

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



February 12, 2019 at 5:30 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 – REGULAR SESSION AT 6:30 P.M.

- 1. CALL TO ORDER – EXECUTIVE SESSION AT 5:30 P.M.**
 - 2. EXECUTIVE SESSION – 1 of 2**
 - 2A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.
 - 3. Take any necessary or appropriate action on matters posted for consideration in closed/executive session.**
 - 4. CALL TO ORDER – REGULAR SESSION AT 6:30 P.M.**
 - 5. PLEDGE OF ALLEGIANCE – Christina Fortanel and Sienna Alanis, Photography Club**

TEXAS PLEDGE OF ALLEGIANCE
Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.
 - 6. INVOCATION – Dale Burke, Police Chaplain**
-

7. PRESENTATIONS

- 7A. Mayor's Report
- 7B. Councilmembers' Report
- 7C. City Manager's Report
- 7D. A Proclamation of the City Council of the City of Bastrop, Texas, recognizing February 17-23, 2019 as Engineers' Week.
- 7E. A proclamation of the City Council of the City of Bastrop, Texas, recognizing the month of February as Black History Month.

8. WORK SESSION/BRIEFINGS

- 8A. Update and discussion of current Legislative Session and its impact on local municipalities.
- 8B. Update and discussion of Building Bastrop to include Guiding Policy Statement and update of progress of development codes since Design/Code Rodeos by Matt Lewis, Simplecity Design.

9. STAFF AND BOARD REPORTS - NONE

10. 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.

11. 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.

- 11A. Consider action to approve City Council minutes from the January 22, 2019, regular meeting and January 24, 2019 Board & Commission Orientation.

- 11B. Consider action to approve Resolution No. R-2019-16 of the City Council of the City of Bastrop, Texas adopting various policies and procedures required in conformity with the Civil Rights Act, and the Fair Housing Act, as shown in Exhibit A, required under the Texas Community Development Block Grant Contract Number 7218019 through the Texas Department of Agriculture; providing for a repealing clause; and establishing an effective date.

12. ITEMS FOR INDIVIDUAL CONSIDERATION

- 12A. Consider action and approve Resolution No. R-2019-20 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).
- 12B. Consider action to approve Resolution No. R-2019-21 of the City Council of the City of Bastrop, Texas approving Task Order Number Two with Walker Partners for design, bid services, inspections, and construction administration services related to street maintenance and rehabilitation for the grand total amount of seventy-one thousand five hundred dollars and zero cents (\$71,700.00) as shown in Exhibit A of the Engineering Service Agreement; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
- 12C. Consider action to approve Resolution No. R-2019-04 of the City Council of the City of Bastrop, Texas awarding a contract to construct a 250,000 gallon elevated storage tank (EST), interior & exterior coating systems, lines, valves, and associated appurtenances to Landmark Structures of Fort Worth, Texas in the amount of One Million Four Hundred Ninety Thousand Eight Hundred Dollars and No Cents (\$1,490,800.00), as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
- 12D. Consider action to approve Resolution No. R-2019-08 of the City Council of the City of Bastrop, Texas awarding a contract to construct a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation to TTE, LLC of Spicewood, Texas in the amount of One Million One Hundred Forty-two Thousand One Hundred Dollars and No Cents (\$1,142,100.00) attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
- 12E. Hold public hearing and consider action to approve Resolution No. R-2019-14 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 1507 Chestnut Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.
- 12F. Consider action to approve Resolution No. R-2019-15 of the City Council of the City of Bastrop, Texas, designating the Mayor, City Manager, Chief Financial Officer, and City Secretary as authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TxCDBG), Contract Number 7218019, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

- 12G. Consider action to approve first reading of Ordinance No. 2019-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop City Code of Ordinances, Chapter 15, Article 15.01, Section 15.01.016 "Monument, Memorial, or Tombstones; Construction Permit Required"; repealing conflicting provisions; providing for a severability clause; establishing an effective date; and move to include on the February 26, 2019 consent agenda for a second reading.
- 12H. Hold public hearing and consider action to approve Resolution No. R-2019-17 of the City Council of the City of Bastrop, Texas; supporting an application for 2019 Housing Tax Credits by Riverwood Commons II, LP, for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas; authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.
- 12I. Hold public hearing and consider action to approve Resolution No. R-2019-18 of the City Council of the City of Bastrop, Texas; acknowledging that Bastrop has more than two times the state average per capita of Housing Tax Credit units and supporting the 2019 Housing Tax Credit application by Riverwood Commons II, LP for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas, authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.
- 12J. Consider action to approve the first reading of Ordinance No. 2019-03 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date and move to include on the February 26, 2019 City Council agenda for a second reading.
- 13. EXECUTIVE SESSION – 2 of 2**
- 13A. City Council will convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with the City Attorney and outside legal counsel regarding the status of the Hunters Crossing Public Improvement District.
- 13B. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss a salary for the Presiding Judge and the Associate Judge Request for Qualification Process for Municipal Court.
- 14. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION**

15. 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, February 8, 2019 at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.

Traci Chavez

Traci Chavez, Deputy City Secretary





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 2A

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 3

TITLE:

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

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 7A

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
February 12, 2019



Sergeant Hamrick



Fire Chief Rosales

Latest Activities

January 10 – January 31

Events in 2019: 30



Board & Commission Training



BISD Sportsmen's Banquet



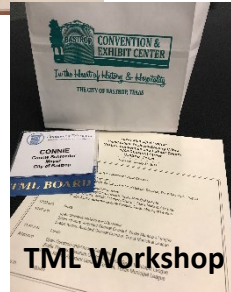
Brian Perry



The Addams Family



MLK Celebration



TML Workshop



Texas Pride



BISD Board of Trustees



Crossfit Cohension



Alive After Five A+ Fitness



BISD Ambassadors





YMCA Jan 12

Camp Gladiator Jan 19



Body Toners Jan 26

Jazzercise Jan 27



Register and earn points for Bastrop – Join BISD

www.ittcommunitychallenge.com

- HT Fitness Pop Up Event February 2nd – 10 AM
Free Workout



Planned Events

February 1 – February 12

- February 1 – Deputy Voter Registration Renewal
- February 2
 - HT Fitness Pop Up Event at 10 am It's Time Texas!
 - Sip, Shop and Swirl
- February 4 - Library Board Meeting
- February 6 – Chamber Luncheon
- February 7 – Farm Street Opry
- February 8 – Chamber Banquet
- February 9 – YMCA Fit-a-thon Fund Raiser at Bastrop Opera House
- February 12 – City Council Meeting



Upcoming Events & City Meetings

- February 14 – FCI Quarterly Community Luncheon
- February 20
 - TEDC 2019 Legislative Conference
 - TTIA Dinner w/Visit Bastrop
- February 21
 - TEDC 2019 Legislative Conference
 - Be Our Guest Wedding Venue Ribbon Cutting
- February 22
 - BEST Breakfast in Elgin
 - TEDC 19 Legislative Conference
- February 23
 - Bastrop Food Pantry - Empty Bowl
 - Children's Advocacy Center - Beads Bags and Brunch
- February 25
 - BEDC Monthly Meeting
- February 26 – City Council Meeting





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 7B

TITLE:

Councilmembers' 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;
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- (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.



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 7C

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:

(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.

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- (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.



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 7D

TITLE:

A Proclamation of the City Council of the City of Bastrop, Texas, recognizing February 17-23, 2019 as Engineers' Week.

STAFF REPRESENTATIVE:

Jerry Palady, City Engineer





PROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, engineers use their scientific and technical knowledge and skills in creative and innovative ways to fulfill society's needs; and

WHEREAS, engineers face the major technological challenges of our time – from rebuilding towns devastated by natural disaster, cleaning up the environment, and assuring safe, clean, and efficient sources of energy, to designing information systems that will speed our country into the future; and

WHEREAS, engineers are encouraging our young math and science students to realize the practical power of their knowledge; and

WHEREAS, we will look more than ever to engineers and their knowledge and skills to meet the challenges of the twenty-first century.

NOW, THEREFORE, I, Connie Schroeder, Mayor of the City of Bastrop, Texas do hereby proclaim February 17th through February 23rd, 2019 as:

Engineers' Week

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 12th day of February, 2019.

Connie B. Schroeder, Mayor



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 7E

TITLE:

A proclamation of the City Council of the City of Bastrop, Texas, recognizing the month of February as Black History Month.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





PROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, The origins of Black History Month can be traced to the scholar Dr. Carter G. Woodson, who created the Association for the Study of African American Life and History in 1915, because African-Americans have played a central role in our nation's history, but for too long, historians ignored or glossed over their contributions and the injustices they have suffered; and

WHEREAS, in 1926, Dr. Woodson conceived a yearly celebration to help rectify the omission of African-Americans from history books, and was made official by Presidential designation in 1976; and

WHEREAS, today, the observance of Black History Month throughout the United States stands as testament to the success of Woodson's project and an example of how we can work together to make the teaching of history more honest; and

WHEREAS, the theme of 2019 Black History Month is "Black Migrations" and focuses the "the movement of African Americans to new destinations and subsequently new social realities"; and

WHEREAS, having faced slavery, many forms of oppression, deep-rooted adversity, and the very real dangers of demanding equality and change, the contributions and achievements of African-Americans are imbued with unique strength and resilience which are respected and greatly valued; and

WHEREAS, Governor Greg Abbott stated in his January 31, 2019 Proclamation several examples of excellence throughout the African-American history in Texas including Bessie Coleman, who grew up in Atlanta, Texas and inspired people all over the world, shattering long-held stereotypes as the first African-American to become a pilot; and Richard Overton, an American hero and Texas legend born in Bastrop County, who stood out even amongst America's greatest generation who selflessly risked their lives in World War II; and

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

Black History Month

And, along with the members of City Council, encourage all residents, business owners, schools, churches, and visitors to join the City of Bastrop in celebrating Black History Month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 12th day of February, 2019.

Connie B. Schroeder, Mayor





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 8A

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: February 12, 2019

AGENDA ITEM: 8B

TITLE:

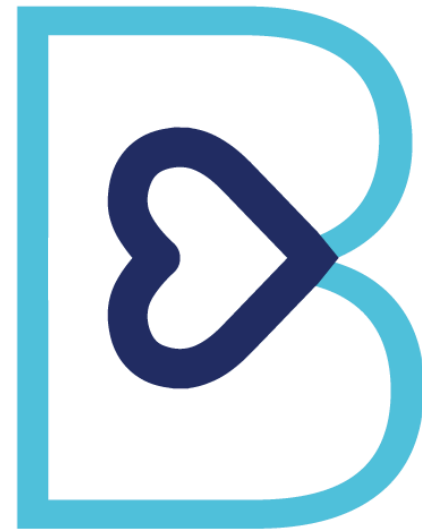
Update and discussion of Building Bastrop to include Guiding Policy Statement and update of progress of development codes since Design/Code Rodeos by Matt Lewis, Simplecity Design.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager







BUILDING BASTROP

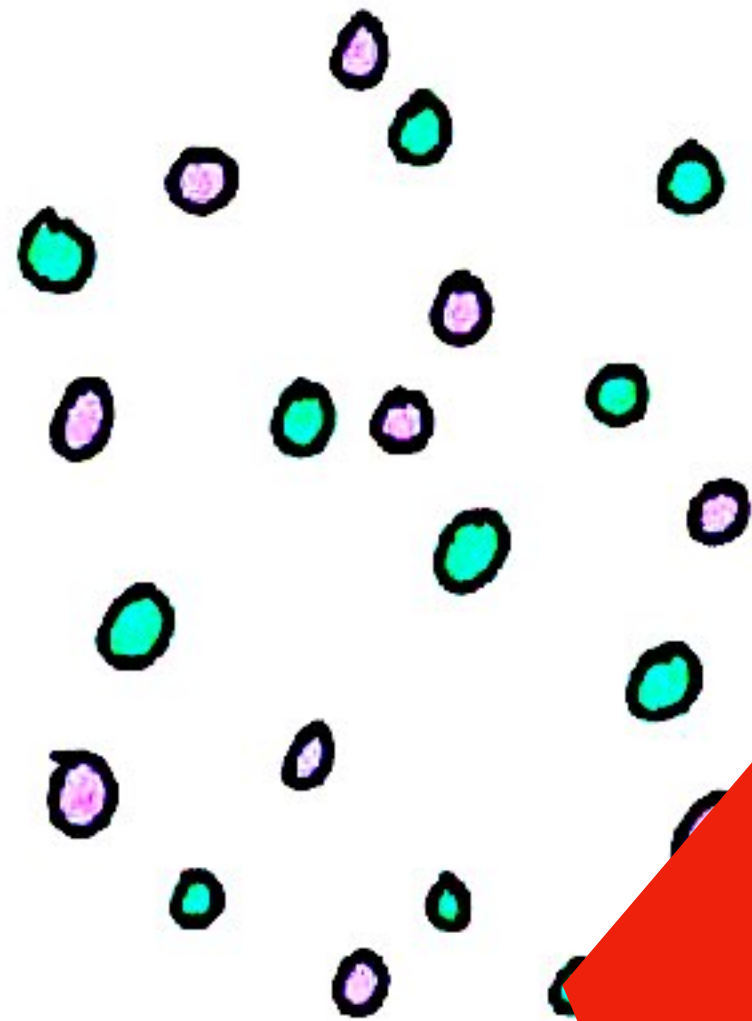
HONORING OUR AUTHENTIC PAST.

PLANNING FOR OUR SUSTAINABLE FUTURE.

simple**city**design



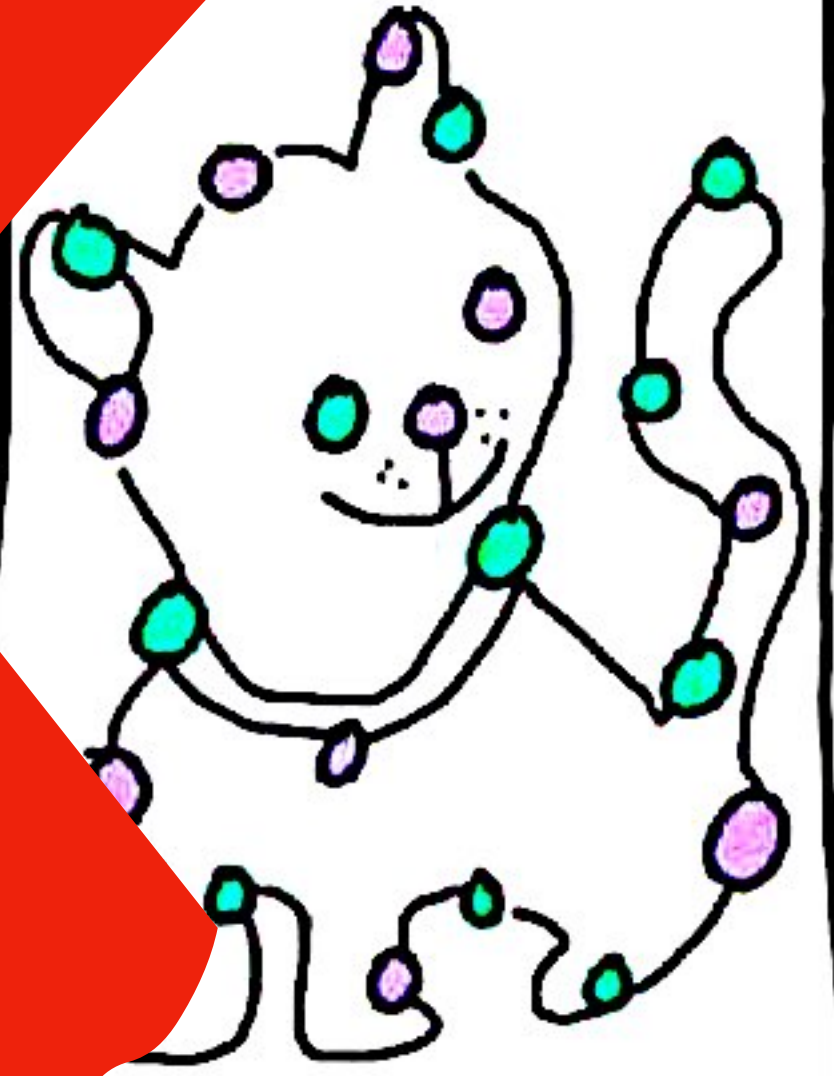
Knowledge



Experience



Creativity



Building Bastrop Block (B^3) Code

Back From The Rodeos

Geographically Sensitive

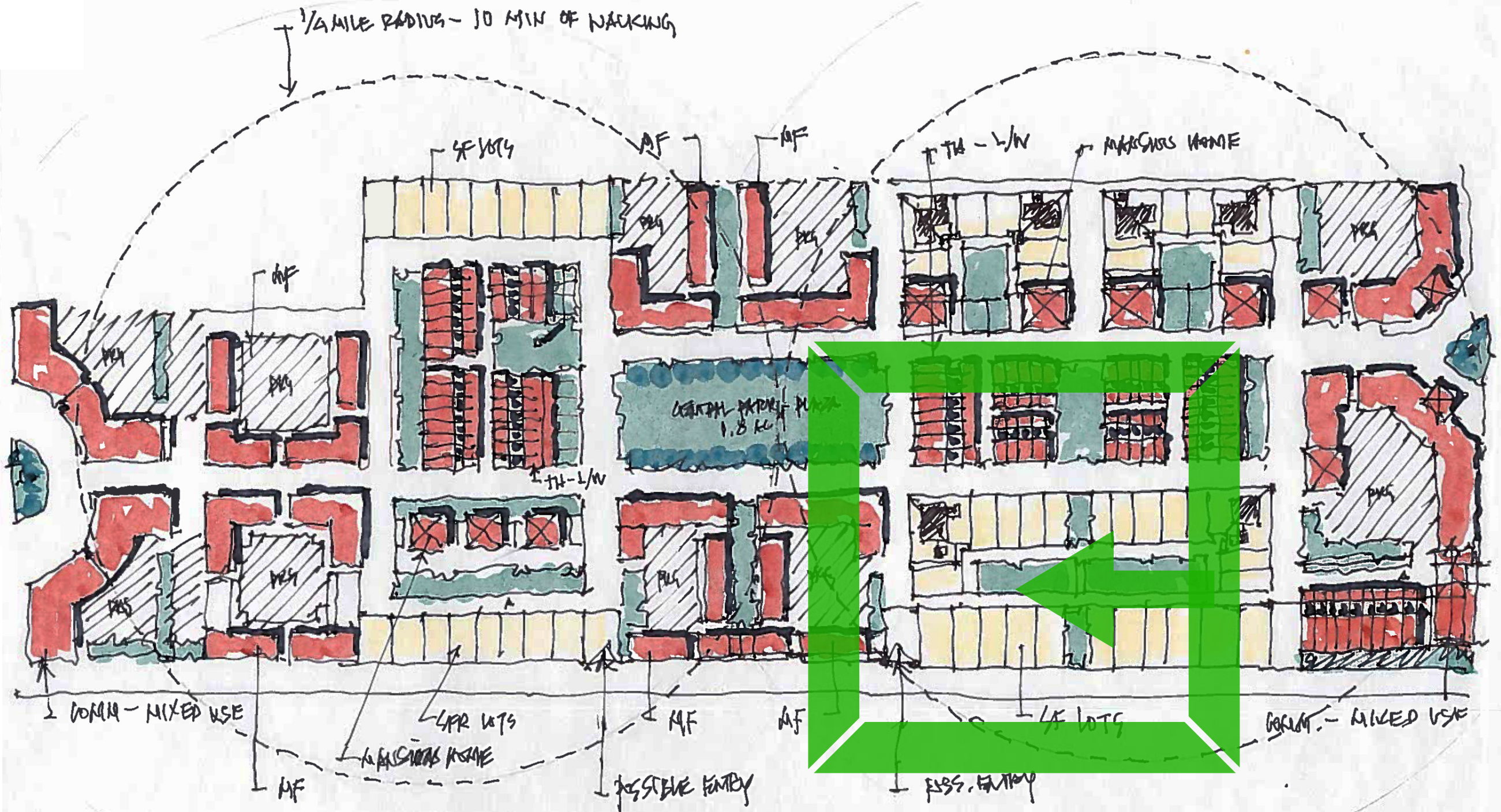
Fiscally Sustainable

Authentic

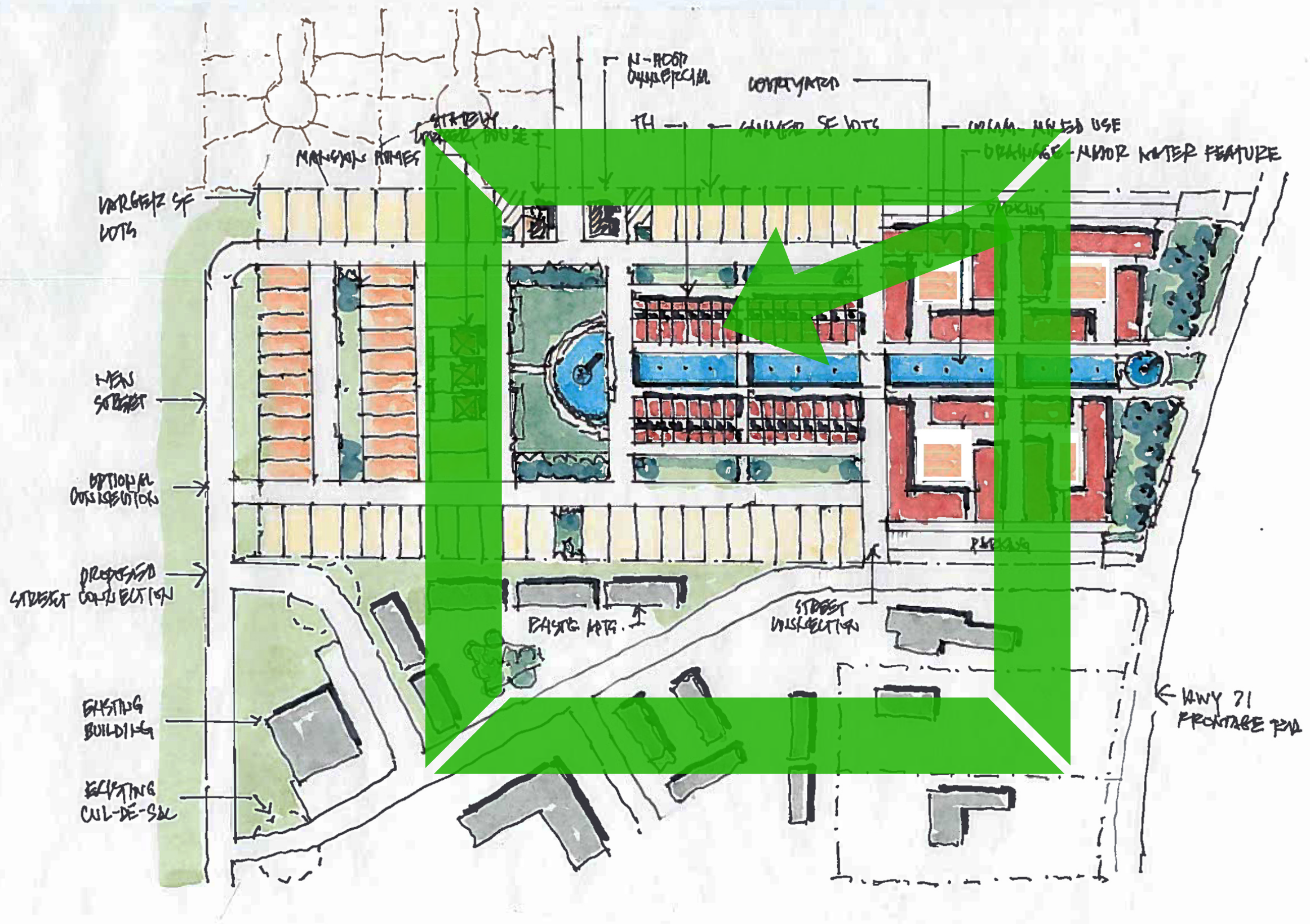
WALKABLE

TIMELESS

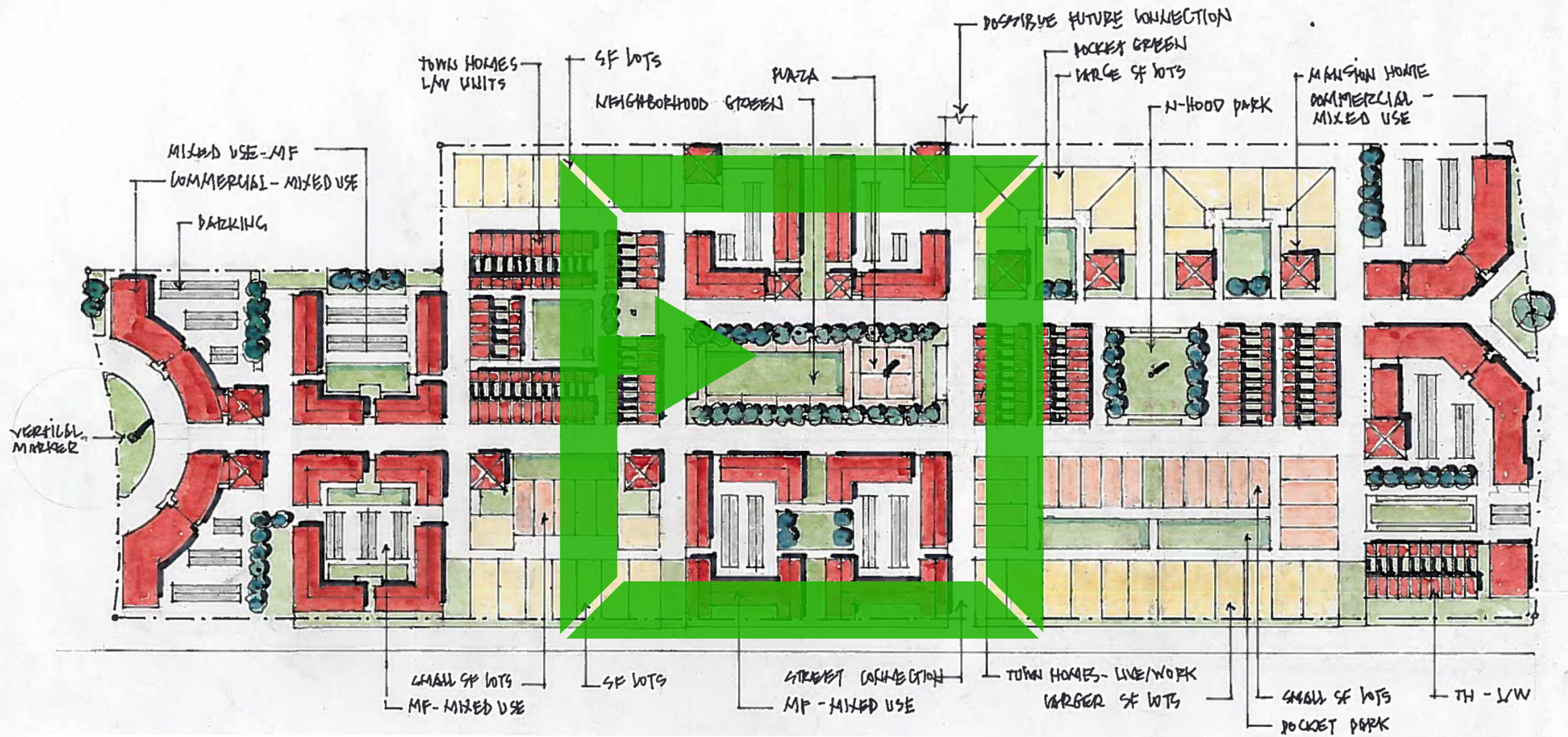
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CHRISTOPHER '19

Future Settlements

**CHINA
BUFFET**

DESIGN CENTER

Domino's

EASTCO
PICTURE
FRAMING
512-332-1017











Or

Human Settlements









Decisions

COMPREHENSIVE PLAN 2036

CITY OF BASTROP, TEXAS

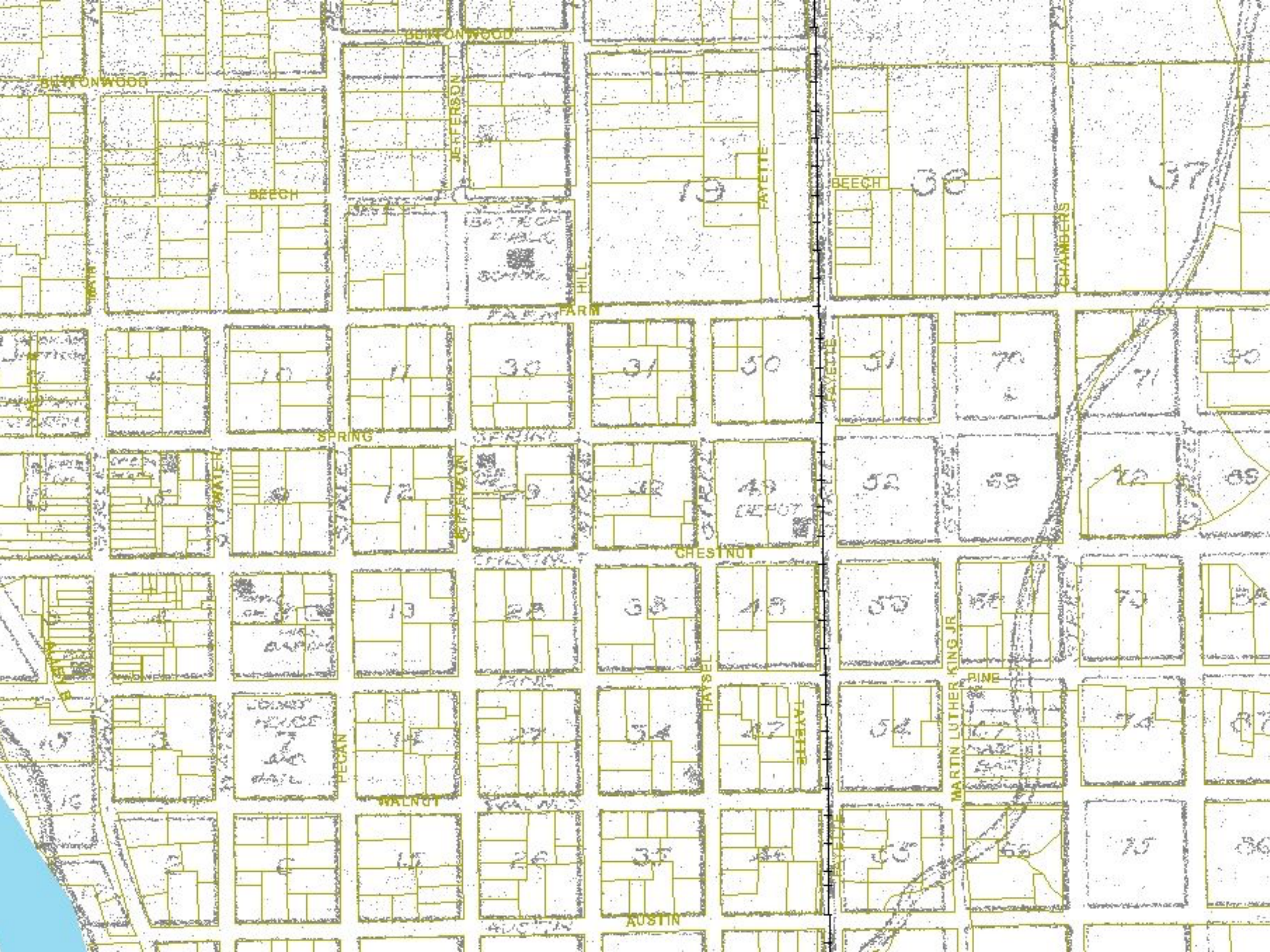




BIRD'S EYE VIEW OF
BASTROP
BASTROP COUNTY TEXAS
1887.

1. Court House.
2. Academy.
3. Episcopal Church.

4. M. E. Church.
5. Rom. Cath. Church.
6. Masonic Temple.



Geographically Sensitive

Fiscally Sustainable

Authentic

WALKABLE

TIMELESS

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STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 10

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.

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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: February 12, 2019

AGENDA ITEM: 11A

TITLE:

Consider action to approve City Council minutes from the January 22, 2019, regular meeting and January 24, 2019 Board & Commission Orientation.

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 January 22, 2019, regular meeting and January 24, 2019 Board & Commission Orientation.

ATTACHMENTS:

- January 22, 2019, DRAFT Regular Meeting Minutes.
- January 24, 2019, DRAFT Board & Commission Orientation Minutes.

BASTROP CITY COUNCIL
January 22, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, January 22, 2019, at 6:30 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, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

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

Connor Dillon and Maggie Carroll, Bastrop Middle School Student Council led the pledges.

INVOCATION

Lynda Sparks, Police Chaplain gave the invocation.

PRESENTATIONS

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

WORK SESSION/BRIEFINGS – NONE**STAFF AND BOARD REPORTS**

- 6A. Receive presentation on the Quarterly Investment Report for the period ending December 31, 2018.
Presentation was made by Chief Financial Officer, Tracy Waldron,
- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending December 31, 2018.
Presentation was made by Chief Financial Officer, Tracy Waldron,
- 6C. Receive Monthly Development Update.
Presentation was made by Director of Planning and Development, Matt Jones.
- 6D. Receive Monthly Report from Visit Bastrop.
Presentation was made by President/CEO, Susan Smith; Director of Sales, Kathryn Lang; and Marketing Manager, Ashton LaFuente, Visit Bastrop.

Mayor Schroeder recessed the meeting at 7:36 p.m.

Mayor Schroeder called the meeting back to order at 7:41 p.m.

CITIZEN COMMENTS

Dock Jackson
163 Tahitian
Bastrop, Texas 78602

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Item 8A listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Peterson, motion was approved on a 4-0 vote. Council Member Jones was off the dais.

- 8A. Consider action to approve City Council minutes from the January 8, 2019 regular meeting.

Council Member Jones arrived to the meeting at 7:47 p.m.

INDIVIDUAL CONSIDERATION

- 9A. Consider action and approve Resolution No. R-2019-10 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 Ennis to approve Resolution No. R-2019-10 for 201 Maynard Street, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-10 for 747 Caylor Cove, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2019-09 of the City Council of the City of Bastrop, Texas confirming a board 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 Rogers to approve Resolution No. R-2019-09, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2019-05 of the City Council of the City of Bastrop, Texas, calling for and establishing the procedures for a May 4, 2019 General Election for Bastrop, Texas; 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-2019-05, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2019-06 of the City Council of the City of Bastrop, Texas, approving a Joint Agreement between the City of Bastrop and Bastrop Independent School District for the May 4, 2019 General 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.

A motion was made by Council Member Jones to approve Resolution No. R-2019-06, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2019-07 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 May 4, 2019 General 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.

A motion was made by Council Member Rogers to approve Resolution No. R-2019-07, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2019-11 of the City Council of the City of Bastrop, Texas approving the Bastrop Police Department to apply for a grant from the 2019 State Homeland Security Program (SHSP) grant for a Regional Command Post vehicle at a total cost of Four Hundred Thousand and 00/100 Dollars (\$400,000.00) with no matching funds from the City of Bastrop; authorizing the Director of Public Safety as the Grantee's Authorized Official; providing for a severability clause; and establishing an effective date.

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

A motion was made by Council Member Ennis to approve Resolution No. R-2019-11, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2019-12 of the City Council of the City of Bastrop, Texas approving the Bastrop Police Department to apply for a grant from the 2019 Capital Area Council of Governments (CAPCOG) Department of Justice (DOJ) grant for a Crime Scene vehicle at a total cost of Sixty-Two Thousand One Hundred Thirty-Nine and 48/100 Dollars (\$62,139.48) with no matching funds from the City of Bastrop; authorizing the Director of Public Safety as the Grantee's Authorized Official; providing for a severability clause; and establishing an effective date.

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

A motion was made by Council Member Peterson to approve Resolution No. R-2019-12, seconded by Council Member Jones, motion was approved on a 5-0 vote.

- 9H. Consider action to approve Resolution R-2019-13 of the City Council of the City of Bastrop, Texas supporting the City of Bastrop's submission of an ED-900P –

Proposal for Economic Development Administration (EDA) Assistance Grant requesting funding to complete Agnes Street from the edge of Seton Hospital to its eastern connection point just west of Hasler Boulevard; 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 Jones to approve Resolution No. R-2019-13, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:14 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

The Bastrop City Council reconvened at 11:23 p.m. into open (public) session.

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

No action was taken.

ADJOURNMENT

Adjourned at 11:23 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

BASTROP CITY COUNCIL
January 24, 2019

The Bastrop City Council; Bastrop Art in Public Places; Cemetery Advisory Board; Construction Standards Board; Bastrop Economic Development Board; Ethics Commission; Historic Landmark Commission; Bastrop Housing Authority; Hunters Crossing Local Government Corporation; Library Board; Main Street Advisory Board; Bastrop Parks Board/Tree Board; Planning & Zoning Commission; and Zoning Board of Adjustment attended the Board and Commission Orientation on Thursday, January 24, 2019, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas.

Members present for the Bastrop City Council were: Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Ennis and Rogers. Officers present were Deputy City Secretary, Traci Chavez and City Attorney, Alan Bojorquez.

Members present for the Bastrop Art in Public Places were: Marlene Outlaw; Andrea Haschke; Ed Skarnulis; Dick Smith; and Billy Moore.

Members present for the Bastrop Economic Development Corporation were: Mayor

Members present for the Bastrop Housing Authority were: Dolores DeHoyos, Reverend Bernie Jackson, Carlton Harris, Reverend Phillip Woods and Managing Director Brandy Spencer.

Members present for the Cemetery Advisory Board were: Ann Beck; and Chery Long.

Members present for the Construction Standards Board were: Michael Osborne and Chase McDonald.

Members present for the Ethics Commission were: Reverend Bernie Jackson and Barbara Caldwell.

Members present for the Historic Landmark Commission were: Susan Long and Jenean Whitten.

Members present for the Hunters Crossing Local Government Corporation were: Council Member Drusilla Rogers, Rick Womble, Mayor Pro Tem Lyle Nelson, and CFO Tracy Waldron.

Members present for the Library Board were: Mary Jo Jenkins, Barbara Clemons, Lesa Neese and Jaime McDonald.

Members present for the Parks Board were: Betty Rucker, Dorothy Skarnulis, Kelly Dawson, Jimmy Crouch, Barbara Wolanski, Josh Gordon and Jamie Creacy.

Members present for the Main Street Advisory Board were: Bonnie Coffey, Terry Moore, Jennifer Long, Candice McClendon and Shawn Pletsch.

Members present for the Planning and Zoning Commission were: Cheryl Lee, Patrick Connell, Tom Dawson, Richard Gartman, Cynthia Meyer, Debbie Moore, Greg Sherry and Pablo Serna.

Members present for the Zoning Board of Adjustments: James Crouch, Scot Robichard, Pablo Serna and City Engineer Jerry Palady PE.

ORIENTATION – CALL TO ORDER

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

BOARDS AND COMMISSIONS CALL TO ORDER

Bastrop Art in Public Places - Ed Skarnulis called the meeting to order with a quorum being present.

Bastrop Economic Development Corporation – Kathryn Nash called the meeting to order with a quorum being present.

Bastrop Housing Authority – Reverend Phillip Woods called the meeting to order with a quorum being present.

Cemetery Advisory Board – no quorum present

Ethics Commission – no quorum present

Construction Standards Board – no quorum present

Historic Landmark Commission – no quorum present

Hunters Crossing LGC – no quorum present

Library Board – Mary Jo Jenkins called the meeting to order with a quorum being present.

Main Street Advisory Board – Terry Moore called the meeting to order with a quorum being present.

Parks Board – Josh Gordon called the meeting to order with a quorum being present.

Planning & Zoning Commission – Debbie Moore called the meeting to order with a quorum being present.

Zoning Board of Adjustments – James Crouch called the meeting to order with a quorum being present.

WELCOME AND PURPOSE OF ORIENTATION

Mayor Schroeder addressed the audience and explained the purpose of the orientation and introduced City Attorney Alan Bojorquez.

Mr. Bojorquez presented a Power Point Presentation on the Ethics Ordinance, Open Meetings Act, Open Records Act and general protocol for being a good board member.

Mayor Schroeder concluded the orientation with a Legislative Impact on Local Control.

ADJOURNMENT

At 8:50 p.m., Mayor Schroeder adjourned all boards without objections.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

Deputy City Secretary Traci Chavez



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 11B

TITLE:

Consider action to approve Resolution No. R-2019-16 of the City Council of the City of Bastrop, Texas adopting various policies and procedures required in conformity with the Civil Rights Act, and the Fair Housing Act, as shown in Exhibit A, required under the Texas Community Development Block Grant Contract Number 7218019 through the Texas Department of Agriculture; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The City of Bastrop, Texas has received the 2018 Texas Community Development Block Grant award to provide sewer system improvements in North Bastrop. All grantees of Texas Community Development Block Grant (TxCDBG) funds are required to demonstrate compliance with all State and Federal requirements to ensure equal opportunity and access to all benefits derived from the TxCDBG Program.

The State and Federal requirements include:

- Taking steps to ensure that equal opportunities are afforded to all persons and that no person shall be excluded or denied program benefits on the basis of race, color, religion, sex, national origin, age, and/or disability.
- Taking steps to provide opportunities, to the greatest extent feasible, to low and very low income (Section 3) residents and businesses in employment, training, and contracting for construction contracts.
- Taking affirmative steps to ensure minority, small business, and female-owned businesses are informed of grant funded contracts.
- Prohibiting the use of Excessive Force against individuals engaged in non-violent Civil Rights demonstrations.
- Prohibiting discrimination on the basis of disability.
- Taking steps to Affirmatively Further Fair Housing (AFFH).
- Taking steps to assure meaningful access for persons with "Limited English Proficiency" (LEP).

POLICY EXPLANATION:

This grant award requires a resolution be passed by City Council adopting and/or affirming these policies and procedures.

Exhibit A of this Resolution includes the following policies and procedures:

- Citizen Participation Plan and Complaint Procedures
- Section 3 Program Policy

- Excessive Force Policy
- Section 504 Policy and Grievance Procedures
- Code of Conduct Policy
- Limited English Proficiency Plan
- Fair Housing Policy

FUNDING SOURCE:

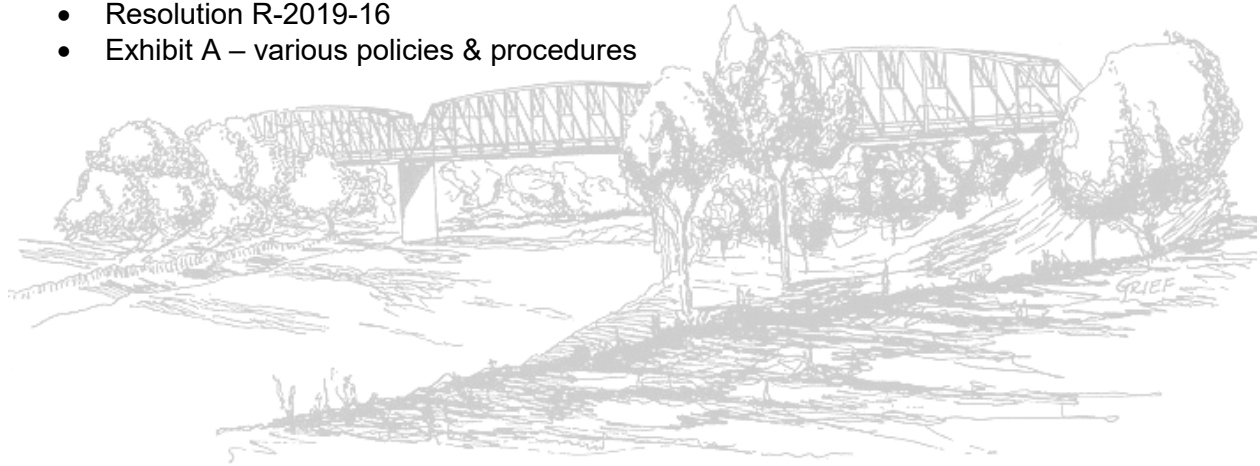
N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-16 of the City Council of the City of Bastrop, Texas adopting various policies and procedures required in conformity with the Civil Rights Act, and the Fair Housing Act, as shown in Exhibit A, required under the Texas Community Development Block Grant Contract Number 7218019 through the Texas Department of Agriculture; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2019-16
- Exhibit A – various policies & procedures



RESOLUTION No. R-2019-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING VARIOUS POLICIES AND PROCEDURES REQUIRED IN CONFORMITY WITH THE CIVIL RIGHTS ACT, AND THE FAIR HOUSING ACT, AS SHOWN IN EXHIBIT A, REQUIRED UNDER THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT #7218019 THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas, (hereinafter referred to as “City of Bastrop”) has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”); and

WHEREAS, the City of Bastrop, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the TxCDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability; and

WHEREAS, the City of Bastrop, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections; and

WHEREAS, the City of Bastrop, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area; and

WHEREAS, the City of Bastrop, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and

WHEREAS, the City of Bastrop, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project; and

WHEREAS, the City of Bastrop, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to

ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS, the City of Bastrop, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing; and

WHEREAS, the City of Bastrop, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

Section 1: The City Council hereby adopts the following policies and procedures, as shown in the attached Exhibit A:

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Code of Conduct Policy (Sample Form Appendix C);
6. Limited English Proficiency Plan (Form 1010); and
7. Fair Housing Policy (Form 1015).

Section 2: All orders or 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 from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas this 12th day of February, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

**THE CITY OF BASTROP, TEXAS
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

PROGRAM COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Bastrop, from Trey Job, Managing Director of Public Works, 1311 Chestnut Street, P.O. Box 427, Bastrop, Texas 78602 or call (512) 332-8800 during regular business hours (8:00 AM to 5:00 PM Monday through Friday-except holidays).

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Director of Public Works, at PO Box 427, Bastrop, Texas 78602 or may call (512) 332-8800.
2. A copy of the complaint or grievance shall be transmitted by the Director of Public Works to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The Director of Public Works shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City of Bastrop shall provide technical assistance to groups that are representative of persons of low-income and moderate-income in developing proposals for the use of TxCDBG funds. The City of Bastrop, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City of Bastrop must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City of Bastrop shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City of Bastrop shall hold at least one (1) public hearing prior to submitting the application to the Texas Department of Agriculture.
2. The City of Bastrop shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development

and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City of Bastrop must comply with the following citizen participation requirements in the event that the City of Bastrop receives funds from the TxCDBG program:

1. The City of Bastrop shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City of Bastrop shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City of Bastrop shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

Section 3 Policy

In accordance with 12 U.S.C. 1701u the City of Bastrop agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

1. Strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
2. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
3. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
4. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
5. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
6. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
7. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of the calendar year end which identify and quantify Section 3 businesses and employees.
8. Maintain records for the TxCDBG program, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

Form A1002

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), City of Bastrop, Texas hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Bastrop, Texas to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Bastrop, Texas to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. The City of Bastrop, Texas will introduce and pass a resolution adopting this policy.

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

Section 504
Policy Against Discrimination based on Handicap
and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of Bastrop, Texas hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. The City of Bastrop does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Bastrop's recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Bastrop shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, the City of Bastrop shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Bastrop to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to: Trey Job, Director of Public Works, 1311 Chestnut Street, P. O. Box 427, Bastrop, Texas 78602, (512) 332-8800 who has been designated to coordinate Section 504 compliance efforts.

Form A1004

- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Trey Job, Director of Public Works. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Trey Job, Director of Public Works, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the City of Bastrop relating to the complaint files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Bastrop within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Bastrop complies with Section 504 and HUD regulations.

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

**CONFLICT OF INTEREST POLICY
CODE OF CONDUCT**

As a Grant Recipient of a TxCDBG contract, the City of Bastrop shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Bastrop shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Bastrop shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third-party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the city's attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Form Appendix C

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

Limited English Proficiency Plan

Name Grantee:	City of Bastrop
Community Population:	7517
LEP population:	519 6.9%
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries.	English and Spanish

Program activities to be accessible to LEP persons:	
✓	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
✓	Publications regarding TxCDBG application, grievance procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements
✓	Other program documents: <u>As identified, requested or needed</u>

Resources available to Grant Recipient:	
✓	Translation services: <u>For the Spanish language, arrangements will be made by contacting the City Manager's office at the City Hall, (512) 332-8800.</u>
✓	Interpreter services: <u>Services provided for the Spanish language. Arrangements will be made by contacting the City Manager's office at the City Hall, (512) 332-8800.</u>
✓	Other resources: <u>Vital documents (environmental notices, citizen participation notices, and civil rights notices) will be published in English and Spanish.</u>

Language Assistance to be provided:	
✓	Translation (oral and/or written) of advertised notices and vital documents for: <u>Arrangements will be made by contacting the City Manager's office at the City Hall, (512) 332-8800.</u>
✓	Referrals to community liaisons proficient in the language of LEP persons <u>Available upon request, contact the City Manager's office at the City Hall, (512) 332-8800 for referral to community liaisons</u>
✓	Public meetings conducted in multiple languages: <u>Arrangements for translator or interpreter will be made by contacting the City Manager's office at the City Hall, (512) 332-8800.</u>
✓	Notices to recipients of the availability of LEP services; <u>Vital documents (environmental notices, citizen participation notices, and civil rights notices) will be published in English and Spanish.</u>
✓	Other services:

Form A1010

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary

Fair Housing Policy

In accordance with Fair Housing Act, the City of Bastrop hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. The City of Bastrop agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. The City of Bastrop *agrees to* plan at least one activity during the contract term to affirmatively further fair housing.
3. The City of Bastrop has passed an ordinance adopting this policy.

As officers and representatives of the City of Bastrop, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Passed and adopted by the City Council of the City of Bastrop, Texas, on the 12th day of February 2019.

Connie Schroeder, Mayor

Attest:

Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: February 12, 2019

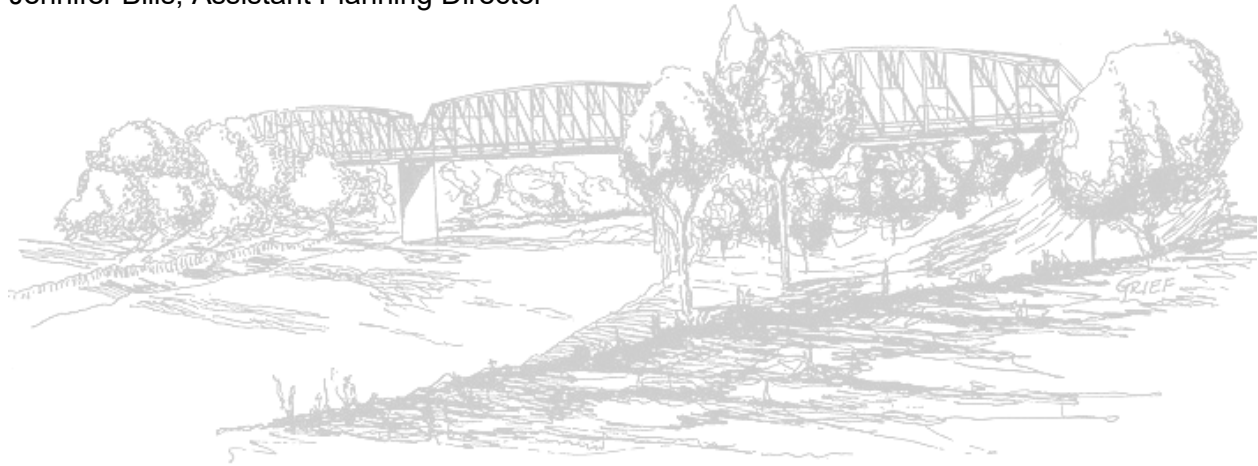
AGENDA ITEM: 12A

TITLE:

Consider action and approve Resolution No. R-2019-20 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).

STAFF REPRESENTATIVE:

Jennifer Bills, Assistant Planning Director





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12B

TITLE:

Consider action to approve Resolution No. R-2019-21 of the City Council of the City of Bastrop, Texas approving Task Order Number Two with Walker Partners for design, bid services, inspections, and construction administration services related to street maintenance and rehabilitation for the grand total amount of seventy-one thousand seven hundred dollars and no cents (\$71,700.00) as shown in Exhibit A of the Engineering Service Agreement; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

In December of 2017, the City of Bastrop conducted a pavement condition survey of its existing street network. A pavement condition index was developed based on the findings of that study. The results of that study were presented to City Council in April 2018. Staff then used that information to develop various types of pavement maintenance needed, and the costs associated with each type of treatment.

The City of Bastrop City Council received a presentation from staff on the condition of local streets within the City limits again in June 2018 to begin to develop costs for the FY 19 budget year. As a result of the workshop, the first two years of the Street Maintenance Program were funded for Fiscal Years 2019 and 2020.

On July 10, 2018, the City of Bastrop City Council approved a list of qualified consulting firms to provide assistance with civil engineering, geotechnical engineering, hydraulic and hydrologic engineering, surveying, landscape architecture, land planning, and architecture. Walker Partners was identified as a qualified consultant in the areas of water/wastewater, streets/drainage, and land survey. Therefore, in accordance with the proposed Street Maintenance Program, Walker Partners has prepared the proposed task order:

Old Austin Highway Pavement Reclamation: Walker Partners will provide project plans, standard details, and specifications for approximately 5,300 linear feet of Old Austin Highway (from SH 150 to SH 71 WB Frontage Road) which will require a selected contractor to provide the labor, equipment, and materials necessary to address street maintenance items. Walker Partners scope of services will also include bid phase services and construction administration services for an engineering cost of \$71,700.00.

POLICY EXPLANATION:

The City is required to maintain its infrastructure for all utilities and is given authority to do so in the Local City Charter, Article II, Section 2.01 General Powers of the City. This project also meets the Fiscal Responsibility Focus Area established by City Council in Fiscal Year 2018-19 budget.

FUNDING SOURCE:

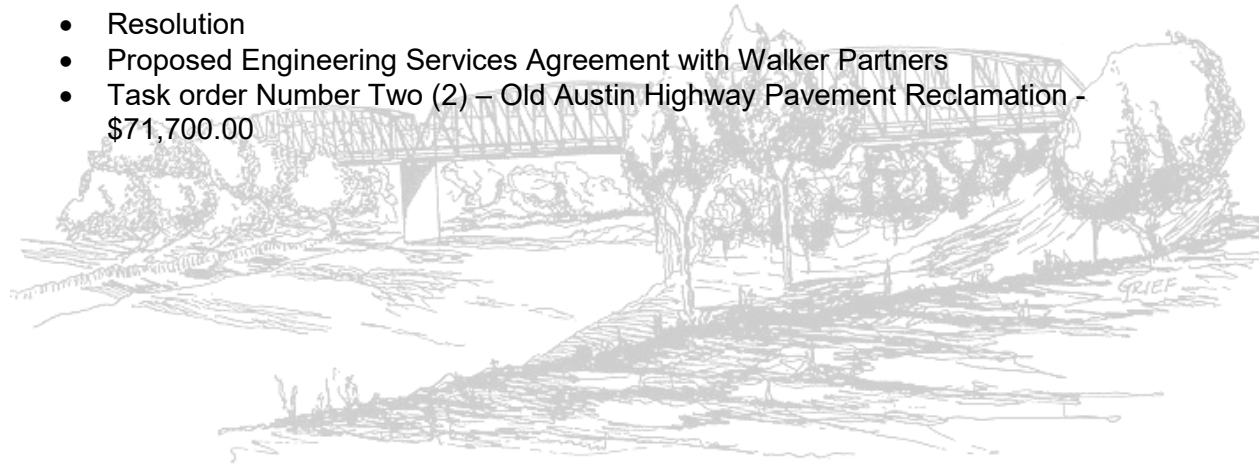
Street Maintenance Fund contains \$1,109,118 for FY 2019 and FY 2020.

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-21 of the City Council of the City of Bastrop, Texas approving Task Order Number Two with Walker Partners for design, bid services, inspections, and construction administration services related to street maintenance and rehabilitation for the grand total amount of seventy-one thousand seven hundred dollars and zero cents (\$71,700.00) as shown in Exhibits A of the Engineering Service Agreement; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Proposed Engineering Services Agreement with Walker Partners
- Task order Number Two (2) – Old Austin Highway Pavement Reclamation - \$71,700.00



RESOLUTION NO. R-2019-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING TASK ORDER NUMBER TWO WITH WALKER PARTNERS FOR DESIGN, BID SERVICES, INSPECTIONS, AND CONSTRUCTION ADMINISTRATION SERVICES RELATED TO STREET MAINTENANCE AND REHABILITATION FOR THE GRAND TOTAL AMOUNT OF SEVENTY-ONE THOUSAND SEVEN HUNDRED DOLLARS AND ZERO CENTS (\$71,700.00) AS SHOWN IN EXHIBIT A OF THE ENGINEERING SERVICE AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop City Council understands the importance of public safety provided by performing construction management and studying/managing of regional infrastructure improvements; and

WHEREAS, the City of Bastrop City Council understands the value in consulting on these matters with a licensed engineer; and

WHEREAS, the City of Bastrop has received and reviewed Walker Partners Proposal for Street Maintenance and Preventative Maintenance as well as for the Old Austin Highway Pavement Reclamation; and

WHEREAS, the City of Bastrop has prepared an Engineering Services Agreement between Walker Partners and the City; and

WHEREAS, the City of Bastrop understands the importance of focusing on infrastructure improvements in the area of street maintenance; and

WHEREAS, the City of Bastrop has chosen Walker Partners from a list of qualified consulting firms identified by the City of Bastrop City Council on July 10, 2018; and

WHEREAS, Walker Partners has prepared a proposal to provide project plans, standard details and specifications for approximately 5,300 linear feet (LF) of Old Austin Highway, as well as bid phase services, and construction administration services at a cost of \$71,700.00.

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

Section 1. That the City Council has found Walker Partners to be a subject matter expert in the fields of water/wastewater, streets/drainage, and land survey.

Section 2. The City Manager is hereby authorized to execute for each project a Proposal and Engineering Services Agreement, attached as Exhibit A, between the City of Bastrop and Walker Partners, as well as all other necessary documents.

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. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

ENGINEERING SERVICES AGREEMENT

This Agreement, made and entered into this, the ____ day of ____ 2019, by and between the **City of Bastrop**, Texas (hereinafter referred to as the “City”) and **Walker Partners Engineers & Surveyors**, hereinafter referred to as “Engineer,” is understood and agreed to be as set forth herein:

1. **Description of Services:** The City, in connection with carrying out the duties of its various ordinances and permits regulating roads, driveways, drainage improvements, subdivisions, site development, and water quality, requires the services of a licensed engineer.
 - (a) Engineer shall perform the services described in the Task Orders attached to this Agreement and in subsequent Task Orders for Engineering Services approved by the City Council or the City Manager during the term of this Agreement.
 - (b) Engineer shall be retained by the City under the designation of “Alternate City Engineer” when the City Engineer is unavailable or has a potential conflict of interest regarding the performance of his/her duties.
 - (c) Engineer agrees to review submittals and perform inspections requested by the City under appropriate ordinances of the City.
 - (d) Upon City’s request, Engineer will make written reports noting ordinance compliance.
 - (e) Engineer shall deliver reports to Project Manager for City via mail, in person, facsimile, or other electronic means within ten (10) business days after Engineer’s receipt and acceptance of request for review or inspection. If the City’s specific assignment of duties for a specific project is declined by Engineer, then the City may assign said duties to another alternate engineer under contract at the City’s discretion. Engineer does not have the authority to unilaterally select an alternate engineer. Engineer shall assist the City in the selection of additional contractors when requested by the City.
 - (f) Engineer may from time to time be called upon to perform the following services:
 - (1) attend meetings of the City Council, when requested by the Mayor or City Manager; and/or

- (2) attend other public or private meetings related to the duties performed under this Agreement.
 - (g) Requests for inspection may be made by telephone. Upon notification, Engineer will accept or decline the request within three (3) business days.
 - (h) Requests for plan review services may be made by telephone, email or fax. Upon notification, plan document submittals will be picked up within one (3) business day or the City will have them delivered to Engineer within one (3) business day. Reviewed plans and construction documents will be returned no later than ten (10) business days.
 - (i) Engineer shall conduct business in good faith displaying professionalism and a courteous manner in dealings with the citizens of the City. Engineer agrees to abide by the Texas Engineering Practice Act and Rules as established by the Texas Board of Professional Engineers.
 - (j) Engineer will report to the City's Planning Director or assigned staff liaison, in writing, any conflicts between Engineer and any citizen in the course of performing said duties.
 - (k) Engineer shall maintain complete and accurate records of work performed for the City. Engineer shall manage both public and confidential records that Engineer obtains pursuant to this Agreement with the understanding that some records may be subject to state open government laws. Engineer shall comply with the City's public information policies.
- 2. Payment for Services:** The City will compensate the Engineer according to the Task Order attached and incorporated herein as Exhibit "A" and Exhibit "B," and subsequent Task Orders for Engineering Services approved by the City Council or the City Manager during the term of this Agreement. Engineer shall invoice City monthly for services performed. Invoice shall include a description of the project and type of work performed. The total amount of the task being performed. Additional services and payment for such services must be approved in writing by the City before such services are provided.
- 3. Duration:** This Agreement shall be in effect for a period of twelve (12) months.
- 4. Renewal:** This Agreement shall automatically renew for successive one-year periods up to a term of five (5) years, unless terminated as set out below.
- 5. Termination:** Either party may terminate this Agreement by a thirty (30) day written notice.

- 6. Relationship of Parties:** It is understood by the parties that Engineer is an independent contractor with respect to the City and is not an employee of the City. City will not provide fringe benefits, including health insurance benefits, paid vacation, or any employee benefit, for the benefit of Engineer. The City may contract with other individuals or firms for engineering services.
- 7. Limitations:** During the term of this agreement, the Engineer will contact the City in writing if a potential conflict of interest with a third-party client may exist. If the City Council finds that a project for a third-party client of the Engineer has a direct conflict with the City's interests, the City Council shall contact the Engineer in writing. If the conflict of interest cannot be resolved to either party's satisfaction, either the Engineer or the City Council may terminate this Agreement with seven (7) days' notice to the other party.
- 8. Employees:** Engineer's employees, if any, who perform services for City under this Agreement shall also be bound by the provisions of this Agreement. At the request of City, Engineer shall provide adequate evidence that such persons are Engineer's employees.
- 9. Mandatory Disclosures:** Texas law requires that vendors make certain disclosures. Prior to the effective date of this Contract, Engineer has submitted to the City a copy of the Conflict of Interest Questionnaire form (CIQ Form) approved by the Texas Ethics Commission (pursuant to Texas Local Government Code Chapter 176) and the Affidavit regarding Prohibition on Contracts with Companies Boycotting Israel (pursuant to Texas Government Code Chapter 2270). Engineer must also complete Form 1295 (available online here: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm), as required by the Texas Ethics Commission, and submit it to the City.
- 10. Injuries/Insurance:** Engineer acknowledges its obligation to obtain appropriate insurance coverage for the benefit of Engineer's employees, if any. Engineer waives the rights to recovery from City for any injuries that Engineer and/or Engineer's employees may sustain while performing services under this Agreement. Engineer to provide a copy of insurance coverage to City at least ten (10) days prior to end of any existing coverage period.
- 11. Indemnification:** Engineer agrees to indemnify and hold City harmless from all claims, losses, expenses, fees, including attorney's fees, costs and judgments that may be asserted against City that result from acts or omissions of Engineer, Engineer's employees, if any, and Engineer's agents.
- 12. Assignment:** Engineer's obligation under this Agreement may not be assigned or transferred to any other person, firm, or corporation without the prior written consent of City.

13. Notice: All notice required or permitted under this Agreement shall be in writing and shall be delivered either in person or deposited in the United States mail, postage prepaid, addressed as follows:

For the City:

Attention: City Manager
City of Bastrop
P.O. Box 427
Bastrop, TX 78602
512-332-8800

For the Engineer:

Attention: John Linder
Walker Partners
804 Las Cimas Parkway Suite 150
Austin, TX 78746
512-382-0021

Either party may change such address from time to time by providing written notice to the other in the manner set forth above. Notice is deemed to have been received three (3) days after deposit in U.S. mail.

14. Entire Agreement: This Agreement contains the entire Agreement of the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes and prior written agreements between the parties.

15. Amendment: This agreement may be modified or amended only if the amendment is made in writing and is signed by both parties.

16. Severability: If any provision of this Agreement shall be held to be invalid or unenforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

17. Waiver of Contractual Right: The failure of any party to enforce any provision of this Agreement shall not be construed as a waiver of limitation to that party's right to subsequently enforce and compel strict compliance with every provision of the Agreement.

18. Applicable Law: The laws of the State of Texas shall govern this Agreement.

19. Venue: The venue for any and all legal disputes arising under this Agreement shall be *Bastrop County, Texas*.

CITY OF BASTROP:

WALKER PARTNERS

Lynda Humble, City Manager

, P.E.

Date

Date

ATTEST:

Traci Chavez, Deputy City Secretary

Attachment “A”
Task Orders

DRAFT

PROPOSAL

To: City of Bastrop
Attn: Trey Jobs
From: R. Alan Munger, P.E.
Project Name: Old Austin Highway Pavement Reclamation
Project No.: 3-00684.02
Re: Proposal
Date: February 5, 2019
Xc: FILE

OLD AUSTIN HIGHWAY PAVEMENT RECLAMATION

Walker Partners, LLC (Engineer) appreciates this opportunity to submit this Proposal to provide professional surveying and civil engineering services to the City of Bastrop (Owner) in association with the Old Austin Highway Pavement Reclamation Project (Project) from Loop 150 to SH 71 Westbound Frontage Road. Please refer to the attached exhibit for current Project Limits.

Based upon our initial meetings, we understand that the (Owner) intends to move forward with a Pavement Reclamation project as described in Applied Pavement Technologies Pavement Condition Assessment. Walker Partners will provide project plans, standard details and specifications for approximately 5300 LF of Old Austin Highway (from SH 150 to SH 71 WB Frtg. Road) which will require a selected Contractor to provide the labor, equipment and materials necessary to address identified street maintenance items which will serve to improve the pavement condition of an important City Collector roadway.

Walker Partners scope of services will generally consist of a limited topographic survey to obtain planimetric information, preliminary and final design, bid phase services, and construction administration services. Resident Project Representative Services and Construction Staking Services are excluded from this proposal. These services may be added later depending on the City's needs at the time of construction. Geotechnical Services will be handled utilizing Terracon as a subcontractor on our team.

The detailed scope of services, schedule, and associated fees that Walker Partners proposes to provide for this Project are outlined below:

1.00 SCOPE OF SERVICES

1.01 SURVEYING SERVICES

A. Topographic Survey (Phase 12)

1. Perform an on-the-ground field survey to obtain the back-of-curb to back-of-curb topography and other visible surface features such as drainage structures, catch basins and inlets, manholes, above-grade utility appurtenances, pavements, etc. For underground utilities, Walker Partners will coordinate with Texas 811. The approximate locations of underground utilities will be shown based upon utility locators' markings.
2. Establish vertical control at the site and place benchmarks based upon North American Vertical Datum of 1988 (NAVD88), unless otherwise specified by client.
3. Prepare a planimetric map from the topographic survey depicting the physical features as described above and with elevation contours at a 1-foot interval.

1.02 ENGINEERING BASIC SERVICES

A. Preliminary Design (Phase 30)

1. Consult with Owner to define and clarify Owner's requirements for the Project and available data.
2. Attend one (1) preliminary conference with the Owner and other interested parties regarding the Project.
3. Establish the scope of any soil and foundation investigations or any special surveys and tests which, in the opinion of the Engineer, may be required; assist the Owner in arranging for such work to be done, for the Owner's account.
4. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve portions of the Project designed or specified by the Engineer.
5. Prepare preliminary design documents on the Project in sufficient detail to indicate clearly the problems involved and the alternate solutions available to the Owner, including final design criteria, preliminary drawings, an outline of specifications, and setting forth clearly the Engineer's recommendations.
6. Prepare a preliminary Engineer's Opinion of Probable Cost.
7. Furnish the Owner the required number of copies of the preliminary plan, including preliminary layouts and cost estimates.

B. Final Design (Phase 40)

1. Prepare final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor. The Drawings to be prepared with this Phase of the Work, in general, will include the following:
 - a. General Condition Drawings – these Drawings shall be for informational, permitting, and bidding purposes and shall, in general, consist of the following:
 - i) General Notes and Project Specific Notes
 - ii) Legends, Abbreviations, and Symbols
 - iii) Survey Control Plan
 - iv) Topographic Survey
 - v) 4 Existing and 4 Proposed Typical Sections
 - b. Paving Plans and Profiles – prepare plans, profiles, and details for street improvements and roadways.
 - c. Pavement Marking Plans – prepare plans for striping for the completed roadway. No permanent signage plans will be included.
 - d. Traffic Control Plan – Traffic Control Notes and Standardized Traffic Control Plans will be provided. Contractor to prepare and implement detailed Traffic Control Plan to be utilized during construction.
 - e. Details – provide project-specific details, municipality standard details, and state agency (TxDOT) standard details as required for permitting, bidding, and construction purposes.
2. Coordinate with franchise utility companies during the design process. Meet with franchise utilities as necessary.

3. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project; assist Owner in consultations with such authorities; and revise the Drawings and Specifications in response to directives from such authorities.
4. Advise Owner of any adjustments to the opinion of probable Construction Cost known to Engineer.
5. Prepare and furnish Bidding Documents (100%) for review by Owner, its legal counsel, and other advisors, and assist Owner in the preparation of other related documents.
6. Revise the Bidding Documents in accordance with comments and instructions from the Owner, as appropriate, and submit final copies of the Bidding Documents, a revised opinion of probable Construction Cost, and any other deliverables to Owner after receipt of Owner's comments and instructions.

C. Bidding or Negotiating (Phase 50)

1. Assist Owner in advertising for and obtaining bids or proposals for one construction package and, where applicable, maintain a record of prospective bidders to whom Bidding Documents have been issued, attend pre-Bid conferences, if any, and receive and process contractor deposits or charges for the Bidding Documents.
2. Issue Addenda as appropriate to clarify, correct, or change the Bidding Documents.
3. Provide information or assistance needed by Owner in the course of any negotiations with prospective contractors.
4. Consult with Owner as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by prospective contractors for those portions of the Work as to which such acceptability is required by the Bidding Documents.
5. Attend the Bid opening, prepare Bid tabulation sheets, and assist Owner in evaluating Bids or proposals and in assembling and awarding contracts for the Work.

D. Construction Administration (Phase 60)

1. Assist in the preparation of formal Contract Documents.
2. Pre-Construction Conference. Participate in a Pre-Construction Conference prior to commencement of Work at the Site.
3. Receive, review, and determine the acceptability of any and all schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
4. Make periodic visits to the site (as distinguished from the continuous services of a resident Project Representative) to observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the Contract Documents. It is assumed that project will not exceed 120 days in duration.
In performing these services, the Engineer will endeavor to protect the Owner against defects and deficiencies in the work of the contractor, but he cannot guarantee the performance of the contractor, nor be responsible for the actual supervision of construction operations or for the safety measures that the contractor takes or should take.
5. Consult and advise with the Owner; issue all instructions to the contractor requested by the Owner; and prepare and issue routine change orders with Owner's approval.

6. Review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the contractor submits. This review is for the benefit of the Owner and covers only general conformance with the information given by the Contract Documents. The contractor is to review and stamp his approval on submittals prior to submitting to Engineer, and review by the Engineer does not relieve the contractor of any responsibility such as dimensions to be confirmed and correlated at the job site, appropriate safety measures to protect workers and the public, or the necessity to construct a complete and workable facility in accordance with Contract Documents.
7. Obtain and review monthly and final estimates for payments to contractors, and furnish to the Owner any recommended payments to contractors and suppliers; assemble written guarantees which are required by the Contract Documents.
8. Conduct, in company with the Owner, a final inspection of the Project for compliance with the Contract Documents, and submit recommendations concerning project status, as it may affect Owner's final payment to the contractors.

1.03 SUBCONSULTANT SERVICES

A. GEOTECHNICAL INVESTIGATION (Phase 100)(Subconsultant)

9. Drill pavement/soil bores to determine existing material types/depths and existing subgrade conditions.
10. Perform laboratory testing on materials obtained from bores to determine material properties and to use in pavement design calculations.
11. Prepare and submit a Report to summarize findings.

2.00 SCHEDULE FOR SERVICES

Walker Partners acknowledges the importance to the Owner of the project schedule and agrees to put forth its best professional efforts to perform its services under this proposal in a manner consistent with that schedule. The Owner understands, however, that Walker Partners' performance must be governed by sound professional practices. Walker Partners proposes to complete the above-outlined scope of services in general accordance with the following schedule, provided there are no unforeseen delays beyond the control of the Engineer.

- Survey: 6 weeks from execution of this Proposal.
- Geotechnical: 8 weeks from execution of this Proposal.
- Design: 14 weeks from survey completion.
- Bidding: 2 months from Owner's approval of Bidding Documents.
- Construction: 4 months from construction notice to proceed.

3.00 FEES

For the SCOPE OF SERVICES, outlined above, the Owner agrees to pay Walker Partners a lump sum fee of Seventy-One Thousand Seven Hundred Dollars (\$71,700) to be invoiced monthly at a percentage of the work completed. Below is an itemized breakdown of the proposed fees:

Phase No.	Description	Lump Sum Fee
12	Topographic Survey	\$7,350.00
30	Preliminary Design	\$13,200.00
40	Final Design	\$35,210.00
50	Bidding or Negotiating	\$2,860.00
60	Construction Administration	\$6,580.00
100	Geotechnical Investigation	\$6,500.00
	TOTAL LUMP SUM FEE	\$71,700.00

* This phase will be taxed unless proof of tax exemption is provided.

4.00 EXCLUSIONS

The following items are excluded from this proposal. If there are questions about any other services not listed here, they shall be clarified prior to approval and acceptance of this proposal.

4.01 The proposed engineering services do not include the following:

- Pavement Design
- Environmental Investigation
- Construction staking - Staking services will be provided by Contractor.
- Subsurface utility engineering survey
- Design of any "dry" utility facilities (i.e. gas, electric, phone, cable TV, etc.)
- Demolition plans
- Wastewater lift station design and drawings
- Off-site street, water, wastewater, and drainage design and drawings
- Landscape plan and irrigation plans
- Erosion and Sedimentation Control or Stormwater Pollution Prevention Plan
- Preparation of "as-built" drawings
- Multiple bid packages/multiple construction contracts.

4.02 Any major changes involved after Construction Documents have been completed and approved will be charged on a time basis per hourly rates attached herewith.

5.00 ACCEPTANCE OF PROPOSAL

If the Scope of Services, Schedule, and Fees outlined herein are acceptable to the Owner, Walker Partners will prepare a "Standard Form of Agreement for Professional Services" for review, approval, and execution.

OWNER: _____

BY: _____
Signature

Printed Name

TITLE: _____

DATE SIGNED: _____



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12C

TITLE:

Consider action to approve Resolution No. R-2019-04 of the City Council of the City of Bastrop, Texas awarding a contract to construct a 250,000 gallon elevated storage tank (EST), interior & exterior coating systems, lines, valves, and associated appurtenances to Landmark Structures of Fort Worth, Texas in the amount of One Million Four Hundred Ninety Thousand Eight Hundred Dollars and No Cents (\$1,490,800.00), as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

A contract was signed with BEFCO Engineering in March 2016 for two (2) projects: (1) Design a 16" waterline that crosses the Colorado River to provide much needed system redundancy ensuring more than adequate pressure and fire flow west of the Colorado River. This project is complete. (2) Design of an elevated storage tank and all ancillary equipment located on SH20 and SH 71. This project will increase the City's water storage by an additional 500,000 gallons. In addition to increased storage, this project will allow the City to maintain adequate system pressure and fire flow during times of emergency, such as an extended power outage.

While the 16" waterline was under construction, the City requested a variance from the Texas Commission on Environmental Quality (TCEQ) to not build the traditional steel welded elevated storage tank and proposed the construction of an elevated glass-lined, bolted tank. This type of design is more fiscally sustainable because it does not require future repainting and could be built in half the time of a traditional steel welded tank. This type of construction is also easily "scalable" allowing for increased storage as the City grows.

The variance was denied in 2017. Because this infrastructure is needed, a decision was made not to appeal the denial of the variance. BEFCO was then tasked with moving forward and starting the design for a traditional steel welded tank. BEFCO began studying the hydraulics and system pressures more comprehensively. During this same time, City Council agreed to fund a consolidated water treatment facility located in the XS Ranch Development. The procurement of the additional water supply and decision to build one consolidated water treatment facility at XS Ranch Development prompted staff to evaluate the tank size and capacity that would be most effective operationally.

After comprehensive review by BEFCO and staff it was determined that a 250,000 gallon elevated storage tank, and a 250,000 gallon ground storage tank would be built. With the additional 500,000 gallons of storage and the new partnership with Aqua Water Supply Corporation, the City of Bastrop has ensured the necessary supply, redundancy, and fire flow are available for future growth.

Given the level of specialty required to build elevated storage tanks, this project will be awarded to two (2) contractors, one (1) will construct the elevated storage tank and one (1) will construct the ground storage tank. BEFCO Engineering, Inc. will oversee the overall construction of this project.

BEFCO Engineering, Inc. developed Bid Documents and Technical Specifications for this project and advertised an Invitation for Bids. Bid Opening was held on Monday, December 17, 2018. Three (3) bids were received for the elevated storage tank project ranging from \$1,459,800.00 to \$1,827,00.00 for Base Bid Items 1-3, which includes a 250,000 elevated storage tank with interior and exterior coating systems, but does not include alternate bid items.

After reviewing the bid proposals, the lowest responsible bidder for the project was Landmark Structures, headquartered in Fort Worth, Texas. The \$1,490,800.00 contract will include Base Bid items 1-2, Alternate Bid item 3, and Additive Alternative Bid Items AA6 and AA9. Landmark has more than ten (10) years' experience and constructed at least three dozen composite ESTs of 0.250 MG or larger capacity during that time span. BEFCO has visited approximately five (5) tanks that were either under construction or completed by Landmark in the Austin, Texas area. Due to this past project experience with composite ESTs in Texas and experience of the design and construction team experience, BEFCO recommends this contract be awarded to Landmark.

POLICY EXPLANATION:

City Council and the Executive Team have put a great deal of effort into developing an Organizational Work Plan that addresses Council's nine (9) focus areas that are identified as drivers to successfully fulfill the City's Mission & Vision. This item identified in the FY18 Work Plan as CSE#16 (Community Safety), which is "Design and Build Water Tower at SH 20 & SH71 (FY2018-FY2019).

FUNDING SOURCE:

This project will be funded through current reserves and a bond issuance.

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-04 of the City Council of the City of Bastrop, Texas awarding a contract to construct a 250,000 gallon elevated storage tank (EST), interior & exterior coating systems, lines, valves, and associated appurtenances to Landmark Structures of Fort Worth, Texas in the amount of One Million Four Hundred Ninety Thousand Eight Hundred Dollars and No Cents (\$1,490,800.00), as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Bid Award Recommendation - BEFCO
- Bid Tabulation

RESOLUTION NO. R-2019-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AWARDED A CONTRACT TO CONSTRUCT A 250,000 GALLON ELEVATED STORAGE TANK (EST), INTERIOR & EXTERIOR COATING SYSTEMS, LINES, VALVES, AND ASSOCIATED APPURTENANCES TO LANDMARK STRUCTURES OF FORT WORTH, TEXAS IN THE AMOUNT OF ONE MILLION FOUR HUNDRED NINETY THOUSAND EIGHT HUNDRED DOLLARS AND NO CENTS (\$1,490,800.00), AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop City Council understands the importance of improving water service to the citizens of Bastrop, Texas; and

WHEREAS, The City of Bastrop entered into a contract with BEFCO Engineering in March 2016, to design a 16" water line that would cross the Colorado River and provide much needed system redundancy providing more than adequate water pressure and fire flow west of the Colorado River; and

WHEREAS, the engineering contract also included the design of an elevated storage tank and all ancillary components needed to fill the tank; and

WHEREAS, the FM 20 Elevated Storage Tank is being constructed primarily to provide redundancy for fire flow purposes on the west side of the Colorado River, but will also be used for domestic water flow; and

WHEREAS, this project will increase the City's water storage by an additional 500,000 gallons and will allow the City to maintain adequate system pressure and fire flow during times of emergency such as an extended power outage; and

WHEREAS, the City of Bastrop authorized BEFCO Engineering to develop the bid documents and Technical Specifications for the project and advertise an Invitation for Bids; and

WHEREAS, three (3) bids were received for the project ranging from \$1,459,800.00 to \$1,827,000.00 for Base Bid Items 1-3, which includes a 250,000 elevated storage tank with interior and exterior coating systems; and

WHEREAS, the lowest responsible bidder was found to be Landmark Structures, headquartered in Fort Worth, Texas at one million four hundred fifty-nine thousand eight hundred dollars and no cents (\$1,459,800.00); and

WHEREAS, the \$1,490,800.00 contract will include Base Bid items 1-2, Alternate Bid item 3, and Additive Alternative Bid items AA6 and AA9; and

WHEREAS, this item is identified in the FY18 Work Plan as CS #16 (Community Safety), which is "Design and Build Water Tower at SH20 & SH71).

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

Section 1. That the City Council agrees that Landmark Structures of Fort Worth, Texas to be a subject matter expert in the field of elevated storage tanks.

Section 2. The City Manager is hereby authorized to execute a contract between the City of Bastrop and Landmark Structures of Fort Worth, Texas (attached as Exhibit A) as well as all other necessary documents.

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. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



BEFCO ENGINEERING, INC.
Consulting Engineering/Land Surveying
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LA GRANGE, TEXAS 78945-0615
979 / 968-6474 FAX 979 / 968-3056
www.befcoengineering.com E-mail: office@befcoengineering.com
Texas Registered Engineering Firm F-2011 Texas Licensed Surveying Firm #10001700

December 26, 2018

**Mr. Trey Job, Managing Director of
Publics Works & Leisure Services
City of Bastrop
1311 Chestnut St.
Bastrop, Texas 78602**

**RE: Bid Award Recommendation
FM 20 Water Plant Project
Composite EST Contract
BEFCO Job No. 15-6497**

Mr. Job:

The bid opening for the City of Bastrop FM 20 Water Plant Composite Elevated Storage Tank (EST) Project was held on Monday, December 17, 2018. The City received three (3) bids for the total project ranging from \$1,459,800.00 to \$1,827,000.00 for Base Bid Items 1-3. Base Bid Items 1-3 includes a 250,000-Gallon EST with interior & exterior coating systems. After reviewing the bid proposals, the lowest responsible bidder for the project was Landmark Structures (Landmark) headquartered in Fort Worth, Texas at \$1,459,800.00. Please note that Landmark has a local office in San Marcos, Texas. Neither the City of Bastrop nor BEFCO Engineering, Inc. has worked previously with Landmark as this is the City's first Composite EST. The key personnel who will be assigned or oversee this project all have construction experience of at least ten (10) years. Furthermore, Landmark has adequate insurance and a proven safety record. Landmark has over ten (10) years of experience and constructed at least three dozen Composite ESTs of 0.250 MG or larger capacity during that time span. Additionally, over the last couple of years, BEFCO has visited approximately 5 tanks that were either under construction or completed by Landmark in the Austin, Texas Area. Due to this past project experience with Composite ESTs in Texas and experience of the design & construction team experience, BEFCO recommends this contract be awarded to Landmark.

The Bid Proposal also included several Alternate and Additive Alternate Bid Items for multiple items. Based upon correspondence with City Staff, BEFCO recommends awarding the contract to **Landmark Structures of Fort Worth, Texas at \$1,490,800.00**. The \$1,490,800 contract will include Base Bid Items 1-2, Alternate Bid Item 3 and Additive Alternative Bid Items AA6 & AA9. Please note that the contract documents state a construction time frame of 360 consecutive calendar days; therefore, completion date is anticipated in Spring 2020. If you have any questions or require more information, please advise. Thank you for the opportunity to provide engineering services for this project and to City staff in assisting us with this project.

Thanks and take care,

BEFCO Engineering, Inc. (F-2011)

A handwritten signature in blue ink that reads 'Bradley C. Loehr'. The signature is written in a cursive, flowing style.

Bradley C. Loehr, P.E.

Attachments: Bid Tab Summary

"Proficient, practical engineering and land surveying services with a sense of small-town values and care"

			Landmark Structures 1665 Harmon Rd. Fort Worth, TX 76177	Phoenix Fabricators & Erectors 182 South CR 900 East Avon, IN 46123	Caldwell Tanks, Inc. 4000 Tower Rd. Louisville, KY 40219				
<u>Item</u> <u>No.</u>	<u>Est.</u> <u>Qty.</u>	<u>Units</u>	<u>Description in Words</u>	<u>Unit</u> <u>Price</u>	<u>Total</u> <u>Price</u>	<u>Unit</u> <u>Price</u>	<u>Total</u> <u>Price</u>	<u>Unit</u> <u>Price</u>	<u>Total</u> <u>Price</u>
<u>ADDITIVE ALTERNATE BID ITEMS</u>									
AA4	LUMP SUM		ADDER FOR 60" ACCESS TUBE IN LIEU OF 48" ACCESS TUBE		\$5,000.00		\$1,000.00		\$4,400.00
AA5	LUMP SUM		ADDER FOR "CITY OF BASTROP" TANK LETTERING ON TWO SIDES OF TANK		\$10,000.00		\$5,200.00		\$18,000.00
AA6	LUMP SUM		ADDER FOR "BASTROP, TX Heart of the Lost Pines" LOGO ON TWO SIDES OF TANK		\$25,000.00		\$15,200.00		\$36,100.00
AA7	LUMP SUM		ADDER FOR COMMON 16" INLET/OUTLET PIPING INSIDE STEEL TANK		\$38,000.00		\$25,000.00		\$55,300.00
AA8	LUMP SUM		ADDER FOR SEPARATE 16" SS OUTLET PIPING		\$45,000.00		\$40,000.00		\$46,200.00
AA9	LUMP SUM		ADDER FOR HOT-DIPPED GALVANIZED RAIL INSIDE AT TOP OF CONCRETE COLUMN		\$7,000.00		\$1,000.00		\$1,630.00
AA10	LUMP SUM		ADDER TO SWITCH FROM HOT-DIPPED GALVANIZED PAINTER'S RAILS TO 316SS PAINTER'S RAILS		\$12,000.00		\$3,900.00		\$7,500.00
AA11	LUMP SUM		DEDUCTION TO SWITCH FROM 304L SS PIPING TO STEEL COATED PIPING		\$0.00		\$5,000.00		\$15,500.00
AA12	LUMP SUM		NON-VISIBLE CONTAMINANTS TESTING		\$3,000.00		\$5,000.00		\$1,100.00

I certify that this is correct and true to the best of my knowledge and belief
BEFCO Engineering, Inc. (F-2011)

Bradley C. Loehr

Bradley C. Loehr
Registration No. 85501
December 18, 2018





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12D

TITLE:

Consider action to approve Resolution No. R-2019-08 of the City Council of the City of Bastrop, Texas awarding a contract to construct a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation to TTE, LLC of Spicewood, Texas in the amount of One Million One Hundred Forty-two Thousand One Hundred Dollars and No Cents (\$1,142,100.00) attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

A contract was signed with BEFCO Engineering in March 2016 for two (2) projects: (1) Design a 16" waterline that crosses the Colorado River to provide much needed system redundancy ensuring more than adequate pressure and fire flow west of the Colorado River. This project is complete. (2) Design of an elevated storage tank and all ancillary equipment located on SH20 and SH 71. This project will increase the City's water storage by an additional 500,000 gallons. In addition to increased storage, this project will allow the City to maintain adequate system pressure and fire flow during times of emergency, such as an extended power outage.

While the 16" waterline was under construction, the City requested a variance from the Texas Commission on Environmental Quality (TCEQ) to not build the traditional steel welded elevated storage tank and proposed the construction of an elevated glass-lined, bolted tank. This type of design is more fiscally sustainable because it does not require future repainting and could be built in half the time of a traditional steel welded tank. This type of construction is also easily "scalable" allowing for increased storage as the City grows.

The variance was denied in 2017. Because this infrastructure is needed, a decision was made not to appeal the denial of the variance. BEFCO was then tasked with moving forward and starting the design for a traditional steel welded tank. BEFCO began studying the hydraulics and system pressures more comprehensively. During this same time, City Council agreed to fund a consolidated water treatment facility located in the XS Ranch Development. The procurement of the additional water supply and decision to build one consolidated water treatment facility at XS Ranch Development prompted staff to evaluate the tank size and capacity that would be most effective operationally.

After comprehensive review by BEFCO and staff, it was determined that a 250,000 gallon elevated storage tank and a 250,000 gallon ground storage tank would be built. With the additional 500,000 gallons of storage and the new partnership with Aqua Water Supply Corporation, the City of Bastrop has ensured the necessary supply, redundancy, and fire flow are available for future growth.

Given the level of specialty required to build elevated storage tanks, this project will be awarded to two (2) contractors, one (1) will construct the elevated storage tank and one (1) will construct the ground storage tank. BEFCO Engineering, Inc. will oversee the overall construction of this project and both contracts.

BEFCO Engineering, Inc. developed Bid Documents and Technical Specifications for this project and advertised an Invitation for Bids. The Bid Opening was held on Monday, December 17, 2018. Two (2) bids were received for the total project ranging from One Million One Hundred Two Thousand One Hundred Dollars and No Cents (\$1,102,100.00) to One Million Three Hundred Twenty-Three Thousand Six Hundred Dollars and No Cents (\$1,323,600.00) for Base Bid Items 1-22, which includes a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation.

After reviewing the bid proposals, the lowest responsible bidder for the project was TTE, LLC. headquartered in Spicewood, Texas at One Million and One Hundred Forty-Two Thousand and One Hundred dollars and No Cents (\$1,142,100.00), which includes Base Bid items 1-8 & 10-22, along with Alternate Bid item A9B. TTE has performed multiple water plant projects with BEFCO Engineering over the last 8 years. The Ground Storage Tank is part of the FM 20 Water Plant Project.

POLICY EXPLANATION:

City Council and the Executive Team have put a great deal of effort into developing an Organizational Work Plan that addresses nine (9) focus areas that are identified as drivers to successfully fulfilling the City's Mission & Vision. This item is identified in the FY18 Work Plan as CS#16 (Community Safety), which is "Design and Build Water Tower at SH20 & SH71" (FY2018-FY2019).

FUNDING SOURCE:

This project will be funded through current reserves and a bond issuance.

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-08 of the City Council of the City of Bastrop, Texas awarding a contract to construct a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation to TTE, LLC of Spicewood, Texas in the amount of One Million One Hundred Forty-two Thousand One Hundred Dollars and No Cents (\$1,142,100.00) attached in Exhibit A ; Authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Bid Award Recommendation - BEFCO
- Bid Tabulation

RESOLUTION NO. R-2019-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AWARDED A CONTRACT TO CONSTRUCT A COATED, BOLTED GROUND STORAGE TANK WITH CONCRETE FOOTING/RING WALL & GRAVEL/SELECT FILL FOUNDATION TO TTE, LLC OF SPICEWOOD, TEXAS IN THE AMOUNT OF ONE MILLION ONE HUNDRED FORTY-TWO THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$1,142,100.00) ATTACHED IN EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop City Council understands the importance improving water service to the citizens of Bastrop, Texas; and

WHEREAS, the FM 20 Ground Storage Tank is being constructed as part of the FM 20 Elevated Storage Tank Project; and

WHEREAS, The City of Bastrop entered into a contract with BEFCO Engineering in March 2016, to design a 16" water line that would cross the Colorado River and provide much needed system redundancy providing more than adequate water pressure and fire flow west of the Colorado River; and

WHEREAS, the engineering contract also included the design of an elevated storage tank and all ancillary components needed to fill the tank; and

WHEREAS, the FM 20 Elevated Storage Tank is being constructed primarily to provide redundancy for fire flow purposes on the west side of the Colorado River, but will also be used for domestic water flow; and

WHEREAS, this project will increase the City's water storage by an additional 500,000 gallons and will allow the City to maintain adequate system pressure and fire flow during times of emergency such as an extended power outage; and

WHEREAS, the City of Bastrop authorized BEFCO Engineering to develop the bid documents and Technical Specifications for the project and advertise an Invitation for Bids; and

WHEREAS, two (2) Bids were received for the project ranging from one million one hundred two thousand dollars (\$1,102,000.00) to one million three hundred twenty-three thousand six hundred dollars (\$1,323,600.00) for Base Bid Items 1-22, which includes a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation; and

WHEREAS, the lowest responsible bidder was found to be TTE, LLC, headquartered in Spicewood, Texas at one million one hundred forty-two thousand one hundred dollars (\$1,142,100.00); and

WHEREAS, the one million one hundred forty-two thousand one hundred dollars (\$1,142,100.00) contract will include Base Bid items 1-8 & 10-22, Alternate Bid item A9B; and

WHEREAS, this item is identified in the FY18 Work Plan as CS #16 (Community Safety), which is "Design and Build Water Tower at SH 20 & SH71".

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

Section 1. That the City Council agrees that TTE, LLC of Spicewood, Texas to be a subject matter expert in the field of elevated storage tanks.

Section 2. The City Manager is hereby authorized to execute a contract between the City of Bastrop and TTE, LLC of Spicewood, Texas (attached as Exhibit A) as well as all other necessary documents.

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. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



BEFCO ENGINEERING, INC.
Consulting Engineering/Land Surveying
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979 / 968-6474 FAX 979 / 968-3056
www.befcoengineering.com E-mail: office@befcoengineering.com
Texas Registered Engineering Firm F-2011 Texas Licensed Surveying Firm #10001700

December 26, 2018

**Mr. Trey Job, Managing Director of
Publics Works & Leisure Services
City of Bastrop
1311 Chestnut St.
Bastrop, Texas 78602**

**RE: Bid Award Recommendation
FM 20 Water Plant Project
Water Plant Contract
BEFCO Job No. 15-6497**

Mr. Job:

The bid opening for the City of Bastrop FM 20 Water Plant Project was held on Monday, December 17, 2018. The City received two (2) bids for the total project ranging from \$1,102,100.00 to \$1,323,600.00 for Base Bid Items 1-22. After reviewing the pricing, the lowest responsible bidder for the project was **TTE, LLC (TTE)** from Spicewood, Texas at \$1,102,100.00. TTE has performed multiple water plant projects with BEFCO Engineering over the last 8 years since they were founded. Prior to that, the TTE owner was employed with another successful water plant contractor in the Central Texas area.

The bid documents also included a couple Alternate and Additive Alternate Bid Items. Based upon correspondence with City Staff, it is recommended to implement Alternate Bid Item A9B for a coated, bolted Ground Storage Tank with Concrete Footing/Ring Wall & Gravel/Select Fill Foundation. BEFCO recommends awarding the contract to **TTE, LLC of Spicewood, Texas at \$1,142,100.00**, which includes Base Bid Items 1-8 & 10-22 along with Alternate Bid Item A9B. Please note that the contract documents state a construction time period of 360 consecutive calendar days, so it's estimated this project will be complete in Spring 2020. If you have any questions or require more information, please advise. Thank you for the opportunity to provide engineering services for this project and to City staff in assisting us with this project.

Thanks and take care,

BEFCO Engineering, Inc. (F-2011)

Bradley C. Loehr, P.E.

Attachments: Bid Tab Summary

"Proficient, practical engineering and land surveying services with a sense of small-town values and care"

CITY OF BASTROP
FM 20 WATER PLANT PROJECT
BEFCO JOB NO. 15-6497
DECEMBER 17, 2018

				TTE, LLC PO Box 631 Spicewood, TX 78669		Keystone Construction PO Box 90398 Austin, TX 78709	
<u>Item No.</u>	<u>Est. Qty.</u>	<u>Units</u>	<u>Description in Words</u>	<u>Unit Price</u>	<u>Total Price</u>	<u>Unit Price</u>	<u>Total Price</u>
BASE BID ITEMS							
1	LUMP SUM		ACCESS DRIVEWAYS & PAD		\$19,000.00		\$30,000.00
2	LUMP SUM		BRUSH CLEARING & DISPOSAL AND GRUBBING		\$9,000.00		\$15,000.00
3	280	LF	INSTALL SEDIMENTATION FENCING	\$5.00	\$1,400.00	\$7.00	\$1,960.00
4	280	LF	REMOVE SEDIMENTATION FENCING	\$2.50	\$700.00	\$3.00	\$840.00
5	LUMP SUM		YARD PIPING		\$35,000.00		\$150,000.00
6	180	LF	TRENCH PROTECTION	\$20.00	\$3,600.00	\$10.00	\$1,800.00
7	LUMP SUM		INLET FILL CONTROL VALVE TO GROUND STORAGE TANK		\$79,000.00		\$70,000.00
8	LUMP SUM		OUTLET CONTROL VALVE FROM ELEVATED STORAGE TANK		\$81,000.00		\$70,000.00
9	LUMP SUM		282,000-GALLON COATED, BOLTED GROUND STORAGE TANK INCLUDING METAL GRADE BAND WITH GRAVEL BERM FOUNDATION		\$200,000.00		\$250,000.00
10	LUMP SUM		TWO 1,500 GPM VERTICAL TURBINE BOOSTER PUMPS		\$297,000.00		\$280,000.00
11	LUMP SUM		6-FOOT INTRUDER-PROOF CHAIN-LINK FENCING		\$21,000.00		\$17,000.00
12	LUMP SUM		EST & GST CONCRETE SPLASHPADS		\$25,000.00		\$37,000.00
13	LUMP SUM		SITE GRADING FOR DRAINAGE		\$3,000.00		\$28,000.00
14	LUMP SUM		SURFACE PREPARATION & COATING OF ALL EXTERIOR ABOVEGROUND PIPING		\$5,400.00		\$11,000.00
ELECTRICAL SCOPE OF WORK							
15	LUMP SUM		400 AMP ELECTIRCAL SERVICE		\$28,000.00		\$110,000.00
16	LUMP SUM		GROUNDING PROTECTION SYSTEM		\$10,000.00		\$22,000.00
17	LUMP SUM		SURGE PROTECTION SYSTEM		\$7,000.00		\$4,000.00



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12E

TITLE:

Hold public hearing and consider action to approve Resolution No. R-2019-14 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 1507 Chestnut Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVES:

Allison Land, Planner

BACKGROUND/HISTORY:

Permitted locations of alcohol sales are established by three location criteria: zoning district, frontage along specified sections of road, and proximity to churches, schools, and public hospitals. When a site is in a zoning district or along a road frontage that allows the use, but distance to a church, school, or hospital prohibits alcohol sales, the Texas Alcoholic Beverage Code gives City Council the authority to approve a variance to the distance requirement.

The site is zoned Form-Based Code – Civic/Cultural Arts character zone, which permits alcohol sales. It is located along Chestnut Street, between City Hall and SH 95, across from the movie theatre. Access is provided off Chestnut Street. The location meets the separation requirements from the nearest church and private school, but the measurement to the nearest public school is less than the required three hundred (300)-foot separation. The property line of the proposed establishment is across Pine Street from Emile Elementary School's property line. The intended use of this establishment is a farm to table restaurant that also sells beer and wine.

Alcohol sales currently exist in the area. Film Alley, Siam Thai, Casa Chapala, and Buc-ee's have permits for the sale of alcohol. Council approved variances for Siam Thai and Casa Chapala within the last year.

PUBLIC COMMENTS:

Notifications were mailed to 15 surrounding property owners on January 22, 2019. At the time of this report, no responses have been received.

POLICY EXPLANATION:

Article 4.02.005 Separation Requirements from Church, Public or Private School, or Public Hospital

- (a) No person shall sell or engage in the business of selling any alcoholic beverage where the place of business of such person is located within three hundred (300) feet of any church, public or private school, or public hospital

The premise requesting the variance is Third Down & Three LLC dba Stem and Stone, located at 1507 Chestnut Street. The location is directly across Gill's Branch and Pine Street from Emile Elementary School property. The distance to a public school is measured in a direct line from property line to property line as defined in state law.

(b) This section does not apply to:

- (1) a holder of a license or permit who also holds a food and beverage certificate covering premises that are located within three hundred (300) feet of a private school, as the term "private school" is defined by the Texas Alcoholic Beverage Code;
- (2) any place of business that is legally selling alcoholic beverages at the same location for a continuous period of one year preceding the establishment, construction or purchase of property for the establishment or construction of a church, public or private school, or public hospital; or
- (3) businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership.

This is a new business under construction. Therefore, this location does not qualify for any of the above.

Article 4.02.006 Variance to Separation Requirements

(a) The council may provide variances if, after notice and a public hearing, the council determines that enforcement of the regulation in a particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or inefficient use of land or other resources;
- (3) creates an undue hardship on an applicant;
- (4) does not serve its intended purpose;
- (5) is not effective or necessary; or
- (6) for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

The proposed restaurant is in a commercial and civic corridor along Chestnut Street, near State Highway 95. Restaurant use and alcohol sales are allowed by the zoning code. For the proposed business to operate, this variance and permits through the Planning & Development Dept are required.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Hold public hearing and consider action to approve Resolution No. R-2019-14 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 1507 Chestnut Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A
- Attachment 1: Property Owner Notice including Location Map and Variance Request Letter
- Presentation



RESOLUTION NO. R-2019-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.005 SALE OF ALCOHOLIC BEVERAGES, SEPARATION REQUIREMENTS FROM CHURCH, PUBLIC OR PRIVATE SCHOOL, OR PUBLIC HOSPITAL, ON PROPERTY LOCATED AT 1507 CHESTNUT STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Linda Cheatham, representing Third Down & Three LLC, is the Applicant representing Stem and Stone, located at 1507 Chestnut Street, acknowledges that the property located within three hundred (300) feet of a church, public or private school, or public hospital, as defined by and as the measurement of applicable distances are set forth by the State of Texas in the Alcoholic Beverage Code; and

WHEREAS, Emile Elementary School's property line is within three hundred (300) of the property on which Stem and Stone will be located; and

WHEREAS, this property has not been occupied in more than six months; and

WHEREAS, the Applicant has applied for a variance pursuant to the Bastrop Code of Ordinances, Article 4.02.005; and

WHEREAS, authority is granted to City Council to allow variances in the Texas Alcoholic Beverage Code, Chapter 107.33; and

WHEREAS, public notice was sent in accordance with the Bastrop Code of Ordinances 4.02.007; and

WHEREAS, after consideration of public input received at the hearing and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to grant a variance to the separation requirements of the premises to a public school.

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

Section 1: That a variance to the distance separation requirements established in the Bastrop Code of Ordinances Article 4.02.005 is hereby granted for the property located at 1507 Chestnut Street, within the Bastrop city limits, as shown in 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 from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas this 12th day of February 2019.

APPROVED:

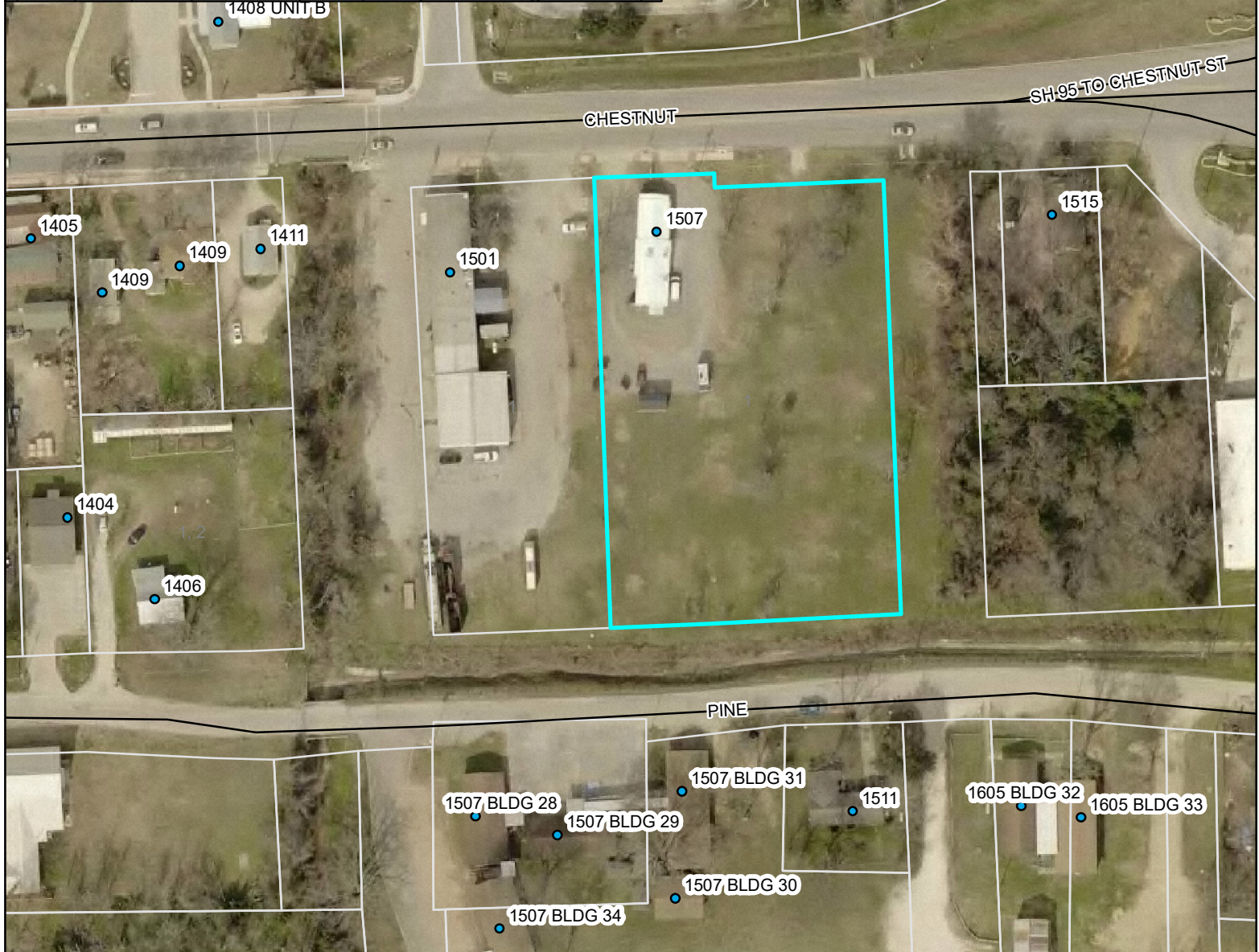
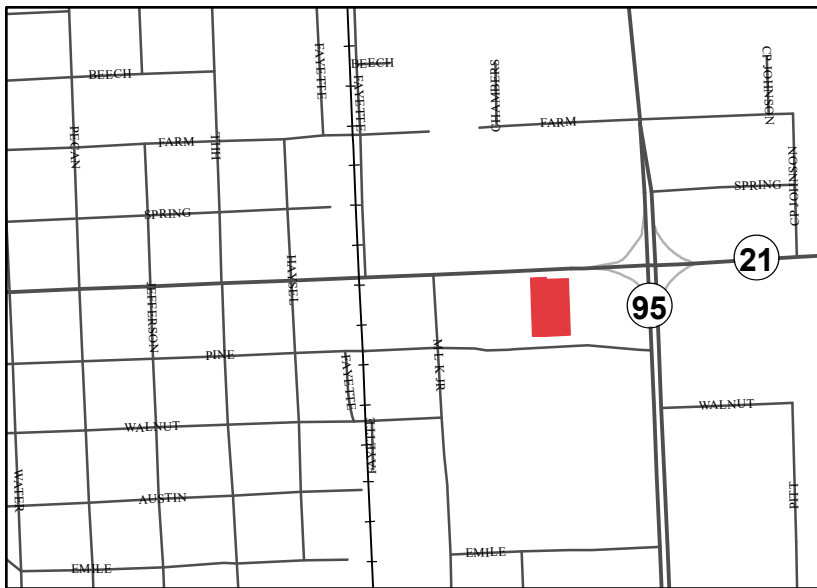
Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



0 25 50 100 Feet

Exhibit A Location Map Variance to Separation Requirements 1507 Chestnut St Stem & Stone



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: 1/18/2019

**Notice of Public Hearing
City of Bastrop
City Council**



Dear Property Owner:

The **City Council** will conduct a public hearing **Tuesday, February 12, 2019 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** to consider action to grant a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation requirements from church, public or private school, or public hospital, on property located at 1507 Chestnut Street, within the city limits of Bastrop, Texas, providing for a repealing clause; and establishing an effective date.

Owner/Applicant: Linda Cheatham, Third Down & Three LLC dba Stem & Stone

Address: 1507 Chestnut Street

Legal Description: Chestnut Subdivision Lot 1

Vary Distance From: Public School (Emile Elementary School)

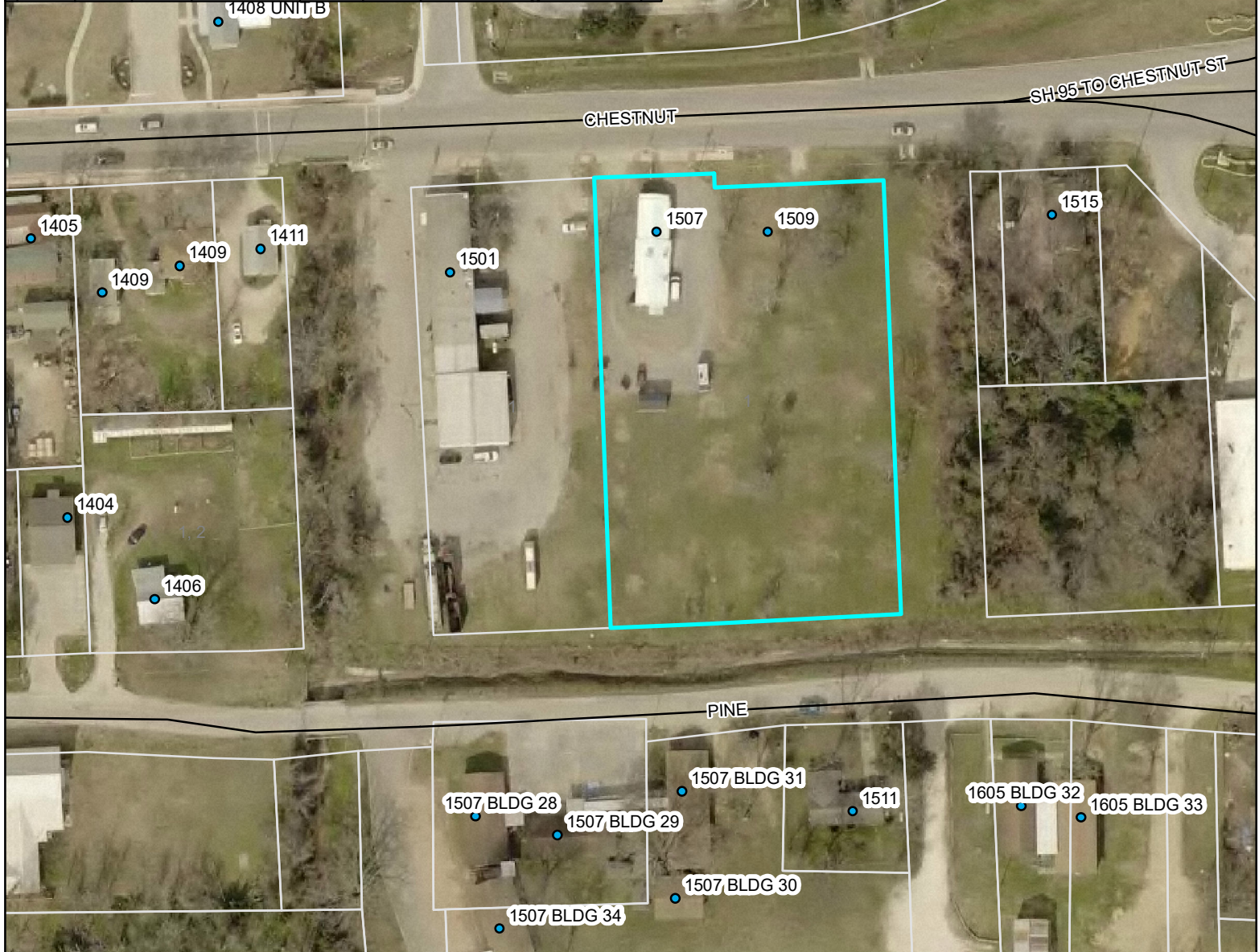
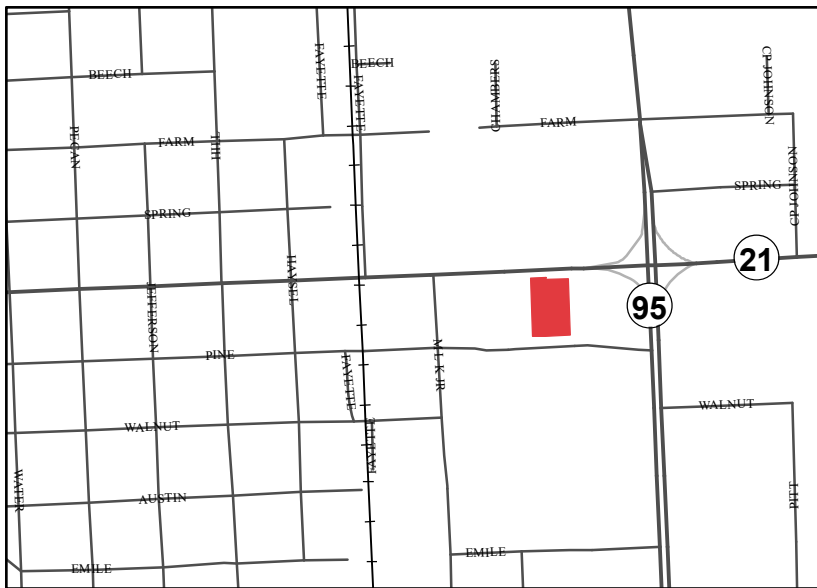
The site location map and applicant's request are attached for reference.

As a property owner within three hundred (300) feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Business Regulations.

Property owners wishing to request a variance to the distance limitations must follow the rules within the City Business Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH4BURE_ART4.02SAALBE

For more information or to provide comments on this project, you can contact the Planning & Development Department at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.



Location Map
Variance to Separation Requirements
1507 Chestnut St
Stem & Stone



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: 1/18/2019

January 10, 2019

RE: Variance Request for Sale of Alcohol

To Whom It May Concern,

This is a formal request for a variance for the sale of alcohol at the property located at 1507 Chestnut Street. We are bringing to Bastrop a full-service, upscale yet casual neighborhood restaurant. Stem & Stone as it will be named, is focused on Texas sourced food and drink. We would like to offer both Texas wines and Texas craft beers to our patrons. We believe that coupled with locally sourced food, we will bring people from surrounding areas to enjoy our business and Bastrop. We are confident that we will be a delightful addition to the City of Bastrop and it's growing small business market.

We respectfully request consideration of a variance. Please feel free to contact me with any questions you may have at (979) 525-1026.

Sincerely,

A handwritten signature in black ink that reads "Linda Cheatham". The signature is written in a cursive, flowing style.

Linda Cheatham

Owner/Operator

Third Down & Three, LLC.

dba. Stem & Stone

1507 Chestnut Street

Bastrop, Texas 78602

qE. Items for Individual Consideration

Hold public hearing and consider action to approve Resolution No. R-2019-14 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 1507 Chestnut Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.



Location Requesting Variance

- 1507 Chestnut St
- Stem and Stone



Alcohol Sales

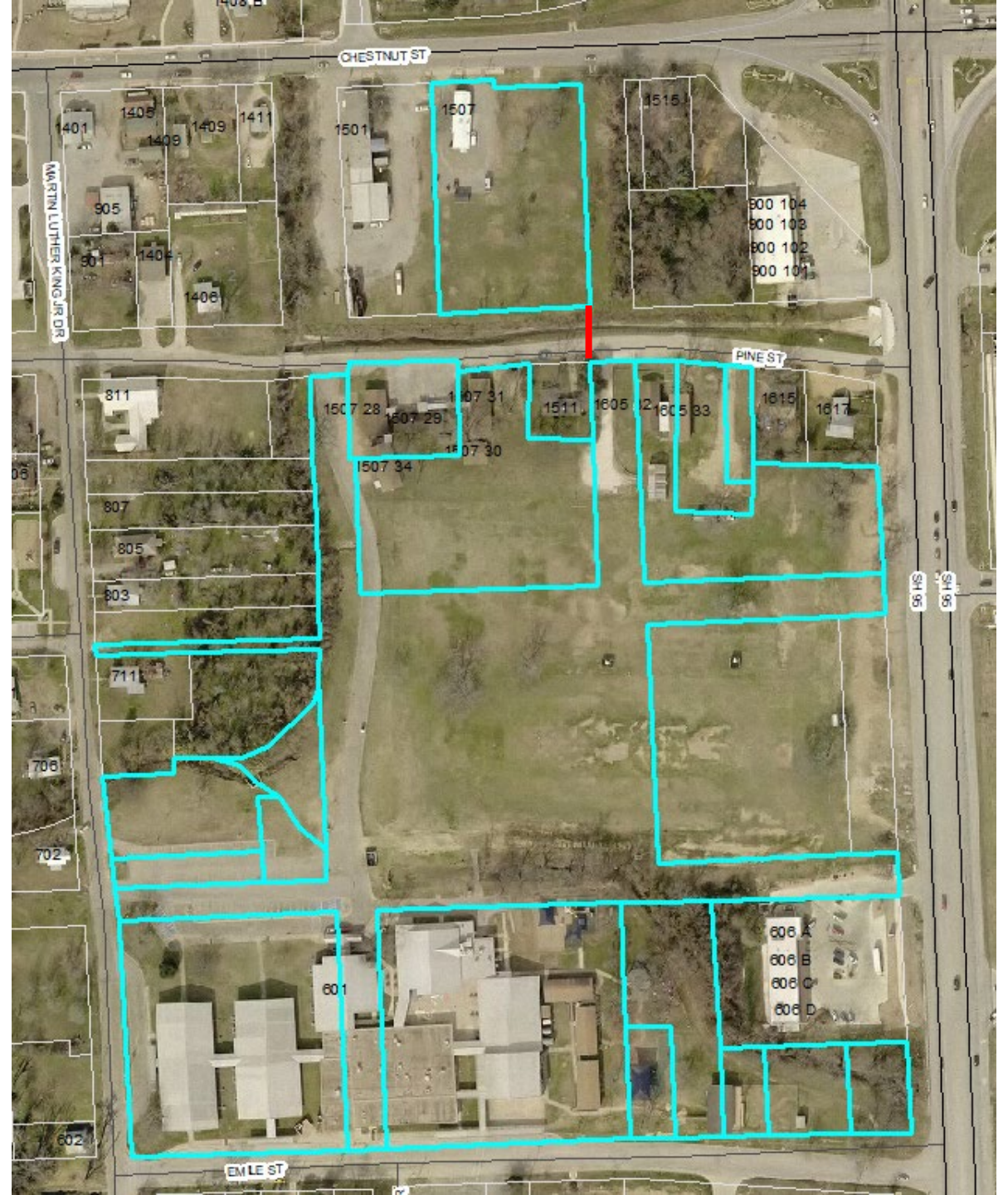
- Must be allowed by Zoning District; or
 - FBC – Civic/Cultural Arts
- Must be in a permitted location per the Sale of Alcoholic Beverages section 4.02.011; and
 - This is a permitted location
- Must meet the Separation Requirements
 - 300 feet

Policy – Separation Requirement

- Bastrop Code of Ordinances 4.02.005
- Requires premises to be 300 feet from a church, public or private school, or public hospital
 - Schools - Direct line from nearest property line to nearest property line
 - **This location is within 300 feet of Emile Elementary School property**
- City Council may grant variances to the separation requirements

Proximity to School

- Location is directly across Pine Street



Policy – Variance Approval Criteria

- Enforcement would create an instance that:
 - is not in the best interest of the public;
 - constitutes waste or inefficient use of land or other resources;
 - creates an undue hardship on an applicant for a license or permit;
 - does not serve its intended purpose;
 - is not effective or necessary; or
 - for any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Variance Approval Criteria – Stem and Stone

- Location is along a civic and commercial corridor near SH 95
- Use is allowed
- Property separated from school by channelized portion of Gill's Branch and Pine Street
 - No driveway access onto Pine Street currently planned
- Anticipate serving beer and wine at the farm to table restaurant
- Permits through Planning & Development still required



Recent Area Variances

- Casa Chapala
- Siam Thai



Public Comments Received

In Support

- None

Against

- None

Questions?





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12F

TITLE:

Consider action to approve Resolution No. R-2019-15 of the City Council of the City of Bastrop, Texas, designating the Mayor, City Manager, Chief Financial Officer, and City Secretary as authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TxCDBG), Contract Number 7218019, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The City of Bastrop, Texas has received the 2018 Texas Community Development Block Grant Award Contract Number 7218019, to provide sewer system improvements in North Bastrop, and it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the Texas Department of Agriculture.

POLICY EXPLANATION:

It is a requirement of the grant that an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) be submitted along with a copy of the approved Resolution approving these signatories.

FUNDING SOURCE:

NA

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-15 of the City Council of the City of Bastrop, Texas, designating the Mayor, City Manager, Chief Financial Officer, and City Secretary as authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TxCDBG), Contract Number 7218019, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2019-15
- Exhibit A - TxCDBG Depository/Authorized Signatories Designation (Form A202)

RESOLUTION NO. R-2019-15

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS DESIGNATING THE MAYOR, CITY MANAGER, CHIEF FINANCIAL OFFICER, AND CITY SECRETARY AS AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG), CONTRACT NUMBER 7218019, AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas has received a 2018 Texas Community Development Block Grant award to provide sewer system improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the Texas Department of Agriculture; and

WHEREAS, an original signed copy of the TxCDBG *Depository/Authorized Signatories Designation Form (Form A202)* is to be submitted with a copy of this Resolution; and

WHEREAS, the City of Bastrop, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.), the City must provide TxCDBG with the following:

- a resolution (**Form A201**) stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

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

Section 1: The Mayor and City Manager be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2018 Texas Community Development Block Grant Program.

Section 2: The Mayor, City Manager, City Secretary, and Chief Financial Officer be authorized to execute the *Request for Payment Form A203* and documents required for requesting funds approved in the 2018 Texas Community Development Block Grant Program.

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: This resolution shall take effect immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas
this 12th day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

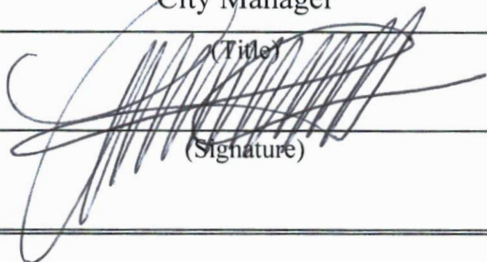
Alan Bojorquez, City Attorney

Depository/Authorized Signatories Designation Form

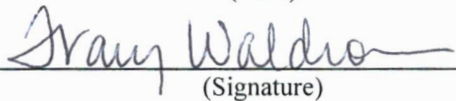
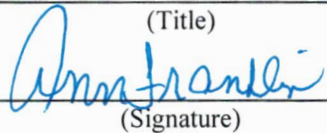
Grant Recipient CITY OF BASTROP

TxCDBG Contract No. 7218019

The individuals listed below are designated by resolution as authorized signatories for contractual documents.

Connie Schroeder (Name) Mayor (Title)  (Signature)	Lynda Humble (Name) City Manager (Title)  (Signature)
---	---

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories for the *Request for Payment Form* (Form A203)—(At least two (2) signatories required).

Tracy Waldron (Name) Chief Financial Officer (Title)  (Signature)	Ann Franklin (Name) City Secretary (Title)  (Signature)
(Name) (Title) (Signature)	(Name) (Title) (Signature)

NOTE: A copy of a Resolution passed by the city council or county commissioner's court authorizing the signatories must be submitted along with this form. Grant Recipients are strongly encouraged to use the sample resolution provided.



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12G

TITLE:

Consider action to approve first reading of Ordinance No. 2019-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop City Code of Ordinances, Chapter 15, Article 15.01, Section 15.01.016 "Monument, Memorial, or Tombstones; Construction Permit Required"; repealing conflicting provisions; providing for a severability clause; establishing an effective date; and move to include on the February 26, 2019 consent agenda for a second reading.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

There have been several monument height variance requests brought to City Council over the years. This topic was also discussed at the joint workshop between City Council and the Cemetery Board held on January 18, 2017.

The Fairview Cemetery Advisory Board met on October 24, 2018 to review and discuss changes to monument height restrictions in Chapter 15, Article 15.01, Section 15.01.016 of the Code of Ordinances of the City of Bastrop, Texas. A monument company attended this meeting and presented information regarding monument heights. After discussion, the Cemetery Advisory Board voted unanimously to recommend to City Council that no restriction be placed on monuments, markers, memorials or tombstones. However, any monuments, markers, memorials or tombstones that exceed six feet (6') will require the monument company to submit specifications to the City's Engineer for review and approval before a work permit will be issued.

POLICY EXPLANATION:

The Code of Ordinance Chapter 15 – Cemeteries, Article 15.01 – Fairview Cemetery, Sec. 15.01.002(b)(4) The role of the advisory board shall be to recommend rules to the City Council, as are necessary concerning the use, care, control, management, restriction, and protection of the Fairview Cemetery. Any matter relating to the Fairview Cemetery shall be referred to the Bastrop Cemetery Advisory Board for their consideration of recommendation before the action is taken by the City Council, however, the advisory board's role shall be advisory only.

Section 3.14 of the Charter of the City of Bastrop requires that amendments to an ordinance can only be approved by the City Council through an ordinance.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve first reading of Ordinance No. 2019-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop City Code of Ordinances, Chapter 15, Article 15.01, Section 15.01.016 "Monument, Memorial, or Tombstones; Construction Permit Required"; repealing conflicting provisions; providing for a severability clause; establishing an effective date; and move to include on the February 26, 2019 consent agenda for a second reading.

ATTACHMENTS:

- Ordinance 2019-01



ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CITY CODE OF ORDINANCES, CHAPTER 15, ARTICLE 15.01, SECTION 15.01.016 "MONUMENT, MEMORIAL, OR TOMBSTONES; CONSTRUCTION PERMIT REQUIRED"; REPEALING CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas, a Home Rule municipality incorporated and operating under the Laws of the State of Texas, is the permanent trustee for the perpetual care of lots and graves in the Fairview Cemetery; and

WHEREAS, the City of Bastrop has authority to adopt rules and regulations governing operations of the cemetery; and

WHEREAS, the Fairview Cemetery Advisory Board met on October 24, 2018, to review and discuss changes to monument height restrictions in Chapter 15, Article 15.01, Section 15.01.016 of the code of ordinances of the City of Bastrop; and

WHEREAS, the Fairview Cemetery Advisory Board made a motion to change the restrictions on monument height restrictions as specified in this ordinance; and

WHEREAS, the Bastrop City Council has determined that the changes recommended by the Fairview Cemetery Advisory Board on October 24, 2018, are in the best interest of the City and its citizens and should be adopted.

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

Section 1: That Chapter 15 of the Code of Ordinance, entitled Cemeteries Article 15.01 "Fairview Cemetery", shall be amended to read as follows:

ARTICLE 15.01 FAIRVIEW CEMETERY

Sec. 15.01.016 – Monument, memorial, or tombstones; construction permit required.

- (a) *No changes.*
- (b) *No changes.*
- (c) *No changes.*
- (d) *No changes*
- (e) Height restrictions. There will be no height restrictions for monuments, markers, memorials, or tombstones in the Fairview Cemetery. However, any monuments, markers, memorials, or tombstones that exceed 6' will require the following:

1. Monument Company must submit specifications to the City's Engineer for review and approval before a work permit will be issued.

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 in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND ACKNOWLEDGED on First Reading on the 12th day of February 2019.

READ AND ADOPTED on Second Reading on the 26nd day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12H

TITLE:

Hold public hearing and consider action to approve Resolution No. R-2019-17 of the City Council of the City of Bastrop, Texas; supporting an application for 2019 Housing Tax Credits by Riverwood Commons II, LP, for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas; authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.

STAFF REPRESENTATIVE:

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

BACKGROUND/HISTORY:

JES Development Co Inc. is requesting a resolution of support from the Bastrop City Council to apply for the Competitive (9%) Housing Tax Credit (HTC) program through the Texas Department of Housing and Community Affairs (TDHCA) to construct a second phase of the Riverwood Commons Apartments with 36 income-restricted and age-restricted units (Attachment 1).

The first phase of the Riverwood Commons Apartments was constructed in 2014 after a successful application to TDHCA for 9% housing tax credits through the Competitive Process. The complex is one building that is a senior community, age-restricted to tenants 55 years old or over, and consists of 36 units.



During the development process, the developer was granted a Conditional Use Permit that allowed the building to extend to three stories. This CUP approval also includes the future second phase. The second phase will be subject to the requirements of the moratorium, if the project moves forward while it is in effect. A Site Development Plan and Building Permits will be reviewed and approved administratively per the development code requirements.

Proposed Architectural Elevations



In addition to the first phase of Riverwood Commons, JES Holdings also owns and manages the Settlement Estates Senior Apartments on 149 Settlement Drive, a 70-unit development, which was awarded Housing Tax Credits in 1998.

The applicant has provided detailed information about the proposed development and program requirements (Attachment 2) and information on JES Holdings development, construction, and property management experience (Attachment 3).

POLICY EXPLANATION:

The Low-Income Housing Tax Credit Program is a federally allocated program through the Internal Revenue Service. Each year tax credits are allocated to each state to be allocated through a state plan. The State of Texas adopts the Qualified Allocation Plan (QAP) that provides development requirements through Competitive (9%) and Non-Competitive (4%) processes. The 9% program provides a greater level of fund compared to the 4% program. With the additional funding, the developments are able to offer greater discounts on income-restricted units.

Income by Percentage of Area Median Family Income

AMFI %	Number of Household Members							
	1	2	3	4	5	6	7	8
30	\$ 18,600	\$ 21,240	\$ 23,910	\$ 26,550	\$ 28,680	\$ 30,810	\$ 32,940	\$ 35,070
50	\$ 31,000	\$ 35,400	\$ 39,850	\$ 44,250	\$ 47,800	\$ 51,350	\$ 54,900	\$ 58,450
60	\$ 37,200	\$ 42,480	\$ 47,820	\$ 53,100	\$ 57,360	\$ 61,620	\$ 65,880	\$ 70,140

Bastrop is within the Austin Metropolitan Statistical Area (MSA). This program uses the Austin MSA Median Family Income (\$86,000 for a family of four) to determine maximum rents.

Breakdown of Units by Income Level/Net Rent

Type of Unit	Size	30% AFMI	Rent	50% AFMI	Rent	60% AFMI	Rent	Market	Rent
1 BR/1 BA	710 sf	1	\$410	2	\$733	6	\$894	2	\$939
2 BR/1 BA	893 sf	2	\$489	4	\$876	14	\$1,070	5	\$1,124
Total Units		3		6		20		7	

The attached resolution contains the specified language by the TDHCA requirements.

FUNDING SOURCE:

The applicant is requesting a contribution in the form of a grant or reduced fee in the amount of \$250.00. Staff recommends providing that reduction from the Site Development Plan review.

RECOMMENDATION:

Hold public hearing and consider action to approve Resolution No. R-2019-17 of the City Council of the City of Bastrop, Texas; supporting an application for 2019 Housing Tax Credits by Riverwood Commons II, LP, for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas; authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.

ATTACHMENTS:

- Resolution
- Attachment 1 – Applicant Request
- Attachment 2 – Detailed Project Information
- Attachment 3 – Developer Information
- PowerPoint Presentation

RESOLUTION NO. R-2019-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, SUPPORTING AN APPLICATION FOR 2019 HOUSING TAX CREDITS BY RIVERWOOD COMMONS II, LP FOR THE DEVELOPMENT LOCATED AT 440 OLD AUSTIN HIGHWAY, NAMED RIVERWOOD COMMONS II, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO DEVELOP AFFORDABLE RENTAL SENIOR HOUSING, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AUTHORIZING THE MAYOR TO CERTIFY RESOLUTIONS TO TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS; AUTHORIZING THE CITY MANAGER TO WAIVE TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$250.00) IN DEVELOPMENT FEES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Riverwood Commons II, LP, ("the Applicant") has proposed a development for affordable rental senior housing at 440 Old Austin Highway named Riverwood Commons II ("the Project") located within the City of Bastrop, Texas; and

WHEREAS, the Applicant has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2019 Competitive 9% Housing Tax Credits for Riverwood Commons II; and

WHEREAS, the City of Bastrop confirms it will provide reduced fees in the amount of \$250 for the benefit of the Project.

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

Section 1. The City of Bastrop, acting through its governing body, hereby confirms that it supports the proposed Riverwood Commons II, located at 440 Old Austin Highway and that this formal action has been taken to put on record the opinion expressed by the City of Bastrop on February 12, 2019.

Section 2. That for and on behalf of the Governing Body, Connie B. Schroeder, Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Section 3. That the City Manager is authorized to execute a letter granting a Two Hundred Fifty Dollars and No Cents (\$250.00) reduction in permit fees in order for Riverwood Commons II to meet all program criteria.

Section 4. That this Resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of February, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



Dear Ms. Humble,

JES Dev Co, Inc. is excited to propose the development of Riverwood Commons II a 36 unit phase II to the existing Riverwood Commons apartment community located at 440 Old Austin Hwy. The community will serve fixed income seniors in the City Bastrop and the greater Bastrop County. We are seeking funding for the development through the State's 2019 9% LIHTC application round. Please accept this letter as notification of our desire to obtain the following resolutions; a twice the state average per capita resolution, a resolution of support, and commitment of funding from the City of Bastrop.

On January 9th 2019 a Pre-Application was submitted for Riverwood Commons Phase II to the Texas Department of Housing and Community Affairs (TDHCA). Based on review of the pre-application log we believe our application to be highly competitive in the region and we are excited to submit a full application to TDHCA on March 1st 2019.

To present the most competitive application possible, our full application package will require three resolutions from the City of Bastrop. The first resolution is an acknowledgement that the City of Bastrop has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds. The second resolution is a resolution of support stating the City of Bastrop's support for Riverwood Commons II.

The final item is a commitment of development funding from the City of Bastrop in a value equal to or greater than \$250. The financial support can come in many forms; such as a \$250 fee waiver, grant, loan, etc. Documentation of the commitment of funding can either be in the form of a city resolution or a letter from an official of the City of Bastrop.

All three items must be received from the City of Bastrop prior to the March 1st Full Application Deadline. To meet the application deadline we are requesting to present to the city council on February 12th, at which time we would kindly request the council to consider the requested resolutions.

We are eager to working with the city through the development process and look forward to another successful community for the City of Bastrop and JES.

Sincerely,

A handwritten signature in black ink that reads "John Guttman". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Guttman

Development Manager

Ph: (512) 473-3664

Email: jguttman@jesholdings.com

Housing Tax Credit Support Request Detail Information



SITE INFORMATION

Breakdown of unit types and rental rates by income level

Please see attached rent schedule with anticipated unit and income mix. Riverwood Commons completed construction in 2014 and has since averaged 95% occupancy. Phase II will allow JES Dev Co Inc. to utilize the vacant land adjacent to Riverwood Commons in order to meet the demand for affordable, high-quality senior housing in Bastrop. Support of Riverwood Commons Phase II is a straight-forward and expeditious way for the City of Bastrop to catalyze JES Dev Co's existing presence and demonstrated track record in Bastrop to deliver more housing options for seniors. JES Dev Co is grateful for the City of Bastrop's support of the original Riverwood Commons and looks forward to expanding that partnership with Phase II.

Architectural renderings of buildings

Please see attached architectural renderings for the development.

Proposed site layout

Please see attached architectural site plan that details the proposed site layout.

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2 units will be hearing/visual accessible (5% of total units.)

If the development includes market rate units, do these units differ from the income restricted units in any way?

The development will include seven market rate units. The market rate units will be indistinguishable from income restricted units and will float throughout the property.

List the amenities for the entire site.

Riverwood Commons Phase II will be designed and developed to the highest quality with an aesthetic presence that mirrors, if not exceeds, Riverwood Commons I. The property will have the following amenities to benefit residents: furnished community room, community kitchen, fitness room, library/computer room, covered porch, patio, gazebo, outdoor BBQ grills and picnic tables. The units will feature in unit washer and dryers, Energy Star Appliances, energy efficient HVAC units, LED lighting, 9 foot ceilings, vinyl plank flooring in the kitchen, dining, and living rooms, and ceiling fans in the bedrooms and living rooms.

DEVELOPMENT AND MANAGEMENT COMPANY INFORMATION

Will the management be in-house or a separate entity?

The management company will be our in-house company Fairway Management Company. They currently manage both Riverwood Commons and Settlement Estates in Bastrop demonstrating a solid track-record and existing community partner. Fairway Management, Inc.

Housing Tax Credit Support Request Detail Information



(FWM) is responsible for the maintenance, compliance, marketing and business administration of 200 apartment communities, senior living communities and rental subdivisions. We commit extensive resources to hiring, developing and training our property management team. The FWM team works hard to maintain high standards of living at affordable rates.

Growing from 5 to over 200 properties in almost 35 years, FWM is regarded as a strong management company in the industry. FWM is sought by lenders and regulatory agencies to manage projects for their developers as a highly regarded management company.

Have there been any changes in company names or re-organizations?

No

Provide history of similar projects developed and managed. How many tax credit projects have you developed in Texas?

Please find attached a brief summary of our family of companies and our Texas portfolio of properties. JES Dev Co, Inc. has developed and owns over 200 properties throughout the South, Southwest, and Midwest. Fairway Management manages over 9,000 units throughout the same regions. JES Dev Co, Inc. owns and Fairway Management operates four properties in the state of Texas; Settlement Estates (Bastrop, TX), Riverwood Commons (Bastrop, TX), Hidden Glen (Salado, TX) and Bluff View Senior Village (Crandall, TX). A fifth property, Highlander Senior Village (Bulverde, TX), will begin construction in 2019. JES Dev Co and Fairway Management are looking to build upon their solid track record in Bastrop with Riverwood Commons Phase II.

Provide two letters of support from existing developments similar to the proposal.

Please see attached letters.

FINANCIAL INFORMATION

Will the site have any property tax exemptions after development?

No, the development will not be seeking any property tax exemptions.

What is the affordability period requirement for this project?

The project is required to remain affordable for 35 years.

Provide an analysis of the economic impact to the City (property tax increase, utility consumption, sales tax base).

Property Taxes

Riverwood Commons Phase II will bring more than the social and physical benefit of to those fortunate enough to live in safe, attractive and affordable housing. Based on the property tax

Housing Tax Credit Support Request Detail Information



history of Riverwood Commons, we would anticipate that Riverwood Commons II would bring in 3.5 times the current city taxes received for the property. Currently the property is valued at roughly \$300,000. Based on the taxable value of Riverwood Commons and Settlement Estates we would expect the taxable value to increase to over \$1.4 million which will flow to the City and County of Bastrop as well as local schools.

Utility Usage

Riverwood Commons Phase II will be built to very high buildings standards, using energy efficient lighting, appliances, mechanical systems, and water conserving fixtures, which will result in a lower consumption of energy and water. This savings results in a property that is able to keep rents affordable while investing in the overall capital performance of the asset. In addition, lower utility costs put more money in a households wallet that they can then save to increase financial stability and/or spend in the local economy.

Based on calculation for a similar property, the daily water usage per unit is calculated at 202 gallons per day, with a peak flow of 536 gallons per day per unit. The wastewater usage is estimated to be around 575 gallons per day during peak wet weather.

Sales Tax Impact

The construction of Riverwood Commons II will bring around 100 temporary construction jobs to the City of Bastrop. The individuals in these jobs will be spending money in the community for 10-12 months during the construction period.

Once construction is complete the property will offer 36 units to area seniors. Based on the attached USA Today article on Retirement Spending, we assume our average resident would spend \$500/month on food, clothing, household goods, and entertainment. Assuming the sales tax rate of 8.25% the annual sales tax revenue generated by the property would be roughly \$17,800. When households pay less for their housing, they can afford to spend more on items such as food, clothing and health care which all benefit local businesses.

Will this development require off-site capital improvements?

At this time, we do not anticipate the requirement of any off-site capital improvements and believe the existing infrastructure is sufficient to support the proposed Phase II.

OTHER INFORMATION

Please list any additional information or letters that you will be requesting from the City of Bastrop Utilities for the TDHCA application requirements.

In order to submit a successful application meeting all TDHCA requirements, the following documentation from the City of Bastrop is requested:

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Housing Tax Credit Support Request Detail Information



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RIVERWOOD COMMONS II

Rent Schedule

Riverwood Commons II

JES Dev Co., Inc.

Bastrop, Texas

Rental Income

Type of Unit	# of Units	Income Target	Bldg Type	Net Rentable Area (sf)	Total Net Rentable Area (sf)	Gross Rent	Utility Allowance	Net Rent /Month	Net Rent/SF
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Circulation/Common Space					8,500				
Total		36			38,635				

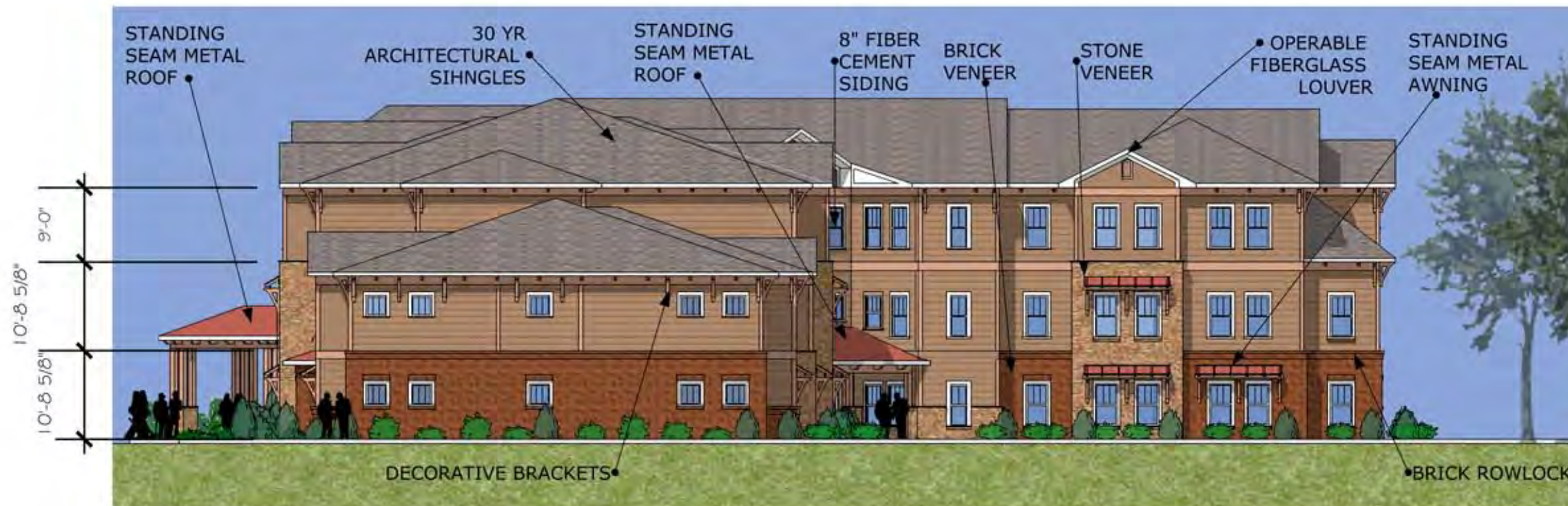
RIVERWOOD COMMONS II

Architectural Renderings & Site Layout



RIVERWOOD COMMONS APARTMENTS - PHASE II
BASTROP, TX

2-27-12



2 RIGHT (EAST) ELEVATION
 1/16" = 1'-0" BRICK/STONE VENEER = 25%
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PROJECT	2012-0008
DATE	2-27-12
DESIGN BY / CHECKED BY	DJS

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
 RIVERWOOD COMMONS APARTMENTS - PHASE II
 BASTROP, TX
 FIRST FLOOR

MARTIN RILEY ASSOCIATES
 A3.02

NOT RELEASED FOR CONSTRUCTION



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RIVERWOOD COMMONS APARTMENTS - PHASE II
 BASTROP, TX

MARRA
 A3.01

NOT RELEASED FOR CONSTRUCTION

PROJECT: 2012-008
 DATE: 2-27-12
 DRAWN BY: J. CHICKEN
 D.W.

FIRST FLOOR

PLOTTED: Feb 24, 2012 - 12:05pm LOCATION: P:\Affordable Equity Partners\2011-073_MARRA\11.12.12.dwg PLOTTED BY: dcallesse - Copyright 2012



1 SITE PLAN
1" = 80'-0"

Housing Tax Credit Support Request Detail Information



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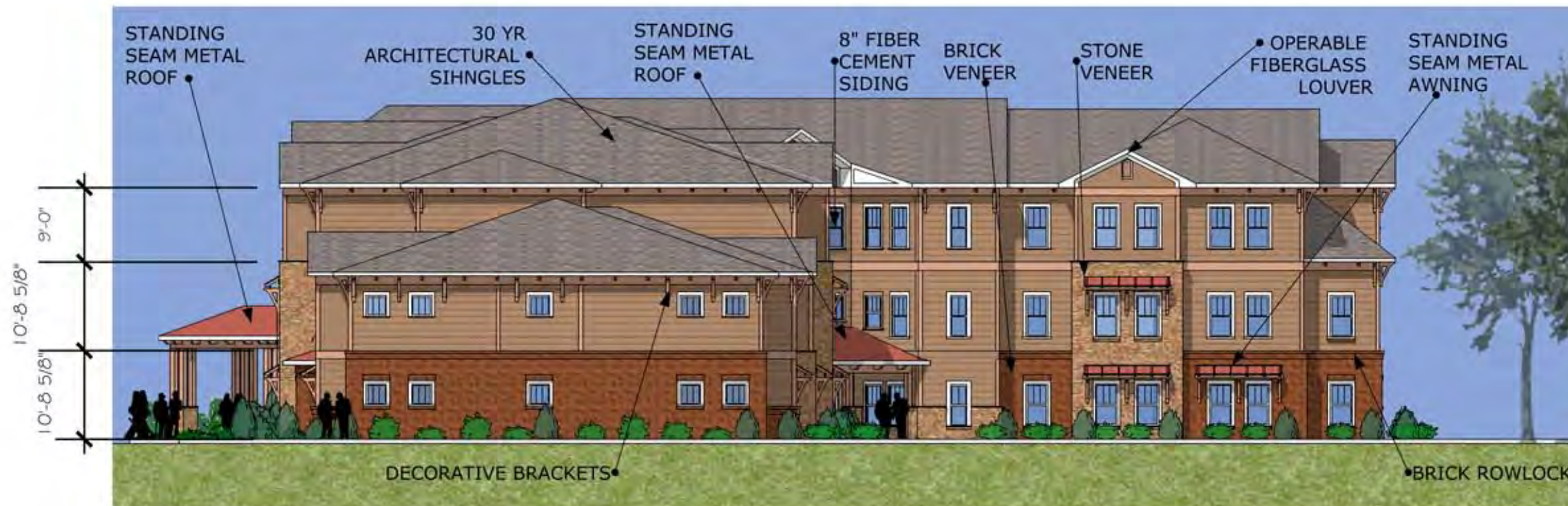
RIVERWOOD COMMONS II

Architectural Renderings & Site Layout



RIVERWOOD COMMONS APARTMENTS - PHASE II
BASTROP, TX

2-27-12



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PROJECT	2012-0008
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MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
 215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
 RIVERWOOD COMMONS APARTMENTS - PHASE II
 BASTROP, TX
 FIRST FLOOR

MARRA
 A3.02

NOT RELEASED FOR CONSTRUCTION



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 RIVERWOOD COMMONS APARTMENTS - PHASE II
 BASTROP, TX
 FIRST FLOOR

MARRA
 A3.01

NOT RELEASED FOR CONSTRUCTION



1 SITE PLAN

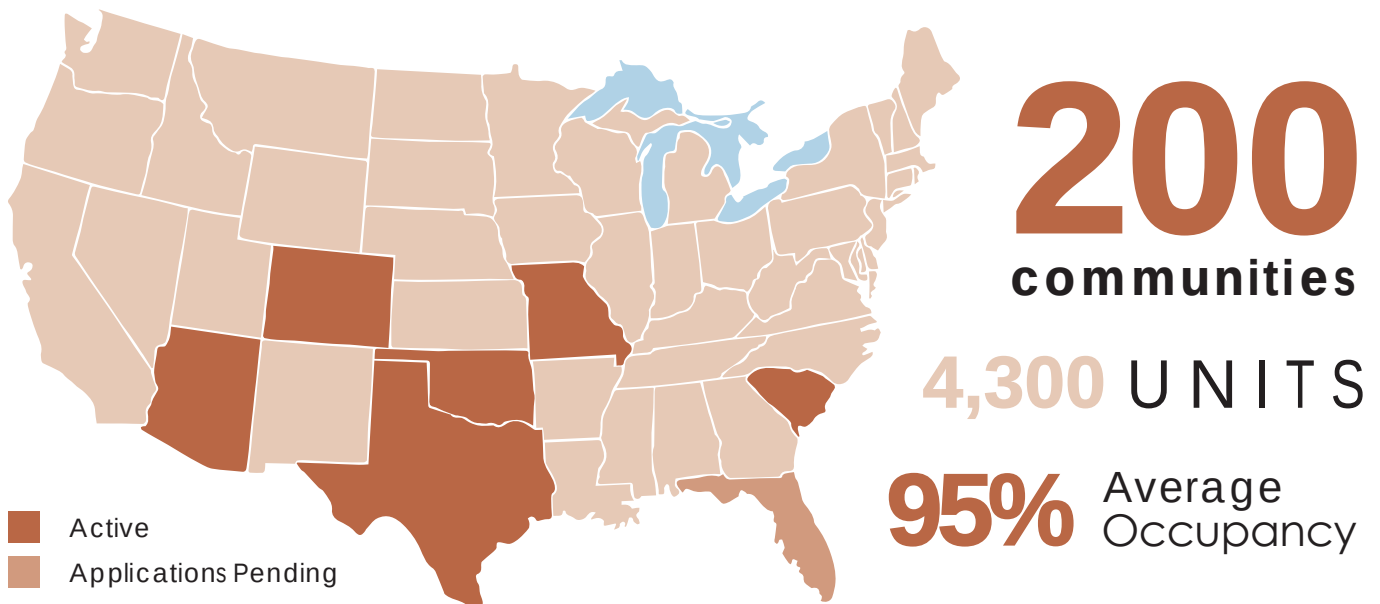
RIVERWOOD COMMONS II

Developer Background



JES DEV CO, INC

JES Dev Co, Inc., originally founded in 1994 through its predecessor companies, is an acknowledged leader in the development of affordable multi-family housing properties. JES Dev Co, Inc. (JES) specializes in building relationships and gaining local support by surveying community leaders and government officials and working together to bring a quality development to that community. Through careful site selection and market analysis JES identifies locations that will lead to the best living outcome for prospective residents. Over the years, JES has successfully developed affordable housing in multiple states throughout the country. JES has over 200 affordable housing communities with approximately 4,300 units and maintains an average occupancy of over 95%.



Our experienced team of developers and underwriters work seamlessly through the state agency application and closing process. Working with our affiliated Construction, Syndication and Management Companies we remain engaged through issuance of 8609's and beyond. JES developers and underwriters attend agency workshops and continuing education courses on a minimum of a yearly basis.

JES Dev Co, Inc. develops properties that offer many indoor and outdoor community amenities aimed at enhancing our residents daily living. Some of these indoor areas include community kitchen and dining areas, furnished fitness centers, business centers, theaters and multi-purpose areas. Exterior amenities include patio areas, walking trails, water features, raised planting beds, picnic areas and playgrounds that meet the needs of the particular development. JES develops properties that include supportive service coordination for seniors and families. Senior-aged residents in JES developed communities benefit from services such as health lectures and screenings, transportation services, financial literacy services and wellness programs. Family communities benefit from coordination with local resources to assist with financial planning, home ownership and family social services. JES firmly believes in its mission statement which is that we develop, build, manage and invest in quality housing where our families would be proud to live.



JES DEV CO, INC



Brian Kimes, Vice President of Acquisitions & Development

Brian Kimes has worked with JES Holdings, LLC companies for over 16 years. His role as Vice President of Acquisitions & Development for JES Dev Co helps originate investment opportunities and manages key developer relationships that JES Dev Co maintains throughout the United States. Kimes is responsible for analyzing acquisition cost, pre-acquisition due diligence and underwriting. Brian's previous experience at Wells Fargo Bank in loan origination prepared him for his current role. Brian serves on the board of the Georgia Affordable Housing

Coalition, as well as, a member of the Missouri Historic Preservation Society, Texas Affiliation of Affordable Housing Providers and National Council of State Housing Agency. He is active in the community through his participation in the United Way, Multiple Sclerosis Foundation and his involvement with the College of Business at the University of Missouri as member of the Herbert J. Davenport Society.



Jim Markel, Director of Acquisitions

Jim Markel, Director of Acquisitions for JES Dev Co and Affordable Equity Partners, Inc. (AEP), cultivates and manages key developer relationships and opportunities in regions JES is actively investing. Often a liaison between developers and JES Dev Co, Jim manages a team that assists development partners through the lifecycle of their development projects. He and his team work diligently to help partners identify potential opportunities, assemble viable tax credit applications and ultimately, acquire the credits awarded for the development.

Jim has been with JES Dev Co since 2006. His previous work experience was in the field of planning and community development. Jim worked both as a consultant to Cities and Counties on zoning and growth issues, as well as in local government planning and community development.

Jim is a graduate of the University of Southern Mississippi. He is active in his community, serving on the City of Newnan Development Authority Board and the United Way.



JES HOLDINGS, LLC

JES Holdings is a privately-held family of companies with more than 800 employees. Since our beginning in 1984, our expertise has grown from affordable multi-family and senior housing communities to include skilled nursing care centers, market-rate apartment and loft communities, historic renovations and market rate independent senior living communities. Our growth is the result of our commitment to creating partnerships through which we strive to serve each client's specific need with integrity, timeliness and unmatched professionalism.

FULLY
INTEGRATED
FROM SITE
SELECTION
TO DIRECT
DELIVERY OF
INVESTOR
BENEFITS

JES DEV CO, INC.

FOUNDED: 1994

- Developed more than 135 single and multi-family housing properties with a special niche in the Section 42 Low Income Housing Tax Credit (LIHTC) development program
- New construction and historic rehabilitation of LIHTC housing, as well as conventional development, all totaling over \$1 billion



FAIRWAY CONSTRUCTION

FOUNDED: 1984

- Design and construct single, multi-family and senior housing for conventional and affordable housing markets
- More than 200 projects completed over a seven-state area
- Construct third-party developed properties
- Expertise in historic and new construction



FAIRWAY MANAGEMENT

FOUNDED: 1994

- Specializes in the property management of Section 42 Low Income Housing Tax Credit (LIHTC) housing
- Property managers are trained and certified yearly in compliance for Section 42 LIHTC by property compliance experts in the industry
- More than 190 properties and approximately 9,000 units under management in New Mexico, Iowa, Missouri, Georgia, Texas, Nebraska and South Carolina



AFFORDABLE EQUITY PARTNERS

FOUNDED: 1997

- AEP is a financial resources company providing a full range of services for developers and investors in the Section 42 LIHTC Program
- AEP has more than 400 tax credit developments and has never had a foreclosure or credit recapture
- Reputation for target delivery and, in many cases, over-delivery of tax credits and projected rates of return
- Full integration with development, construction and management companies allows AEP to draw from this expertise and offer unmatched reliability for delivery of projected tax credits
- Active in several states, but predominantly in Missouri and Georgia
- Syndicated over \$3 billion in Federal and State Tax Credits





JES HOLDINGS, LLC



Jeffrey E. Smith, Founder & CEO

Jeffrey E. Smith, a fifth generation Boone County resident, is President of JES Holdings, LLC. JES Holdings includes Affordable Equity Partners, Inc., JES Dev Co, Inc., Fairway Construction Co., Inc., Fairway Management, Inc., Capital Health Management, Inc. and JES Prime Senior Living, LLC. With offices in Columbia and St. Louis, Missouri along with Atlanta, Georgia, this family of companies is dedicated to building quality, affordable and conventional housing across the United States.

With over 30 years of experience in the real estate and housing industries, Mr. Smith has been active with the Low Income Housing Tax Credit (LIHTC) program since the creation of the Tax Reform Act of 1986. He was instrumental in drafting the legislation for the state tax credit in Missouri in 1990, Georgia in 2000 and Oklahoma in 2014. A recognized leader in the affordable housing industry, Mr. Smith received the first Governor's Award for Excellence in Elderly Housing in Missouri.

Mr. Smith is a veteran who served as a US Army captain and in the Army Reserves. He contributes to numerous charitable, civic and educational organizations including: The Missouri Review Smith Prize for Fiction, Non-Fiction and Poetry, Boys and Girls Club of Columbia, Heart of Missouri United Way, The Food Bank for Central and Northeast Missouri, Arrow Rock Lyceum Theatre and The State Historical Society of Missouri where he serves as a trustee.

The Jeffrey E. Smith Institute of Real Estate was founded in 2005 and operates within The University of Missouri's Robert J. Trulaske, Sr. School of Business. Mr. Smith is a member of the College of Business' Strategic Development Board, The Herbert J. Davenport Society and recipient of the University's Distinguished Alumni Award.



Monica A. Swoboda, Executive Vice President

Monica Swoboda is a trusted and respected professional with over 40 years of experience in management and executive leadership in healthcare and real estate industries. Monica is an effective and accomplished communicator and has been told she is an empathetic and persuasive speaker. Monica has the innate capability to influence others. She is skilled at evaluating all options, generating solutions and building consensus.

From years working as a registered nurse & nursing educator, healthcare administrator, senior living community development executive to her current role at JES Holdings, Monica has possessed an entrepreneurial spirit and competitive attitude making her an effective leader.



JES HOLDINGS, LLC



Walker Smith, President

Walker Smith, President of JES Holdings, joined JES Holdings and its affiliate companies in July of 2016 as Director of Special Projects. Soon after, he was promoted to Executive Vice President & Principal and received a promotion to President in September of 2018.

Walker began his career in real estate as the founder and CEO of JWS Developments, LLC, where he purchased, renovated, marketed and rented residential real estate. He broadened his experience at The Kroenke Group, a leading U.S. owner and developer of shopping centers and apartments and at Planigrupo, the largest developer and manager of shopping malls throughout Mexico and Colombia.

Prior to joining JES Holdings, Walker worked for Rialto Capital Management, a real estate investment management company in New York City where he financed commercial real estate through CMBS lending and securitization. He brings these experiences and expertise to his executive role at JES Holdings, LLC.

Walker graduated summa cum laude with a Bachelor of Science in Business Administration with a concentration in Finance from Babson College .

In addition to volunteering with The United Way, he honors his family's commitment to providing educational opportunities in real estate and finance to students through the Jeffrey E. Smith Institute of Real Estate & Capital Markets. Founded in 2005, the institute operates within the Robert J. Trulaske, Senior College of Business at the University of Missouri.



William A. Markel, Executive Vice President

For approximately 20 years, Will Markel has held many roles within the family of companies affiliated with JES Holdings, LLC. Today his role provides the financial oversight of Affordable Equity Partners, Fairway Management, Fairway Construction, Capital Health Management, JES Prime Senior Living underneath JES Holdings, LLC.

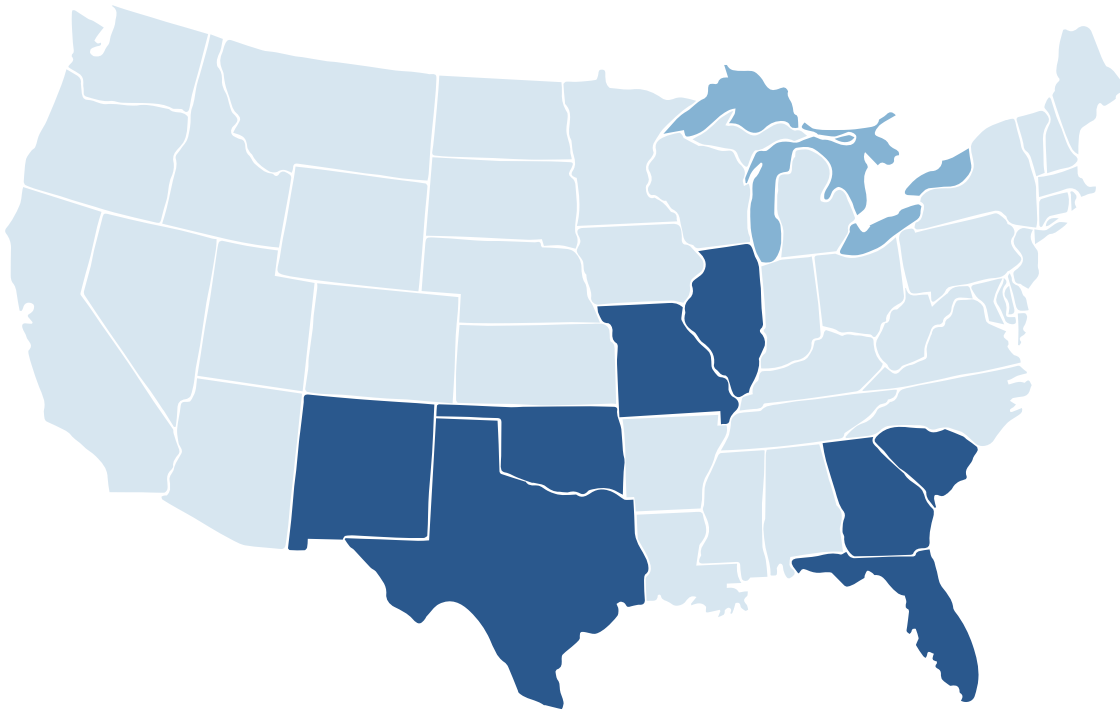
With over a dozen director-level leaders reporting to him, Will is responsible for business development, legislative oversight, market evaluation, and financial planning. Will has created relationships in several states around the country with investors and development partners in the real estate industry.

Will is involved in his local community through the United Way Leadership Circle and a member of the Herbert J. Davenport Society at The University Of Missouri.



FAIRWAY CONSTRUCTION CO., INC

Fairway Construction Co., Inc. was founded in 1984 to provide construction services for JES Holdings, LLC. Throughout the years, Fairway Construction's expertise has grown from building affordable multi-family housing communities to include the construction of skilled nursing care centers, market-rate apartment communities, residential lofts, the rehabilitation of historic properties and conventional senior memory care facilities. Due to our reputation for consistently completing quality developments on time and within budget, FWC has expanded to add third-party construction developments and provides project management and consulting services for numerous developers. FWC offers a wide range of services to assist our clients from pre-construction through completion.



Since 1984, Fairway Construction Co., Inc. has emerged as a leading contractor in the affordable housing industry. The quality of our product reflects our commitment to excellence and efficiency.

Our experienced management team is focused on developing budgets, valued engineering and development schedules to provide coordination and supervision to assure maximum value to our customers. FWC also prequalifies subcontractors, analyzes, estimates and establishes cash flow projections. We continue to utilize industry leading products and concepts that are economical and efficient to construct quality communities.

FWC has constructed over 130 projects across a seven-state portfolio, aggregating over 4,500 living units with a completed value in excess of \$2 billion. Fairway Construction's success is evident in the exemplary work that has been completed.



FAIRWAY CONSTRUCTION CO., INC



Steve Hickey, Director of Operations & Accounting

Steve Hickey holds an accounting degree from the University of Alabama and a Masters in Accounting from the University of Georgia. Steve began his career with the largest international public accounting firm in Atlanta, Georgia. During his time in public accounting, he served commercial developers, REITs, homebuilders and multifamily developers. As a manager, Steve joined KPMG and served an affordable housing builder and a large integrated multi-disciplinary developer. He also worked extensively on audit and corporate governance.

Steve has worked in residential building, development and multi-family services for over 13 years and joined Fairway Construction in 2015. As the Director of Operations and Accounting, he is responsible for budgeting, operations and the financial results for each of the FWC projects.

Outside of work, Steve enjoys time with his wife, Cheney, and his two daughters. His hobbies include hunting, camping, tennis, basketball and coaching youth sports. He is active with his church through service, fundraising and mission work.



Devin Brown, Project Manager

Devin Brown joined the Fairway team in 2002. In his position he works closely with development and management companies, as well as architects and engineers, to ensure all expectations on construction projects are completed.

Devin is a graduate of the University of Missouri with a BS in Animal Science. Some of his accomplishments include contributing his experience to the Architect Selection Committee for the new Ronald McDonald House while under construction in Columbia, Missouri.

Outside of work, Devin enjoys spending time with his family, working on the family farm and hunting. He and his family are members of the American Quarter Horse Association, National Reining Horse Association and the American Ranch Horse Association.



Tom Partin, Senior Project Manager

Tom Partin brings over 13 years of experience to the Fairway Construction team spending more than 7 of those years in mid-level executive and project management.

Prior to joining Fairway Construction, Tom worked for two separate Fortune 500 publicly traded homebuilders and gained experience in contract negotiation, operations management, budgeting, planning and scheduling.

Tom attended Austin College where he studied Business Administration and attended the University of North Texas where he studied public affairs and economics. He is a National Association of Homebuilders Certified Graduate Builder, a Certified Texas Residential Building Contractor, Karass Certified Negotiator and has obtained the Dale Carnegie Management Mastery.



FAIRWAY CONSTRUCTION CO, INC

Project Name & Location	Owner	Contract	Completed
Horizon Senior Village	Horizon Senior Village LP	\$5,878,109	2015
Woodbury Place II	Woodbury Place II, LP	\$5,699,311	2015
Pointe North Senior Village	Point North Senior Village, LP	\$5,625,017	2015
Residences at Jennings Place	Residences at Jennings Place LP	\$7,570,732	2015
Connors Senior Village Phase II	Connors Sr. Village II, LP	\$5,435,535	2014
Pinewood Village	Pinewood Village, LP	\$5,951,928	2014
Creekview Commons	Creekview Commons, LP	\$5,441,771	2014
Mytle Terraces	Myrtle Terraces, LP	\$7,550,601	2014
New Holland Pocket Park	Beverly J. Searles Foundation	\$200,000	2014
Wilshire Hills II	Wilshire Hills II, L.P.	\$6,044,122	2014
Foxwood Sr. Apts., Washington, GA	Foxwood Sr. Apts., L.P.	\$4,552,993	2014
Riverwood Commons, Bastrop, TX	Riverwood Commons, LP	\$3,508,706	2013
New Leaf Ctr for Walkers Bend, Covington, GA	Housing Authoring of Covington	\$2,399,782	2013
Fairgrounds Sr. Village, Laurens, SC	Fairgrounds Sr. Village, LP	\$4,757,488	2013
Gentry Estates, Columbia, MO	Gentry Estates, LP	\$6,002,267	2013
Silverwood Sr. Apts., Rincon, GA	Silverwood Place, L.P.	\$4,671,776	2013
Magnolia Trace, Martinez, GA	Magnolia Trace, L.P.	\$6,965,033	2012
Village at Walkers Bend, Covington, GA	Village at Walkers Bend, OP	\$4,521,815	2012
Tucker Cottages, LaGrange, GA	Azalea Mill Cottages, L.P.	\$5,273,121	2012
Connors Senior Village, Villa Rica, GA	Connors Sr. Village, L.P.	\$5,737,491	2012
Lakewood Hills Sr. Village, Athens, GA	Lakewood Hills Sr. Village, L.P.	\$6,533,813	2012
Hillmann Place, O'Fallon, MO	Hillmann Place, L.P.	\$7,371,019	2012
Harristown Park, Covington, GA	Harristown Park, L.P.	\$5,682,591	2011
Ridgefield Place, Bainbridge, GA	Ridgefield Place, L.P.	\$5,700,549	2011
Pine Meadows, Douglas, GA	Pine Meadows, LP	\$4,317,411	2011
Woodbury Place, O'Fallon, MO	Woodbury Place, LP	\$5,805,908	2011
Baldwin Park, Milledgeville, GA	Baldwin Park, LP	\$5,168,112	2010
Bethel Ridge II, Columbia, MO	Bethel Ridge II, LP	\$6,498,035	2010
Gentemann Manor III, O'Fallon, MO	Gentemann Manor III, LP	\$6,893,740	2010
Tifton Estates, Tifton, GA	Tifton Estates, LP	\$4,163,594	2010
Residences at Liberty Place, Liberty, MO	Residences at Liberty Place, L.P.	\$6,119,000	2009
Camelot Place Retaining Walls	Camelot Place, L.P.	\$337,453	2009
Bethel Ridge I, Columbia, MO	Bethel Ridge, L.P.	\$6,352,979	2008
Wyndham Park III, Saint Peters, MO	Wyndham Park III, L.P.	\$6,171,412	2008
Barkley Estates Albany, GA	Albany Homes, L.P.	\$5,959,744	2008
Pine Ridge Estates, Bainbridge, GA	Bainbridge Housing Assoc LP	\$3,555,489	2008
Crown Care Rehab, Harrisonville, MO	Crown Care Properties, L.P.	\$829,328	2008
Hickory Hollow Detention Basin, Wentzville, MO	Hickory Hlwf of St. Chs. Cnty, LP	\$211,000	2008
Carrington Square Phase II, Pooler, GA	Sav. Hsg. Partners II, LLC	\$13,240,125	2007
Gentemann Manor II, O'Fallon, MO	Gentemann Manor II, LP	\$7,649,017	2007
Wyndham Park II, Saint Peters, MO	Wyndham Park II, L.P.	\$6,355,026	2007
Park Meadows, Rolla, MO	Park Meadows, L.P.	\$4,461,076	2007
W. 7th St. Fitness Center, Kansas City, MO	W. 7th St. Lofts, LLC	\$382,802	2007
Chapel Hill Commons, Jefferson City, MO	Chapel Hill Commons, LP	\$3,784,323	2007
Carrington Square Phase I, Pooler, GA	Sav. Hsg. Partners II, LLC	\$5,364,356	2006
Wilshire Hills, I, Lee's Summit, MO	Wilshire Hills, LP	\$6,421,891	2006
Hickory Hollow, Wentzville, MO	Hickory Hlwf of St. Chs. Cnty, LP	\$6,117,194	2006
Riverbend Loft Conversion, Kansas City, MO	Riberbend Loft Cond'm LLC	\$1,667,135	2006
Wyndham Park I, Saint Peters, MO	Wyndham Park, L.P.	\$6,333,952	2006
Crestview Village Rehab, Kankakee, IL	Crestview Pres. Assoc. Partn.	\$4,220,660	2006
Crestview Village Office, Kankakee, IL	Crestview Pres. Assoc. Partn.	\$85,500	2006



FAIRWAY CONSTRUCTION CO, INC

Regency Manor II, Independence, MO	Regency Manor II, LP	\$4,883,361	2006
Lofts at Landmark, St. Joseph, MO	Downtown First, LP	\$5,832,077	2006
Gentemann Manor I, O'Fallon, MO	Gentemann Manor, LP	\$5,690,014	2005
NECAC Office Building, O'Fallon, MO	NECAC	\$374,562	2005
D. A. Holmes Sr. Apts., Kansas City, MO	DA Holmes Devolpment, LP	\$6,506,209	2004
Radcliffe Manor, Charleston, SC	Radcliffe Associates, LP	\$4,510,000	2004
Woodlen Place, Kansas City, MO	Woodlen Place Associates, L.P.	\$812,522	2004
Kensington Heights, Kansas City, MO	Agent Kensington, L.P.	\$2,645,244	2004
Parkview Place Apartments, University City, MO	Parkview Place Apts., L.P.	\$6,220,928	2004
Whittington Estates, St. Joseph, MO	Whittington Estates, L.P.	\$2,979,155	2004
Woodcrest Villas, Troy, MO	Woodcrest Villas, L.P.	\$5,377,763	2003
Weathered Rock Apts., Jefferson City, MO	Weathered Rock Assoc., L.P.	\$3,189,375	2003
Pevely Square, Pevely, MO	Pevely Square, L.P.	\$3,868,402	2003
Heritage Meadows, Farmington, MO	Heritage Meadows, L.P.	\$2,416,950	2003
Hawthorne Place Com. Bldg., Independence, MO	Hawthorne Associates, L.P.	\$1,971,159	2003
Hawthorne Place Apt. Rehab, Independence, MO	Hawthorne Associates, L.P.	\$13,441,136	2003
Greystone Place, Neosho, MO	Greystone Place, L.P.	\$3,470,092	2003
Townsend and Wall Lofts, St. Joseph, MO	Townsend and Wall Lofts, L.P.	\$4,254,000	2003
Forest Park Apartments, St. Louis, MO	FPA Investments, L.P.	\$14,347,123	2003
Oak Grove Apt. Rehab, Oak Grove, MO	Oak Grove Properties, L.P.	\$437,400	2003
The Lofts at Lafayette Square, St. Louis, MO	Lofts at Lafayette Square LLC	\$9,714,082	2003
Hawthorn Estates, Harrisonville, MO	WCMCAA	\$2,647,569	2002
Head Start Day Care, Harrisonville, MO	WCMCAA	\$570,098	2002
Country Club Plaza II Rehab, Springfield, MO	NEF	\$358,952	2002
Crestview Village Rehab, Liberty, MO	NEF	\$668,956	2002
Highland Acres, Rehab, Carthage, MO	NEF	\$238,354	2002
Houston Plaza Rehab, Adrian, MO	NEF	\$242,212	2002
Maplewood Manor Rehab, Webb City, MO	NEF	\$654,708	2002
Monroe Estates Rehab, Lebanon, MO	NEF	\$548,448	2002
Prairie Plains Rehab, Lamar, MO	NEF	\$503,011	2002
Canterbury Park, St. Peters, MO	Canterbury Park, L.P.	\$4,352,072	2002
Park Place, Rolla, MO	Park Place, L.P.	\$2,650,008	2002
The Hamptons of Neosho, Neosho, MO	The Hamptons of Neosho LP	\$3,901,155	2002
Cameron Manor Addition, Cameron, MO	J & R Associates, LP	\$1,478,894	2001
Cliffview Pointe, Potosi, MO	C & C, LP	\$352,790	2001
Swope Parkway Estates New, Kansas City, MO	Swope Parkway Estates, LP	\$3,215,590	2001
Swope Parkway Estates Rehab, Kansas City, MO	Swope Parkway Estates, LP	\$2,883,850	2001
New Madrid Garden Apts, New Madrid, MO	New Madrid Garden Apts, LP	\$1,328,953	2001
Lilbourn Garden Apts, Lilbourn, MO	Lilbourn Garden Apts, LP	\$1,095,569	2001
Kirksville Gardens, Kirksville, MO	Kirksville Gardens, LP	\$2,651,717	2001
Colony Plaza Rehab, Excelsior Springs, MO	Colony Plaza, LP	\$513,293	2000
Country Club Village Rehab, Springfield, MO	Country Club Village, LP	\$751,449	2000
Glenwood Manor Rehab, Springfield, MO	Glenwood Manor, LP	\$593,798	2000
Rock Tree Apts. Rehab, Fulton, MO	Rock Tree Apts., LP	\$732,436	2000
Village Meadows Rehab, Boonville, MO	Village Meadows, LP	\$450,981	2000
Highland Meadows Rehab, Carthage, MO	Highland Meadows, LP	\$309,519	2000
Deerfield Village Rehab, Carthage, MO	Deerfield Village, LP	\$444,930	2000
Carrollton Villa Rehab, Carrollton, MO	Carrollton Villa, LP	\$196,400	2000
Office Building, Columbia, MO	Jeffrey E. Smith Investments	\$3,000,000	2000
Windwood Estates, St. Joseph, MO	Windwood Estates, LP	\$2,735,480	2000
Hanover Gardens, Columbia, MO	Hanover Gardens, LP	\$1,321,740	2000
Regency Manor, Independence, MO	Regency Manor, LP	\$2,521,811	2000
Park View Plaza, Jamesport, MO	Park View Associates, LP	\$863,952	2000
Wilshire at Lakewood, Lee's Summit, MO	Lakewood Properties, LC	\$6,700,000	1999



FAIRWAY CONSTRUCTION CO, INC

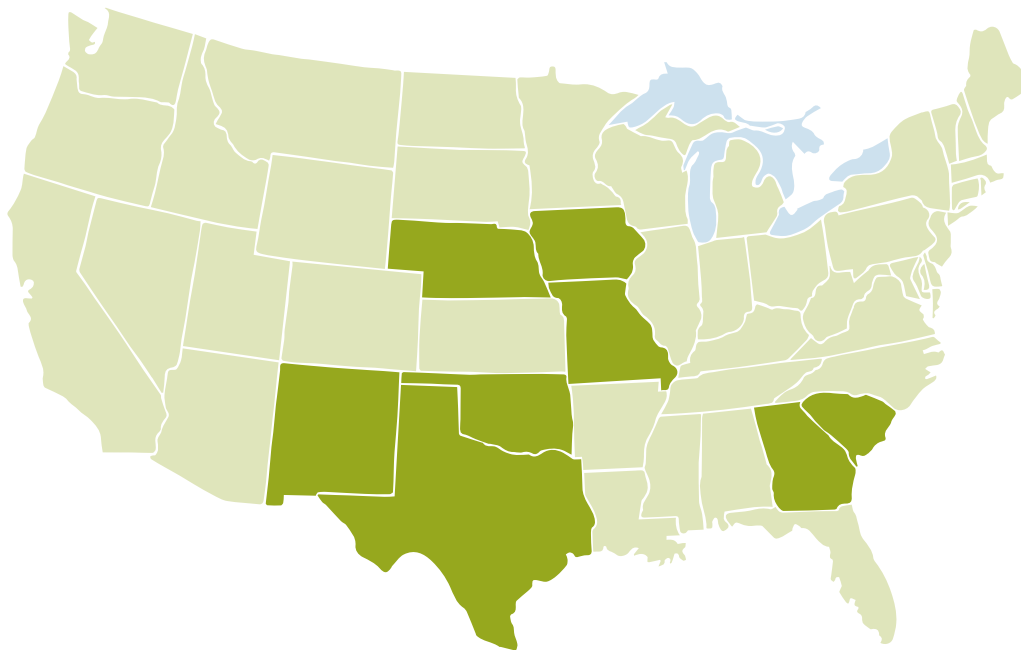
Settlement Estates, Bastrop, TX	Settlement Estates, LP	\$2,702,782	1999
Maryville Meadows, Maryville, MO	Maryville Meadows, LP	\$2,000,000	1999
Sedalia Heights, Sedalia, MO	Sedalia Heights, LP	\$2,000,000	1999
Neosho Villas Rehab, Neosho, MO	Neosho Villas, LP	\$2,200,000	1999
Regency Care Center, Independence, MO	Regency Properties, LC	\$4,900,000	1998
Monett Meadows, Monett, MO	Monett Meadows, LP	\$2,300,000	1997
Warrensburg Heights, Warrensburg, MO	Warrensburg Heights, LP	\$1,200,000	1997
Vineyards, Warrensburg, MO	The Vineyard, LP	\$1,800,000	1997
Gateway Villas, Troy, MO	Gateway Villas, LP	\$2,600,000	1997
Wellington Pointe, St. Joseph, MO	St. Joseph Estates, LP	\$2,600,000	1997
Crown Care Center, Harrisonville, MO	Crown Properties, LC	\$2,900,000	1997
Mexico Meadows, Mexico, MO	Mexico Meadows, LP	\$2,500,000	1996
Neosho Meadows, Neosho, MO	Neosho Meadows, LP	\$2,100,000	1996
Hanover Estates, Columbia, MO	Hanover Estates, LP	\$2,600,000	1996
Hanover Manor, Columbia, MO	Jeffrey E. Smith Investments	\$500,000	1996
Country Club Care Center, Warrensburg, MO	Country Club Properties, LC	\$3,000,000	1996
St. Peters Villa, St. Peters, MO	St. Peters Villa, LP	\$2,300,000	1995
Twin City Villas, Festus, MO	Crystal City-Festus, LP	\$2,100,000	1995
Troy Villa, Troy, MO	Troy Villa, LP	\$2,600,000	1995
Holiday Inn Express, Warrensburg, MO	Weldon Brady	\$2,200,000	1995
Sedalia Villas, Sedalia, MO	Sedalia Villas, LP	\$1,400,000	1995
Peachtree Place, St. Joseph, MO	Pear Street, LP	\$2,600,000	1995
Cameron Properties, Cameron, MO	Cameron Properties, LP	\$1,000,000	1995
Cameron Villa, Cameron, MO	Cameron Villa, LP	\$1,500,000	1995
Carrolton Villa, Carrolton, MO	Carrollton Villa, LP	\$1,500,000	1995
Harrisonville Heights, Harrisonville, MO	Harrisonville Heights, LP	\$1,400,000	1995
Callaway Villa, Holt Summit, MO	Holts Summit Square , LP	\$2,000,000	1995
Lake Ozark Village, Lake Ozark, MO	Lake Ozark Village, LP	\$1,200,000	1995
Richmond Square, Richmond, MO	Richmond-Hardin Prtsp, LP	\$1,600,000	1995
North Hampton Place II, Columbia, MO	Jeffrey E. Smith Investments	\$500,000	1995



FAIRWAY MANAGEMENT, INC.

Fairway Management, Inc. (FWM) provides management and compliance services for a portfolio of 190 properties with approximately 8,500 units including Section 42, Section 8, Section 236, rural development and market rate communities.

FWM has more than 20 years of experience in affordable housing and provides valuable tax credit management consulting services offering an experienced team of management, accounting and compliance professionals.



SERVICES

Fairway Management offers a comprehensive array of property management services for single family residences, apartment complexes and senior living communities including:

- A/R preparation
- Fee and assessment collection
- Accounts payable processing
- Monthly and YTD financial statements
- Full-time leasing team
- Maintaining compliance according to regulatory requirements
- Routine on-site inspection
- On-site property management and maintenance
- Property management and compliance training
- Marketing literature design and production
 - Brochures and flyers
 - Amenity sheets
 - Direct mail and postcards
 - Property website



FAIRWAY MANAGEMENT, INC.



Ryan Stevens, Director of Operations

Fairway Management Director of Operations Ryan Stevens began his experience in the housing industry in 2001. In his time with Fairway Management, he has assisted with the growth and expansion of the number of properties in the Fairway Management portfolio. As Director of Operations, Ryan manages multi-family housing across eight states and works to provide quality, affordable housing for families and senior citizens.

Before beginning at Fairway Management, Ryan attended the University of Missouri in Columbia, Missouri, and received his Bachelor of Science in Finance, Banking and Real Estate in order to pursue his passion for the real estate industry.

In addition to his work at Fairway Management, Ryan spends his free time volunteering for the Boys and Girls Club of Columbia and the United Way.



Becki Wells, Central Regional Manager

Becki Wells, Regional Manager of the Central regions, has been a part of the JES Holdings family since 2009. She began as a Property Manager, became a Senior Property Manager and then was promoted to her current position as a Regional Manager.

Under Becki's management, her region has reached a record of 99 percent occupancy, which has never been done before. Becki is also a Housing Credit Certified Professional (HCCP). In addition to her work, Wells also commits herself to philanthropy. She has been a JDRF Foundation coordinator since 2007 and helps increase fundraising for the charity to aid in finding a cure for type 1 diabetes.

FAIRWAY MANAGEMENT, INC.

Name	City	State
Abbey Orchard I	Nixa	Missouri
Abbey Orchard II	Nixa	Missouri
A. L. Miller Village	Macon	Georgia
Anthony Arms	Macon	Georgia
Artesia Properties	Artesia	New Mexico
Ash Place	Nevada	Missouri
Ashton Village	Pevely	Missouri
Aztec Properties	Aztec	New Mexico
Aztec Properties II	Aztec	New Mexico
Baldwin Park	Milledgeville	Georgia
Baltimore Meadows	Kirksville	Missouri
Barkley Estates	Albany	Georgia
Bethel Ridge Estates	Columbia	Missouri
Bethel Ridge Estates II	Columbia	Missouri
Bluff View Senior Village	Crandall	Texas
Briarwood Apartments	Cameron	Missouri
Briarwood Estates	Cameron	Missouri
Callaway Villa	Holts Summit	Missouri
Camelot Place	Ruidoso	New Mexico
Cameron Manor	Cameron	Missouri
Cameron Properties	Cameron	Missouri
Cameron Villa	Cameron	Missouri
Campbell Place	Camilla	Georgia
Caney Heights	Kingsland	Georgia
Canterbury Park	St. Peters	Missouri
Chapel Hill Commons	Jefferson City	Missouri
Chapel Hill Commons II	Jefferson City	Missouri
Chapel Hill Commons III	Jefferson City	Missouri
Charbonier Manor	Florissant	Missouri
Cliffview Pointe	Potosi	Missouri
Conner's Senior Village	Villa Rica	Georgia
Conner's Senior Village II	Villa Rica	Georgia
Creekview Commons	Americus	Georgia
DA Holmes Senior Housing	Kansas City	Missouri
DA Holmes Senior Housing II	Kansas City	Missouri
Delaware Duplexes	Joplin	Missouri
El Dorado Springs Estates	El Dorado Springs	Missouri
Essex Place	Monett	Missouri
Evermore Senior Village	Snellville	Georgia
Excelsior Springs Properties	Excelsior	Missouri
Fairgrounds Senior Village	Laurens	Georgia
Ford Lofts of Joplin	Joplin	Missouri
Forrester Senior Village	Leesburg	Georgia
Foxwood Senior Village	Washington	Georgia

FAIRWAY MANAGEMENT, INC.

Gateway Villas	Troy	Missouri
Gentemann Manor I	O'Fallon	Missouri
Gentemann Manor II	O'Fallon	Missouri
Gentemann Manor III	O'Fallon	Missouri
Gentry Estates	Columbia	Missouri
Gentry Estates II	Columbia	Missouri
Greystone Place	Neosho	Missouri
Grinnell Estates	Grinnell	Iowa
Hampton Court	Hampton	Georgia
Hamptons of Neosho	Neosho	Missouri
Hanover Estates	Columbia	Missouri
Hanover Estates II	Columbia	Missouri
Hanover Estates III	Columbia	Missouri
Hanover Gardens	Columbia	Missouri
Hanover Manor	Columbia	Missouri
Hanover Place	Columbia	Missouri
Hanover Village	Columbia	Missouri
Harrisonville Heights	Harrisonville	Missouri
Harrisonville Meadows	Harrisonville	Missouri
Harrisonville Properties	Harrisonville	Missouri
Harrisonville Properties II	Harrisonville	Missouri
Harristown Park	Covington	Georgia
Heritage Pointe	Douglas	Georgia
Hickory Hollow	Wentzville	Missouri
Hidden Glen	Salado	Texas
Higginsville Estates	Higginsville	Missouri
Hillmann Place	O'Fallon	Missouri
Hillmann Place II	O'Fallon	Missouri
Horizon Senior Village	Grovetown	Georgia
Ironton Estates	Ironton	Missouri
Kearney Estates	Kearney	Missouri
Kearney Properties II	Kearney	Missouri
Kings Grant	Kingsland	Georgia
Kingstown Garden	Thomson	Georgia
Kirksville Gardens	Kirksville	Missouri
Lackland Plaza	Overland	Missouri
Lake Ozark Village	Osage Beach	Missouri
Lakeview Senior	Eatonton	Georgia
Lakewood Hills Sr. Village	Athens	Georgia
Lebanon Properties	Lebanon	Missouri
Lebanon Properties II	Lebanon	Missouri
Lebanon Properties III	Lebanon	Missouri
Live Oak Villas	Midway	Georgia
Lofts at Lafayette Square	St. Louis	Missouri
Lofts at Landmark	St. Joseph	Missouri

FAIRWAY MANAGEMENT, INC.

Longleaf Senior Village	Aiken	South Carolina
Magnolia Trace	Martinez	Georgia
Mary Leila Lofts	Greensboro	Georgia
Maryville Meadows	Maryville	Missouri
Maryville Properties	Maryville	Missouri
McRae-Helena	McRae	Georgia
Metro at 70	St. Louis	Missouri
Memorial Hills	Joplin	Missouri
Mexico Meadows	Mexico	Missouri
Mockingbird Estates	Stillwater	Oklahoma
Monett Meadows	Monett	Missouri
Myrtle Terraces	Gainsville	Georgia
Neosho Meadows	Neosho	Missouri
Neosho Villas	Neosho	Missouri
Nevada Estates	Nevada	Missouri
Nevada Manor	Nevada	Missouri
Newton Place	Neosho	Missouri
North Hampton Place	Columbia	Missouri
North Hampton Place II	Columbia	Missouri
North Hampton Village	Columbia	Missouri
Norwich Commons	Brunswick	Georgia
Oak Grove Estates	Oak Grove	Missouri
Oak Grove Place	Oak Grove	Missouri
Oak Grove Properties	Oak Grove	Missouri
Oak Grove Villa Apartments	Oak Grove	Missouri
Oak Tree Apartments	St. Louis	Missouri
Old Townley Lofts	Kansas City	Missouri
Opera House Lofts	Kansas City	Missouri
Osceola Estates	Osceola	Missouri
Palmer Place	Independence	Missouri
Park Meadows	Rolla	Missouri
Park Place of Carrollton	Carrollton	Georgia
Park Place of Carrollton II	Carrollton	Georgia
Park Place Senior Apartments	Rolla	Missouri
Park Senior Village	Leesburg	Georgia
Parkview Place Apartments	University City	Missouri
Pateville Estates	Cordele	Georgia
Peaks of Cornelia	Cornelia	Georgia
Pear Street	St. Joseph	Missouri
Pine Meadows	Douglas	Georgia
Pine Ridge Estates	Bainbridge	Georgia
Platte City Properties	Platte City	Missouri
Pleasant Hill Properties	Pleasant Hill	Missouri
Pointe North Senior Village	Albany	Georgia
Pointe North Senior Village II	Albany	Georgia

FAIRWAY MANAGEMENT, INC.

Portales Estates	Portales	New Mexico
Portales Properties	Portales	New Mexico
Potemkin Senior Village	Warner Robins	Georgia
Potemkin Senior Village II	Warner Robins	Georgia
Radcliffe Manor	Charleston	South Carolina
Red Oak Village	Stockbridge	Georgia
Regency Manor	Independence	Missouri
Regency Manor II	Independence	Missouri
Renaissance Park	Hinesville	Georgia
Residences at Forest Park Hotel	St. Louis	Missouri
Residences at Jennings Place	Jennings	Missouri
Residences at Jennings Place II	Jennings	Missouri
Residences at Liberty Place	Liberty	Missouri
Residences at West Haven	Tifton	Georgia
Richards & Conover Lofts	Kansas City	Missouri
Richmond Manor	Richmond	Missouri
Richmond Square	Richmond	Missouri
Ridgefield Place	Bainbridge	Georgia
Riverbend Estates	Washington	Missouri
River Bluff	St. Louis	Missouri
Riverwood Commons	Bastrop	Texas
Romana-Riley Lofts	Savannah	Georgia
Sawmill Landing	Pembroke	Georgia
Sedalia Heights	Sedalia	Missouri
Sedalia Villa	Sedalia	Missouri
Settlement Estates Sr. Housing	Bastrop	Texas
Sidney Properties	Sidney	Nebraska
Silverwood Place	Rincon	Georgia
Sinclair Estates	Columbia	Missouri
Smithville Properties	Smithville	Missouri
Socorro Properties	Socorro	New Mexico
Southwestern Estates	Americus	Georgia
St. Peters Villa	St. Peters	Missouri
Stockton Estates	Stockton	Missouri
Swope Parkway Estates	Kansas City	Missouri
The Village at Walker's Bend	Covington	Georgia
The Village at Winding Road	St. Mary's	Georgia
The Village at Winding Road II	St. Mary's	Georgia
The Vineyard	Warrensburg	Missouri
Tifton Estates	Tifton	Georgia
Timber Creek Estates	Lebanon	Missouri
Townsend & Wall Lofts	St. Joseph	Missouri
Troy Estates	Troy	Missouri
Troy Villa Apartments	Troy	Missouri
Twin City Villa	Festus	Missouri

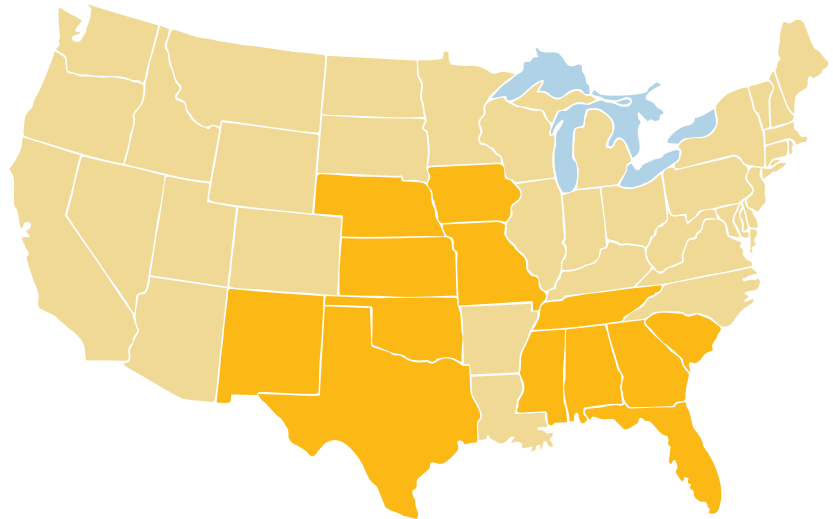
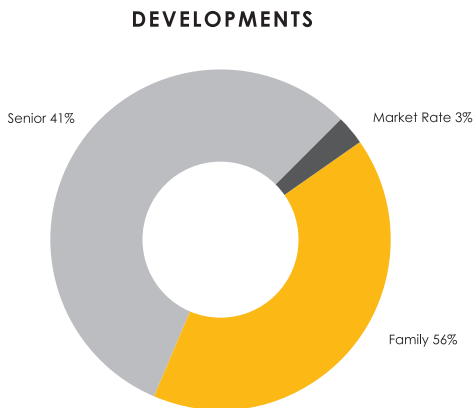
FAIRWAY MANAGEMENT, INC.

Valley Southwest Apartments	Marshall	Missouri
Vandeventer Place	St. Louis	Missouri
Village of Ben Hill	Fitzgerald	Georgia
Walkers Ridge of Columbia	Columbia	Missouri
Walnut Park Manor	Sapulpa	Oklahoma
Ware Hotel	Waycross	Georgia
Washington Estates	Tennille	Georgia
Washington Estates II	Tennille	Georgia
Waynesborough Academy Senior Residences	Waynesborough	Georgia
Weathered Rock Apartments	Jefferson City	Missouri
Weathered Rock Apartments II	Jefferson City	Missouri
Wellington Pointe	St. Joseph	Missouri
West Seventh Street Lofts	Kansas City	Missouri
Westchester Village of Columbia	Columbia	Missouri
Westchester Village of Oak Grove	Oak Grove	Missouri
Westchester Village of St. Joseph	St. Joseph	Missouri
Weston Properties	Weston	Missouri
Whittington Estates	St. Joseph	Missouri
Wilshire Hills	Lee's Summit	Missouri
Wilshire Hills II	Lee's Summit	Missouri
Wisteria Place	Newnan	Georgia
Windwood Estates of St. Joseph	St. Joseph	Missouri
Wisteria Gardens of Newnan	Newnan	Georgia
Wisteria Gardens of Mableton	Mableton	Georgia
Woodbury Place	O'Fallon	Missouri
Woodbury Place II	O'Fallon	Missouri
Woodcrest Villas	Troy	Missouri
Wyndham Park	St. Peters	Missouri
Wyndham Park II	St. Peters	Missouri
Wyndham Park III	St. Peters	Missouri



AFFORDABLE EQUITY PARTNERS, INC.

Affordable Equity Partners, Inc. (AEP) provides a full range of investment banking services for those seeking to finance, build, purchase or rehabilitate multi-family housing. For over 30 years, AEP has invested in nearly 21,000 homes in 500 communities. We serve the growing need for affordable housing across 13 states in 215 cities. We have successfully syndicated over \$3 billion in tax credits to build or preserve homes for working class families and seniors.



Affordable Equity Partners has the ability to offer experience from acquisition to tax credit delivery enables partners to invest with confidence. In order to safeguard investment, AEP's asset management team plays an important role during the life of each asset within the AEP portfolio. Asset management is responsible for monitoring each asset from the time of closing at the property level through its disposition following the expiration of the tax credit compliance period.

AEP minimizes risk and improves investor returns by facilitating aggressive lease-up efforts that begin up to 120 days prior to construction completion. The lease-up team acts as an auxiliary partner to the existing management company to secure residents for occupancy and ensure lease-up compliance. AEP's lease up effort protects investors by providing a faster tax credit delivery.

In addition to providing alternative revenue streams, AEP is able to differentiate itself from competitors by providing a full service platform for its developers to promote exclusivity and solidify long term relationships. In addition, when AEP's affiliates are involved in a transaction, more flexibility is allowed in negotiating deal terms and serves as an added risk control measure for transactions.



AFFORDABLE EQUITY PARTNERS, INC.



Christie Haynes, Vice President of Transactions & Asset Management

Christie Haynes, Vice President of Transactions & Asset Management for Affordable Equity Partners, Inc. (AEP) has been a part of the JES team for over 15 years. As Vice President of Transactions, Ms. Haynes is responsible for leading the asset management team. The team manages all of AEP's investments via site inspections, financial review and quarterly investor reports as well as make sure AEP mitigates risk and protects tax credits. Christie is an integral part in maintaining strong relationships with our developers, management companies and investors to ensure success on each project. With the team, she has closed

more than 50 investor funds totaling nearly \$1.75 billion. Christie believes in AEP and the relationships and teamwork built by working closely with every internal AEP department to ensure seamless transactions. Ms. Haynes is so proud of her role within the JES Holdings companies that she assisted in creating the Michelle Sharp Outstanding Achievement Award in support of the Cystic Fibrosis Foundation.



Dan Torgerson, Director of Investor Relations

Daniel L. Torgerson, Director of Investor Relations, has been with Affordable Equity Partners, Inc. (AEP) for over a decade. Dan works with all types of investors, specializing in insurance company clientele. In his position, he has helped clients achieve state tax savings that exceed \$300 million dollars.

Before joining AEP, Dan was part of PricewaterhouseCoopers LLP's Insurance Tax Consulting Group where he led, or was directly involved with, a team that helped insurance clients save in excess of \$35 million dollars on their state and local taxes. From 2000 through 2004, he helped author the National Association of Independent Insurers' State Tax Guide, along with reviewing and editing the State Taxation section of the Insurance Accounting and Systems Association's ("IASA") Property and Casualty Textbook. He has practiced in the multi-state tax area for over eighteen years and has been a guest speaker at numerous events covering a variety of topics concerning tax, accounting, investment and regulatory issues for the insurance industry and others. Dan graduated from the Carlson School of Management at the University of Minnesota, Minneapolis, with a Masters of Business Taxation degree.

In addition to his work with AEP, Dan had a distinguished career in the United States Army as a structures specialist. He was awarded numerous honors, including: two Army Achievement Medals, two Army Commendation Medals, the Good Conduct Medal and several Army Certificates of Achievement.

Dan currently sits on two committees that organize the IASA's annual conference and participates regularly in such organizations as the National Association of Insurance Commissioners, the Property Casualty Insurers Association of America, the American Council of Life Insurers and the Associated Industries of Missouri.



AFFORDABLE EQUITY PARTNERS, INC.



Charlene Johnson, Director of Business Development

Charlene A. Johnson brings over 22 years of professional services business development experience. Johnson has served as Director of Business Development for Affordable Equity Partners (AEP), a JES Holdings company, since 2012 with direct oversight and responsibility for establishing and maintaining investor relationships across the U.S. Ms. Johnson's talents lie in fostering collaboration across the diverse interests of the business community, civic leaders and investors to deliver on AEP's mission to develop, build, manage and invest in quality housing where our families would be proud to live. Mrs. Johnson has successfully helped raise more than \$1.5 million in equity to build, develop and manage quality affordable housing for working families, seniors and veterans.

Ms. Johnson is a St. Louis Business Journal "40 Under 40" award recipient and active in numerous civic and business organizations. She is a member of the St. Louis Regional Business Council's Young Professionals Steering Committee and is active in their higher education and community engagement efforts. Ms. Johnson coaches and mentors philanthropists and leaders for the United Way of Greater St. Louis, where she is involved at every level of the organization with board members and contributors. She is also a member of the Heart of Missouri United Way Leadership Circle.

With a large regional office located in Atlanta, Ms. Johnson represents Affordable Equity Partners as a member of the Georgia Chamber of Commerce Board of Directors, Georgia Bankers Association, the Metro-Atlanta Chamber, Georgia Affordable Housing Coalition, Women in Affordable Housing Network, the Atlanta Opera and CREW Atlanta.



Dana Patrick, Controller

Dana Patrick, Controller for all JES operations, has been with Affordable Equity Partners, Inc. (AEP) for over five years. In her position, she supervises AEP's accounting department and is involved with the analysis of final fund closings and investor financial reporting. Dana works directly with governmental agencies both in Missouri and Georgia on annual investor reporting.

Previously, Dana worked as a staff accountant for a local CPA firm in Columbia, Missouri. She has a Bachelor of Science in Business Administration with emphasis in Accounting from Columbia College.

An active philanthropist, Dana is currently serving as Treasurer of WIN (Women's Intersport Network) for Columbia and serves as a Board Member for the Boys & Girls Club of Columbia, where she received Board Member of the Year in 2015. She has also served on the United Way and Rootin' Tootin' Chili Cook-Off committees at JES for the last five years.

PARTNERSHIPS
[VISION]
community

\$6,674,722

TAX REVENUE FOR FEDERAL, STATE
AND LOCAL GOVERNMENT

\$54,878,000

WAGES FOR LOCAL WORKERS AND
PROFITS FOR BUSINESS OWNERS

aep
LOCAL
ECONOMIC
IMPACT
2017

734

AFFORDABLE
HOMES BUILT

895

LOCAL JOBS
CREATED

IMPROVING EVERY COMMUNITY WE TOUCH

A RECENT STUDY
FOUND THAT FOR EVERY



100
units built

IN A TYPICAL TAX
CREDIT DEVELOPMENT

122 
local jobs
ARE CREATED
DURING
CONSTRUCTION



JES HOLDINGS | PORTFOLIO



Bluff View Senior Village

CRANDALL, TEXAS





Bluff View Senior Village

CRANDALL, TEXAS

Type Senior

Total Units 48

Developer JES Dev Co, In.c

Property Management Fairway Management, Inc.

Construction Company Fairway Construction Co., Inc.



Hidden Glen

SALADO, TEXAS





Hidden Glen

SALADO, TEXAS

Type	Senior
Total Units	50
Developer	JES Dev Co, Inc.
Property Management	Fairway Management, Inc.
Construction Company	Fairway Construction Co., Inc.



Riverwood Commons

BASTROP, TEXAS





Riverwood Commons

BASTROP, TEXAS

Type	Senior
Total Units	36
Developer	JES Dev Co, Inc.
Property Management	Fairway Management, Inc.
Construction Company	Fairway Construction Co., Inc.



Settlement Estates

BASTROP, TEXAS





Settlement Estates

BASTROP, TEXAS

Type	Senior
Total Units	70
Developer	JES Dev Co, Inc.
Property Management	Fairway Management, Inc.
Construction Company	Fairway Construction Co., Inc.





COLUMBIA

206 Peach Way
Columbia, Missouri 65203
573.443.2021

ST. LOUIS

168 N. Meramec Avenue, Suite 201
Clayton, Missouri 63105
573.443.2021

ATLANTA

3290 Northside Parkway NW, Suite 300
Atlanta, Georgia 30327
404.841.2227

RIVERWOOD COMMONS II

Letters of Support



The City of
Crandall
Texas

January 16, 2019

Crandall, TX
Statement of Support

JES Dev Co. recently opened Bluff View Senior Village in our city as a senior affordable housing community. Throughout the process, JES demonstrated their commitment to being a good neighbor. During the design and development of Bluff View, JES was committed making themselves available to the City of Crandall, and actively listened to and addressed the community's concerns. Bluff View Senior Village is Crandall's first affordable housing development and we welcome JES's return to the community in the future.

Sincerely,

Jana Shelton
City Manager
City of Crandall



City of Columbia

Community Development Department

701 EAST BROADWAY • PO BOX 6015 • COLUMBIA, MO 65205-6015

January 16, 2019

City of Bastrop, TX
1311 Chestnut Street
Bastrop, TX 78602

RE: Reference Letter for JES Dev Co., Inc. and affiliate companies

To Whom it May Concern:

JES Dev Co., Inc. ("JES") and their affiliate construction and management companies have a long standing relationship with the City of Columbia going back to 1994. They have successfully developed nine affordable housing communities in the City. Five of those developments were awarded HOME funding by the City of Columbia.

JES and their construction company, Fairway Construction Co., Inc., engaged the city and community during the development and construction of these properties. These developments, managed by their affiliate Fairway Management, Inc., have remained in compliance throughout our continuing due diligence and annual HOME inspections. JES Dev Co., Inc. is committed to working closely with the city and citizens to build housing that we are proud to have in the community.

Sincerely,

Randy Cole
Housing Programs Manager
City of Columbia
Randall.Cole@como.gov
(573) 874-6321

Building & Site Development
(573) 874-7474
Fax (573) 874-7283

Neighborhood Services
(573) 817-5050
Fax (573) 874-7546

Planning & Zoning
(573) 874-7239
Fax (573) 874-7546

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RIVERWOOD COMMONS II

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Dayana Yochim, NerdWallet.com Published 6:32 a.m. ET May 31, 2018

The gray-haired couple sipping champagne on a beach at sunset. Grandpa teaching the grandkids how to fish at the family lake house. Are these scenes of carefree times in retirement based on financial reality?

According to the latest Bureau of Labor Statistics data, which is based on 2016 figures, “older households” — defined as those run by someone 65 and older — spend an average of \$45,756 per year, or roughly \$3,800 a month. That’s about \$1,000 less than the monthly average spent by all U.S. households combined.

Naturally, your spending in retirement will vary based on countless variables, including the price of your preferred champagne and the annual property taxes on that lake house (if those things happen to be on your retirement vision board). Read on to learn how retirees’ spending habits tend to differ from the working population, and how you can plan for your personal post-work needs.

Spending by category



With fewer mouths to feed and no work-related costs to worry about, you may have expected retirement expenses to be even lower than the BLS data indicates.

In some categories, spending does indeed decrease, even in surprising ones like food. In others areas, like health care, life becomes more expensive as you age.

Here’s the data, shown as a monthly breakdown of how households headed by a retirement-age person spend money, on average, in seven major categories:

Housing: \$1,322

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\$9.99/Month**

You may be close to paying off your mortgage, but housing is the biggest spending category for all age groups — retirees included. Some costs never go away, offers what you can't live fully paid. This monthly expenditure includes property taxes, insurance, utilities, repairs and maintenance and household supplies.

ADVERTISEMENT

Ad

Are you financially fit?

M: Marcus by Goldman Sachs

Transportation: \$567

People older than 65 do catch a break on transportation costs. The \$6,814 annual average outlay, which includes the costs of gas, insurance and maintenance and repairs, is about one-third less than the nearly \$9,000 average households of other ages shell out each year.

Health care: \$499

Insurance premiums — which run more than \$4,000 a year on average for the 65-plus set — are a spending category that just gets bigger as you age, at least until 75 when BLS data shows costs dipping about \$30 per year. While a financial assist from an employer may no longer exist, at least there's Medicare to help cover some costs.

Food: \$483

This is another major budget category for all ages. Yet retirees spend nearly 20% less than the average household does on food, maybe thanks to more home cooking? Or capitalizing on the classic retiree early-bird special?

Personal insurance/pensions: \$237

Those in the household who are still employed (bringing in earned income) are required to pay their fair share of salary to Social Security and perhaps even the company pension, which combined account for the bulk of this average monthly expense.

Cash contributions: \$202

Apparently with age comes a greater appreciation of one's financial blessings. Retirees report dedicating \$2,429 of their annual income to "cash contributions" (which include charitable donations), compared with \$2,081 by the average household.

Entertainment: \$197

Living it up without having to get up and schlep to the office early the next morning is a perk of retirement. Here older households spend about as much on fun stuff as do those ages 25 to 34, but somewhat less than the broader average (\$243 per month).

More: [How much home you can really buy with \\$300,000? A comparison of real estate markets \(/story/money/personalfinance/real-estate/2018/05/21/comparing-real-estate-markets-how-much-can-you-buy-300000/619106002/\)](https://www.bnnb.com/bnnb/stories/money/personalfinance/real-estate/2018/05/21/comparing-real-estate-markets-how-much-can-you-buy-300000/619106002/)

More: What does average American get from Social Security? Depends on the benefit
(/story/money/personalfinance/retirement/2018/05/29/what-average-american-gets-from-social-security/35436219/)

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More: 5 reasons retirees should love Florida and 1 reason they won't
(/story/money/personalfinance/retirement/2018/05/29/reasons-retirees-should-love-florida/35458561/)

How this affects retirement planning

A widely accepted rule-of-thumb is that in retirement you'll need to replace from 70% to 90% of your income to maintain your standard of living. But again, your mileage may vary depending on when you retire, where you choose to live, how long you live, when you start taking Social Security (https://www.nerdwallet.com/blog/investing/take-social-security-benefits/?utm_campaign=ct_prod&utm_source=syndication&utm_medium=rss&utm_term=usa-today&utm_content=525522) and a host of other factors.

The bottom line is that what you save today will determine how strictly you'll have to budget down the road.

Don't wait for the first sign of gray to see where you stand. Pick the age you want to stop working, type in how much money you've saved so far and this retirement calculator (https://www.nerdwallet.com/investing/retirement-calculator?utm_campaign=ct_prod&utm_source=syndication&utm_medium=rss&utm_term=usa-today&utm_content=525522) will show how much in inflation-adjusted dollars you'll have available to spend each month in retirement. Adjust the numbers to see how small changes in your savings habits now can have a big impact in the future.

More from NerdWallet:

- Best IRA Accounts of 2018 (https://www.nerdwallet.com/blog/investing/the-best-ira-account-providers/?utm_campaign=ct_prod&utm_source=syndication&utm_medium=rss&utm_term=usa-today&utm_content=525522)
- 13 Ways to Avoid the Poorhouse in Retirement
(https://www.nerdwallet.com/blog/investing/last-ditch-ways-avoid-poorhouse-retirement/?utm_campaign=ct_prod&utm_source=syndication&utm_medium=rss&utm_term=usa-today&utm_content=525522)
- How Much Should You Save for Retirement?
(https://www.nerdwallet.com/blog/investing/how-much-to-save-for-retirement/?utm_campaign=ct_prod&utm_source=syndication&utm_medium=rss&utm_term=usa-today&utm_content=525522)

The article Let's Get Real: What an Average Retirement Costs (<https://www.nerdwallet.com/article/lets-get-real-what-an-average-retirement-costs>), originally appeared on NerdWallet. NerdWallet is a USA TODAY content partner offering personal finance news and commentary. Its content is produced independently of USA TODAY.

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RIVERWOOD COMMONS II

Draft Resolutions

Twice the State Average Per Capita – Sample Resolution

Pursuant to §11.3(c) of the QAP, for applications located in a municipality, or if located completely outside a municipality, a county, that has more than twice the state average of units per capita supported by Housing Tax Credits or private activity bonds at the time the Application Acceptance Period begins, or for Tax-Exempt Bond Developments, Applications submitted after the Application Acceptance Period begins, then the Applicant must obtain prior approval of the Development from the Governing Body of the appropriate municipality or county containing the Development. That approval must also contain a written expression of support in the form of a resolution, and that resolution must include a reference to Tex. Gov't Code §2306.6703(a)(4) and authorize an allocation of Housing Tax Credits for the Development. A list of the areas with more than twice the state average of units per capita can be found in the 2019 HTC Site Demographic Characteristics Report posted on the Department's website. A sample resolution is provided below.

WHEREAS, **[Applicant]** has proposed a development for affordable rental housing at **[address of proposed site]** named **[name of development]** in the **[city/county of xxxxx]** and

WHEREAS, **[Applicant]** has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for 2019 Housing Tax Credits or Private Activity Bonds for **[name of development]**

It is hereby

RESOLVED, that as provided for in §11.3(c) of the Qualified Allocation Plan, it is expressly acknowledged and confirmed that the **[city/county of xxxxx]** has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds and

FURTHER RESOLVED, that the **[city/county of xxxxx]** hereby supports the proposed **[name of development]**, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Tex. Gov't Code §2306.6703(a)(4), and

FURTHER RESOLVED that for and on behalf of the Governing Body, **[name, position of authorized person]** are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Local Government Support – Sample Resolution

Pursuant to §11.9(d)(1) of the QAP and in accordance with Tex. Gov’t Code §2306.6710(b), an Application may qualify for up to seventeen (17) points for a resolution or resolutions from the municipality and/or county in which the proposed development site is located. Resolutions that expressly set forth that the municipality or county supports the Application or Development are worth maximum points while resolutions setting forth that the municipality or county has no objection to the Application or Development are worth fewer points. Pursuant to §11.9(d)(1) once a resolution has been submitted it may not be changed or withdrawn. A sample resolution is provided below.

WHEREAS, **[Applicant]** has proposed a development for affordable rental housing at **[address of proposed site]** named **[name of development]** in the **[city/county/extraterritorial jurisdiction of xxxx]**; and

WHEREAS, **[Applicant]** has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2019 Competitive 9% Housing Tax Credits for **[name of development]**

It is hereby

RESOLVED, that the **[city/county]**, acting through its governing body, hereby confirms that it **[has no objection to/supports]** the proposed **[name of development/development located at address/Application number]** and that this formal action has been taken to put on record the opinion expressed by the **[city/county]** on **[date]**, and

FURTHER RESOLVED that for and on behalf of the Governing Body, **[name, position of authorized person]** are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Riverwood Commons II Housing Tax Credit Local Support

Request

- For the city to support the application for 9% Housing Tax Credits
- The project would be a second phase to Riverwood Commons with 36 more units located at 440 Old Austin Highway
- The application cycle started in January and the final application with resolutions from the City must be submitted by March 1, 2019.



Location

- Behind the existing 36 unit complex at 440 Old Austin Highway



9% Housing Tax Credits

- Are allocated yearly by the Texas Department of Housing and Community Affairs
- Is a competitive process against other projects in the Region 7 – Rural Category
 - Region 7 – Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson counties
- Only one project in the region will be funded
- 9% program provides more lucrative funding than the Non-Competitive 4% HTC program



Affordability

- Breakdown of Units by Income Level/Net Rent

Type of Unit	Size	30% AFMI	Rent	50% AFMI	Rent	60% AFMI	Rent	Market	Rent
1 BR/1 BA	710 sf	1	\$410	2	\$733	6	\$894	2	\$939
2 BR/1 BA	893 sf	2	\$489	4	\$876	14	\$1,070	5	\$1,124
	Total Units	3		6		20		7	

Existing HTC Developments in Bastrop

Apartment Name	Address	Units	Year Funded	Program
Settlement Estates Senior Housing*	149 Settlement Drive	70	1998	9% New Senior
Riverwood Commons*	440 Old Austin Hwy	36	2011	9% New Senior
Bastrop Oak Grove	1910 Wilson Street	48	2018	4% Rehab USDA
The Preserve at Hunters Crossing	210 Hunters Crossing Blvd	140	2018	4% New Family

*Owned and Managed by JES Holdings



Compliance with the Moratorium

- This project is in the funding phase with TDHCA. They will be subject to the requirements of the moratorium for any development applications that are required while the moratorium is in effect.



Recommendation

Hold public hearing and consider action to approve Resolution No. R-2019-17 of the City Council of the City of Bastrop, Texas; supporting an application for 2019 Housing Tax Credits by Riverwood Commons II, LP, for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas; authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.



Questions?





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12I

TITLE:

Hold public hearing and consider action to approve Resolution No. R-2019-18 of the City Council of the City of Bastrop, Texas; acknowledging that Bastrop has more than two times the state average per capita of Housing Tax Credit units and supporting the 2019 Housing Tax Credit application by Riverwood Commons II, LP for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas, authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.

STAFF REPRESENTATIVE:

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

BACKGROUND/HISTORY:

JES Development Co. Inc. is requesting that the city pass a resolution acknowledging that the City of Bastrop has more than two times the state per capita average of Housing Tax Credit units. The city has four developments that have been funded through the Housing Tax Credit Program.

Apartment Name	Address	Units	Year Funded	Program
Settlement Estates Senior Housing	149 Settlement Drive	70	1998	9% New Senior
Riverwood Commons	440 Old Austin Hwy	36	2011	9% New Senior
Bastrop Oak Grove	1910 Oak Grove	48	2018	4% Rehab Section 8
The Preserve at Hunters Crossing	Hunters Crossing Blvd	140	2018	4% New Family

In the State of Texas, there is currently one housing tax credit unit for every 104.4 people. The City of Bastrop has 3.88 times that rate, at one unit per 75.7 people. This is a comparative statistic and is not reflective of market demand.

POLICY EXPLANATION:

In the 2019 Qualified Allocation Plan (QAP) the state adopted scoring criteria for the 9% Competitive Housing Tax Credit Program. A city is required to acknowledge that the area has more than two times the average and support the application in order for the application to move forward. If the city does not adopt the two times resolution, the applicant will not be eligible for Housing Tax Credit funding. This gives the local government the ability to review new projects.

The attached resolution contains the specified language by the TDHCA requirements.

RECOMMENDATION:

Hold public hearing and consider action to approve Resolution No. R-2019-18 of the City Council of the City of Bastrop, Texas; acknowledging that Bastrop has more than two times the state average per capita of Housing Tax Credit units and supporting the 2019 Housing Tax Credit application by Riverwood Commons II, LP for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas, authorizing the Mayor to certify resolutions to Texas Department of Housing & Community Affairs; authorizing the City Manager to waive Two Hundred Fifty Dollars and No Cents (\$250.00) in development fees; and providing for an effective date.

ATTACHMENTS:

- Resolution
- PowerPoint



RESOLUTION NO. R-2019-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, ACKNOWLEDGING THAT BASTROP HAS MORE THAN TWO TIMES THE STATE AVERAGE PER CAPITA OF HOUSING TAX CREDIT UNITS AND SUPPORTING THE 2019 HOUSING TAX CREDIT APPLICATION BY RIVERWOOD COMMONS II, LP FOR THE DEVELOPMENT LOCATED AT 440 OLD AUSTIN HIGHWAY, NAMED RIVERWOOD COMMONS II, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO DEVELOP AFFORDABLE RENTAL SENIOR HOUSING, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AUTHORIZING THE MAYOR TO CERTIFY RESOLUTIONS TO TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS; AUTHORIZING THE CITY MANAGER TO WAIVE TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$250.00) IN DEVELOPMENT FEES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Riverwood Commons II, LP, ("the Applicant") has proposed a development for affordable rental senior housing at 440 Old Austin Highway named Riverwood Commons II ("the Project") located within the City of Bastrop, Texas; and

WHEREAS, the Applicant has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2019 Competitive 9% Housing Tax Credits for Riverwood Commons II.

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

Section 1. As provided for in §11.3(c) of the Qualified Allocation Plan, it is expressly acknowledged and confirmed that the City of Bastrop has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.

Section 2. That the City of Bastrop hereby supports the proposed Riverwood Commons II, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Tex. Gov't Code §2306.6703(a)(4), and

Section 3. That for and on behalf of the Governing Body, Connie B. Schroeder, Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Section 4. That the City Manager is authorized to execute a letter granting a Two Hundred Fifty Dollars and No Cents (\$250.00) reduction in permit fees in order for Riverwood Commons II to meet all program criteria.

Section 5. That this Resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of February, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Riverwood Commons II Housing Tax Credit Two Times Resolution

Request

- For the city to acknowledge that the city has more than two times the per capita amount of Housing Tax Credit units within the city limits
- The project would be a second phase to Riverwood Commons with 36 more units located at 440 Old Austin Highway
- This resolution would be included within the application along with the local support resolution



Existing HTC Developments in Bastrop

Apartment Name	Address	Units	Year Funded	Program
Settlement Estates Senior Housing*	149 Settlement Drive	70	1998	9% New Senior
Riverwood Commons*	440 Old Austin Hwy	36	2011	9% New Senior
Bastrop Oak Grove	1910 Wilson Street	48	2018	4% Rehab Section 8
The Preserve at Hunters Crossing	210 Hunters Crossing Blvd	140	2018	4% New Family

*Owned and Managed by JES Holdings



Comparison to Entire State

- In the State of Texas, there is currently one housing tax credit unit for every 104.4 people
- The City of Bastrop has 3.88 times that rate, at one unit per 75.7 people
- This is a comparative statistic and is not reflective of market demand



Recommendation

Hold public hearing and consider action to approve Resolution R-2019-18 of the City of Bastrop, Texas; acknowledging that Bastrop has more than two times the state average per capita of Housing Tax Credit units and supporting the 2019 Housing Tax Credit application by Riverwood Commons II, LP for the development located at 440 Old Austin Highway, named Riverwood Commons II, to the Texas Department of Housing and Community Affairs to develop affordable rental senior housing, within the city limits of Bastrop, Texas, authorizing the execution of documents; and providing an effective date.



Questions?





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 12J

TITLE:

Consider action to approve the first reading of Ordinance No. 2019-03 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing for an effective date and move to include on the February 26, 2019 City Council agenda for a second reading.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The FY2019 budget was approved by City Council on September 24, 2018. Since that approval there have been some unforeseen amounts that need to be addressed through an amendment.

General Fund includes:

- The Parks Department received insurance proceeds to repair City property through an insurance claim. This amendment recognizes the income and increases the expense to cover the cost of the repair. This amendment has no effect on fund balance.

General Debt Service Fund includes:

- This amendment is to appropriate the principle and interest payments for the Certificate of Obligation, Series 2018 bond that closed September 20, 2018. The amounts were included in the estimates for this fund, but the exact payments were not a part of the original FY2019 budget.

Water/Wastewater Fund includes:

- There are several system maintenance adjustments included in this amendment: (1) additional filter expense for the remainder of the fiscal year. Extra filters were required in October during the flooding event due to the upstream river conditions, (2) tank painting is a carryover from FY2018, but the carryover amount entered in the original budget was not enough and needs to be amended to reflect the total cost of the project.

Water/Wastewater Capital Fund includes:

- The elevated storage tank at HWY 20 was originally projected for FY2020, but will start in FY2019. This amendment appropriates half of the cost of this project.
- Final engineering contract amounts for the design work of the XS Ranch Water Plant and the transmissions lines to Willow Plant were received after the FY2019 budget was approved. This amendment appropriates the additional funding needed.
- The Texas Department of Transportation project to extend HWY 71 frontage roads over the Colorado River will require a wastewater line to be located at the expense of

the City. This amendment appropriates the \$120,000 needed to engineer and construct the relocation.

Vehicle & Equipment Replacement Fund includes:

- BP&L received a quote on May 1, 2018 for a bucket truck. This amount was used in the original budget. On October 1, 2018, BP&L went to order the truck and the price had increased significant due to steel prices. This amendment increases appropriations for the increase in cost since May 2018, due to the inflation in steel prices.

Impact Fund includes:

- This amendment is to appropriate the professional service budget for the expense associated with updating the Impact Fee Study, due to the significant changes in the project estimates since the last study conducted in 2016.

POLICY EXPLANATION:

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

FUNDING SOURCE:

Most of the amendments are reducing fund balance in each of the funds noted.

RECOMMENDATION:

Consider action to approve the first reading of Ordinance No. 2019-03 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing for an effective date and move to include on the February 26, 2019 City Council agenda for a second reading.

ATTACHMENTS:

- Ordinance 2019-03
- Exhibit A
- All Funds Summary FY2019 – updated to reflect proposed amendments

ORDINANCE NO. 2019-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2019 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2019; and

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

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

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2019, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2019.

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 12th day of February 2019.

READ and ADOPTED on Second Reading on the 26th day of February 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Traci Chavez, Deputy City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit "A"
FY 2019
BUDGET AMENDMENTS
GENERAL FUND

Projected Fund Balance as of 9-30-18	\$	2,566,858
FY2019 Budgeted Revenues	\$	11,507,934
FY2019 Budgeted Expenses	\$	(11,507,934)
10/2018 Budget Amendments (net)	\$	(10,000)
2/2019 Budget Amendments (net)	\$	-
Ending Fund Balance	\$	<u>2,556,858</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT #
New Revenue:				
Matching Revenues to Expenditures:				
Parks	Neutral	\$1,850	Insurance Proceeds	101-00-00-4537
Total Revenues		<u>\$1,850</u>		
Matching Expenditures to Revenues:				
Parks	Neutral	(\$1,850)	Gateways/HWY 71 Landscaping	101-18-19-5381
New Expenditures:				
Total Expenditures		<u>(\$1,850)</u>		
Net Change		\$0		

**FY 2019
BUDGET AMENDMENTS
DEBT SERVICE FUND**

Projected Fund Balance as of 9-30-18 \$ 315,398

FY 2019 Budgeted Revenues \$ 2,637,663

FY 2019 Budgeted Appropriations \$ (2,388,203)

2/2019 Budget Amendment \$ (328,438)

Ending Fund Balance \$ 236,420

	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
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Matching Revenues to Expenditures:

Total Revenues 0

Matching Expenditures to Revenues:

New Expenditures:

Increase	\$ (185,000)	Cert. of Obligation, Series 2018 Principle	120-00-00-7157
Increase	\$ (143,438)	Cert. of Obligation, Series 2018 Interest	120-00-00-7158

Total Expense \$ (328,438)

Net Change \$ (328,438)

**FY 2019
BUDGET AMENDMENTS
WATER/WASTEWATER FUND**

Projected Fund Balance as of 9-30-18	3,141,403
FY 2019 Budgeted Revenues	5,707,190
FY 2019 Budgeted Expenses	(5,681,384)
10/2018 Budget Amendments (net)	(15,000)
2/2019 Budget Amendments (net)	(125,600)
Ending Fund Balance	<u>3,026,609</u>

	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Matching Revenues to Expenditures:

Total Revenues	<u>0</u>
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Matching Expenditures to Revenues:

Increase

New Expenditures:

Water Distribution	Increase	(16,600)	System Maintenance (tank painting)	202-35-43-5303
Water Production	Increase	(89,000)	System Maintenance (filters)	202-35-43-5303
Wastewater	Increase	(20,000)	Professional Services (Wholesale Rate Study)	202-35-10-5505

Total Expense	<u>(125,600)</u>
Net Change	(125,600)

**FY 2019
BUDGET AMENDMENTS
WATER/WASTEWATER CAPITAL FUND**

Projected Fund Balance as of 9-30-18	\$ 2,725,000
FY 2019 Budgeted Revenues	\$ 155,000
FY 2019 Budgeted Expenses	\$ (875,730)
2/2019 Budget Amendments (net)	<u>\$ (1,706,770)</u>
Ending Fund Balance	<u>\$ 297,500</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT #</u>
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Matching Revenues to Expenditures:

Total Revenues	<u>\$ -</u>
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Matching Expenditures to Revenues:

Increase

New Expenditures:

Increase	\$ (1,300,000)	Elevated Storage Tank HWY 20	250-50-00-6320
Increase	\$ (277,885)	XS Ranch Water Plant	250-50-00-6325
Increase	\$ (8,885)	18" Transmission lines XS to Willow	250-50-00-6315
Increase	<u>\$ (120,000)</u>	Wastewater Line relocation	250-51-00-6000
Total Expense	<u>\$ (1,706,770)</u>		
Net Change	\$ (1,706,770)		

FY 2019
BUDGET AMENDMENTS
VEHICLE & EQUIPMENT REPLACEMENT FUND

Projected Fund Balance as of 9-30-18	\$ 1,866,409
FY2019 Budgeted Revenues	\$ 611,563
FY2019 Budgeted Expenses	\$ (400,764)
10/2018 Budget Amendments (net)	\$ (8,000)
2/2019 Budget Amendments (net)	\$ (15,000)
Ending Fund Balance	<u>\$ 2,054,208</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT #</u>
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Matching Revenues to Expenditures:

Total Revenue 0

Matching Expenditures to Revenues:

New Expenditures:

BP&L	Increase	(\$15,000)	Service Bucket Truck	380-00-00-6030
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Total Expense (\$15,000)
 Net Change (\$15,000)

**FY 2019
BUDGET AMENDMENTS
IMPACT FUND #306**

Projected Fund Balance as of 9/30/18	\$ 373,652
FY 2019 Budgeted Revenues	\$ 499,600
FY 2019 Budgeted Appropriations	\$ (495,545)
2/2019 Budget Amendment	<u>\$ (18,500)</u>
Ending Fund Balance	<u>\$ 377,707</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
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New Expenditures:

Water/Wastewater	Increase	\$ (9,250)	Professional Services	306-50-50-5505
		\$ (9,250)	Professional Services	306-51-51-5505

Total Expense	<u>\$ (18,500)</u>
Net Change	\$ (18,500)

City of Bastrop
All Funds Summary FY2019

	GENERAL FUND	STREET MAINTENANCE FUND	DEBT SERVICE FUNDS	HOTEL TAX FUND	SPECIAL REVENUE FUNDS	WATER/ WASTEWATER FUNDS	BP&L FUND	CAPITAL IMPROVEMENT FUNDS	INTERNAL SERVICE FUND	TOTAL ALL FUNDS
BEGINNING FUND BALANCES	\$ 2,566,858	\$ -	\$ 306,992	\$ 3,425,181	\$ 2,440,787	\$ 5,824,328	\$ 4,072,418	\$ 8,260,931	\$ 1,866,409	\$ 28,763,904
REVENUES:										
AD VALOREM TAXES	3,533,514		1,863,009		-	-	-	-		5,396,523
SALES TAXES	4,864,390				-	-	-	-		4,864,390
FRANCHISE & OTHER TAXES	517,966			2,736,000	23,000	-	-	-		3,276,966
LICENSES & PERMITS	699,500			2,000	-	-	-	-		701,500
SERVICE FEES	543,936			240,350	1,033,866	5,667,190	7,648,040	-	311,563	15,444,945
FINES & FORFEITURES	334,000				14,500	-	-	-		348,500
INTEREST	50,000	6,000	10,850	44,500	35,850	88,386	56,000	85,500	15,500	392,586
INTERGOVERNMENTAL	72,878			62,312	1,416,576	-	-	-		1,551,766
OTHER	83,850		247,619	-	30,700	8,000	17,000	102,291	30,000	519,460
TOTAL REVENUES	10,700,034	6,000	2,121,478	3,085,162	2,554,492	5,763,576	7,721,040	187,791	357,063	32,496,636
OTHER SOURCES										
Other Financing Sources								300,000		300,000
Interfund Transfers	809,750	1,100,000	516,185	486,084	4,700	2,334,257	-	453,825	254,500	5,959,301
TOTAL REVENUE & OTHER SOURCES	11,509,784	1,106,000	2,637,663	3,571,246	2,559,192	8,097,833	7,721,040	941,616	611,563	38,755,937
TOTAL AVAILABLE RESOURCES	\$ 14,076,642	\$ 1,106,000	\$ 2,944,655	\$ 6,996,427	\$ 4,999,979	\$ 13,922,161	\$ 11,793,458	\$ 9,202,547	\$ 2,477,972	\$ 67,519,841
EXPENDITURES:										
GENERAL GOVERNMENT	4,225,284	566,797			1,416,576	-	-	657,807		6,866,464
PUBLIC SAFETY	4,333,584				466,950	-	133,800	228,000		5,162,334
DEVELOPMENT SERVICES	1,035,374				-	-	-	514,325		1,549,699
COMMUNITY SERVICES	1,659,458			346,994	292,175	-	160,493	533,854		2,992,974
UTILITIES					18,500	3,938,419	6,123,910	-		10,080,829
DEBT SERVICE			2,716,641		-	1,425,805	433,000	-		4,575,446
ECONOMIC DEVELOPMENT				3,065,866	-	-	-	-		3,065,866
CAPITAL OUTLAY					124,050	2,582,500	-	4,559,109	423,764	7,689,423
TOTAL EXPENDITURES	11,253,700	566,797	2,716,641	3,412,860	2,318,251	7,946,724	6,851,203	6,493,095	423,764	41,983,035
OTHER USES										
Interfund Transfers	266,084		-	516,186	575,392	1,883,565	1,341,575	1,376,500	-	5,959,301
TOTAL EXPENDITURE & OTHER USES	11,519,784	566,797	2,716,641	3,929,046	2,893,643	9,830,289	8,192,778	7,869,595	423,764	47,942,336
ENDING FUND BALANCES	\$ 2,556,858	\$ 539,203	\$ 228,014	\$ 3,067,381	\$ 2,106,336	\$ 4,091,872	\$ 3,600,680	\$ 1,332,952	\$ 2,054,208	\$ 19,577,505
<i>% of Expenditures</i>	25.5%	95.1%	8.4%	89.9%	73%	76.3%	52.6%	20.5%	484.8%	57.1%



STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 13A

TITLE:

City Council will convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with the City Attorney and outside legal counsel regarding the status of the Hunters Crossing Public Improvement District.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 13B

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss a salary for the Presiding Judge and the Associate Judge Request for Qualification Process for Municipal Court.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: February 12, 2019

AGENDA ITEM: 14

TITLE:

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

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

