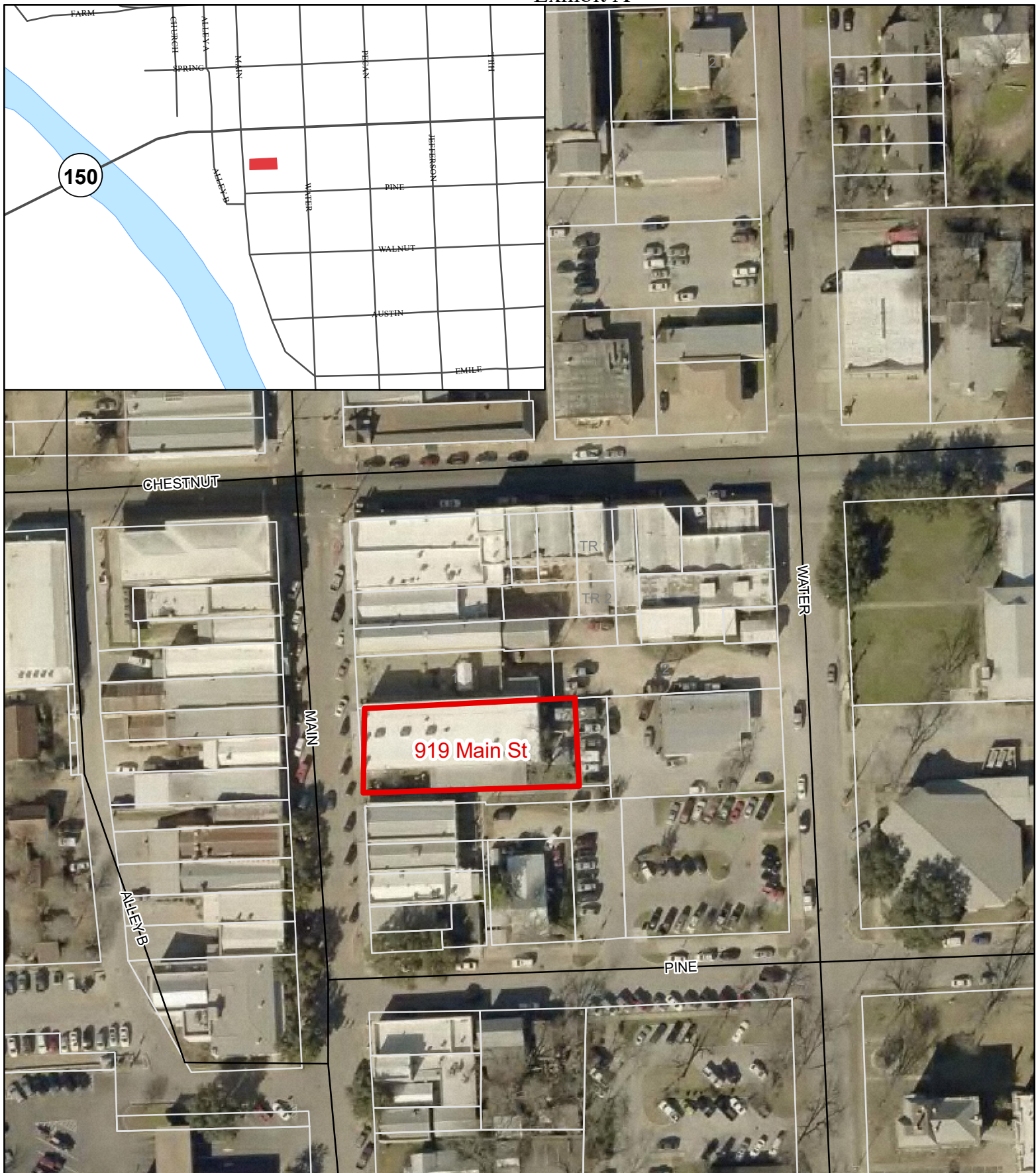
Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



Location Map
Conditional Use Permit
919 Main St



0 25 50 100 Feet



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 4/11/2019

Raymond Keyrouz
602 Brewery LLC
919 Main Street
Bastrop, TX 78602
512-773-5908

03-08-2019

City Of Bastrop

To whom this may concern:

My name is Raymond Keyrouz, president of 602 Brewery LLC.

We recently acquired the restaurant (The 602 on Main), located at 919 Main Street, Bastrop. It is currently in operation and we plan to keep it as a restaurant, with the addition of a brewery.

Once our brewery is in operation, we plan to brew 2-3 times a week, producing around 300 gallons of beer a week.

Our brewing system is a 3 barrel system capable of producing 90 gallons each time we brew.

Any grains we use for brewing, (roughly about 300-350 lbs each time we brew), will be donated to local farmers to feed their livestock, or to be composted.

Thank you for considering our project, (The 602 Project).

RECEIVED

FEB 11 2019

By



Attachment 2



Nick Smith
Senior Planner
325 Simpson Ave.
Cedar Creek, TX 78612
(512) 409-6819
nick@centexblueprint.com

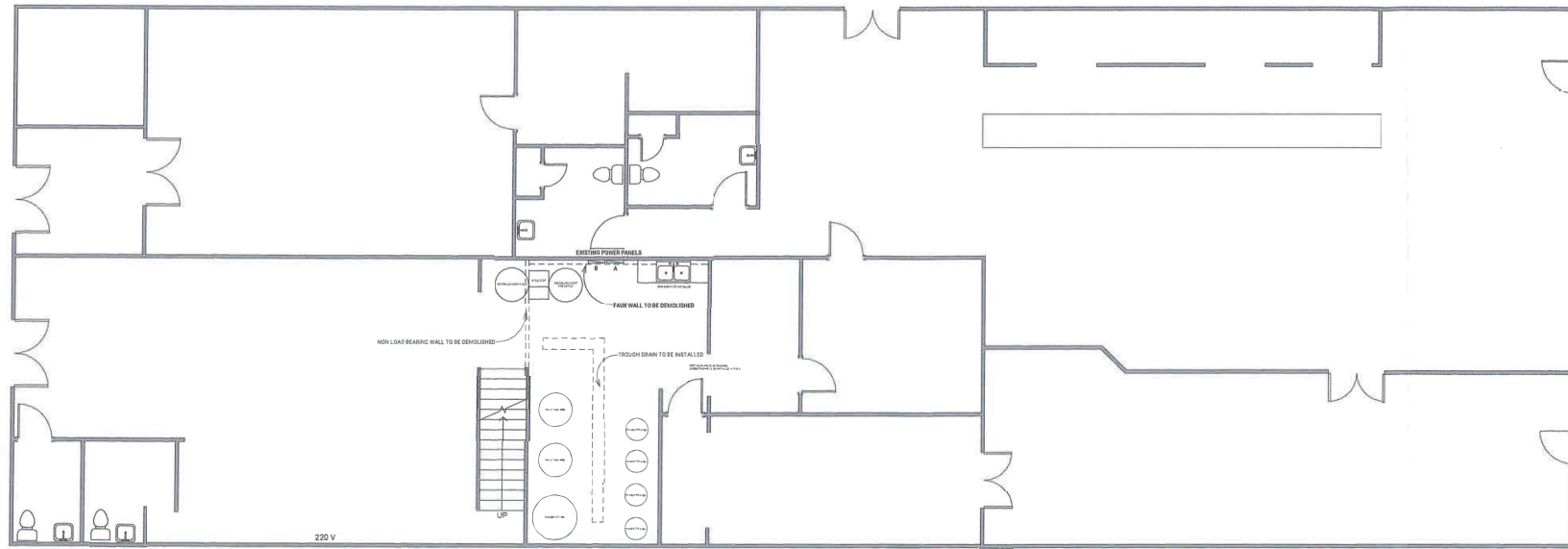
602 MAIN BREWERY
919 MAIN STREET
BASTROP TX 78602



RECEIVED

FEB 11 2019

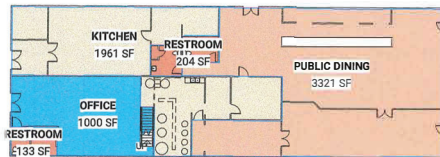
By



OCC. LOAD
3/16" = 1'-0"

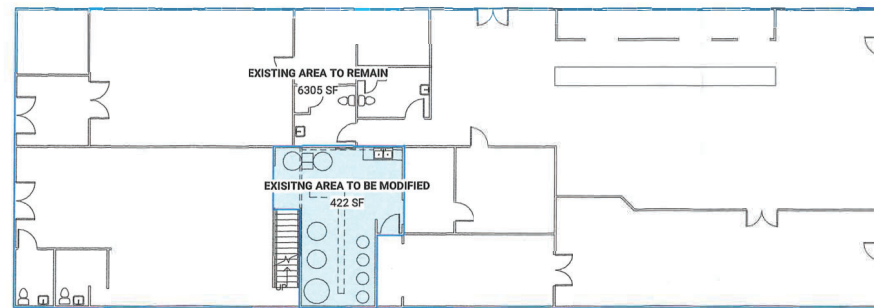
OCCUPANCY LOAD CALCULATION TABLE				
Classification	Name	Area	Occupancy Load	Occupancy Load Calculation
Kitchen, Commercial	KITCHEN	1961 SF	200	10
Business	OFFICE	1000 SF	100	10
Unconcentrated Assembly	PUBLIC DINING	3321 SF	15	221
Business	RESTROOM	133 SF	100	1
Business	RESTROOM	204 SF	100	2
		6618 SF		245

AREA		
Comments	Name	Area
Non HVAC	EXISTING AREA TO BE MODIFIED	422 SF
Non HVAC	EXISTING AREA TO REMAIN	6305 SF
	TOTAL BUILDING AREA	6727 SF



OCC. LOAD
1" = 20'-0"

Schema Legend
 KITCHEN
 OFFICE
 PUBLIC DINING
 RESTROOM



AREA PLAN
1" = 10'-0"

REMODEL

FLOOR PLAN

Project Number 19.0
Date 3/8/2019 10:00:26 AM

A3

Scale As indicated

Notice of Pending Conditional Use Permit Approval
City of Bastrop
Planning & Zoning Commission
And City Council



Dear Property Owner:

The Planning & Zoning Commission will conduct a public hearing on Thursday, April 25, 2019 at 6:00 p.m. and the City Council will conduct a public hearing (first reading) Tuesday, May 14, 2019 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas on the request to approve an ordinance for a Conditional Use Permit to allow a brewery, distillery and wine use on 0.266 acres, Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form Based Code - HMS, Historic Main Street, within the city limits of Bastrop.

Applicant: Raymond Keyrouz

Owner: Raymah Davis

Address: 919 Main Street

Legal Description: 0.266 acres, Building Block 4, West of Water Street

The site location map and a letter from the property owner is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

X

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- ☒ I am in favor of the request.
☐ I am opposed to the request.
☐ I have no objection to the request.

Property Owner Name: CHAREIL, INC (LAW OFF. OF DEREK VAN GILDER)
Property Address: 916 MAIN ST
Phone (optional): 512-303-4747
Mailing Address: - SAME -
Email (optional): derek@vangilderlaw.com
Property Owner's Signature: Derek Van Gilder

Comments: (Optional)

None -

Please provide reply to the address below, via fax (512) 332-8829, or email: plan@cityofbastrop.org

RE: 919 Main_602 Brewery CUP

PLANNING & DEVELOPMENT

TUCK LAW GROUP, PLLC

906 Main Street, Bastrop, Texas 78602
Tel: (512) 321-4944 ■ Fax: (512) 321-4946

Joe Grady Tuck
Elizabeth Beyer
Marilyn Poole
Chris Kirby

joe@tucklawcorp.com
elizabeth@tucklawgroup.com
marilyn@tucklawgroup.com
chris@tucklawgroup.com

April 17, 2019

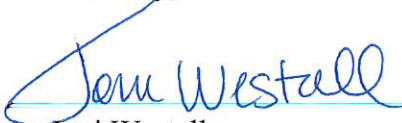
plan@cityofbastrop.org
City of Bastrop
Planning & Zoning Commission
And City Council

Re: 919 Main Street

Good Afternoon,

Please see the attached Property Owner's Response for the Conditional Use Permit relating to 919 Main Street. Please do not hesitate to give us a call if we can be of further assistance.

Sincerely,

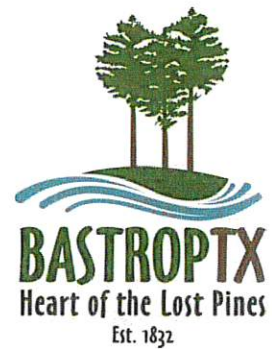


Joni Westall,
Administrator
Tuck Law Group, PLLC

CC: Raymond Keyrouz via: Raymond.keyrouz@gmail.com
Raymah Davis via: raymah.davis@co.bastrop.tx.us

rcvd 4/17/19 vnh

Notice of Pending Conditional Use Permit Approval
City of Bastrop
Planning & Zoning Commission
And City Council



Dear Property Owner:

The **Planning & Zoning Commission** will conduct a public hearing on **Thursday, April 25, 2019 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, May 14, 2019 at 6:30 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** on the request to approve an ordinance for a Conditional Use Permit to allow a brewery, distillery and wine use on 0.266 acres, Building Block 4, West of Water Street located at 919 Main Street, an area zoned Downtown Bastrop Form Based Code - HMS, Historic Main Street, within the city limits of Bastrop.

Applicant: Raymond Keyrouz
Owner: Raymah Davis
Address: 919 Main Street
Legal Description: 0.266 acres, Building Block 4, West of Water Street

The site location map and a letter from the property owner is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

✂

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- ☒ I am in favor of the request.
☐ I am opposed to the request.
☐ I have no objection to the request.

Property Owner Name: Joe Grady Tuck
Property Address: 906 main
Phone (optional): 512-321-4944
Mailing Address: _____
Email (optional): _____
Property Owner's Signature: [Signature]

Comments: (Optional)

rcvd 4/17/19 vnh

Please provide reply to the address below, via fax (512) 332-8829, or email: plan@cityofbastrop.org

RE:919 Main_602 Brewery CUP

PLANNING & DEVELOPMENT

Notice of Pending Conditional Use Permit Approval
City of Bastrop
Planning & Zoning Commission
And City Council



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For additional information, please visit or call the Planning & Development offices.

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- ☒ I am in favor of the request.
☐ I am opposed to the request.
☐ I have no objection to the request.

rcvd 4/18/19 wnh

Property Owner Name: DAVID SARTAIN
Property Address: 905 MAIN ST
Phone (optional): _____
Mailing Address: 201 HUNTERS CROSSING BLVD #10-154 BASTROP, TX 78602
Email (optional): _____
Property Owner's Signature: [Signature]
Comments: (Optional)

Please provide reply to the address below, via fax (512) 332-8829, or email: plan@cityofbastrop.org

RE: 919 Main_602 Brewery CUP

PLANNING & DEVELOPMENT

Notice of Pending Conditional Use Permit Approval
City of Bastrop
Planning & Zoning Commission
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For additional information, please visit or call the Planning & Development offices.

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- ☒ I am in favor of the request.
☐ I am opposed to the request.
☐ I have no objection to the request.

Property Owner Name: Ann VanZandt for Lost Pines Business Properties LLC
Property Address: 711 Chestnut St
Phone (optional): _____
Mailing Address: 711 Chestnut St
Email (optional): _____
Property Owner's Signature: Ann VanZandt
Comments: (Optional)

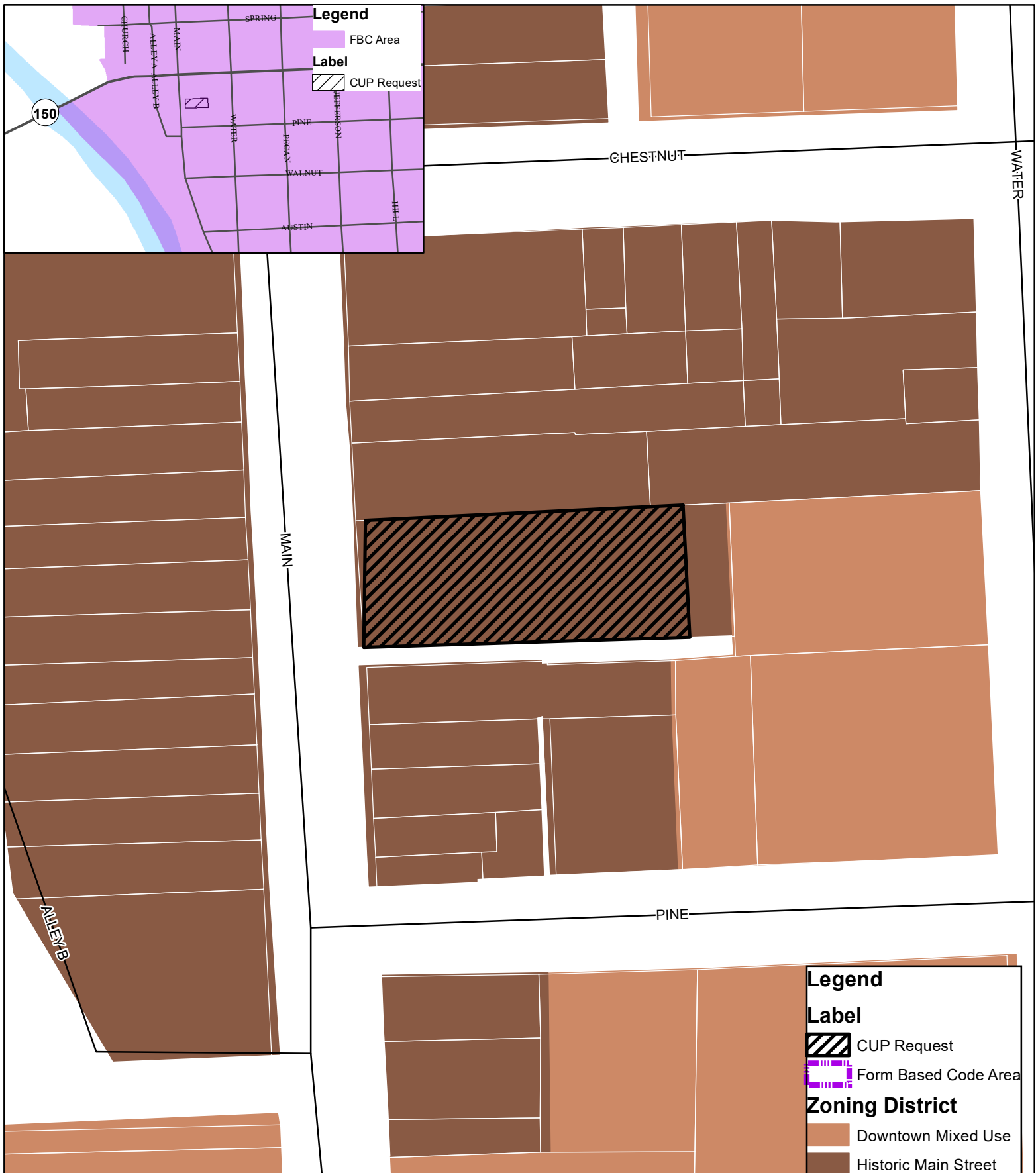
rcvd with 4/22/19

Please provide reply to the address below, via fax (512) 332-8829, or email: plan@cityofbastrop.org

RE:919 Main_602 Brewery CUP

PLANNING & DEVELOPMENT

Attachment 4



Attachment 4 Location and Zoning Map Conditional Use Permit Request 919 Main Street

1 inch = 66.67 feet



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 4/17/2019



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 8C

TITLE:

Consider action to approve the second reading of Ordinance No. 2019-19 of the City Council of the City of Bastrop, Texas amending Chapter 12, "Traffic and Vehicles," of the City of Bastrop City Code of Ordinances to add Article 12.13, "Use of Portable Electronic Devices While Operating a Motor Vehicle," sections 12.13.001, 12.13.002, 12.13.003, and 12.13.004; restricting the use of portable electronic devices while operating a motor vehicle in the City of Bastrop; providing for: findings of fact, enactment, repealer, severability, criminal fines not to exceed \$300 per offense; effective date, codification, and proper notice and meeting.

STAFF REPRESENTATIVE:

James K. Altgelt, Director of Public Safety/Chief of Police

BACKGROUND/HISTORY:

According to the National Highway Traffic Safety Administration (NHTSA), the act of distracted driving claimed the lives of 3,166 people in 2017. NHTSA defines distracted driving as, *"any activity that diverts attention from driving, including talking or texting on your phone, eating and drinking, talking to people in your vehicle, fiddling with the stereo, entertainment or navigation system – anything that takes your attention away from the task of safe driving."*

"History of reported accidents within the City of Bastrop"

	2014	2015	2016	2017	2018	2019*
Total Accidents Reported	793	974	1,056	1,003	811	259
"Blue Form" Accidents	353	435	529	483	413	123
Formal Accident Investigations	440	539	527	520	398	136
Accidents with Reported Injuries	52	73	81	162	82	35
Fatality Accidents	2	1	3	5	2	3

* 2019 Information is from January 1st through April 30th, 2019.

While there is not a specific quantifiable number, I am very confident that distracted driving is a significant contributing factor in many of the accidents investigated by the Bastrop Police Department.

“Texas Legislature Efforts to Combat Distracted Driving”

In 2017, the Texas Legislature passed a statewide ban on using a wireless communication device for electronic messaging while operating a motor vehicle. This law makes texting, as well as reading or writing email, prohibited while driving in Texas.

“NHTSA Strategies to Combat Distracted Drivers”

NHTSA promulgates that some of the most important steps a parent can take to help eliminate distracted driving are:

- Lead by example – never drive distracted
- Talk with your young drivers about distraction and all the responsibilities that come with driving
- Have everyone in your family sign a pledge to commit to distraction-free driving

NHTSA also promotes that teens can be the best messengers with their peers. Teens can take the following steps to help eliminate distracted driving:

- Speak up when they see a friend driving while distracted
- Share messages on social media that remind their friends, family, and neighbors not to make the deadly choice to drive distracted
- Become involved in their local Students Against Destructive Decisions Chapter

Bastrop Independent School District (BISD) Students are leading the charge locally to make our community safer and fight against distracted driving. The Youth Advisory Council has discussed the problem of distracted driving and have submitted Resolution Number R-2019-47 in support of the City Council passing an ordinance that prohibits a driver from using a portable electronic device while operating a motor vehicle within the City of Bastrop, Texas.

BISD Student Alexandra Rubio-Mata also reached out to Mayor Connie Schroeder and expressed her concerns about distracted driving and how dangerous it is for drivers to use their cell phones without a hands-free device and/or sending and reading text messages while operating a motor vehicle.

On May 14, 2019, Council unanimously voted to approve the first reading of this ordinance.

POLICY EXPLANATION:

The passing of this ordinance will make it illegal for an operator of a motor vehicle to use a portable electronic device while the vehicle is in motion. This ordinance would not apply to authorized emergency personnel using a portable electronic device while acting in an official capacity. Pursuant to State law, the ordinance would not apply to an operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than a portable electronic device or an operator using a two-way radio communication device in a commercial vehicle.

FUNDING SOURCE:

Pursuant to Texas Transportation Code §545.425, a municipality that by ordinance or rule prohibits the use of a wireless communication device while operating a motor vehicle shall post signs that are located at each point at which a state highway, U.S. highway, or interstate highway enters the political subdivision. There are seven (7) locations in the City where these signs would

need to be erected. The cost for each sign and base is approximately four hundred dollars and 00/100 (\$400.00). The cost for a spare sign is forty dollars and 00/100 (\$40.00). The economic impact for seven (7) signs with bases and two (2) spare signs is two thousand eight hundred eighty dollars and 00/100 (\$2,880.00). Director of Public Works and Leisure Services Trey Job stated there are currently funds available in the FY 2019 Budget to fund this project.

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2019-19 of the City Council of the City of Bastrop, Texas amending Chapter 12, "Traffic and Vehicles," of the City of Bastrop City Code of Ordinances to add Article 12.13, "Use of Portable Electronic Devices While Operating a Motor Vehicle," sections 12.13.001, 12.13.002, 12.13.003, and 12.13.004; restricting the use of portable electronic devices while operating a motor vehicle in the City of Bastrop; providing for: findings of fact, enactment, repealer, severability, criminal fines not to exceed \$300 per offense; effective date, codification, and proper notice and meeting.

ATTACHMENTS:

- Ordinance 2019-19
- Attachment "A"



ORDINANCE NO. 2019-19

HANDS FREE DEVICES AN ORDINANCE OF THE CITY OF BASTROP AMENDING CHAPTER 12, "TRAFFIC AND VEHICLES," OF THE BASTROP CITY CODE OF ORDINANCES TO ADD ARTICLE 12.13, "USE OF PORTABLE ELECTRONIC DEVICES WHILE OPERATING A MOTOR VEHICLE," SECTIONS 12.13.001, 12.13.002, 12.13.003, AND 12.13.004; RESTRICTING THE USE OF PORTABLE ELECTRONIC DEVICES WHILE OPERATING A MOTOR VEHICLE IN THE CITY OF BASTROP; PROVIDING FOR: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, CRIMINAL FINES NOT TO EXCEED \$300 PER OFFENSE; EFFECTIVE DATE, CODIFICATION, AND PROPER NOTICE AND MEETING.

WHEREAS, the Bastrop City Council (the "City Council") of the City of Bastrop (the "City") seeks to promote orderly and safe use of property within its city limits and its extraterritorial jurisdiction ("ETJ"); and

WHEREAS, Texas Local Government Code Section 51.001 provides that the City has general authority to adopt ordinances or regulations that are for the good government, peace, or order of the City and that are necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Chapter 311 of the Texas Transportation Code gives the City exclusive control over public rights-of-way within its corporate boundaries; and

WHEREAS, the City Council desires to increase safety by amending the regulations of the use of portable electronic devices while operating a motor vehicle; and

WHEREAS, the City Council finds that incorporating a distracted driving regulation is reasonable and necessary for the good government, peace, and order of the City.

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

SECTION 1. FINDINGS OF FACT The foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ENACTMENT Chapter 12 of the City of Bastrop Code of Ordinances is hereby amended by adding after and below Section 12.12.008 the following: Article 12.13, Sections 12.13.001, 12.13.002, and 12.13.003, 12.13.004, to read in accordance with *Attachment A*, which is attached hereto and incorporated into this ordinance for all intents and purposes.

SECTION 3. REPEALER All ordinances, resolutions, 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.

SECTION 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.

SECTION 5. EFFECTIVE DATE This ordinance shall be effective immediately upon passage and publication.

SECTION 6. 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 the 14th day of May 2019.

READ & APPROVED on the Second Reading on the 28th day of May 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

CITY OF BASTROP, TX

CODE OF ORDINANCES

CHAPTER 12: TRAFFIC AND VEHICLES

**ARTICLE 12.13 USE OF PORTABLE ELECTRONIC DEVICES WHILE
OPERATING A MOTOR VEHICLE.**

Sec. 12.13.001 Definitions

(a) In this article:

1. *Authorized emergency personnel*: means a person who is a law enforcement officer, firefighter, member of a governmental emergency medical services function, or a member of a governmental emergency management function.
2. *Hands-free device*: means speakerphone capability, a telephone attachment, or another function or other piece of equipment, regardless of whether permanently installed in or on a portable electronic device or in a motor vehicle, that allows use of the portable electronic device without use of either of the operator's hands, except to activate or deactivate a function of the portable electronic device or hands-free device. The term includes voice-operated technology and a push-to-talk function.
3. *Portable electronic device*: means a handheld mobile telephone, personal digital assistant, MP3 or other hand-held music player, electronic reading device, laptop computer, pager, broadband personal communication device, global positioning or navigation system, electronic game device, or portable computing device.
4. *Use*: means employing a portable electronic device for any reason including, without limitation, the following activities while holding or touching the device:
 - A) dialing or deactivating a phone call;
 - B) speaking in or listening to a conversation;
 - C) viewing, taking, or transmitting electronic images;
 - D) entering or changing information in a global positioning or navigation system or any software or application designed for navigation;
 - E) accessing or viewing an internet website or computer application; or
 - F) playing a game.

Sec. 12.13.002 Restriction

An operator of a motor vehicle may not use a portable electronic device while the vehicle is in motion.

Sec. 12.13.003 Enforcement

- (a) An offense under this article shall be punishable as a class C misdemeanor, for which the maximum fine per violation shall be \$300.00.
- (b) It is an affirmative defense to prosecution of an offense under this article if:
 - 1. the motor vehicle is at a complete stop;
 - 2. the portable electronic device is used with a hands-free device to engage in telephone communication or to listen to audio transmissions;
 - 3. the portable electronic device is a global positioning or navigation device, or global positioning or navigation software on a device, and the device is affixed to the motor vehicle;
 - 4. use of the portable electronic device is for obtaining emergency assistance to report a crime, traffic accident, medical emergency, or serious traffic hazard, or to prevent a crime about to be committed; or
 - 5. use of the portable electronic device is in the reasonable belief that a person's life or safety is in immediate danger.
- (c) This article does not apply to authorized emergency personnel using a portable electronic device while acting in an official capacity.
- (d) This article does not apply to an operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than a portable electronic device or an operator using a two-way radio communication device in a commercial vehicle.
- (e) To the extent that this article conflicts with the Texas Transportation Code Chapter 545, this article does not apply.

Sec. 12.13.004 Signage

After consulting with the chief of police, the city manager is authorized to have traffic safety signs erected warning motorists of restrictions imposed by this article, state law, or both.



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 9A

TITLE:

Consider action to approve Resolution No. R-2019-50 of the City Council of the City of Bastrop, Texas approving a Developer's Agreement for Piney Creek Bend Subdivision, Phase II, between the City of Bastrop and KB Homes; attached in Exhibit A; and authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

KB Homes is working to develop approximately 37 acres near the intersection of Carter and Linden Streets within the City of Bastrop, Texas. KB Homes has contacted Bastrop Power & Light to provide electrical service to the subdivision, and a line extension fee was provided.

Last May, City Council approved a Developer's Agreement between KB Homes and the City for the line extension for Phase I of the project. KB Homes asked if the fee for Phase II of the project could be paid in two (2) installments, so that design work for the project could be started. The first installment will be paid upon execution of the agreement, and the second shall be paid upon completion of the electrical infrastructure design. The Director of Bastrop Power & Light met with the City Manager, who agreed that this would be a satisfactory arrangement with City Council's approval and pending an executed Developer's Agreement. The City Attorney was asked to draft the Developer's Agreement.

The Preliminary Plat for Piney Creek Bend was approved by Bastrop City Council on May 8, 2018.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-50 of the City Council of the City of Bastrop, Texas approving a Developer's Agreement for Piney Creek Bend Subdivision, Phase II, between the City of Bastrop and KB Homes; attached in Exhibit A; and authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A - Proposed Developer's Agreement between the City of Bastrop and KB Homes

RESOLUTION NO. R-2019-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING A DEVELOPERS AGREEMENT FOR PINEY CREEK BEND SUBDIVISION, PHASE II, BETWEEN THE CITY OF BASTROP AND KB HOMES; ATTACHED AS EXHIBIT A; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE AGREEMENT; 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 of Bastrop has interest in providing expedited housing options for its citizens; and

WHEREAS, The City of Bastrop, through Bastrop Power & Light, endeavors to provide excellent customer service by providing reliable, safe, and affordable power to its customers; and

WHEREAS, The City of Bastrop has recognized the need to execute a Developer's Agreement for the Piney Creek Bend Subdivision, Phase II, with KB Homes to allow for engineering and design of the electrical service to the project; and

WHEREAS, the City Council finds that a very significant public interest is served by the completion of a Developer's Agreement for the Piney Creek Bend, Phase II, subdivision with KB Homes.

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 Developer's Agreement for the Piney Creek Bend subdivision between the City of Bastrop and the KB Homes. (Exhibit A)

Section 2: 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 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 28th day of May 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

UTILITY CONSTRUCTION AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This Utility Construction Agreement (this "Agreement") is between the City of Bastrop (hereinafter "City"), a Texas home rule municipality (hereinafter "City"), and KB Home Lone Star, Inc., a Texas corporation (hereinafter "Developer") to be effective as of _____, 2018 (the "Effective Date"). City and Developer may be referenced as the Parties.

RECITALS

WHEREAS, the City, through Bastrop Power & Light, provides electric services within its boundaries; and

WHEREAS, the Developer seeks to develop approximately 37 acres near the intersection of Carter and Linden Streets within the City of Bastrop; and

WHEREAS, the development requires the installation of new electrical lines; and

WHEREAS, the Developer has contacted Bastrop Power & Light to provide electrical service to the subdivision; and

WHEREAS, a line extension fee request was provided to the City; and

WHEREAS, on March 23, 2018, Bastrop Power & Light provided a line extension fee quote (the "Quote") to the Developer; and

WHEREAS, Developer has requested the fee for Phase I of the project be paid in two (2) installments so that design work for the project could be started; and

WHEREAS, the City is willing to construct the underground electrical system for the property, provided that the Developer pay all costs and assumes all risks of any delay or failure to complete the project in a timely manner.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that, in consideration of the mutual promises, covenants, obligations, and benefits set forth in this Agreement, the City and the Developer agree as follows:

ARTICLE I. REPRESENTATIONS

1. **Representations by Developer.** The Developer represents and covenants to the City that it will use reasonable efforts:

(a) to execute and deliver this Agreement and that the transactions contemplated

hereby have been duly authorized by the Developer;

- (b) that the representations and covenants contained in this Agreement, and the consummation of the transactions contemplated hereby, do not violate or constitute a breach of any contract or other agreement to which the Developer is a party;
- (c) the Developer has made financial arrangements sufficient to assure its ability to perform its obligations hereunder; and
- (d) the Developer will send a representative to all meetings of the City at which such presence is requested.

2. **Representations by the City.** The City represents and covenants to the Developer that it will use reasonable efforts:

- (a) to provide reasonable notice of all meetings to the Developer;
- (b) to ensure execution of the design for the project; and
- (c) install all necessary lines and equipment in a timely manner.

ARTICLE II SCOPE OF PROJECT

1. City will contract with the Lower Colorado River Authority (LCRA) to design the electrical infrastructure needed for the project.
2. Design of the infrastructure will take approximately 6 to 8 weeks to complete.
3. Upon payment of the second installment, Bastrop Power & Light will order materials and begin coordinating with the Developer regarding construction.
4. The cost of the project includes material, labor & equipment for Phase I of the project.
5. The cost does not include joint trenching with any other party, such as communication, cable, etc.

ARTICLE III PAYMENT

The hereby Parties agree:

1. the Quote provided to Developer is merely a rough estimate and nonbinding in nature;
2. the Quote for the project as of March 23, 2018, is \$308,512.50;
3. the first installment of \$154,265.25 will be paid upon execution of the Agreement;

4. upon completion of the electrical design, the parties shall confer regarding the remainder of the fee owed;
5. the remainder of the fee owed shall be paid upon completion of the electrical infrastructure design;
6. at the time of the Quote, the second installment is estimated to be \$154,265.25;
7. as reflected in the Quote, the City reserves the right to alter the Quote, and/or vacate the Quote at any time and for any reason.

ARTICLE IV DEFAULT

1. **Default by the Developer.** If the Developer defaults hereunder, the City may:
 - (a) terminate this Agreement without thereby incurring any liability to the Developer whatsoever;
 - (b) pursue all other legal or equitable remedies; and
 - (c) recover from the Developer all expenses incurred in pursuing its legal rights hereunder, including reasonable attorneys' fees.
2. **Default by City.** If the City defaults hereunder, the Developer may, as its sole remedy, seek a writ of mandamus from a court of competent jurisdiction compelling and requiring the City and its Officers to observe and perform their obligations under this Agreement.

ARTICLE V MISCELLANEOUS

1. **Severability.** If any provision of this Agreement is held to be invalid, illegal or unenforceable in any respect, this invalidity, illegality, or unenforceability will not affect any other provision, and this Agreement will be construed as if the invalid, illegal, or unenforceable provision had never been contained herein.
2. **Entire Agreement.** This Agreement contains the entire agreement of the Parties. There are no other promises or conditions in any other agreement either oral or written. This Agreement supersedes any prior written agreements between the Parties.
3. **Assignability.** This Agreement may not be assigned in whole or in part by the Developer without the prior written consent of the City.
4. **Notice.** Any notice, communication, request, reply, or advice (severally and collectively referred to as "**Notice**") given under this Agreement must be in writing. Notice may be given or served: (i) by depositing it in the United States Mail, postage paid, certified with return receipt requested, and addressed to the party to be notified; or (ii) by personally delivering it to the party to be notified. Notice deposited in the mail will be effective three days after such deposit. Notice given in any other manner

will be effective only if and when received by the party to be notified. For the purposes of notice, the addresses of the parties will be, until changed as provided below, as follows:

City: City of Bastrop
Lynda Humble
City Manager
1311 Chestnut Street
Bastrop, Texas 78602

with a copy to: Alan Bojorquez
Bojorquez Law Firm
12325 Hymeadow Dr.
Ste. 2-100
Austin, TX 78750

Developer: KB Home Lone Star, Inc.
John Zinsmeyer
Vice President Planning/Development
10800 Pecan Park Blvd.
Ste. 200
Austin, TX 78750

The parties may change their respective addresses for purposes of notice by giving at least five (5) days written notice of the new address to the other party. If any date or any period provided in this Agreement ends on a Saturday, Sunday, or legal holiday, the applicable period will be extended to the next business day.

5. **Captions.** The captions used in this Agreement are for convenience only and do not construe or limit the meaning of the language contained in this Agreement.
6. **Applicable Law.** This Agreement will be construed and interpreted under the laws of the State of Texas and the obligations of the parties are performable in Bastrop County, Texas.
7. **Parties at Interest.** This Agreement is for the exclusive benefit of the parties and it will never be construed to confer a benefit on a third party.
8. **Term.** Except as otherwise provided herein, this Agreement will be in force from the date of execution for a term of two (2) years, or until the transactions contemplated hereby are consummated, whichever first occurs.
9. **Force Majeure.** If the City is rendered unable, in whole or in part, by force majeure to carry out any of its obligations under this Agreement, then those obligations, to the extent affected by force majeure and to the extent that due diligence is being used to remedy the inability and to resume performance at the earliest practicable time, will be suspended during the continuance of the inability, but for no longer. The term 'force majeure' includes, without limitation, acts of God; strikes, lockouts, or other industrial disturbances; acts of the public enemy; orders of any kind of the Government of the

United States or of the State of Texas or any civil or military authority; insurrections; riots; epidemics; landslides; lightning; earthquakes; fires; hurricanes; storms; floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines or canals; and any other inabilities of the City, whether similar to those enumerated or otherwise, which are not within the control of the City, and which the City could not have avoided by the exercise of due diligence and care. The settlement of strikes and lockouts will be entirely within the discretion of the City, and the requirement that any force majeure be remedied with all reasonable dispatch does not require the settlement of strikes and lockouts by acceding to the demand of the opposing party or parties when the settlement is unfavorable, in the judgment of the City.

10. **Counterparts.** This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. Facsimile or electronic transmission of executed signatures are agreed and deemed to constitute fully enforceable and binding originals.

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement on the dates indicated below.

Signature Page(s) follow.

CITY OF BASTROP

Lynda Humble,
City Manager

Date

Attest:

City Secretary

Date

KB HOME LONE STAR, INC.

John Zinsmeyer,
Vice President Planning/Development

Date



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 9B

TITLE:

Consider action to approve Resolution No. R-2019-51 of the City Council of the City of Bastrop, Texas confirming the Youth Advisory Council appointments of the Mayor, as required in Section 3.08 of the City Charter; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

The Youth Advisory Council was established on January 9, 2018, by the City Council of Bastrop, Texas after Mrs. Megan Brandon, a 9th Grade Social Studies Research Methods Teacher at Colorado River Collegiate Academy, and her third period class identified few opportunities for youth activities and leadership in Bastrop. Their identified solution to help solve this issue was the Youth Advisory Council (YAC). On May 22, 2018, the inaugural 12 members were recommended and approved for appointment.

Over the past year the YAC has surveyed their classmate regarding the needs of the youth within Bastrop County, they have also rewritten the by-laws, and passed a resolution in support of amending chapter 12 of the City of Bastrop Code of Ordinances making it illegal to drive while distracted.

Five members of the YAC are graduating and leaving vacancies. Seventeen (17) applications were received for these open positions and the following are recommended by school staff for appointment:

Students	High School	Grade for 2019-20
Logan Anderson	BHS	11 th
Gwen Ibarra	CCHS	10 th
Ambrose Kapetanidis	BHS	9 th
Jamie McPhaul	BHS	12 th
Magel Zhu	CRCA	10 th

POLICY EXPLANATION:

This 12-member board will serve as a conduit to the youth of the Bastrop community. An Ordinance establishing the YAC was approved by the Council on January 9, 2018, and the Bylaws were approved on February 13, 2018.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-51 of the City Council of the City of Bastrop, Texas confirming the Youth Advisory Council appointments of the Mayor, as required in Section 3.08 of the City Charter; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution



RESOLUTION NO. R-2019-51

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
CONFIRMING THE YOUTH ADVISORY COUNCIL APPOINTMENTS OF THE
MAYOR, AS REQUIRED IN SECTION 3.08 OF THE CITY CHARTER;
PROVIDING FOR A REPEALING CLAUSE; 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 City Council; and

WHEREAS, Mayor Connie Schroeder has received recommendations regarding the applications to the Youth Advisory Council Board and made appointments; and

WHEREAS, The City of Bastrop has an interest in supporting opportunities for youth activities and leadership in Bastrop and Bastrop County; and

WHEREAS, The City of Bastrop has recognized the need to promote an action-civics curriculum where students select a community issue, research it, and come up with a potential solution; and

WHEREAS, The Youth Advisory Council has completed its inaugural year of service and will see five (5) members graduate; and

WHEREAS, Applications for the open positions were received by Bastrop Independent School District; and

WHEREAS, the City Council finds that a very significant public interest is served by development and support of the Youth Advisory Council.

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

Section 1: That Mayor Connie Schroeder appointed the following members to the Youth Advisory Council:

Students	High School	Grade for 2019-20
Logan Anderson	BHS	11 th
Gwen Ibarra	CCHS	10 th
Ambrose Kapetanis	BHS	9 th
Jamie McPhaul	BHS	12 th
Magel Zhu	CRCA	10 th

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointments to the Youth Advisory Council.

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 28th day of May, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 9C

TITLE:

Consider action to approve the first reading of Resolution No. R-2019-54 of the City Council of the City of Bastrop, Texas, approving the Executive Director or Interim Executive Director of the Bastrop Economic Development Corporation obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS for construction of a building to the lot at 921 Main Street; repealing all resolutions in conflict; providing severability; and providing an effective date.

STAFF REPRESENTATIVE:

Mike Kamerlander, Bastrop EDC Executive Director

BACKGROUND/HISTORY:

The Bastrop EDC Board of Directors previously approved a Performance Agreement with 921 Bastrop, LLC, on September 17, 2018, to construct a building at the site located at 921 Main Street, Bastrop, Texas. However, the project has now substantially changed and 921 Bastrop, LLC, can no longer construct the facility under that agreement. This agreement has been voided by agreement of the parties and the project is now going to be constructed by the BEDC.

To begin this new project the BEDC will need to obtain a loan in the amount of one million eight hundred thousand (\$1,800,000.00) dollars from a federally insured lender to be chosen by the Board.

Pursuant to Section 505.158(b) of the Local Government Code, prior to the BEDC funding a project involving an expenditure of more than \$10,000, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council on two separate occasions.

Through the investment of community resources in infrastructure improvements, the EDC is promoting new or expanded business development. The EDC is authorized in the LGC Section 505.158 to undertake projects related to business development in certain small municipalities:

Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES. (a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development. (b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2019-54 of the City Council of the City of Bastrop, Texas, approving the Executive Director or Interim Executive Director of the Bastrop Economic Development Corporation obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS for construction of a building to the lot at 921 Main Street; repealing all resolutions in conflict; providing severability; and providing an effective date.

ATTACHMENTS:

- Draft Resolution
- Resolution from Bastrop EDC Board



RESOLUTION NO. R-2019-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE EXECUTIVE DIRECTOR OR INTERIM EXECUTIVE DIRECTOR OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION TO OBTAIN A LOAN IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS FOR CONSTRUCTION OF A BUILDING TO THE LOT AT 921 MAIN STREET; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in recognition of the positive economic benefits which will accrue, and pursuant to the terms of Texas Local Government Code Sections 501-505, and specifically 501.103, the Board of Directors of the Bastrop Economic Development Corporation ("BEDC") has authorized the Executive Director or Interim Executive Director to obtain a loan to facilitate the site-improvement and construction of a building at the lot located at 921 Main Street in Bastrop, Bastrop County, Texas; and

WHEREAS, the project was previously under a performance agreement with 921 Bastrop, LLC, for the same or similar improvements to be made by 921 Bastrop, LLC, who can no longer construct the facility under that agreement approved under Resolution No. R-2018-0007 on September 17, 2018; and

WHEREAS, that performance agreement with 921 Bastrop, LLC, is being voided by agreement of the parties and this project is now going to be constructed by the BEDC; and

WHEREAS, to begin this new project the BEDC will need to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS from a federally insured lender to be chosen by the Board; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that BEDC Executive Director or Interim Executive Director is authorized to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS to facilitate the development of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, the BEDC and City Council by separate resolutions shall authorize the 921 Main Street Project as a qualified infrastructure and site improvement project pursuant to the authority of Texas Local Government Code Section 501.103.

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

SECTION 1. To the extent required by Texas Local Government Code Section 505.158(b) the following are authorized:

SECTION 2. Open Meeting. The City Council hereby finds and determines that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose at which it was read was given in accordance with Chapter 551, Texas Government Code.

SECTION 3. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. Two Readings Required. Pursuant to Texas Local Government Code Section 505.158(b), this Resolution shall take effect immediately from and after its passage upon a subsequent second reading and passage, and it is duly resolved.

This resolution shall be in full force and effect from and after its final adoption.

READ and ACKNOWLEDGED on First Reading on the 28th day of May 2019.

READ and APPROVED on the Second Reading on the 11th day of June 2019.

CITY OF BASTROP, TEXAS

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

RESOLUTION NO. R-2019-0006

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING MIKE KAMERLANDER, EXECUTIVE DIRECTOR, TO OBTAIN A LOAN IN THE AMOUNT OF \$1,800,000.

WHEREAS, the Bastrop Economic Development Corporation ("BEDC") is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the "Act"), and is acting with the approval of the governing body of the City of Bastrop, Texas (the "City"); and

WHEREAS, the BEDC needs to improve the site it owns at 921 Main Street in Bastrop, Texas, and to construct a facility and building upon that site to fulfill its public purpose in attracting qualifying projects under Texas Local Government Code, Chapters 501 and 505, et seq., as amended; and

WHEREAS, the BEDC previously authorized a project to be conducted on that site that is now substantially changing and requires the BEDC to directly finance and construct the building and facility at 921 Main Street, Bastrop, Texas; and

WHEREAS, the project was previously under a performance agreement with 921 Bastrop, LLC, for the same or similar improvements to be made by 921 Bastrop, LLC, who can no longer construct the facility under that agreement approved under Resolution No. R-2018-0007 on September 17, 2018; and

WHEREAS, that performance agreement with 921 Bastrop, LLC, is being voided by agreement of the parties and this project is now going to be constructed by the BEDC; and

WHEREAS, to begin this new project the BEDC will need to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS from a federally insured lender to be chosen by the Board; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that BEDC Executive Director Mike Kamerlander is authorized to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS to facilitate the development of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, the BEDC Board, having received proposed loans from various lending institutions provided by the Executive Director, determines the financial institution from which the funds will be obtained is Roscoe State Bank.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1. The findings set out above are hereby found to be true and correct and are incorporated herein for all purposes.

RESOLUTION NO. R-2019-0006

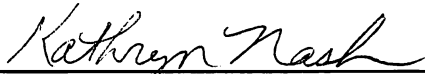
SECTION 2. The Board approves the Director obtain a loan in the amount of \$1,800,000.00 for the BEDC project to develop the property located at 921 Main Street, Bastrop, Texas, and to be owned by the BEDC; *for signature and authorization by Executive Director and BEDC Treasurer.*

SECTION 3. The Board has determined Roscoe State Bank is to be the lender on this project and the Executive Director, with the assistance of the BEDC's attorneys, is authorized and directed to prepare any instruments reasonably necessary to fulfill the intent expressed herein.

SECTION 4. This Resolution is effective upon passage.

DULY RESOLVED AND ADOPTED by the Board of Directors of the Bastrop Economic Development Corporation, this 20th day of May 2019.

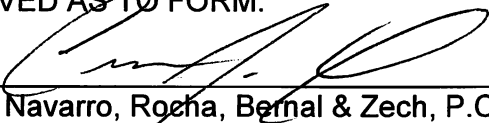
BASTROP ECONOMIC
DEVELOPMENT CORPORATION


Kathryn Nash, Board Chair

ATTEST:


Sam Kier, Board Secretary

APPROVED AS TO FORM:


Denton, Navarro, Rocha, Bernal & Zech, P.C.



STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 10A

TITLE:

City Council shall convene into closed session pursuant to Section 551.071 of the Texas Government Code for a legal briefing by the City Attorney on contractual issues regarding the Chapter 380 Agreement between the City and Bastrop Retail Partners, LP (executed September 4, 2007).

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: May 28, 2019

AGENDA ITEM: 11

TITLE:

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

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

