

**MUSEUM & VISITOR
of the Bastrop County
CENTER
Historical Society**

**Operations & Maintenance Budget
2017 Objectives
BCHS FY 2017
(Including Sources of Funds)**

Added New Staff

*Visitor Center Associate
Volunteers*

*17 Volunteers
3,094 Volunteer Hours*

Completed 2 Permanent Museum Exhibits

*World War II & Camp Swift
When Cotton Was King*

2 Temporary Exhibits

*"Lone Star and Eagle: German Immigration to
Texas" (Supplemented with German Immigrant
Artifacts from BCHS & the Rockne Museum)*

"Rosenwald Schools: Reflection and Revival"

Hosted 16 Tour Groups

Presentations to Children of the Confederacy (Wallisville, Huntsville, Austin, Dripping Springs, Humble, Houston, Sanger, and Dallas), Texas Municipal League (Statewide), West University Seniors (Houston), Blinn College Students (College Station), and 22 other groups including local schools, organizations, etc.).

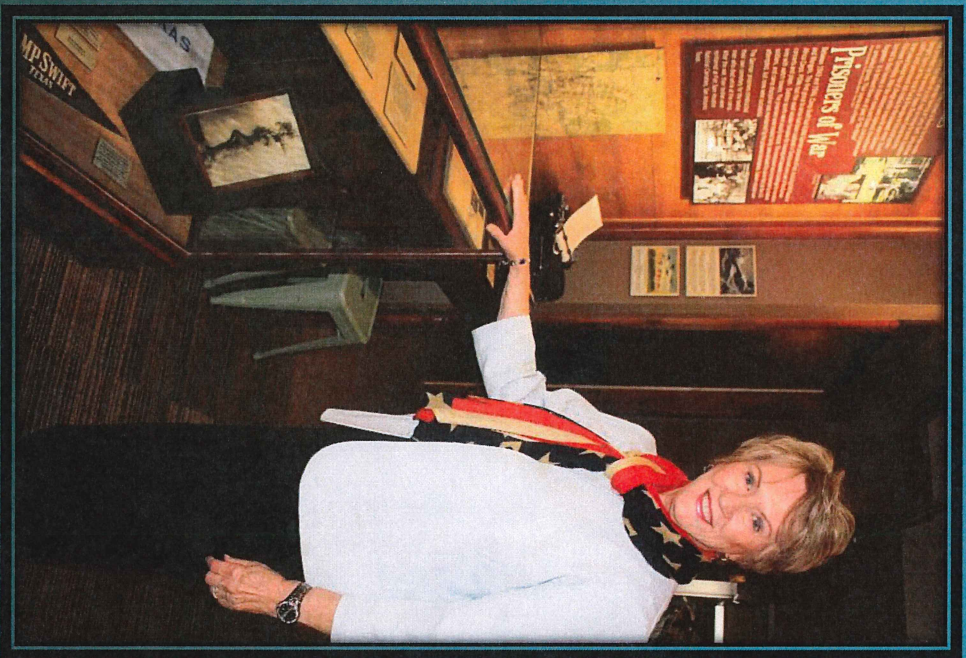
Total Tourists 6,142

Total Museum Visitors 3,379

Recent Accomplishments



2016 ACTIVITIES



World War II & Camp Swift
Exhibit Opening

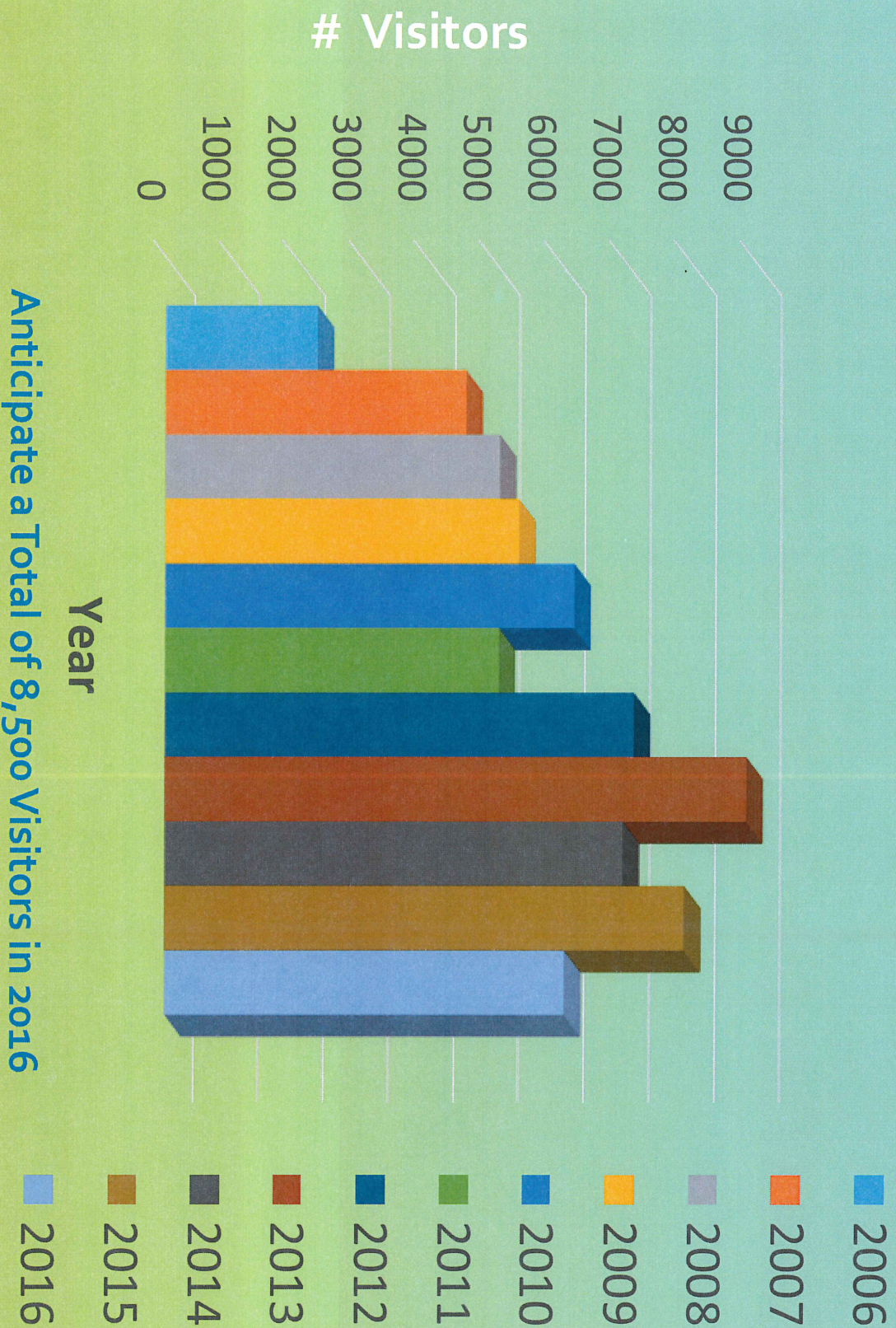


Fairview Cemetery Tours



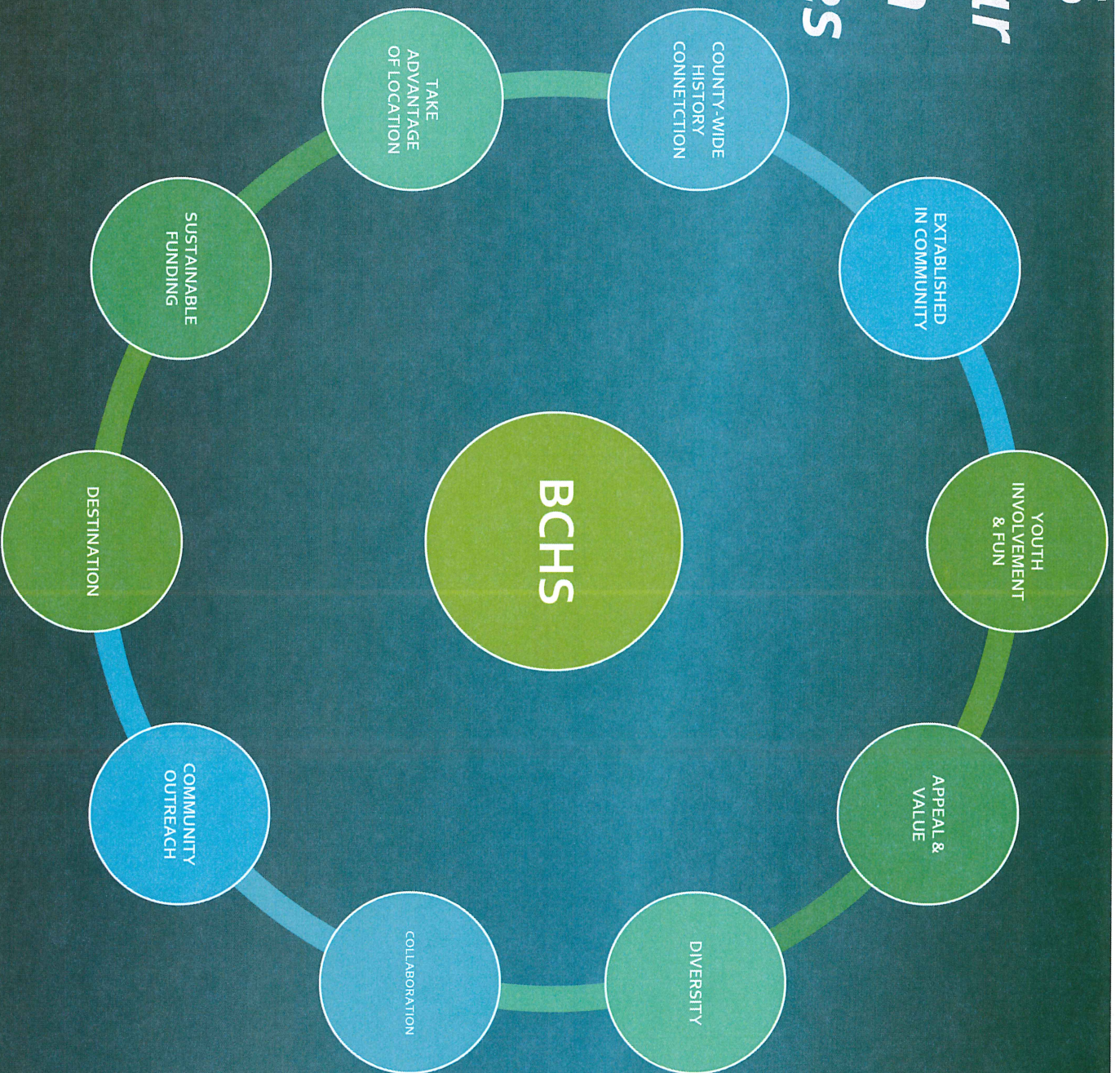
First Friday – “Spoon River Anthology” Program

Museum & Visitor Center Visitor Registration Counts (2006-3rd Quarter 2016)



BCHS

10-Year Vision Themes



2015-2019 Goals

A. Exhibits & Archives

Complete the permanent exhibits, increase the archives/artifacts by 20% & have at least two temporary exhibits each year.

B. Programs

Offer at least five historical/tourism programs that target students, tourists & families.

C. Awareness & Promotion

In 2015, provide 12 presentations to at least 500 people. Increase hits to the BCHS & Visitor Center web sites by 20% each year. By 1/1/19, have implemented additional metrics for awareness & promotion.

BCHS 2015-2019 SMART GOALS (2014 Long Range Plan)

D. Resources

By 5/2016, BCHS will have funded and hired at least one new full time staff position.

E. Tourist & Patrons

Increase the number of visitors by at least 5%/year in 2015-2016. Increase the number of visitors by at least 20%/year in 2017-18.

2016 Goals Accomplished

A. Exhibits & Archives

1. Completed 2 new Exhibits.
2. Installed 2 Temporary Exhibits.
3. Acquired 339 Archives/ Artifacts for collections. (Reynolds Collection has not yet been catalogued.)
4. Collected & Archived 13 personal stories through Story Corp.
5. Began Archeological Survey of Reynolds House Property.

B. Programs

1. Offered 27 historical/ tourism programs that targeted students, tourists & families.
2. Offered 2 performance programs at First Friday events.
3. Developed and offered History School Lunchbox program to several schools.

2016 Goals Accomplished

C. Awareness & Promotion

1. Provided 27 presentations to 917 people.
2. Website Traffic

Average # of hits per month 542 - www.bastropcountyhistoricalsociety.com

Average # of hits per month 1,660 - www.visitbastrop.tx.com

3. Opened Museum & Visitor Center in evenings for 4 First Fridays, for Patriotic Festival, & for Bastrop Homecoming.

D. Resources

1. Hired new Visitor Center Associate.
2. Engaged 17 Volunteers in Archives, Exhibit Preparation, & Restoration along with Visitor Center Representatives.
3. Benefitted from 3,094 Volunteer hours.
4. Combined Resources with Rockne Museum for Temporary Exhibit.
5. Reinstated Museum Admission Fee.

E. Tourists & Patrons

1. 6,142 Total Tourists & Patrons in 1st three quarters 2016
2. 97 % Texas Residents, 2 % Out of State Residents, & 1 % International (Representing 19 Countries)

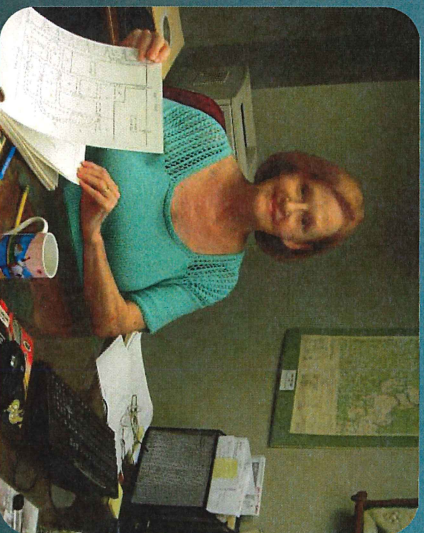
MUSEUM & VISITOR CENTER STAFF



Georgina Ngozi
Executive Director



Barbara Yana
Museum Administrator



Carol Kysar
Museum Archivist

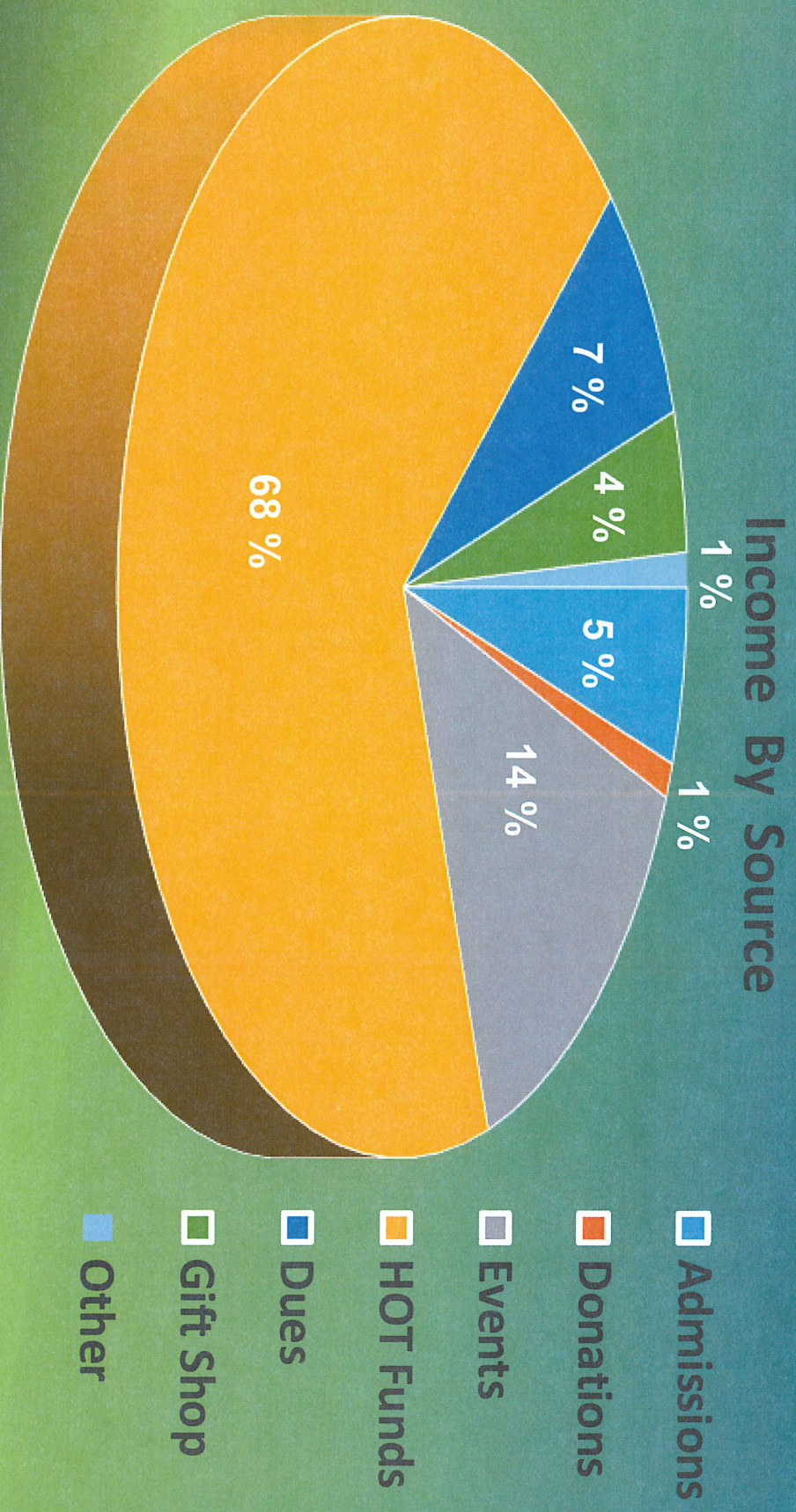


Joel Smith
Visitor Center Associate

2017 Combined Income by Source

Income	Museum	Visitor Center	Total
Admissions	\$11,000	\$ 0	\$11,000
Donation Box	\$ 600	\$ 0	\$ 600
Donations	\$ 1,000	\$ 0	\$ 1,000
Dues	\$17,000	\$ 0	\$ 17,000
Rendezvous/Home Tour	\$30,000	\$ 0	\$ 30,000
HOT Fund	\$36,300	\$115,000	\$151,300
Tours	\$ 800	\$ 0	\$ 800
Interest	\$ 800	\$ 0	\$ 800
Grants	\$ 0	\$ 0	\$ 0
Museum Gift Shop Sales	\$ 9,000	\$ 0	\$ 9,000
Photo Scans	\$ 200	\$ 0	\$ 200
Water Sales	\$ 700	\$ 0	\$ 700
Total Income	\$107,400	\$115,000	\$222,400

Income

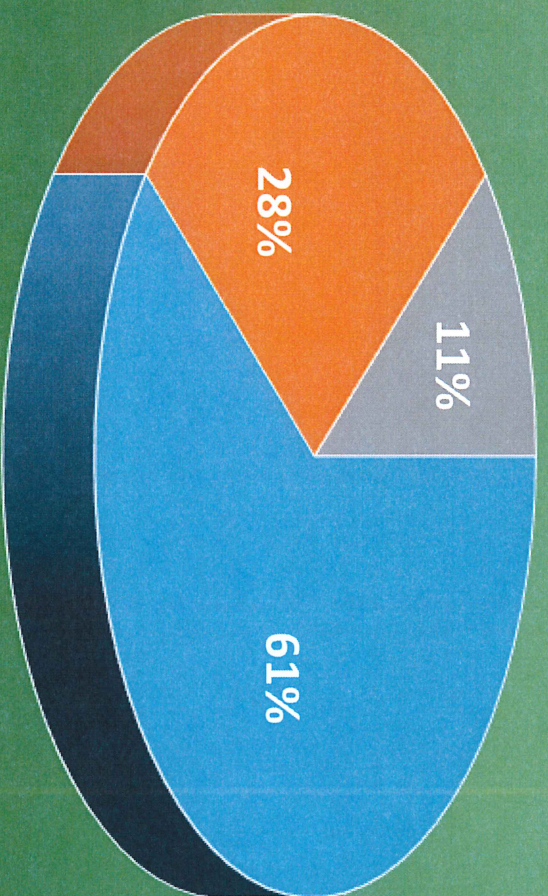


2017 Combined Budget Expenses

Expenses	Museum	Visitor Center	Total
Payroll Expenses	\$70,728	\$79,786	\$150,514
Administrative & Office	\$46,260	\$22,890	\$ 69,150
Building Operations			
Maintenance Elevator & AC	\$ 3,000	\$ 3,000	\$ 6,000
Grounds	\$ 500	\$ 0	\$ 500
Janitorial Service	\$ 3,000	\$ 3,600	\$ 6,600
Janitorial Supplies	\$ 300	\$ 300	\$ 600
Trash Collection	\$ 300	\$ 0	\$ 300
Utilities	\$ 7,000	\$ 7,250	\$ 14,250
Total	\$ 14,100	\$14,150	\$ 28,250
Total Expenses	\$131,088	\$116,826	\$247,914

Expenses

Expense Categories



■ Payroll

■ Admin & Office

■ Building Operations

Financial Goals

- Reserves Are Healthy - 5 Months Operating Expense
- New Fundraising to Support the Capacity of Administrative Staff & Bolster Organization's Operations & Program Offerings
- Increase # of Museum Visitors & # of Memberships (Individual & Business)

2017 Goals

- Complete Remainder of Permanent Exhibits
- Develop & Install Two Temporary Exhibits
- Offer Historical / Tourism Programs to Target Students & Families (5 per year by 2019)
 - Continue Spotlight on Bastrop Stories through Story Corp
 - Broaden Outreach of Traveling Artifacts for Schools
- Add at Least 1 More Fundraising Activity
- Continue to Develop Marketing Programs to Raise Awareness of Our Research, Museum Exhibits, & Visitor Center
- Broaden Organization's Outreach & Opportunities for Collaboration & Partnerships

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: November 1, 2016

MEETING DATE: November 8, 2016

1. Agenda Item: **APPROVAL OF MINUTES FROM REGULAR COUNCIL MEETING OF OCTOBER 25, 2016 AND SPECIAL WORKSHOP MEETING OF JULY 11, 2016.**
2. Party Making Request: **City Secretary, Ann Franklin**
3. Nature of Request: (Brief Overview)
4. Attachments: Yes X No
5. Motion Requested: **Approval of minutes for July 11, 2016 and October 25, 2016 meetings.**

**MINUTES OF SPECIAL WORKSHOP MEETING
BASTROP CITY COUNCIL
JULY 11, 2016**

The Bastrop City Council met in a Special Workshop Meeting on Tuesday, July 11, 2016 at 5:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, and Council Members Peterson, McAnally and Jones. Mayor Pro Tem DeLaRosa and Council Member Schiff were absent.

1. Call To Order
At 6:33 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present.
2. Introduction of the purpose of this special meeting, regarding interviews with candidates for consultant to assist with the process of creating a Destination Marketing Corporation - Council Member Jones
Introduction of the purpose and structure of the special meeting was presented by Senior Advisor, Mike Talbot.
3. Explanation of evaluation forms – City Manager Steve Adcock
4. Presentation by finalist candidates
 - a. Presentation via Skype by DMO-Proz – Mr. Bill Geist
Mr. Geist gave the presentation via Skype for DMO Proz.
 - b. Questions of candidate by Council and citizens
Council Members and citizens asked questions of the candidate.
5. Presentation by finalist candidates
 - a. Presentation by Young Strategies, Inc. – Mr. Berkeley Young and Mr. Steve Powell
Mr. Young and Mr. Powell gave the presentation in person for Young Strategies, Inc.
 - b. Questions of candidate by Council and citizens
Council Members and citizens asked questions of the candidate.
6. Opportunity for citizens to address the Council regarding the candidates and for Council to discuss same.
Withdrawn without objection.

The meeting was adjourned without objection at 7:30 p.m.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
OCTOBER 25, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, September 27, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Kesselus, and Mayor Pro Tem DeLaRosa and Council Members Peterson, Schiff, McAnally and Jones. Officers present were Interim City Manager Marvin Townsend, City Secretary Ann Franklin and City Attorney David Bragg.

CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present.

PLEDGE OF ALLEGIANCE

Mayor Kesselus led the Pledge of Allegiance

INVOCATION

The Rev. Ben Hitzfeld, Bastrop Christian Church gave the Invocation.

PRESENTATIONS

- A. Update on Bastrop Economic Development Corp. – Executive Director Shawn Kirkpatrick
Mr. Kirkpatrick gave a report from the last two months due to the BEDC not having its regular meeting in October.
- **There have been two public input sessions on the by-laws. Mr. Kirkpatrick hopes to take the by-laws to the board of directors at the next workshop for the board to give feedback to the committee and staff.**
 - **Written policies and procedures from the BEDC came out of the public input session.**
 - **The BEDC has gone out for an RFQ for legal services. The RFQ is on the BEDC website as well as the Texas Municipal League and distributed through the advertiser. The deadline is October 26, 2016.**
 - **921 Main Street – the selected engineer, the Geo Tech, has initiated site assessment.**
 - **Primary job front – Strong activity in the BEDC market but would like the community to know that the BEDC is on a short list for several projects although there are no guarantees but they are getting in front of primary employers.**
 - **Retail interest continues to be strong.**
 - **Housing continues to be strong.**

PROCLAMATIONS

- A. Arbor Day – Parks Department
Accepted by Trey Job, Director of Parks

ANNOUNCEMENTS

- A. Distribution of Items to Council (If Necessary) – Ann Franklin
No items were distributed.
- B. Items Targeted for Future Meetings.

No items were targeted for future meetings.

- C. Announcement by Council Member Jones Regarding upcoming workshops:
Recreation Workshop – November 1, 2016
TML Webcast – November 3-4, 2016
TML Webcast – November 29 – December 7, 2016
- D. Requests by Council Members for items on future agendas and requests for information from City Manager.

Mayor Pro Tem DeLaRosa requested a workshop in order for Council Members to revisit the numbers and facts concerning the well permit from XS Ranch; and the well itself; the transmission line; the operations; and the anticipated storage tank at highway 20 and 71 to see what the numbers are today and review current cost estimates fully.

Council Member Jones asked that the problem with the roosters getting out of the sanctuary be looked at because as a result there is now a rat problem due to the rooster droppings and complaints regarding loud crowing. Council Member McAnally would also like to add the problem of the pigeon droppings all over town.

- E. Letter from Council Member McAnally stating that her proposed resignation, announced at the October 11, 2016 City Council meeting, has been withdrawn.
- F. Thank you letter from Mr. Henry Bell.

7. CITIZENS COMMENTS

Glen Johnson – Commented on the City Attorney’s comment during the October 11, 2016 meeting. He asked that the City hold off on hiring the choice for the consultant to help fill the City Manager’s job. He asked that the hiring of the consultant be voided and to start over. To make sure that the process is done correctly.

Debra Johnson – Spoke in support of Council Member McAnally and the other members of the Council. She stated that the administrative positions of the City is in chaos due to the Council. Ms. Johnson stated that she feels that a city and community should be built on several strong piers: City government is by the people for the people; Government should be transparent; Government should have high ethical standards; Government should use resources wisely; A city needs a strong economic environment; and all citizens should be treated the same.

CONSENT AGENDA - *All the following items are considered to be self-explanatory by the Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Members so requests.*

- A.1** Approval of minutes from Regular Council Meetings of June 14, 2016, August 9, 2016 and September 13, 2016 and Special Called Meetings of June 20, 2016, June 21, 2016 and July 5, 2016
- A.2** Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of John Landwehr to Place 3 on the Bastrop Vision Task Force with a term of 2016 - 2017.

- A.3 Approval of a joint resolution of the County of Bastrop and City of Bastrop, honoring our Veterans, November 11, 2016.
- A.4 Approval of the revised City of Bastrop Purchasing Card Policy.
- A.5 Approval of a Bank Depository Agreement Extension between the City of Bastrop and First National Bank of Bastrop.

Mayor Pro Tem DeLaRosa made the motion to approve the consent agenda, seconded by Council Member Peterson. The motion was approved on a vote of 5-0.

B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION -NONE

C. OLD BUSINESS

- C.1 Second reading of an ordinance requesting traffic modifications along Alley A and B, limiting vehicles traveling south on Alley A to right turns only and Alley B, traffic heading north right turn only.
Ordinance No. 2016-28 was approved on Mayor Pro Tem DeLaRosa's motion, Council Member Peterson's second. The motion was approved on a 5-0 vote.

D. NEW BUSINESS

- D.1 Consideration, discussion and possible action regarding the recommendation that Interim City Manager Marvin Townsend be designated Public Information Coordinator. The Interim City Manager has completed the training requirements and has submitted a copy of the Attorney General's Certificate regarding such training to the City Secretary. If the City's Public Information Coordinator has received Public Information Act Training, the law does not require each member of the City Council to also take the same training.
Council Member McAnally made the motion to designate Interim City Manager Marvin Townsend as the Public Information Coordinator, seconded by Council Member Schiff. The motion was approved on a 5-0 vote.
- D.2 Consideration, discussion and possible action regarding approval of by-laws for the Vision Task Force. The Task Force approved the proposed Bylaws on October 17, 2016.
Council Member Schiff made the motion to approve the Vision Task Force by-laws, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.
- D.3 Consideration, discussion and possible action on approval of the revised City of Bastrop Financial Management Policy.
A presentation was given by Tracy Waldron, Chief Financial Officer.

Council Member Peterson made the motion to approve the revised City of Bastrop Financial Management Policy, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

- D.4** Consideration, discussion and possible action on acceptance of the unaudited Preliminary Monthly Financial Reports for the period ending September 30, 2016.
A presentation was given by Tracy Waldron, Chief Financial Officer.

Council Member Schiff made the motion to accept the unaudited Preliminary Monthly Financial Reports for the period ending September 30, 2016, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

- D.5** First reading of an ordinance amending the budget for the Fiscal Year 2016 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.
A presentation was given by Tracy Waldron, Chief Financial Officer.

Council Member McAnally made the motion to approve the first reading of an ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

- D.6** First reading of an ordinance adding Article A1.18 "Filming And Broadcasting", to Chapter 1 of the Bastrop City Code of Ordinances of the City of Bastrop, Texas; Establishing A Fee Schedule in Appendix A Sec. A1.18; and providing an effective date. This will create the Department of Filming/Broadcasting and establish the fees for the services provided.
A presentation was given by Andres Rosales, Director of Information Technology.

Council Member Schiff made the motion to approve the first reading of an ordinance, seconded by Council Member Peterson. The motion was approved on a 5-0 vote.

- D.7** Consideration, discussion and possible action regarding replacement of the flat areas of the Library's roof. Recommendation that a contract be awarded to Garland / DBS, Inc. of Cleveland, Ohio for \$98,811.00 to replace the flat areas of the Library roof. The Garland Company is the manufacturer of the roofing material. Garland will be responsible for the work which will be carried out by a subcontractor, Q.A. Construction Services. Pricing has been established through a Master Intergovernmental Cooperative Purchasing Agreement with Cobb County, Georgia and U.S. Communities, a coop of local governments. The roof repairs were included in the 2015/2016 Budget at \$88,000 but not expended. A budget amendment will be forthcoming for 2016/2017 Budget. The ten-year old roof has developed significant leaks that cannot be corrected by patching. The roof will have a 15 year warranty as to materials and workmanship which can be extended to 30 years if certain conditions are met.
A presentation was given by Mickey Duvall, Director of Library.

Council Member McAnally made the motion to award a contract to Garland/DBS, Inc. for replacement of the flat areas of the Library's roof, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

- D.8** Resolution accepting the Camp Swift Joint Land Use Study documents, background report, and executive summary, endorsing and supporting the strategies described therein that are intended to encourage compatibility of development surrounding Camp Swift, maximize Camp Swift's usefulness to the Texas Army National Guard, and ensure Camp Swift's long-term viability as a center for training excellence.

A presentation was given by Melissa McCollum, Director of Planning and Development.

Resolution No. R-2016-31 was approved on Council Member Schiff 's motion, Mayor Pro Tem DeLaRosa's second. The motion was approved on a 5-0 vote.

- D.9** Discussion of the State Platting Law as it relates to the one lot plat considered as a variance request on June 14, 2016 and again on October 11, 2016. The buyer of the lot is requesting a variance to a lot on Phelan Road in the City's one mile extra territorial jurisdiction. Evidence presented at the City Council meeting indicated a drainage problem that should have been resolved by the owner who subdivided the property.
Interim City Manager Marvin Townsend reiterated that the property must be platted and the platting process is necessary in order to obtain utility service on the property.
- D.10** Discussion of status of plans for improvement of Alley D parking lot (expansion of the Pine Street parking lot).
Trey Jobs, Director of Public Works gave a status report. A public discussion meeting will be held on November 7, 2016 at 5:30 p.m., 1311 Chestnut, Bastrop.
- D.11** Discussion of status of engineering plans for one-million-gallon water elevated storage tank and the extension of the 16" water main (2 segments approximately 5,700 feet each).
Trey Jobs, Director of Public Works gave a status report.

ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 7:51 p.m., seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11/1/16

MEETING DATE: 11/8/16

1. Agenda Item: **Consideration, discussion and possible action on acceptance of the Quarterly Investment Report for the period ending in September 30, 2016.**

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

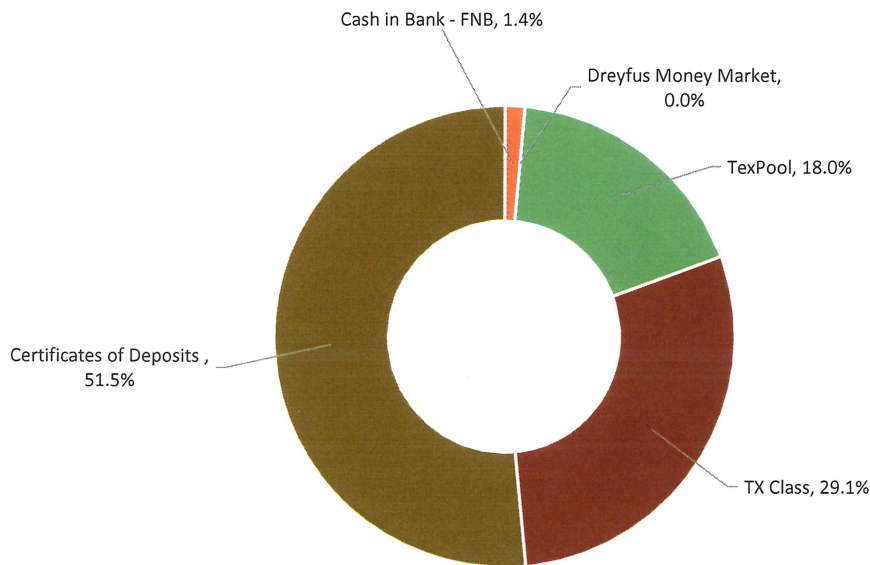
The CFO shall submit a written quarterly investment report to the City Manager and City Council per the City's Investment Policy.

4. Attachments: Yes X No

5. Motion Requested: Motion to Approve the Investment Report ending 9/30/16.

City of Bastrop
Quarterly Investment Report
period ending Sept. 30, 2016

Investments Description	Beginning Book Value	Ending Book Value	% of Portfolio	QTD Interest Earned	YTD Interest Earned	Weighted Average Maturity
Cash in Bank - FNB	\$ 642,556	\$ 353,918	1.4%	\$ 1,248	\$ 6,685	0.01
Dreyfus Money Market	\$ 18,684	\$ 3,633	0.0%	\$ 30	\$ 222	0.00
TexPool	\$ 6,839,625	\$ 4,671,953	18.0%	\$ 4,969	\$ 26,134	0.18
TX Class	\$ 9,166,277	\$ 7,581,077	29.1%	\$ 14,800	\$ 49,035	0.29
Certificates of Deposits	\$ 13,478,503	\$ 13,414,171	51.5%	\$ 23,241	\$ 50,449	139.97
Total Investments	\$ 30,145,645	\$ 26,024,751		\$ 44,287	\$ 132,525	140.46
					\$35,759	YTD 9/30/15



Prepared by:

Tracy Waldron

Tracy Waldron, Chief Financial Officer

City of Bastrop
Quarterly Investment Report
period ending Sept. 30, 2016

FUND	BANK/ BROKER	CD NUMBER	BALANCE	MATURITY DATE	APY	Days to Maturity	Date Opened
Pooled Cash	FNB	74778	\$ 1,500,000	11/05/2016	0.70%	36	11/06/2015
	FNB	66399	\$ 1,500,000	04/26/2017	0.80%	208	04/29/2003
	FNC	38148J3B5	\$ 245,000	11/25/2016	0.65%	56	11/25/2015
	FNC	78658QSF1	\$ 245,000	11/29/2016	0.70%	60	11/30/2015
	FNC	909552BS9	\$ 245,000	12/15/2016	0.70%	76	12/15/2015
	FNC	70153RHL5	\$ 245,000	03/13/2017	0.70%	164	11/30/2015
	FNC	58733ACE7	\$ 245,000	03/23/2017	0.85%	174	12/23/2015
	FNC	063248FM5	\$ 245,000	05/05/2017	0.70%	217	05/05/2016
	FNC	07370WYQ3	\$ 245,000	05/10/2017	0.70%	222	05/11/2016
	FNC	34387ABV0	\$ 245,000	06/19/2017	1.00%	262	12/17/2015
	FNC	9497482Y2	\$ 245,000	06/19/2017	1.00%	262	12/17/2015
	FNC	108622ER8	\$ 245,000	09/15/2017	1.00%	350	12/16/2015
	FNC	20361LBQ6	\$ 245,000	09/22/2017	1.00%	357	12/23/2015
	FNC	31985HAK2	\$ 245,000	11/03/2017	0.75%	399	05/11/2016
	FNC	33732TAT9	\$ 245,000	11/14/2017	0.75%	410	05/13/2016
	FNC	69478QDB3	\$ 245,000	11/20/2017	0.75%	416	05/18/2016
	FNC	02587DK31	\$ 245,000	12/18/2017	1.30%	444	12/16/2015
	FNC	20033ANZ5	\$ 245,000	01/19/2018	1.30%	476	01/19/2016
	FNC	12738RCW2	\$ 100,000	02/12/2018	1.25%	500	02/10/2016
	FNC	04407RAX9	\$ 245,000	02/13/2018	0.85%	501	05/13/2016
	FNC	06414QXX2	\$ 245,000	02/27/2018	1.00%	515	05/27/2016
	FNC	20786ABK0	\$ 245,000	02/28/2018	1.00%	516	02/29/2016
	FNC	88241TAL4	\$ 245,000	03/12/2018	1.00%	528	03/11/2016
	FNC	32112UCC3	\$ 245,000	03/15/2018	1.00%	531	03/15/2016
	FNC	55266CRV0	\$ 190,000	03/26/2018	0.90%	542	05/26/2016
	FNC	PER200CW7	\$ 200,000	05/04/2018	1.05%	581	05/04/2016
	FNC	465076JH1	\$ 245,000	05/04/2018	1.05%	581	05/04/2016
	FNC	02006LA78	\$ 245,000	05/07/2018	1.00%	584	05/05/2016
	FNC	46176PFA8	\$ 245,000	05/04/2018	1.00%	581	05/05/2016
	FNC	981571CD2	\$ 200,000	05/04/2018	1.10%	581	05/05/2016
	FNC	57116ALT3	\$ 245,000	05/07/2018	1.00%	584	05/06/2016
	FNC	845182AM6	\$ 245,000	05/07/2018	1.00%	584	05/06/2016
	FNC	29266N2A4	\$ 245,000	05/07/2018	0.95%	584	05/06/2016
	FNC	59013JNX3	\$ 245,000	05/10/2018	1.00%	587	05/10/2016
	FNC	49306SWN2	\$ 245,000	05/11/2018	1.00%	588	05/11/2016
	FNC	140420ZA1	\$ 245,000	05/11/2018	1.00%	588	05/11/2016
	FNC	05581WGE9	\$ 245,000	05/25/2018	1.05%	602	05/26/2016
	FNC	466682AF8	\$ 245,000	05/29/2018	0.90%	606	05/27/2016
	FNC	74316VEN1	\$ 245,000	05/31/2018	0.90%	608	05/31/2016
	FNC	69413CES4	\$ 245,000	05/31/2018	0.90%	608	05/31/2016
	FNC	307660KA7	\$ 245,000	06/04/2018	0.90%	612	06/02/2016
	FNC	254672F86	\$ 245,000	08/17/2018	1.00%	686	08/17/2016
	FNC	066519CA5	\$ 245,000	08/27/2018	1.00%	696	08/25/2016
	FNC	06425KBR9	\$ 30,000	09/14/2018	1.00%	714	09/14/2016
	FNC	05580AFE9	\$ 247,000	09/17/2018	1.10%	717	09/16/2016
			\$ 13,032,000				
Cemetery	Frontier	501272	\$ 245,587	05/25/2018	0.95%	602	05/27/2016
	FNB	74957	\$ 130,000	06/27/2018	0.80%	635	06/27/2016
	FNB	68931	\$ 3,584	09/30/2016	0.70%	0	09/29/2005
	FNB	69062	\$ 3,000	11/22/2016	0.70%	53	11/22/2005
			\$ 382,171				
TOTAL			\$ 13,414,171				

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11/1/16

MEETING DATE: 11/8/16

1. Agenda Item: **SECOND READING OF AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

This budget amendment to the FY15-16 budget is required due to unforeseen expenses during the year. In the General Fund amendment, we were able to find some budget savings and therefore not impacting the fund balance.

4. Attachments: Yes X No

5. Motion Requested: Motion that we approve the budget amendment for FY15-16 budget as presented.

ORDINANCE NO. 2016-31

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and 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 2016; and,

WHEREAS, the Mayor and 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, BASTROP COUNTY, TEXAS:

That the proposed budget amendments for the Fiscal Year 2016, as submitted to the City Council by the City Manager and which budget amendments are attached hereto as Exhibit "A" is hereby adopted and approved as the amended budget of said city for Fiscal Year 2016; and

Ordinance and prior actions in conflict herewith are hereby repealed; and

This Ordinance shall be and remain in full force and effect from and after its final passage and publication in accordance with existing statutory requirements.

READ and APPROVED on First Reading on the 25 day of October, 2016.

READ and ADOPTED on Second Reading on the 8 day of November, 2016.

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

Exhibit "A"

City of Bastrop Memorandum

TO: Mayor & City Council Members

FROM: Tracy Waldron, Chief Financial Officer

SUBJECT: Ordinance Amending FY 2016 Budget

DATE: October 25, 2016

Recommendation:

To approve Ordinance Amending the Budget for unanticipated revenue and expenses incurred not included in the original budget approved by City Council.

Background:

The city charter requires that when the budget is amended that the amendment be by ordinance. The budget amendments do, in some funds, increase the budget appropriations for Fiscal Year 2016. Funds included in these amendments are detailed below:

- General Fund includes:
 - Account for insurance proceeds received and increase the budgets for the repairs/purchases were charged
 - Account for increase in Sales Tax collected that directly relates to the payout of sales tax reimbursement through various 380 Agreements
 - To increase the budget for Legal expenses to the projected amount
 - To increase the salary and professional accounts in City Manager budget to cover payout of previous City Manager and the contract rate of Interim City Manager
 - To increase salary account for Information Technology to cover overtime in this department
 - To decrease other accounts through various departments for salary savings or available amounts unspent (see detail on General Fund Budget Amendment)
- Hotel/Motel Fund includes:
 - To increase the transfer to Main St. Program to cover their negative fund balance
- Main Street Fund includes:
 - To increase the revenue transfer from Hotel/Motel Fund to cover the shortfall in fund balance due to salary increases and professional fees unbudgeted for director search

**FY 2016
BUDGET AMENDMENTS
GENERAL FUND**

Fund Balance as of 9-30-15	5,418,094
FY 2016 Budgeted Revenues	10,252,797
FY 2016 Budgeted Appropriations	(11,966,627)
2/2016 Budget Amendments (net)	(3,720)
3/2016 Budget Amendments (net)	(625,000)
4/2016 Budget Amendments (net)	(693,000)
8/2016 Budget Amendments (net)	0
9/2016 Budget Amendments (net)	0
Ending Fund Balance	<u>2,382,544</u>

	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
New Revenues:				
	Increase			
	Increase			
	Increase			
	Increase			
Matching Revenues to Expenditures:				
Police	Neutral	19,124	INSURANCE PROCEEDS	101-00-00-4537
Organizational	Neutral	42,000	SALES TAX	101-00-00-4006
	Neutral			
Total Revenues		<u>61,124</u>		
Matching Expenditures to Revenues:				
Police	Neutral	(19,124)	PATROL VEHICLE	101-09-22-6123
Organizational	Neutral	(42,000)	380 AGREEMENT REIMB SALES TAX	101-02-00-5644
New Expenditures:				
Legislative	decrease	8,500	TRAVEL & TRAINING	101-01-00-5605
Organizational	Increase	(240,000)	LEGAL SERVICES	101-02-00-5525
City Manager	Increase	(30,000)	PROFESSIONAL FEES	101-03-00-5505
City Manager	Increase	(30,000)	OPERATIONAL SALARIES-CITY MANAGER	101-03-00-5101
City Secretary	Increase	(1,000)	CODIFICATION OF ORDINANCE	101-04-00-5508
Information Technology	Increase	(4,000)	OPERATIONAL SALARIES-INFO.TECH	101-07-00-5101
Public Works	decrease	67,000	OPERATIONAL SALARIES-PW	101-18-10-5101
Public Works	decrease	69,000	PROF SERVICES	101-18-10-5505
Parks	decrease	49,000	RIVERWALK PROJECT	101-18-19-6137
Building Maint.	decrease	8,000	OPERATIONAL SALARIES-BLDG MAINT	101-18-20-5100
Finance	decrease	10,000	CONTRACTUAL SERVICES	101-05-15-5561
Human Resources	decrease	5,000	OPERATIONAL SALARIES	101-06-00-5101
Police-Code Enforcement	decrease	8,650	CONTRACTUAL SERVICES	101-09-12-5561
Fire	decrease	4,300	OPERATIONAL SALARIES	101-11-00-5101
Public Works	decrease	5,000	VEHICLE MAINT	101-18-10-5340
Public Works	decrease	54,000	BUILDING	101-18-10-6050
Parks	decrease	8,000	LITTLE LEAGUE CAP OUTLAY	101-18-19-6105
Parks	decrease	8,550	CAPITAL OUTLAY/RIVERFRONT	101-18-19-6107
	decrease			
Total Expenditures		<u>(61,124)</u>		
Net Change		0		

FY 2016
BUDGET AMENDMENTS
HOTEL/MOTEL TAX FUND

Fund Balance as of 9-30-15	2,015,833
FY 2016 Budgeted Revenues	2,801,500
FY 2016 Budgeted Appropriations	(2,517,706)
02/2016 Budget Amendments (net)	(93,000)
9/2016 Budget Amendments (net)	(30,968)
Ending Fund Balance	<u>2,175,659</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
New Expenditures:				
	Increase	(30,968)	Trans Out-Main St Program	501-80-00-8124
	Total Expense	<u>(30,968)</u>		
	Net Change	(30,968)		

**BUDGET AMENDMENTS
MAINT STREET PROGRAM**

Proj Fund Balance 9/30/15	1,506	(project for ending 9/30/15 was 21,639)
FY 2016 Budgeted Revenues	125,300	
FY 2016 Budgeted Appropriations	(149,939)	
9/2016 Budget Amendments (net)	<u>23,133</u>	
Ending Fund Balance	<u><u>0</u></u>	

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
New Revenues:				
	Increase	30,968	Transfer-In Hotel #501	503-00-00-4717
	Increase	<u>2,000</u>	Main St. Program Donations	503-00-00-4504
	Total Revenues	<u>32,968</u>		
New Expenditures:				
	Increase	(9,835)	Professional Services	503-00-00-5505
	Total Expense	<u>(9,835)</u>		
	Net Change	23,133		

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11/1/16

MEETING DATE: 11/8/16

1. Agenda Item: **SECOND READING OF AN ORDINANCE ADDING ARTICLE A1.18 “FILMING AND BROADCASTING”, TO CHAPTER 1 OF THE BASTROP CITY CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; ESTABLISHING A FEE SCHEDULE IN APPENDIX A SEC. A1.18; AND PROVIDING AN EFFECTIVE DATE. THIS WILL CREATE THE DEPARTMENT OF FILMING/BROADCASTING AND ESTABLISH THE FEES FOR THE SERVICES PROVIDED.**

2. Party Making Request: Andres Rosales, Director of Information Technology

3. Nature of Request: (Brief Overview)

This ordinance establishes the Filming/Broadcasting department that was funded in the FY16-17 budget. The services will be offered to local governments and businesses. This ordinance also establishes the fee schedule that will be used when invoicing for these services to the community.

4. Attachments: Yes X No

5. Motion Requested: Motion to approve the ordinance establishing the filming/broadcasting department and the rate schedule presented.

ORDINANCE NO. 2016-32

AN ORDINANCE ADDING ARTICLE A1.18 “FILMING AND BROADCASTING”, TO CHAPTER 1 OF THE BASTROP CITY CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; ESTABLISHING A FEE SCHEDULE IN APPENDIX A SEC. A1.18; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop recently assumed the operations of the Public Education Government channel “BTXN”; and

WHEREAS, the City Information Technology department has been producing spots to broadcast on the channel for internal departments and also external organizations, businesses, etc. for providing Public Service Announcements, and live streaming of City Council meetings; and

WHEREAS, the need to create a separate department to track these costs associated with producing and broadcasting for BTXN; and

WHEREAS, the need for City of Bastrop to establish rates for services provided to outside entities for production, editing and broadcasting services provided by City of Bastrop,

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

PART 1: That Chapter 1, Article A1.18 “Filming and Broadcasting” is hereby added to the City of Bastrop Code of Ordinances to read as follows:

Sec. A1.18 Filming and Broadcasting

Sec. A1.18.001 – Department Established

The City of Bastrop hereby establishes the department of “Filming and Broadcasting”, of the City.

Sec. A1.18.002 - Purpose & Duties

- (a) To produce video content for various departments to provide the citizens of Bastrop with information, news, government transparency through coverage of the City meetings, emergency alerts, and other programming that will promote, document, and celebrate the Bastrop community. This includes broadcasting on our Public Access Channel and other social media outlets. Our in-house services and production capabilities are available to local individuals, non-profits, government agencies, and business for reasonable fees.

PART 2: That the following section of the Fee Schedule in Appendix “A” of the Bastrop Code of Ordinances is added to read as follows:

(a) BTXN FIELD PRODUCTION RATES

Studio Production Flat Rates per Shoot (3-hour min)

Preproduction (crew coordination, call sheet, and one meeting)	\$35
Raw Show Transfer	\$20*
Administration Charge	12% of total bill

* No charge if BTXN is editing

Requires approximately ½ hour each for set-up and breakdown

(b) BTXN STUDIO PRODUCTION RATES

BTXN Crew Member Studio Production Rates per Hour (2-hour min.)

Producer	\$50
Director/Technical Director	\$35
Audio Technician	\$35
Floor Manager	\$30
Camera Operator	\$30
Graphics and CG Technician/Teleprompter Operator	\$30
Audio Assistant	\$25
Production Assistant	\$20

Requires approximately ½ hour each for set-up and breakdown;

(c) BTXN STUDIO EDITING RATES

BTXN Studio Editing Rates per Hour (2-hour min.)

Editor	\$40
Graphics/audio mix/color correct	\$50

2-hour minimum

(d) BTXN STUDIO MISC RATES

Additional DVDs (first no charge with editing time)	\$15
Additional Video Files (one full quality high resolution file included with editing time)	\$15
Additional ½ Hour Editor Review Session (first one included with editing time)	\$20

PART 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.

PASSED AND ACCEPTED on FIRST READING on the 25th day of October, 2016

PASSED AND APPROVED on SECOND READING on the 8th day of November, 2016

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11.1.2016

MEETING DATE: 11.8.2016

1. Agenda Item:

CONSIDERATION DISCUSSION AND POSSIBLE ACTION FOR RENEWING THE LEASE AGREEMENT EXECUTED BY AND BETWEEN JAMES KERSHAW, AN INDIVIDUAL AND OWNER OF CERTAIN REAL PROPERTY LOCATED AT 806 WATER STREET, ALSO KNOWN AS BUILDING BLOCK 3 W, WATER STREET, BASTROP, TX (“OWNER” OR “LESSOR”), THE COUNTY OF BASTROP, TEXAS THE CITY OF BASTROP, AND THE BASTROP ECONOMIC DEVELOPMENT CORPORATION KNOWN SINGULARLY AS THE LEASEES.

2. Party Making Request: PW DIRECTOR TREY JOB

3. Nature of Request: (Brief Overview)

The City, County, and BECD jointly lease the parking lot at 806 Water Street. The lease expires in December, and if the Council wishes it is time to renew the agreement. The only change to the agreement was to extend the lease from 12 months to 24 months. This will allow the City time to complete the Alley D Parking lot project and possibly the main street improvements, without losing the extra parking spaces provided by the lease agreement for the parking lot at 806 Water Street. The cost to the City is \$500.00 a month. The County and BEDC contribute the remaining \$1,000.00 a month.

4. Attachments: Yes X No

5. Motion Requested

I make a motion we approve the renewal of the lease agreement for 806 water street.

The State of Texas
County of Bastrop

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

This "Lease Agreement" is made and executed by and between JAMES KERSHAW, an individual and owner of certain real property located at 806 Water Street, also known as Building Block 3 W, Water Street, Bastrop, TX ("Owner" or "Lessor"), the COUNTY OF BASTROP, TEXAS ("the County"), a local political subdivision of the State of Texas, the CITY OF BASTROP, TEXAS ("the City"), a home-rule municipal corporation authorized by the State of Texas, and the BASTROP ECONOMIC DEVELOPMENT CORPORATION ("the BEDC"), a 501(c)(3) Type B Development Corporation, operating pursuant to Texas statutory authority in the City of Bastrop, Texas. The County, City, and BEDC may be referred to jointly herein as "Lessees" or singularly as "Lessee". Lessor and Lessees may be referred to herein jointly as the "Parties," and singularly as a "Party."

SECTION 1. PREMISES

- 1.1 Description. Lessor hereby leases to Lessees the Leased Premises located at 806 Water Street, Bastrop, Texas, and known as the north portion of Building Block 3 W, Water Street, Bastrop, Texas, consisting of twenty-four (24) parking spaces and associated driveways, but specifically excluding the building and any parking spaces in front of or behind the building located on the south portion of said Building Block, as more particularly shown on the diagram attached hereto as Exhibit "A," and made a part hereof for all purposes (hereinafter referred to as the "Leased Premises").
- 1.2 Use. The Leased Premises shall be used by Lessees for the sole purpose of providing public parking for citizens and visitors to Bastrop, Texas.
- 1.3 Compliance with the Law. Lessees shall at all times observe the laws, rules, and regulations of the State of Texas and other governmental entities. Lessees shall not commit, or allow to be committed, any waste or nuisance on the Leased Premises or to harm the Leased Premises in any way that may reduce, harm, or diminish the value or marketability of same.
- 1.4 Storage of Materials on Premises. Lessees shall, at all times, keep and maintain the Leased Premises in neat and orderly manner and in full compliance with all applicable Federal, State, and local laws, rules, and ordinances.
- 1.5 Lessor's Use Exclusive. Lessees' use of the Leased Premises during the term of the Lease is exclusive, except that Lessor retains ingress and egress rights to the parking and rear of the office building on the south portion of Building Block 3 W, Water Street, Bastrop, Texas.

SECTION 2. TERM

- 2.1 Term. The term of this Lease Agreement shall commence on the 1st day of November, 2016, and shall be continued for a 24-month period. ("Term") Renewals of the Term of this Lease Agreement shall be provided on approval by the Lessor.
- 2.2 Termination Privileges. Termination of this lease shall be for cause only, and then only after providing the defaulting Party with due notice of the default and a reasonable time and opportunity to cure the identified default or breach of the Lease by the defaulting Party.

SECTION 3. RENT

- 3.1 Rent. Lessees shall pay Lessor Rent in monthly installments, payable by remitting by mail to Owner at: 908 Chestnut Street, Bastrop, Texas 78602 (or such other address as Lessor may specify in a written notice delivered to Lessees), in the amount of \$1,500.00, per month, on a month-to-month basis. Rent shall be due to Lessor and paid by Lessees beginning on the commencement date of the Term and shall continue to be paid on the first day of each month thereafter. Rent for any fractional month at the beginning or end of the lease Term shall be prorated on a *per diem* basis.

SECTION 4. ABANDONED PROPERTY

- 4.1 All goods, effects, materials, remains, or objects of whatever kind or nature and/or alleged value to Lessees not removed by Lessees within thirty (30) calendar days after the natural expiration or termination of this Lease Agreement, or any extension hereto, shall be considered abandoned, and Lessor shall have the right and the authority to dispose of same as it deems expedient, including but not limited to storing, selling, and/or destroying such items, with no further act or notice by Lessor required.

SECTION 5. DELIVERY, ACCEPTANCE, AND SURRENDER OF PREMISES

- 5.1 Lessor makes no representations or warranties regarding the condition or fitness of the Leased Premises, including any building, structure, or improvement thereon for any particular purpose. By taking possession of the Leased Premises pursuant to this Lease Agreement, Lessees conclusively accept the Leased Premises as fit for Lessees' purpose as a Parking Lot, which is in good and sanitary order, condition, and repair. Lessees further warrant that all matters related to or arising out of the construction of any building, structure, or improvement on the Leased Premises were approved by, and have been accepted by, Lessees in an "**AS IS**" condition. Lessees herein agree and covenant to accept all faults, deficiencies, and defects, whether known or

unknown, to Lessor and/or Lessees at the commencement of the Term, which warranty by Lessees shall survive the term of this Lease Agreement, or any extension thereto, in perpetuity. Lessees shall, on the expiration or termination of this Agreement, surrender the Leased Premises to Lessor in the same condition as when received, reasonable wear and tear accepted.

SECTION 6. REPAIRS AND MAINTENANCE

- 6.1 Lessee (Bastrop County), at its sole cost and expense, shall agree to maintain, and preserve the Leased Premises, or improvements thereon, in good order and repair which reflects credit upon the Lessees and the Lessor. Lessees shall immediately notify the Lessor of any required repairs on the Leased Premises so that Lessees may complete the necessary maintenance.
- 6.2 Lessor's Right of Inspection/Repair. Lessor reserves the right, but has no duty, to enter the Leased Premises at any time to inspect the Leased Premises, to perform required maintenance and repair and/or to make additions or alterations to any part of the Leased Premises that are necessary to keep, maintain, or preserve same in a reasonable state, at the sole cost and expense of the Lessor. The Parties acknowledge and agree, however, that the Lessor shall have no duty, responsibility, or obligation to inspect, repair, remodel, improve, decorate, paint, or replace any part or component of the Leased Premises at any time following the Effective Date of this Lease Agreement. Furthermore, in the event of destruction of the Leased Premises, Lessor shall have no obligation to rebuild any structures located thereon.

SECTION 7. INSURANCE

- 7.1 All Lessees agree to procure and maintain in full force and effect at all times during the Lease Term, and any extension thereof at Lessees' sole cost and expense, standard property insurance insuring the Leased Premises against the perils of general liability and fire, extended coverage, vandalism, environmental damage, and malicious mischief. The policy shall additionally include all personal property owned by Lessees for which Lessees are legally liable, including without limitation, furniture, fittings, fixtures, and raw materials. Such insurance shall be no less than, and on any personal property located thereon, full replacement value, whichever is greater. Any policy shall specifically identify and name JAMES KERSHAW as a "loss payee" (or additional insured).

SECTION 8. RELEASE

- 8.1 Lessor shall not be liable or responsible for damage, theft, or otherwise to any property stored on the Leased Premises by Lessees. In accord with Lessees' acceptance of the Leased Premises "AS IS," Lessees agree that the current

security mechanisms, if any, provided for the Leased Premises and any structures located thereon, shall be sufficient for the Lessees' use.

- 8.2 Nothing herein shall be a waiver of any governmental immunity afforded to the Lessees.

SECTION 9. ASSIGNMENT OR SUBLEASE

- 9.1 Lessees may not assign or sublease the Leased Premises without first obtaining Lessor's written consent.

SECTION 10. MISCELLANEOUS

- 10.1 Notice. Notice arising out of or pursuant to the provisions of this Lease Agreement shall be in writing and delivered by hand or certified postage prepaid, addressed to the person authorized to receive such notice. Notices shall be delivered to the Parties at the addresses set forth below or to such other addresses as the Parties designate in writing.

A. Notice to City:

City of Bastrop
Attn: City Manager
1311 Chestnut Street
P.O. Box 427
Bastrop, Texas 78602

B. Notice to County

Bastrop County
Attn: The Honorable County Judge
804 Pecan Street
Bastrop, Texas 78602

C. Notice to BEDC

Bastrop Economic Development Corporation
Attn. Executive Director
903 Main Street
Bastrop, Texas 78602

D. Notice to Owner/Lessor

Mr. James Kershaw
908 Chestnut Street
Bastrop, Texas 78602

- 10.2 Construction. The Parties agree that the Lease Agreement shall be construed fairly and simply and not strictly against either Party.
- 10.3 Lease Control. If any provisions in this Lease Agreement conflict with any provision in any other instrument, those herein shall control.
- 10.4 Entire Agreement. This Lease Agreement is the entire agreement between Lessees and Lessor related to the Leased Premises, and it incorporates all other written, verbal, express, and implied agreements made between any Party or any agent of any Party to this Lease in connection with this transaction.
- 10.5 Amendment. No Amendment, modification, or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof, and duly executed by the parties hereto.
- 10.6 Good Faith. If any provision of this Agreement is found to be unlawful or unenforceable, the Parties will negotiate in good faith so that it shall be in compliance with applicable laws and consistent to the extent possible with the original intent of this Agreement.

EXECUTED this _____ day of November 2016 ("Effective Date").

Owner/Lessor:

By: _____
James Kershaw

Lessee - City of Bastrop

By: _____
Marvin Townsend, Interim City Manager

Lessee – Bastrop County

By: _____
The Honorable Judge Pape

Lessee – BEDC

By: _____
Steven Mills, Chairman of the Board

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, on this day personally appeared Marvin Townsend, known to me to be the Interim City Manager of the City of Bastrop and the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, as the act and deed of the said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of November 2016.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, on this day personally appeared Judge Paul Pape, as representative of Bastrop County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same as the act and deed of and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of November 2016.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, on this day personally appeared Steve Mills, as representative of Bastrop Economic Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same as the act and deed of and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of November 2016.

Notary Public, State of Texas



Exhibit A

Legend



Kershaw Properties



Parking to be leased by
City, BECC, and County



CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11.2.2016

MEETING DATE: 11.8.2016

1. Agenda Item: **RECOMMENDATION THAT A WORKSHOP PRESENTATION ON THE STATUS AND FUTURE OF PINE FOREST UNIT 6 BE SCHEDULED AS PART OF THE CITY COUNCIL MEETING ON TUESDAY, NOVEMBER 22, 2016.**
2. Party Making Request: Interim City Manager, Marvin Townsend
3. Nature of Request: (Brief Overview)
4. Attachments: Yes _____ No X
5. Motion Requested

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 11.4.2016

MEETING DATE: 11.8.2016

1. Agenda Item: **PLACE ON THE NOVEMBER 27, 2016 AGENDA DISCUSSION REGARDING THE PROCESS TO BE FOLLOWED TO SELECT THE NEXT CITY ATTORNEY.**
2. Party Making Request: Mayor Pro Tem DeLaRosa
3. Nature of Request: (Brief Overview)
4. Attachments: Yes _____ No X_____
5. Motion Requested