

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: Consideration, discussion and possible action regarding approval of minutes from Regular Council Meeting of November 10, 2015.

2. Party Making Request: **City Secretary, Ann Franklin**

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

This is to receive approval of accuracy from Council for the minutes recorded during the October 13, 2015 Council Meeting.

4. Policy Implication:

5. Budgeted: _____ Yes _____ No _____ N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)				
b)				
c)				

8. Staff Recommendation: Approval

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
NOVEMBER 10, 2015**

The Bastrop City Council met in a Regular Meeting on Tuesday, November 10, 2015 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem DeLaRoas, and Council Members Dock Jackson, Gary Schiff, Kay Garcia McAnally and Kelly Gilleland.

CALL TO ORDER

Mayor Kesselus called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Veterans City Manager Mike Talbot, Victor Gonzales and Terry Haggerty led the Pledge of Allegiance and the Pledge to the Texas Flag.

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS

Georgina Ngozi presented the Bastrop Museum & Visitor Center of the Bastrop County Historical Society Operations and Maintenance Budget.

PROCLAMATIONS

1. Recycling -

Mayor Kesselus read the proclamation and Dorothy Skarnulis accepted it.

2. Arbor Day –

Mayor Kesselus read the proclamation. The Mayor presented the proclamation at the annual Arbor Day event on November 7, 2015.

ANNOUNCEMENTS

1. Council Member Jackson gave a presentation at the Red, White and Blue Banquet honoring the Veterans. Council Member Jackson stated that the banquet was very inspiring. The speaker was Captain Jerry Yellin, a ninety one year old World War II Veteran who was a Fighter Pilot and he told an amazing story about his bombing of Pearl Harbor. Council Member Jackson stated that it was an honor for him to represent the City of Bastrop.

CITIZEN COMMENTS

Roland Nava – Mr. Nava expressed the concern of the covered bus shelters not being completed as of yet and why the stones with the children's imprints are not being used yet. The covered bus shelters were on the City Manager's report, City Manager Talbot responded to Mr. Nava's concern. The City Manager stated that he had initially taken a design to the Council, a shelter that was made of wood and the Council requested that the City Manager look into getting a metal constructed shelter. The design specifications were drawn up, the desire was to have them designed in a manner in which the shelters could be bought as

kits. There was difficulty in finding a metal manufacturer but one was found, Council was advised of this at the October 27, 2015 meeting and was given the comparison between the metal and the wood. On the City Manager's report this issue is listed because it was not clear in which direction the Council wanted the City Manager to go and the City Manager's plan is to get this direction tonight and once he has this information he will order the appropriate kit. Mr. Nava asked if there was any way he could be informed because the people are concerned and would like to know what is going on. The City Manager replied "sure". The Mayor stated that half of the tiles are ready to go and the other half are being made. The City Manager stated that he was not aware that all of the tiles were not complete. The City Manager stated that the shelter could be constructed with a temporary base until the rest of the tiles were complete. The City Manager stated that he is committed to putting the first one in and working with the person that the Mayor has been working with to get the hand prints.

Mr. Nava announced that there will be a community picnic on November 14, 2015 and he invited the Mayor, Council and City Manager to attend. Mr. Nava suggested that maybe the Mayor, Council and City Manager could attend in rotation because of the possible questions that the citizens may have. He believes that it would be respectful to the citizens if someone from the Council could be there to answer the questions. The City Manager asked the date. Mr. Nava stated that it would be on November 14th on Main and Linden from 2:00 p.m. to 5:00 p.m. The City Manager stated that he would be there.

Danielle Huber – Ms. Huber spoke on behalf of the Bastrop Opera House and reported the successful launch of the Bastrop Academy of Performing Arts for Young People. Ms. Huber reported special achievements of the Opera House. On October 6th the Bastrop Academy of Performing Arts for Young People was initiated, two classes meet every Tuesday through December 22nd. Curriculum include: Performing Arts Technique and discipline as well as plays, musicals and contest entry. Ages six through sixteen are involved in the two classes.

Shawn Pletsch – Reminded everyone of the Main Street celebration set for Thursday, November 12, 2015 at Neighbors Yard for State and National awards.

ANNOUNCEMENTS CONTINUED

A. Update on Comprehensive Plan Steering Committee– Kay Garcia McAnally and Dock Jackson

Council Member Jackson reported that a Steering Committee meeting is coming up on Friday, November 20, 2015. After the meeting there will be a more in-depth report for the public as well as the Council.

Council Member Schiff announced that he had received a tour of all the City facilities from City Manager Mike Talbot. Council Member Schiff stated that it was very educational. City Manager Talbot made the offer of the tour to the Mayor and other Council Members. The City Manager stated that he feels the tour will be helpful going forward by giving a frame of reference on some issues. Mayor Kesselus suggested to the City Manager that he schedule three council members at a time for the tour, this will save on the trips.

Council Member Jackson announced:

- Veterans Car Show on November 14, 2015.
- Community Picnic on November 14, 2015.
- Houston Tillotson University is looking at expanding into the Bastrop area by offering classes and possibly a facility. They are putting together a study to get City, County and Community involvement.

- TML Region X meeting on December 9, 2015, Senator Kirk Watson is being honored.

Council Member Gilleland announced that the “Team Up To Clean Up” is in the final week of competition. The awards will be presented to the winners at the November 24, 2015 Council meeting.

E. EXECUTIVE SESSION

The Bastrop City Council met at 7:13 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.*, to discuss the following:

1. **SECTION 551.071(1)(A) & SECTION 551.071(2)** – (1) consultation with attorney concerning: pending litigation, including but not limited to issues related to code enforcement actions, municipal water rights, and SOAH hearing on City’s LPGCD water permit for Well No. 1, and (2) matters upon which the attorney has a duty and/or responsibility to report to the governmental body.

At 8:17 p.m. the Bastrop City Council reconvened into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items noted below, and/or related items.

City Manager Talbot stated that he understood based upon the discussion and review that the Council was satisfied with the manner in which he has handled the permitting process to date. The direction is to continue in the direction that has been set and to continue to put the same effort that has been put forth so far as the process goes forward in preparation for the January meeting.

City Manager’s Informational Report for the November 10, 2015 City Council Meeting:

I. Meetings and Events Attended:

- A. **Attended the Texas Water Law Conference in Austin October 29-30, 2015**
- B. **Attend mediation regarding SOAH Hearing October 26, 2015**
- C. **Taped the First Episode of Moving Bastrop Forward with CM Mike Talbot November 4, 2015**

II. Update on City Projects and Issues:

- A. **Discussion and Review of Water Usage for the period of October 26, 2015 through November 7, 2015.**
- B. **Update on the City of Bastrop’s Long Term Water Supply Project.**
- C. **Update Regarding the FY-16 Annual City Council Planning Retreat**
- D. **Update on Upcoming Meetings and Events.**
 - City Manager Talbot had a request for Council to have a joint meeting with the Planning and Zoning Commission on Thursday, November 19th or Monday, November 23rd. The City Manager stated that issues have come up and this is an area that Council placed emphasis on as a redevelopment area. The City Manager believes that this meeting would be beneficial. The Mayor asked the City Manager how long he anticipated the meeting to take. The City Manager stated that he will do his best to limit it to two hours or shorter. The Mayor asked the City Manager if he was advising the Council that it is of importance to have the special meeting. The City Manager stated that he does believe it is important. The City Manager stated that he believes that this meeting will set the framework for future issues such as this because it has

been such a long time sense there has been a project such as this. He believes that once there is a general understanding between Council and the Planning and Zoning he does not foresee having this being a reoccurring matter. The Mayor stated that he will call the meeting on behalf of the City Council and he believes that Ms. Patterson will call it on behalf of the Planning and Zoning Commission. The Council had a consensus from the dais to set the meeting for November 23, 2015.

E. Update on the Comprehensive Plan – Next Steering Comm. Meeting November 20, 2015 @ 8:00 AM at City Hall

F. Update on the Water Filtration Project – Willow Park Well Field

G. Update on the Bus Shelters in the Northern area of the City.

- City Manager Talbot stated that he did not want any miscommunication between him and the Council, he is asking for direction on what the Council would like for him to do and how to proceed on this project. There has not been a conclusive decision on whether or not to go metal. Mayor Pro Tem DeLaRosa asked about the dollar amount. The City Manager stated that the metal is about \$5,000 and the wood is approximately \$1,500 to \$2,000. City Manager Talbot stated that what he initially agreed to in order to jump start the program was that the City would put the first shelter in and leave it up to organizations and groups to raise funds to install additional shelters. Council Member Gilleland asked the City Manager if he was saying that prefab kits would be available upon request or would the City wait for the organizations or groups to come forward before ordering. The City Manager stated that the City would wait for the organizations or groups to come forward but his understanding is that there is not going to be a lot of production time since the a kit will have already been made. Council Member Gilleland asked if the City could do the first one as metal and an organization could do a wood one later. The City Manager replied “if that is acceptable to the Council.” The Mayor stated that someone came up with the idea that there should be a uniform look among the shelters others have said not necessarily. The Mayor stated that he was working on this with the City Engineer, the Chairman of the Construction Standards Board and a local carpenter, everyone in the group except him said it would not be a good idea to use wood. The Mayor stated that this project was agreed upon because the North area had been neglected for a while and that this needs to be done and the initial one should be put up and fulfill the Council’s pledge.

Council Member Gilleland made the motion to instruct the City Manager to use metal for the bus shelters in the Northern area of the City, seconded by Council Member Jackson. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.

H. Update and Discussion Regarding the West Bastrop Village Municipal Utility District.

I. Update on the Texas Department of Transportation “Tahitian Village Overpass Project.

J. Update on Removing the “Sand Bar” in Front of the Boat Ramp at Fisherman’s Park.

K. Update on Bastrop Marketing Corporation/Hyatt Lost Pines

L. Discussion and review of the Boys and Girls Club Agreement

- City Manager Talbot stated that the City is currently working with the YMCA(Y) but is not sure if the plan is going to work so he is still moving forward with Plan B. The Plan B footprint will fit on the site. The extension of the agreement is still unsettled and this was the question being asked of the City Manager. The Mayor asked if it was true that the agreement could be extended at any time. The City Manager replied yes. If the Council goes another route there is nothing prohibiting the Council from resurrecting the agreement with the Y by an extension or another time frame for them to do their Capital Fund Program that is referenced in their presentation. Council Member Schiff asked what the length of time is that is being requested. The City Manager stated that they are asking for five years. The Mayor asked the City Manager

if the door is being closed by letting the agreement expire. The City Manager replied “no.” The Mayor asked the City Manager when the Council could expect a recommendation from him on the Plan B. The City Manager stated by December the 8th.

M. Chestnut Street Fire Station Renovation

N. Appointment of a Board Member to the Bastrop County Appraisal District

- The City Manager informed the Council that if they have a desire to exercise the right to appoint a board member to the Bastrop County Appraisal District they will need to inform the City Manager or the City Secretary prior to the November 24th meeting. The deadline to get the information in to the Appraisal District is November 30th.

O. Update on the PEG Channel

P. Management/Administrative Activities

III. Other City Activities:

A. City of Bastrop Convention Center Activities.

B. The City of Bastrop Main Street Program.

C. Planning Department – Inspection Report.

D. Update on the YMCA Program

Inviting input from the City Council related to issues for possible inclusion on future agendas related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

EXECUTIVE SESSION: *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon's TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters

A. CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

- A.1 Consideration, discussion and possible action regarding approval of minutes from Special Called Meeting of October 8, 2015 and Regular Council Meeting of October 27, 2015.
- A.2 Consideration, discussion and possible action regarding approval of the second reading of an ordinance amending City Code Section 12.06.002, implementing a parallel parking zone in the Central Business District of the city, along the east side of Main Street [between Pine Street

- and Chestnut Street]; providing enforcement authority related to same; containing a severability clause; and establishing an effective date.
- A.3 Consideration, discussion and possible action regarding approval of a standard 'Conflict of Interest' forms, approved by the Ethics Commission, for all City boards, commissions, task force members and other City officials.
- A.5 Approval of Bastrop Marketing Corporation's request for reimbursement of funds for September 2015 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.
- A.7 Consideration, discussion and possible action by the City Council for approval and adoption of the resolution adding Financial Northeastern Securities, Inc. to the eligible broker/dealer list to engage in investment transactions on behalf of the City Of Bastrop in accordance with the City Of Bastrop's Investment Policy.
- A.8 Approval of the statutory denial, for a period of 180 days from the date of Council action on a request for the Administrative Plat of Allen Subdivision located on North Main and Old McDade Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).
- A.9 Approval of the statutory denial, for a period of 180 days from the date of Council action on a request for the Washington No. 2 Final Plat located north of Mesquite Street and west of an unopened portion of Hill Street within the city limits of Bastrop, Texas.
- A.10 Approval of the Final Plat for XS Ranch Road, Section One located within the City of Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

Council Member Schiff made the motion to approve the Consent Agenda, seconded by Mayor Pro Tem DeLaRosa. The Consent Agenda was approved on a vote of 4-0. Council Member McAnally was off the dais.

DISCUSSION ITEM

Items A.4 and A.6 were discussion items removed and voted on separately from the consent agenda.

- A.4 Consideration, discussion and possible action regarding the second reading of an ordinance amending Chapter 5 and Chapter 9 of the City Of Bastrop Code Of Ordinances and re-codifying portions of Chapter 5 into Chapter 9; creating and enumerating the powers and duties of the positions of Director of Public Safety, Fire Chief and Assistant Police Chief; adding provisions concerning the administration of the Bastrop Volunteer Fire Department; repealing provisions of Chapter 5 regarding the position of Fire Marshal; creating the position of Fire Inspector; amending provisions related to the powers and duties of City Of Bastrop Volunteer Firefighters; providing a savings and a repeal clause; and providing an effective date.

Council Member Gilleland made the motion to approve the ordinance with the amendment to uniformly list "City of Bastrop Volunteer Fire Department" throughout the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.

- A.6 **Consideration, discussion and possible action by the City Council for approval and adoption of the resolution adding Texas Cooperative Liquid Assets Securities System Investment Pool (Texas Class), a Local Government Investment Pool administered by Public Trust Advisors, LLC, thus creating a program for diversification of the City of Bastrop's investments in accordance with the Public Funds Investment Act, Texas Government Code, Section 2256.001 Et Seq. and the City Of Bastrop's Investment Policy.** Mayor Pro Tem DeLaRosa made the motion to approve the resolution, seconded by Council Member Jackson. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.

B. PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION

- B.1 **PUBLIC HEARING: Consideration, discussion and possible action on a Variance to the Subdivision Ordinance, Section 6.50.2 (A) requiring that each lot in a subdivision abut on a public street. The proposed Taylor Lane Subdivision is a +/- 2.97 acre out of the Nancy Blakey Survey A98 located on Taylor Lane in the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).**

Council Member Schiff made the motion to approve the variance, seconded by Mayor Pro Tem DeLaRosa. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.

- B.2 **Conduct a public hearing to receive citizens input on an amendment to the Zoning Ordinance, Chapter 14, Section 36.2, Zoning Use Charts and A-3, Definitions. Amend to define moving of existing building(s)/structure(s) with a Conditional Use Permit (CUP) within residential zoning classifications and to amend Chapter 3, Building Regulations, Article 3.16.002 and 3.16.006.**

The Mayor asked if the City of Bastrop were to bring in manufactured homes there are standards that it must have met when being manufactured, it has met all the necessary codes as it is being manufactured but if an individual desires to move in a house from another property this will allow the City to inspect and make sure it is up to code prior to the house being moved. The Planning Director stated yes, it looks at inspecting and getting a good parameter of the structure prior to being moved and it would allow neighbors to be notified. Council Member Gilleland asked if someone wanted to move a structure into the City it must be inspected first. The Director of Planning responded yes. Council Member Gilleland asked what the parameters were for inspection. The Director of Planning stated a certified inspector to establish and look at the structure and determine whether or not the structures needs to be brought up to compliance. Council Member Gilleland asked if the opportunity was there to deny a structure that the City did not feel was able to be brought up to standard with the code. The Director of planning stated yes and the Planning and Zoning Commission as well as the Council would have the ability to look at the shape of the structure. The Mayor stated that it also sounds like it would prevent a house being on the ground in the City that is in bad shape and not up to code and the individual moving a structure would have an advanced notice as to what the construction cost would be regarding moving the structure. Council Member Gilleland asked at what point will an individual be told that the structure cannot be moved into the City. The Director of Planning stated that this allows a lot of information to be shared prior to a structure being moved to see what condition the structure is in and what the outcome is going to be. It will give not only the staff but the Council what the purview is on what is going on with the structure. The Mayor stated and the owner of the structure. Council Member Schiff asked if a structure does not meet code requirements in the City would the staff inform the owner of what it would require for the structure to meet the standards of the City and would you not restrict the owner from moving the house as long as they make the upgrades. The Director of Planning replied absolutely although the approval of moving the structure would be through the

conditional use permitting process. It does reside with the Planning Department to a certain degree but it also has to get approval from the Planning and Zoning Commission and the Council. Council Member Schiff asked but if it is rejected it would state “this is why we are rejecting it” and then the owner could mitigate it and go round and round until they achieved acceptance to bring the structure in. The Director of Planning stated yes. Council Member Gilleland asked the Director if she was saying the conditional use permit will only be issued once the owner has made the upgrades that the City approves or only when they agree to make them once the structure is moved into town. The Director stated that the conditional use permit establishes a process, it starts with an inspection of the structure which has been lacking before and it gives the property owner time to start thinking about what improvements would need to be made to the structure once it is moved in. It also establishes a timeline. Council Member Gilleland stated that she still was not clear, if the owner comes to the City with a building that does not meet the code at this time and the owner plans to make it meet the code can the structure be moved into the City based on the rules of this item is there anything that would prevent the owner from moving the structure. The Director replied nothing would prevent the owner from moving the structure if the structure meets the condition use requirements as long as the owner gets the approval of the Planning Commission and Council.

The public hearing was closed without objection.

- B.3 **First reading of an ordinance granting amendments to the zoning ordinance, Chapter 14, Section 36.2 Zoning Use Charts and A.3 Definitions Defining The Movement Of Existing Building(s)/Structures(s) with a Conditional Use Permit (CUP) within residential zoning classifications and amending Chapter 3, “Building Regulations” Article 3.16.002 AND 3.16.006; providing a severability clause; and providing an effective date.**
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.
- B.4 **PUBLIC HEARING: Conduct a public hearing to receive citizens input on a request to rezone +/-1.774 acres out of a +/-2.837 acre tract within Farm Lot 10 East of Main Street, from MF-2, Multi Family-2 to SF-7, Single Family Residential-7 located north of Mesquite Street also known as 1006 Mesquite within the city limits of Bastrop, Texas.**
The public hearing was closed without objection.
- B.5 **First reading of an ordinance granting a zone change for +/-1.774 acre tract out of farm lot 10 East of Main Street, from MF-2, Multi Family-2 TO SF-7, Single Family Residential-7 located North Of Mesquite Street also known as 1006 Mesquite within the city limits of Bastrop, Texas; and providing an effective date.**
Council Member Jackson made the motion to approve the first reading of the ordinance, seconded by Council Member Jackson. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.
- B.6 **Conduct a public hearing to receive citizens input on a request for a CUP, Conditional Use Permit to allow a manufactured home at 1006 Mesquite Street, being +/-0.500 acres out of Farm Lot 10 East of Main Street, Lot 2 of the proposed Washington No. 2 Subdivision an area zoned SF-7, Single Family Residential-7 within the city limits of Bastrop, Texas.**
The public hearing was closed without objection.
- B.7 **First reading of an ordinance granting a CUP, Conditional Use Permit to allow a manufactured home at 1006 Mesquite Street, being +/-0.500 acres out of Farm Lot 10 East of Main Street, lot 2 of the proposed Washington NO. 2 subdivision an area zoned SF-7, Single**

Family Residential-7 within the city limits of Bastrop, Texas; setting out conditions; and providing an effective date.

Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion passed on a vote of 4-0. Council Member McAnally was off the dais.

B.8 CONDUCT A PUBLIC HEARING: “Request by CSW Development to overturn a prior decision of the Bastrop Municipal Sign Review Board, made on April 1, 2015, denying a request by CSW for Variances to the City of Bastrop Code of Ordinances – Sign Ordinance Section 3.20.016 (4) Poly signs on S.H. 71 to: (1) allow for an increase in the total square footage allowed, from the standard 160 square feet up to 224 square feet (i.e., an increase of 64 square feet), and (2) increase the height of the sign from the standard 35 feet height up to a height of 50 feet (i.e., a 15 foot increase).

Mayor Pro Tem DeLaRosa asked if the Planning Director would be a part of the discussion. The City Manager stated that the ordinance just says that the item comes to the City Manager. The City Manager stated that he put all of the Planning Director’s staff reports in the packet. Mayor Pro Tem DeLaRosa stated this item has gone before the BEDC several months ago and whether the Council overturns the decision or not the meeting regarding the sign ordinance because of the overpass will still take place. The City Manager stated that Mayor Pro Tem DeLaRosa did instruct him to conduct an evaluation and this has begun and the information is forthcoming. Mayor Kesselus stated that if this item is approved it should be the start to an effort to amend the sign ordinance. The Mayor stated that this is not to say that the Sign Review Board made a mistake, they were following rules that were antiquated. Council Member Gilleland asked why the BEDC is involved. Council Member Schiff stated that it came up at the BEDC and the board was disappointed that the rules do not allow for signs to be seen from the highway and there is a sign ordinance that is forty three pages long that seems overly restrictive and it is time to look at it. Council Member Gilleland stated if the BEDC wants to bring their opinion forward it should be done so formally and not because three of the Council Members are on the BEDC and have knowledge about it. Council Member Schiff stated that he takes offense to the statement because whether he does or does not sit on the BEDC board it does not have anything to do with the sign ordinance being adequate or inadequate. Anyone can look at the sign ordinance and the conditions in the field and say the old rules do not make sense for the current conditions it has nothing to do with BEDC. Council Member Gilleland reiterated that she does not understand why the BEDC was brought into the discussion at this point. Council Member Schiff stated that the developer who was doing the project came to BEDC and asked why they were not allowed to use the desired square footage. Council Member Schiff stated “It was brought to us because it was brought to us and I don’t know why it was brought to us.” The Mayor stated that Council Member Gilleland’s question was a good one and the place for the BEDC to weigh in is when the sign ordinance is discussed and Mayor Pro Tem DeLaRosa and Council Member Schiff are giving information about a conversation that took place at one of the next most important public entity. The Mayor feels that if the BEDC wanted to represent in this variance case they would be at the meeting, he does feel that the conversation had to do with a broader issue and the City Manager is working on that issue under the instructions of the Council. The Mayor is hopeful that the BEDC will be represented as a body with weighing in with their opinion during the conversation of the sign ordinance. Council Member Gilleland stated that she agrees with the Mayor’s comments but that there is a perception that the three Council Members who sit on the BEDC are privy to different information than what the Council is privy to. Ms. Gilleland stated if BEDC would like to weigh in they should weight in through their director who addresses the issue with Council. The City Manager stated that he advised the Council that this is not the only business that has contacted the City Manager’s office regarding the sign ordinance and based upon that information the Council instructed the City Manager to start analyzing and looking at this issue as it relates to the overpasses. The City

Manager has started the process and the report will be submitted to the Council. Council Member Gilleland stated that she was trying to separate BEDC business from Council business unless it is brought as the body of the BEDC addressing Council.

Council Member Jackson stated in addition to the signs on the highway the City of Bastrop worked out an agreement with TXDot for signs to list businesses that are coming up at the next exit. He asked the applicant if that was something his businesses was anticipating doing because that is another way of marketing and it is effective. The applicant stated that he would be looking into this but that he had not done it before. Council Member Jackson stated to the applicant that he is hopeful that this would be included in the marketing.

Mayor Pro Tem DeLaRosa stated that there were signs that were grandfathered in and he asked if anyone had checked the sites to determine how many 50 or above signs there are. The City Manager stated that it was referenced in the sign ordinance hearing, there were approximately four to six but the exact height was not given but they were above the 35 foot. Mayor Pro Tem DeLaRosa asked if there were any above 50. The City Manager stated that he believes the signs were right at 50.

The public hearing was closed without objection.

- B.9 **Consideration, discussion and possible action regarding granting a variance to the City of Bastrop Code of Ordinances – Sign Ordinance Section 3.20.016 (4) Poly signs on S.H. 71 to: (1) allow for an increase in the total square footage allowed, from the standard 160 square feet up to 224 square feet (i.e., an increase of 64 square feet), and (2) increase the height of the sign from the standard 35 feet height up to a height of 50 feet (i.e., a 15 foot increase.**
Council Member Schiff made the motion to approve the variance with the findings of the City Manager, seconded by Council Member Gilleland. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

Mayor Kesselus stated for the record that he is very appreciative of the Sign Review Board, it is a hard working board and he feels that they do a good job of trying to apply the law, the ordinances that have been set. He encourages the Council to vote yes and if so he hopes that the City Manager, the Citizens of the community and the Sign Review Board take it as an indication that the sign ordinance is antiquated in regards at least to this issue and the City Manager stated clearly what some of the parameters can be if it is changed. This is a way to make a statement not just about this issue but it may be the first of what needs to be for everyone going forward.

C. OLD BUSINESS - NONE

D. NEW BUSINESS

- D.1 **Consideration, discussion and possible action regarding approval of the first reading of an ordinance of the City Council of the City of Bastrop, Texas, amending Section 1.15.501 “Creation of Ethics Commission” of the “Ethics Ordinance” in the Code of Ordinances of the City of Bastrop; providing a severability clause; and providing an effective date**
Council Member Gilleland made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

D.2 Consideration, discussion and possible action regarding approval of a resolution of the City Council of Bastrop, Texas, an opportunity for the City to address and correct the inaccuracy of the forecasts of the flood's crest level and coordination between agencies responsible for forecasting flood levels on the Lower Colorado River.

Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Jackson. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

D.3 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports and Quarterly Investment Report for the period ending Sept 30, 2015.

Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Jackson. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

D.4 Consideration, discussion and possible action regarding approval of the First Amendment to Amended and Restated Development Agreement.

Mayor Pro Tem DeLaRosa asked for an explanation regarding the debt liability. The City Manager stated as part of issuing the PID Bonds as he understands it, the applicant must put their property up for collateral as issuance of the bonds to secure their investments and to make sure that the return is received. After going through the process that has been going on for the last few months of putting this together it is financial protection for the applicants to ensure that they receive their investment back. Council Member DeLaRosa asked the City Manager to explain the liability and debt for the Citizens of Bastrop. The City Manager explained if the City annexed there will be no liability other than the City would be dealing with the same issue that was dealt with in Hunters Crossing, there would be City taxes and a PID tax. Mayor Pro Tem DeLaRosa asked if the City will assume any debts or liabilities, he wanted it stated into the record. The City Manager stated that he has struggled with from Hunters Crossing to any PID how the City is not liable but is the vehicle that issues the bonds. The City Manager stated that it is the way the law is written, the City does not have any liability. The way the law is structured the municipality is the only authorized vehicle to issue the PID Bonds so the applicants must come through the City but there is no liability to the City. The City Manager stated for the record that this is his answer to the best of his ability but if the Mayor Pro Tem wanted a more concrete answer he would suggest getting a PID expert to explain the law because the City Manager is not a PID attorney. The City Manager stated that the conversation was now getting above the interpretation of the law and he does not want to be accused of misleading the Council. The Mayor Pro Tem stated that he was not accusing the City Manager and that he did not ask for PID information and that Hunters Crossing should be enough for the Council to take notice. The City Manager reiterated that his understanding of Hunters Crossing there is an assessment now for Capital Reassessment the City has no liability whether the FourStar gets it or not the City is just a vehicle that assessing the Capital reimbursement and turn it over to FourStar. As the City Manager understands with the bonds the applicant must go through a city to issue the bonds especially since the project is with the City's ETJ. As the City Manager understands the law there is no liability to the City. The City Manager stated that he can only repeat what the attorney has told him. The City Manager took the time to speak with the Bond Counsel because of the change and this was the Bond Counsel's layman explanation to the City Manager.

Council Member Jackson stated that he is not a PID authority either although he serves on the PID Board for Hunters Crossing but that does not make him an expert nor does he profess to be but his understanding of the situation is that the City would have no liability unless the City were to annex and if that were to happen there would be costs that would come into play. As the City Manager has explained and as Council Member Jackson understands the mechanism has to be executed by a City and that is why the City is contemplating taking the action in this case.

The City Manager wanted to make one point of clarification, if the Council does annex this property the Council has one of two decisions to make: 1) to continue to assess the PID or 2) to pay the PID Bonds off, in essence the City would then be issuing Certificates of Obligations or some other method of financing to pay the PID off and if the City did not pay the PID off it would have to carry the assessment forward. The Mayor stated that he understood if the PID and the land the houses are on inside the PID were annexed how is it different from what the City has in Hunters Crossing. The City Manager stated that it would not be. The City Manager stated when it is annexed there are two options, you can continue to assess the PID fund on top of the City taxes or you can issue bonds and pay off the PID Bonds and the PID assessment will no longer be in existence and that would be a financial analyses that would have to be made at that time to see if there is an increase revenue being received and offsetting the issuance of bonds. It could be at least five years before this would occur after annexing but the City Manager stated that he did not know. The Mayor asked what the length of time is that the City is bound to not annex. The City Manager replied that the City has agreed to not annex up to ten years. The City Manager stated that the City could have annexed up front. The Mayor stated that he wanted to say for the people following the Council that it would make no sense except for the City's concern for the people living in that area to not annex it immediately in terms of money. The Mayor stated if the City had the chance to annex Hunters Crossing at this time and get the revenue from the Ad valorem tax it would not hurt the City in any way the same is true with this property which is the reason for the owner asking for the ten years and whatever the condition of the PID after ten years in terms of money it would make no sense for the City not to annex. The Mayor wanted to make everyone aware of the vulnerability of the owner doing this. The Mayor stated that he is not advising anyone to do this but he believes this is the way the situation is.

John Landwier the representative for XS Ranch stated that the development agreement was reinstated in November, 2015. This item is an amendment to the development agreement not an amendment to what was discussed per the PID these are things that were a part of the PID discussion and it came from previous discussions with Council regarding the MUD and annexation.

Council Member Jackson made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

D.5 Consideration, discussion and possible action regarding waiving all City Of Bastrop Building Permits for those individuals who lost their residential structures from the recent fire or flood and decide to rebuild to rebuild their homes back in the city limits of the City Of Bastrop.

Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion passed on a vote of 4-0. Council Member McNally was off the dais.

D.5 Update from the City Manager on the status of the SOAH Hearing, pending before the Honorable Michael J. O'Malley, related to the City's Production Permit for Water Well No. 1.

The City Manager stated that the SOAH Hearing that was scheduled for November 9, 2015 had been rescheduled by the Judge to January 6, 2016.

E. EXECUTIVE SESSION - NONE

ADJOURNMENT

At 10:05 p.m., Council Member Gilleland made the motion to adjourn, Council Member Schiff seconded the motion which passed on a 4-0 vote. Council Member McNally was off the dais.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: **SECOND READING OF AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW A MANUFACTURED HOME AT 1006 MESQUITE BEING A +/- 0.500 ACRES OUT OF FARM LOT 10 EAST OF MAIN STREET, LOT 2 OF THE PROPOSED WASHINGTON NO. 2 SUBDIVISION, AN AREA ZONED SF7, SINGLE FAMILY RESIDENTIAL-7 WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes ____ No ____

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No _____ N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

8. Staff Recommendation: **Staff recommends approval of the Conditional Use Permit to allow a manufactured home at 1006 Mesquite Street, Lot 2, of the proposed Washington #2 Subdivision, with the following conditions:**

1. **Construction and permits submitted shall be in conformance with the City of Bastrop regulations and shall meet the zoning requirement of Section 17 and special requirements of Section 35.4, including concrete/asphalt parking/driveway.**
2. **All necessary permits for the proposed development shall be acquired prior to construction/movement of the manufactured home on the subject property.**
3. **A Building Permit shall be applied for and secured within one (1) year from the date the conditional use permit is granted (second reading of the ordinance).**

9. Advisory Board: XX Recommended Approval ____ Recommended Denial ____ None

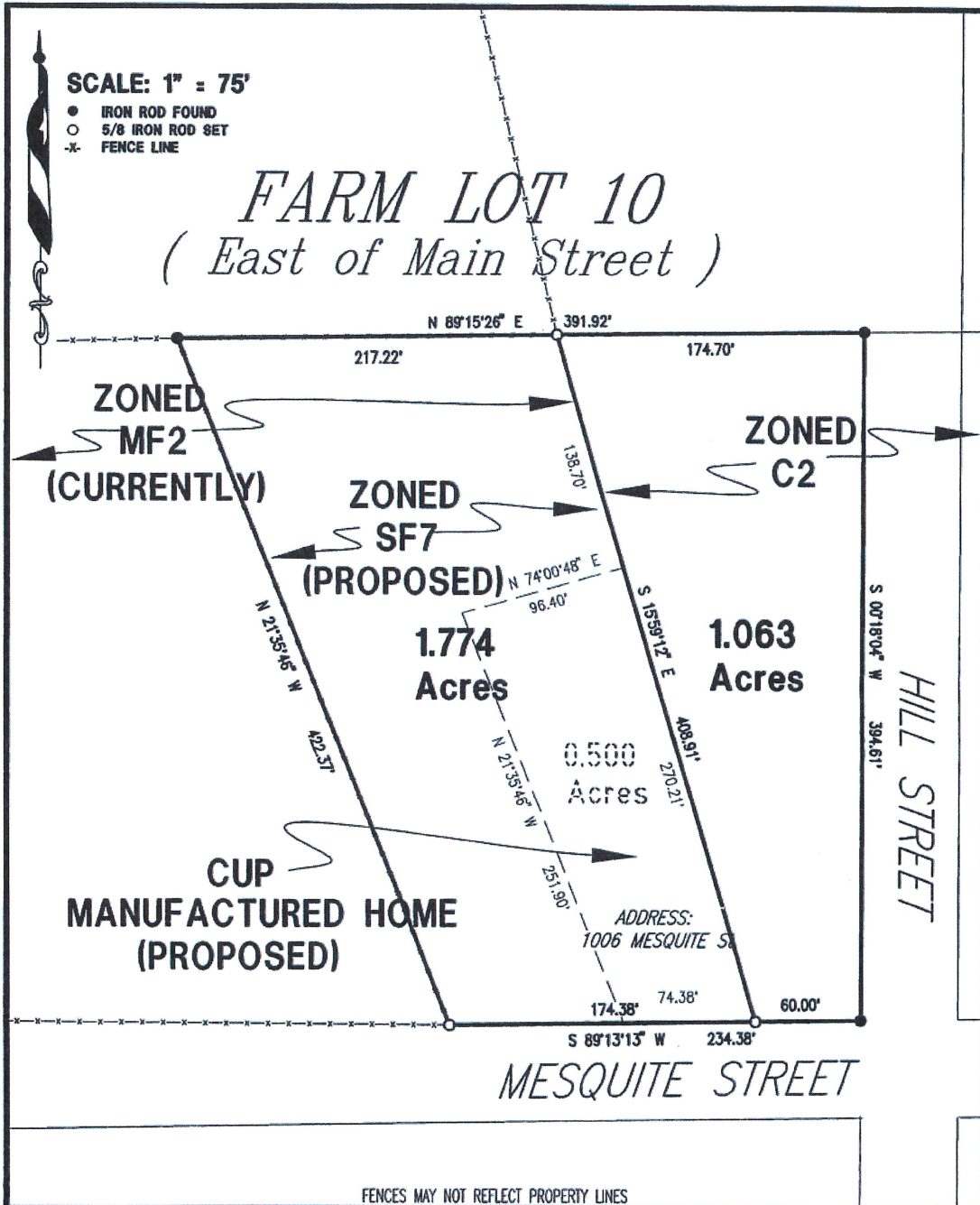
The Planning and Zoning Commission conducted a public hearing October 29, 2015 and unanimously voted five (5) in favor to recommend approval of a CUP, Conditional Use Permit, with staff's conditions, to allow a manufactured home at 1006 Mesquite Street Lot 2 of the proposed Washington No. 2 Subdivision.

One (1) Planning and Zoning Commission member, Richard Kindred, abstained as he is a relative of the applicant.

EXHIBIT A



EXHIBIT A

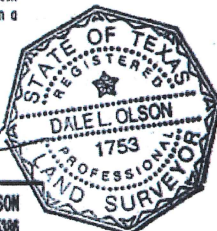


The undersigned does hereby certify to; the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has frontage on a dedicated road way, except as shown hereon.

CERTIFIED COPY ONLY
IF YELLOW SEAL IS PRESENT

Dale L. Olson

DALE L. OLSON
REG. NO. 1753
DALE L. OLSON SURVEYING COMPANY
DATE: 10/15/15



DALE L. OLSON

REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of TWO - TRACTS out of
FARM LOT 10, (East of Main Street),
in The City of Bastrop,
Bastrop County, Texas.

SCALE: 1" = 75.00'

DRAFTSMAN: K. Coehrs

DATE: 10/15/15

BRIAN & RUTHIE WASHINGTON

DSK-FILE 364-86

ORDER 15-365-86

PLAT FILE -0-

EXHIBIT A

DALE L. OLSON

Registered Professional Land Surveyor
711 Water Street
Bastrop, Texas 78602
Phone (512)321-5476 Fax (512)303-5476
olsonsurvey@sbcglobal.net

FIELD NOTES FOR A 0.500 ACRE TRACT OUT OF FARM LOT 10, EAST OF MAIN STREET,
CITY OF BASTROP, BASTROP COUNTY, TEXAS.

BEING a 0.500 acre tract or parcel of land out of and being a part of Farm Lot 10, East of Main Street, in the City of Bastrop, as recorded in Plat Cabinet 1, Page 23A, Bastrop County Plat Records, and being a part of that certain 2.836 acre tract in Farm Lot 10, East of Main Street, as described in a deed from Anna Tipton Holt and spouse, Billy Ray Holt, to Brian S. Washington, Sr., recorded in Doc. No. 201508642, Bastrop County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a 3/8 inch iron rod found at the intersection of the north line of Mesquite Street and west line of Hill Street, the southeast corner of Farm Lot 10, East of Main Street, and the Washington 2.836 acre tract.

THENCE with the north line of Mesquite Street and the south line of Farm Lot 10, East of Main Street, and Washington 2.836 acre tract, S 89 deg. 13 min. 13 sec. W, 60.00 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, for the southeast corner of this tract.

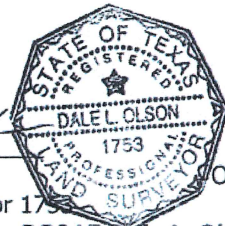
THENCE continuing with the north line of Mesquite Street and the south line of Farm Lot 10, East of Main Street, and the Washington 2.836 acre tract, S 89 deg. 13 min. 13 sec. W, 74.38 feet to a 5/8 inch iron rod set for the southwest corner of this tract, from which a 3/8 inch iron rod found at the southwest corner of the Washington 2.836 acre tract bears S 89 deg. 13 min. 13 sec. W, 100.00 feet.

THENCE N 21 deg. 35 min. 46 sec. W, 251.90 feet to a 5/8 inch iron rod set for the northwest corner of this tract.

THENCE N 74 deg. 00 min. 48 sec. E, 96.40 feet to a 5/8 inch iron rod for the northeast corner of this tract.

THENCE S 15 deg. 59 min. 12 sec. E, 270.21 feet to the POINT OF BEGINNING, containing 0.500 acres of land.


Dale L. Olson
Reg. Pro. Land Surveyor 1753



Michael D. Olson
Reg. Pro. Land Surveyor 5386

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Order# 15-364-8s_B

Date Created: 10-15-15

ORDINANCE NO. 2015-26

AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW A MANUFACTURED HOME AT 1006 MESQUITE BEING A +/- 0.500 ACRES OUT OF FARM LOT 10 EAST OF MAIN STREET, LOT 2 OF THE PROPOSED WASHINGTON NO. 2 SUBDIVISION, AN AREA ZONED SF7, SINGLE FAMILY RESIDENTIAL-7 WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brian and Ruthie Washington (hereinafter referred to as the “Applicant”), filed a request for a Conditional Use Permit on September 9, 2015 to allow a Conditional Use Permit to allow a manufactured home at 1006 Mesquite Street being +/- 0.500 acres out of Farm Lot 10 East of Main Street. Lot 2 of the proposed Washington No. 2 Subdivision, an area zoned, SF7, Single Family Residential-7 within the city limits of the City of Bastrop, Texas as shown on Exhibit “A”; and

WHEREAS, pursuant to Section 36.2 of the Use Charts within the Zoning Ordinance of the City of Bastrop, Texas; and

WHEREAS, pursuant to Section 33 of the City’s Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held on October 30, 2015, by the Planning and Zoning Commission (hereinafter referred to as the “Commission”) regarding the Applicant’s request for a Conditional Use Permit; and

WHEREAS, following a public hearing on October 30, 2015 and consideration of the evidence and testimony presented therein, the Commission recommended approval of the Applicant’s request for a Conditional Use Permit, subject to certain conditions set forth herein; and

WHEREAS, pursuant to Section 33 of the Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held November 10, 2015 by the City Council regarding the request for a Conditional Use Permit by the Applicant; and

WHEREAS, after consideration of the information presented, City Council finds that it is in the public interest to approve the requested Conditional Use Permit to allow a manufactured home at 1006 Mesquite Street, subject to conditions noted herein.

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

Part 1: The Conditional Use Permit requested by Brian and Ruthie Washington to allow a manufactured home at 1006 Mesquite Street being +/- 0.500 acres out of Farm Lot 10 East of Main Street, Lot 2 of the proposed Washington No. 2 Subdivision, an area

zoned SF7, Single Family Residential-7 within the city limits of the City of Bastrop, Texas, is hereby approved, subject to compliance with the following conditions:

1. Construction and permits submitted shall be in conformance with the City of Bastrop regulations and shall meet the zoning requirements of Section 17 and special requirements of Section 35.4, including concrete/asphalt parking/driveway.
2. All necessary permits for the proposed development shall be acquired prior to construction/movement of the manufactured home on the subject property.
3. A Building Permit shall be applied for and secured within one (1) year from the date the conditional use permit is granted (second reading of the ordinance).

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 10th day of November, 2015.

READ and APPROVED on the Second Reading on the 24th day of November, 2015.

APPROVED:

ATTEST:

Kenneth Kesselus
Mayor

Ann Sullivan
City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: **SECOND READING OF AN ORDINANCE GRANTING A ZONE CHANGE FOR +/- 1.774 ACRES OUT OF FARM LOT 10 EAST OF MAIN STREET FROM MF-2, MULTI-FAMILY-2 TO SF-7, SINGLE FAMILY RESIDENTIAL-7 LOCATED NORTH OF MESQUITE STREET ALSO KNOWN AS 1006 MESQUITE STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes ____ No ____

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No _____ N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

8. Staff Recommendation: **Staff recommends approval of the requested zoning change for +/-1.774 acres out of a +/-2.837 acre tract, out of Farm Lot 10, East of Main Street from MF-2, Multi-Family-2 to SF-7 Single Family Residential-7, located north of Mesquite Street also known as 1006 Mesquite Street.**

9. Advisory Board Recommendation: XX Recommended Approval ____ Denial ____ None

The Planning and Zoning Commission conducted a public hearing October 29, 2015 and unanimously voted five (5) in favor to recommend approval of the rezoning of +/-1.774 acres out of a +/- 2.837 acre tract, out of Farm Lot 10, east of Main Street from MF-2, Multi-Family-2 to SF-7, Single Family Residential-7, located north of Mesquite Street also known as 1006 Mesquite Street.

One (1) Planning and Zoning Commission member, Richard Kindred, abstained as he is a relative of the applicant.

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

ORDINANCE NO. 2015-25

AN ORDINANCE GRANTING A ZONE CHANGE FOR +/- 1.774 ACRES OUT OF FARM LOT 10 EAST OF MAIN STREET FROM MF-2, MULTI-FAMILY-2 TO SF-7, SINGLE FAMILY RESIDENTIAL-7 LOCATED NORTH OF MESQUITE STREET ALSO KNOWN AS 1006 MESQUITE STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brian and Ruthie Washington (hereinafter referred to as the “Applicant”), filed a request for a zone change on September 9, 2015 to rezone +/-1.774 acres out of a +/- 2.837 acre tract of land within Farm Lot 10 East of Main Street, from MF-2, Multi Family-2 to SF-7, Single Family Residential-7 located north of Mesquite Street also known as 1006 Mesquite Street within the city limits of the City of Bastrop, Texas as shown on Exhibit “A”; and

WHEREAS, pursuant to Section 36.2 of the Use Charts within the Zoning Ordinance of the City of Bastrop, Texas; and

WHEREAS, pursuant to Section 33 of the City’s Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held on October 29, 2015, by the Planning and Zoning Commission (hereinafter referred to as the “Commission”) regarding the Applicant’s request for the zone change from MF-2, Multi Family-2 to SF-7, Single Family Residential-7 for 1006 Mesquite Street; and

WHEREAS, following a public hearing on October 29, 2015 and consideration of the evidence and testimony presented therein, the Commission recommended approval of the Applicant’s request for a zone change from MF-2, Multi-Family -2 to SF-7, Single Family Residenital-7 for 1006 Mesquite Street; and

WHEREAS, pursuant to Section 33 of the Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held November 10, 2015 by the City Council regarding the request for a zone change from MF-2, Multi-Family-2 to SF-7, Single Family Residential-7 for 1006 Mesquite Street by the Applicant; and

WHEREAS, after consideration of the information presented, City Council finds that it is in the public interest to approve the requested zone change from MF-2, Multi Family-2 to SF-7, Single Family Residenital-7 for 1006 Mesquite Street.

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

Part 1: The zone change requested by Brian and Ruthie Washington for +/-1.774 acres out of a +/-2.837 acre tract, out of Farm Lot 10, East of Main Street from MF-2, Multi Family-2 to SF-7, Single Family Residential-7, located north of Mesquite Street also

known as 1006 Mesquite Street within the city limits of the City of Bastrop, Texas, is hereby approved.

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 10th day of November, 2015.

READ and APPROVED on the Second Reading on the 24th day of November, 2015.

APPROVED:

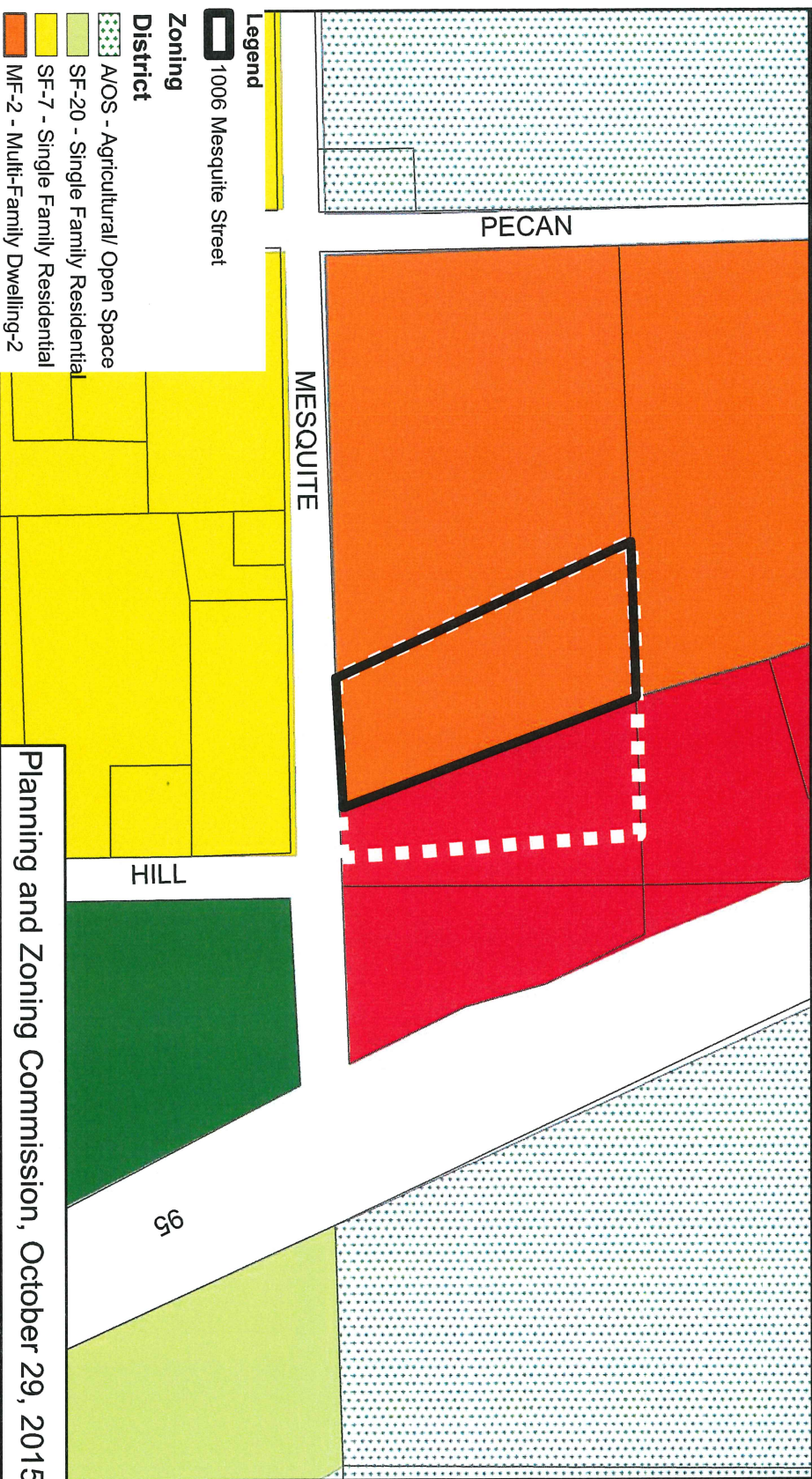
ATTEST:

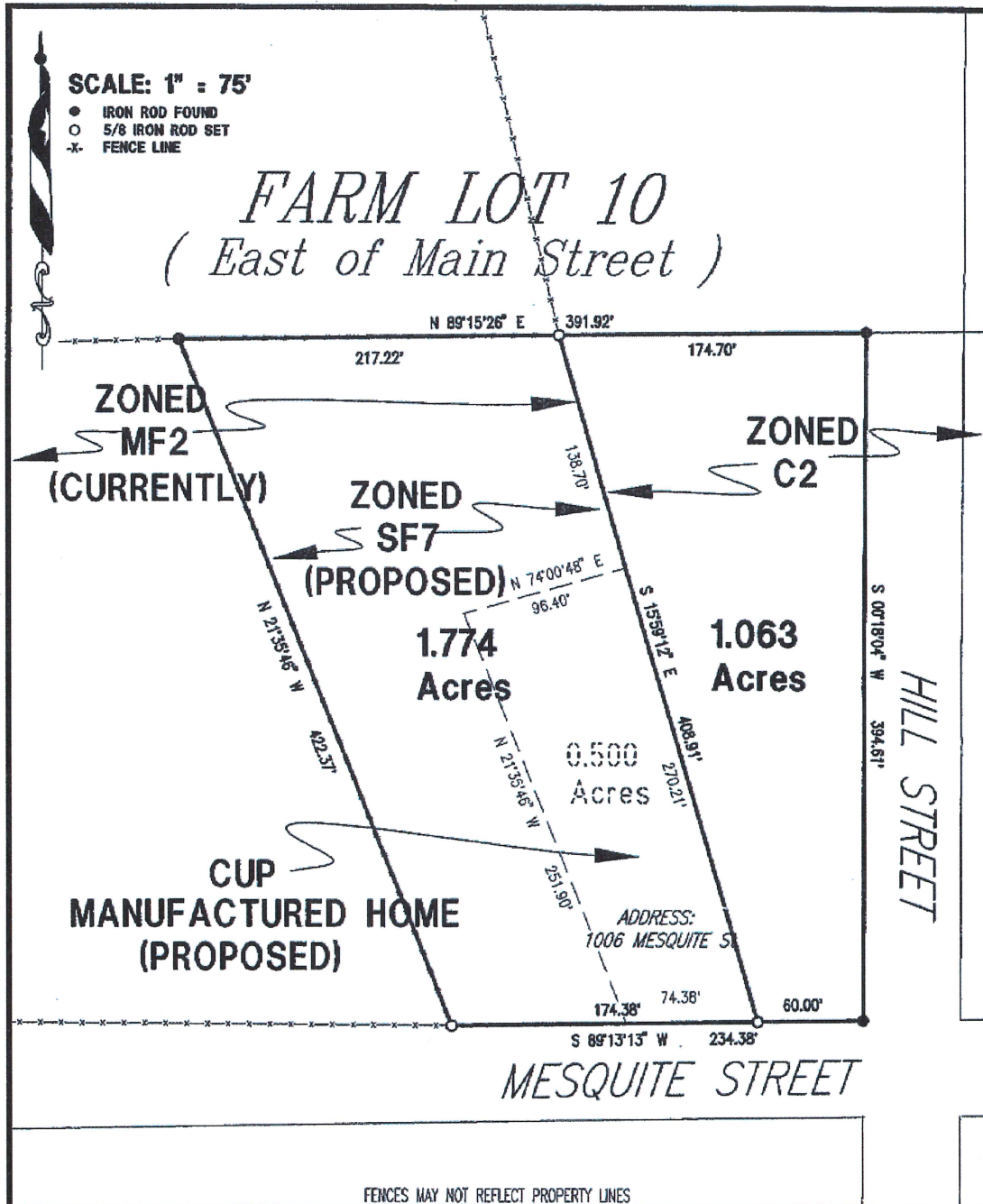
Kenneth Kesselus
Mayor

Ann Sullivan
City Secretary



Property Location Map for 1006 Mesquite Street

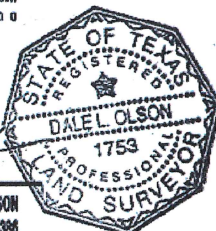




The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has frontage on a dedicated road way, except as shown hereon.

CERTIFIED COPY ONLY
IF YELLOW SEAL IS PRESENT

Dale L. Olson



DALE L. OLSON
REG. NO. 1753
DALE L. OLSON SURVEYING COMPANY
DATE: 10/15/15

MICHAEL D. OLSON
REG. NO. 5388

DALE L. OLSON

REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of TWO - TRACTS out of
FARM LOT 10, (East of Main Street),
in The City of Bastrop,
Bastrop County, Texas.

SCALE: 1" = 75.00'

DRAFTSMAN: K. Coates

DATE: 10/15/15

BRIAN & RUTHIE WASHINGTON

DSK-FILE 364-Ba

ORDER # 15-365-Ba

PLAT FILE # -0-

DALE L. OLSON

Registered Professional Land Surveyor
711 Water Street
Bastrop, Texas 78602
Phone (512)321-5476 Fax (512)303-5476
olsonsurvey@sbcglobal.net

FIELD NOTES FOR A 1.774 ACRE TRACT OUT OF FARM LOT 10, EAST OF MAIN STREET,
CITY OF BASTROP, BASTROP COUNTY, TEXAS.

BEING a 1.774 acre tract or parcel of land out of and being a part of Farm Lot 10, East of Main Street, in the City of Bastrop, as recorded in Plat Cabinet 1, Page 23A, Bastrop County Plat Records, and being a part of that certain 2.836 acre tract in Farm Lot 10, East of Main Street, as described in a deed from Anna Tipton Holt and spouse, Billy Ray Holt, to Brian S. Washington, Sr., recorded in Doc. No. 201508642, Bastrop County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a 3/8 inch iron rod found at the intersection of the north line of Mesquite Street and west line of Hill Street, the southeast corner of Farm Lot 10, East of Main Street, and the Washington 2.836 acre tract.

THENCE with the north line of Mesquite Street and the South line of Farm Lot 10, East of Main Street, and the Washington 2.836 acre tract, S 89 deg. 13 min. 13 sec. W, 60.00 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, for the southeast corner of this tract.

THENCE continuing with the north line of Mesquite Street and the south line of Farm Lot 10, East of Main Street, and the Washington 2.836 acre tract, S 89 deg. 13 min. 13 sec. W, 174.38 feet to a 3/8 inch iron rod found at the southwest corner of the Washington 2.836 acre tract, for the southwest corner of this tract.

THENCE with the west line of the Washington 2.836 acre tract N 21 deg. 35 min. 46 sec. W, 422.37 feet to a 5/8 inch iron rod set at the northwest corner of same, for the northwest corner of this tract.

THENCE with the north line of the Washington 2.836 acre tract, N 89 deg. 15 min. 26 sec. E, 217.22 feet to a 5/8 inch iron rod set for the northeast corner of this tract, from which a 1/2 inch iron rod found in the northeast line of Farm Lot 10, East of Main Street, and west line of Hill Street at the northeast corner of the Washington 2.836 acre tract bears N 89 deg. 15 min. 26 sec. E, 174.70 feet.

THENCE crossing the Washington 2.836 acre tract, S 15 deg. 59 min. 12 sec. E, 408.91 feet to the POINT OF BEGINNING, containing 1.774 acres of land.



Dale L. Olson

Reg. Pro. Land Surveyor 1753

OR

Michael D. Olson

Reg. Pro. Land Surveyor 5386

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Order# 15-364-8s_R

Date Created: 10-15-15

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 12, 2015MEETING DATE: November 24, 2015

1. Agenda Item: **SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING SECTION 1.15.501 "CREATION OF ETHICS COMMISSION" OF THE "ETHICS ORDINANCE" IN THE CODE OF ORDINANCES OF THE CITY OF BASTROP; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

2. Party Making Request: Council Member Kelly Gilleland

3. Nature of Request: (Brief Overview) Attachments: Yes _____ No X_____

Councilmember Ms. Kelly Gilleland developed the attached "Ordinance" and would like to review and discuss this ordinance with the Mayor and members of the City Council.

4. Policy Implication: None.

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**

a) _____

b) _____

c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

ORDINANCE NO. 2015 - 28

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS,
AMENDING SECTION 1.15.501 "CREATION OF ETHICS COMMISSION" OF THE
"ETHICS ORDINANCE" IN THE CODE OF ORDINANCES OF THE CITY OF
BASTROP; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, on or about January 10, 2012, the City Council of the City of Bastrop, Texas adopted a Code of Ethics, which applies to both the elected officials and employees of the City of Bastrop, and

WHEREAS, on or about March 2012, in compliance with Section 1.15.501, entitled "Creation of Ethics Commission," the City Council appointed the Honorable Chris Duggan, the Reverend Lisa Hines, and Corporal Wuthipong Tantaksinanukij, to serve as the three members of the Ethics Commission, and

WHEREAS, on or about November ___, 2015, the City Council has met to evaluate and consider a potential amendment to the Ethics Code, related to Section 1.15.501, et seq. and has, after careful study and review, determined that a clarifying addition and amendment to the Ethics Code, as noted herein below, will enhance the function of the Ethics Commission of the City.

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

Part 1. That Section 1.15.501 "Creation of Ethics Commission" is hereby amended to read as follows.

Section 1.15.501 "Creation of Ethics Commission"

- a. An Ethics Commission shall be created and consist of three (3) members, all of whom must reside within jurisdiction of the City, which for purposes of this Ordinance expressly includes the City's extraterritorial jurisdiction. Within sixty (60) days of its adoption of this Ordinance, each member of the City Council will submit to the City Attorney names of recommended appointees. The City attorney will provide the recommended appointees to

the Mayor, who will then appoint the three (3) members of the Ethics Commission, upon concurrence of the members of the City Council.

- b. Notwithstanding any other general prohibition or policy of the City against judges serving on City boards and commissions, due to the specialized nature of the Ethics Commission, in its sole discretion, the City Council may determine that it is appropriate, in the best interest of the City, and/or the preference of the governing body of the City for the Mayor to appoint, with the City Council's concurrence, a judge to serve on the Ethics Commission. For purposes of this section, the judge appointed to the Ethics Commission, if any, may be currently serving or may be retired from the bench of any governmental entity, except the City, and may have been either elected or appointed to his/her judicial position.

Part 2: All other provisions of the Bastrop Code of Ethics shall remain in full force and effect, and unamended.

Part 3: This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Bastrop, and this Ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any in such other ordinance or ordinances are superseded.

Part 4: If any provision of this Ordinance or application thereof to any person or circumstance is 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.

Part 5: The Mayor is hereby authorized to sign this Ordinance and the City Secretary to attest. This Ordinance shall become effective immediately.

PASSED AND APPROVED ON FIRST READING ON THIS 10th DAY OF November, 2015.

PASSED AND ADOPTED ON SECOND READING ON THE 24th DAY OF
November, 2015.

APPROVED:

ATTEST:

Mayor Ken Kesselus

Ann Franklin, City Secretary

Approved in Form:

Jo-Christy Brown, City Attorney
Shan Rutherford, City Attorney

City of Bastrop

Investment Policy

Deleted: Approved 8/11/15¶

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I. INTRODUCTION

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Bastrop in order to achieve the goals of safety, liquidity, yield, and public trust for all investment activity. The City Council of the City of Bastrop shall review its investment strategies and policy annually. This policy serves to satisfy the statutory requirement (specifically the Public Funds Investment Act, Texas Government Code, Chapter 2256 (the "Act")) to define, adopt and review a formal investment strategy and policy. The policy provides conformance to all statutes, rules, and regulations governing the investment of public funds.

II. INVESTMENT STRATEGY

The City of Bastrop may maintain separate portfolios, or one commingled portfolio which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios. The investment objective for each portfolio will maintain the following priorities in order of importance: preservation and safety of principle, liquidity, diversification, understanding of the suitability of the investment to the financial requirements of the City, marketability of the investment and lastly yield.

Operating funds and commingled pools containing operating funds objective will assure that anticipated cash flows are matched with adequate investment liquidity. An additional objective is to create a diversified portfolio structure, which will experience minimal volatility during economic cycles. This may be accomplished by purchasing high quality, short- to medium-term securities, which will complement each other in a laddered or barbell maturity structure. The dollar weighted average maturity of 1 year or less will be calculated using the stated final maturity date of each security.

Debt service funds shall have as their objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. No extended investment may be made unless the prior debt service dates are fully funded.

Debt service reserve funds primary objective is the ability to generate a revenue stream to the appropriate debt service fund from securities with a low degree of volatility. Securities should be high quality and, except as may be required by the bond ordinance specific to an individual issue, of short to intermediate-term maturities. Volatility shall be further controlled through the purchase of securities, within the desired maturity and quality range.

Special projects or special purpose fund portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include at least 10% in highly liquid securities to allow for flexibility and unanticipated project outlays. The state final maturity dates of securities held should not exceed the estimated project completion date.

III. SCOPE

This investment policy applies to all financial assets of the City of Bastrop. These funds are accounted for in the City's Annual Financial Report and include the General Fund, Special Revenue Funds, Debt Service Funds, Capital Projects Funds, Enterprise/ Proprietary Funds and any new fund unless specifically exempted by the City Council.

IV. OBJECTIVES

The primary objective of the City's investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid capital losses, whether they are from securities defaults or erosion of market value. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and local law.

The City shall maintain a comprehensive cash management program, which includes collection of accounts receivable, vendor payment in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum yield on short-term investment of pooled idle cash.

The City's investment portfolio shall be structured such that the City is able to meet all obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow requirements, by investing in securities with active secondary markets.

The City's cash management portfolio shall be designed with the objective of regularly matching or exceeding the yield on comparable U.S. Treasury Bill. The investment program shall seek to augment returns above this threshold consistent with risk limitations identified herein and prudent investment policies.

V. RESPONSIBILITY AND CONTROL

A. Investment Officer

Under the direction of the City Manager, the Chief Financial Officer is designated as investment officer of the City and is responsible for investment decisions and activities. The investment officer shall attend at least one training session relating to the officer's responsibility under the Act within 12 months after assuming duties. Thereafter, eight hours of training must be completed every two fiscal years. The training cycle is concurrent with the city's fiscal year.

B. Internal Controls

The Chief Financial Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal

control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. Accordingly, the Chief Financial Officer shall establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- ✓ Control of collusion.
- ✓ Separation of transaction authority from accounting and record keeping.
- ✓ Custodial safekeeping.
- ✓ Clear delegation of authority to subordinate staff members.
- ✓ Written confirmation for telephone (voice) transactions for investments and wire transfers.

C. Prudence

The standard of prudence to be applied by the investment officer shall be the “prudent investor” rule, which states: “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.” In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the City’s control, over which the officer has responsibility rather than a consideration as to the prudence of single investment.
2. Whether the investment decision was consistent with the written investment policy of the City.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security’s credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

D. Ethics and Conflicts of Interest

City staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City and they shall further disclose positions that could be related to the performance of the City’s portfolio. City staff shall subordinate

their personal financial transactions to those of the City, particularly with regard to timing of purchases and sales.

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity.

VI. REPORTING

The Chief Financial Officer shall submit a written quarterly investment report of investment transactions for the preceding reporting period to the City Manager and City Council. The report will include a description in detail of the investment position of the City. To include a summary of investments, and their beginning market value, additions and changes to the market value during the period, ending market value, and fully accrued interest for the reporting period. The report should include a description of each investments. The market value of the portfolio must be determined at least monthly. Market prices will be obtained from an independent source.

If the City invests in other than money market mutual funds, investment pools or bank time and demand accounts in any bank the reports prepared by the investment officers under this section shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

VII. INVESTMENT PORTFOLIO

A. Active Portfolio Management

The City shall pursue a conservative pro-active versus passive portfolio management philosophy. That is, securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade. The investment officer will routinely monitor the contents of the portfolio, the available markets, and the relative value of competing instruments, and will adjust the portfolio accordingly. The City is not required to liquidate investments that were authorized investments at the time of the purchase.

B. Authorized Investments

Assets of the City of Bastrop may be invested only in the following instruments; as further defined in the Act. At least 3 competitive offers or bids must be obtained for all individual security purchases and sales. (Transactions with money market mutual funds, local government investment pools and when-issued securities shall also be evaluated with comparable investments.

1. Authorized

- a. Obligations of the United States of America, its agencies and instrumentalities.
- b. Direct obligations of the State of Texas and agencies thereof.
- c. Other obligations, the principal of and interest on which are unconditionally guaranteed by the State of Texas or United States of America or their respective agencies or insured by, or backed by the full faith and credit with a maximum maturity of three years.
- d. Obligations of any US states or agencies and subdivisions thereof, having been rated as A or better by a national credit rating agency with a maximum maturity of three years.
- e. FDIC insured or collateralized depository certificates of deposit from banks collateralized in accordance with this policy and with a maximum maturity of two years.
- f. FDIC insured brokered certificate of deposit securities issued by any US state delivered versus payment to the City's safekeeping agent not to exceed one year to maturity. Before purchase, the investment officer must verify the FDIC status of the bank on www.fdic.gov to assure the bank is FDIC insured.
- g. Fully collateralized repurchase agreements with a defined termination date secured by obligations of the United States or its agencies collateralized as defined by this policy and executed under the Bond Market Association Master Agreement. Securities purchased by the City shall be held by an independent custodian approved by the City. Repurchase agreements transacted with a primary government securities dealer, as defined by the Federal Reserve.
- h. Local government investment pools in Texas which invest in instruments and follow practices allowed by the Act.
- i. Commercial paper, rated A1P1 or equivalent by two rating agencies with a maximum maturity of ninety days.
- j. Interest bearing accounts in any bank in Texas.
- k. AAA-rated money market funds striving to maintain a \$1 NAV.

Deleted: one

Deleted: Constant-dollar local government investment

2. Not Authorized

The City's authorized investments options are more restrictive than those allowed by state law. State law specifically prohibits investment in the following investment securities:

- a. An obligation whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- b. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- c. Collateralized mortgage obligations that have a state final maturity date of greater than 10 years.
- d. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

C. Maximum Maturity and Weighted Average Maturity

The City of Bastrop intends to match the maturities with liability and liquidity needs of the City. In no case will the average dollar-weighted maturity of investments of the City's operating funds exceed two years. The maximum final stated maturity of any investment shall not exceed three years.

D. Risk and Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification, which shall be achieved by the following general guidelines:

Risk of issuer default is controlled by limiting investments to those high credit quality instruments allowed by the Act, further restricted by policy.

Market risk can be limited by avoiding over-concentration assets in a specific maturity sector and limitation of average maturity of operating funds investment to two years.

VIII. SELECTION OF BANKS AND DEALERS

1. Depository

At least every five years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal (RFP). In selecting a depository, the services, costs, earning potential and credit worthiness of institutions shall be considered. The Chief Financial Officer shall conduct a comprehensive review of prospective depositories' credit characteristics and financial history.

2. Securities Broker/Dealers

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following as appropriate:

- audited financial statements
- proof of Financial Industry Regulatory Authority (FINRA) certification
- proof of Texas registration
- completed City broker/dealer questionnaire
- policy certification of review of the City's investment policy signed by an authorized representative of the organization to include acknowledgment that the firm has implemented reasonable procedures and controls in an effort not to sell investments to the City unauthorized by policy.

3. List of Qualified Brokers

The City Council will annually adopt, by resolution a list of authorized brokers to engage in investment transactions with the City. Each broker/dealer will provide the required policy certification before any transaction can be executed.

IX. COLLATERAL, SAFEKEEPING AND CUSTODY

A. Time and Demand Deposit Pledged Collateral

All bank time and demand deposits shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits less an amount insured by the FDIC. Evidence of the pledged collateral shall be provided by the Custodian. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement. Monthly reports of collateral shall be provided directly from the custodian on a monthly basis.

Collateral pledged to secure deposits of the City shall be held by an independent financial institution outside the holding company of the depository in accordance with a written safekeeping agreement under the terms of FIRREA. The safekeeping agreement shall clearly define the procedural steps for gaining access to the collateral should the City determine that the City's funds are in jeopardy. The safekeeping institution, shall be the Federal Reserve Bank or an institution not affiliated with the firm pledging the collateral.

B. Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the City. It will be held by an independent third party safekeeping agent approved by the City under an executed Bond Market Association Master Repurchase Agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

C. Authorized Collateral Defined

The City of Bastrop shall accept only the following securities as collateral:

1. FDIC insurance coverage.
2. Obligations of the US Government, its agencies and instrumentalities including mortgage-backed securities and CMO which pass the bank test.
3. Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas.
4. Securities from any US state and its subdivisions rated as A or better by national recognized rating agencies.

D. Subject to Audit

All collateral shall be subject to inspection and audit by the Chief Financial Officer or the City's independent auditors.

X. INTERNAL CONTROLS

A. Delivery vs. Payment Security Settlement

All securities shall be settled into City safekeeping using the delivery vs. payment method. That is, payments shall not be made until the correct security was received by the safekeeping agent. The security shall be held on behalf of the City. The Trustee's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City by the safekeeping agent.

B. Loss of Credit Rating

The investment officer shall monitor, on no less than a monthly basis, the credit rating on all authorized investments in the portfolio requiring ratings based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer shall notify the City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available.

C. Monitoring FDIC Coverage

The Investment Officer shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the investment officer shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

XI. INVESTMENT POLICY ADOPTION

The City of Bastrop investment policy shall be reviewed and adopted by resolution of the City Council on at least an annual basis. Any changes made to the policy shall be reflected in the adopting resolution.

Adopted: _____

XII. GLOSSARY OF TREASURY TERMS

Agencies: Federal agency securities.

Asked: The price at which securities are offered to be sold to the City.

Bid: The price at which the City would sell its securities.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies and used to define the securities bought and sold under a repurchase agreement signifying ownership by the City.

Comprehensive Annual Financial Report (CAFR): The official annual report for the City of Bastrop. It includes five combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and detailed statistical section.

Coupon: (a) The annual rate interest that a bonds' issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to bond evidencing interest due on a payment date.

Dealer: A dealer, as opposed to a broker, carries an inventory of securities and may act as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment (DVP): Delivery versus payment means delivery of securities with a simultaneous exchange of money for the securities. It guarantees that the City always has control of its security or its fund.

Discount: The difference between the cost price of security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, for example: U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, for example: S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per depositor.

Federal Funds Rate (the "Fed Rate"): The rate of interest at which Federal funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks in relation to member commercial banks.

Federal National Mortgage Association (FNMA or Fannie Mae): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and secondary loans in addition to fixed-rate mortgages. FNMA's securities are highly liquid and widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The president of the New York Federal Reserve Bank is a permanent member while the other presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of government securities in the open-market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., twelve (12) regional banks, and about 5,700 commercial banks that are members of the system.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable quantities can be purchased at those quotes.

Local Government Investment Pool (LGIP): A local cooperative of a political subdivisions allowing for joint investment and reinvestment of assets.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: A simultaneous buy-sell transaction used primarily for short term investing performed only under a Bond Market Association Master Repurchase Agreement. The master agreement defines the transaction, identifies the relationship between the parties, establishes practices regarding ownership and custody of the securities during the term of the investment, provides remedies in the case of default, and clarifies ownership.

Maturity: The date on which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A primary dealer is designated by the NY Fed with strong restrictions which submits daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and is subject to its formal oversight. The list of current primaries is found on the www.nyfed.gov.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Rate of Return: The rate obtainable on a portfolio or security based on its purchase price or its current market price. A rate of return portfolio is based on and traded to parallel an index and indicates active trading of the portfolio.

Repurchase Agreement (RP or REPO): A buy-sell transaction in which a holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SEC Rule 15C3-1: See uniform net capital rule.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission (SEC): Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Treasury Bills (T Bills): A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bond: The longest U.S. Treasury securities being auctioned at the time – usually 30-year maturity.

Treasury Notes: Intermediate-term, coupon-bearing U.S. Treasury securities having initial maturities from two to ten years.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called *net capital rule* and *net capital ratio*. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) Income Yield is obtained by dividing the current dollar income by the current market price of the security. (b) Net Yield or Yield to Maturity is the current income yield minus any premium above par.

RESOLUTION NO. R-2015-27

**A RESOLUTION APPROVING AND ADOPTING THE INVESTMENT POLICY
FOR THE CITY OF BASTROP, TEXAS, AND MAKING VARIOUS
PROVISIONS RELATED TO THE SUBJECT.**

WHEREAS, the Public Funds Investment Act, Texas Government Code Ann., Chapter 2256 (the "Act"), provides that the governing body of an investment entity shall adopt a written investment policy regarding the investment of its funds; and

WHEREAS, the written Investment Policy, as amended, will further protect City Assets by identifying investment objectives, addressing the issues of investment risks versus rewards, and providing the framework for the establishment of controls, limitations and responsibilities of City employees in the performance of their fiduciary responsibilities;

WHEREAS, the City Council must approve any amendments to such Investment Policy; and

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

- (1) The City Council of the City of Bastrop, Texas, approves and adopts the revised Investment Policy attached hereto as Exhibit A and made a part hereof by this reference.

PASSED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 24th day of November, 2015.

APPROVED:

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: **Approval of the statutory denial, for a period of 180 days from the date of Council action on a request for the Replat of Piney Ridge, Section 3 Lot 24 located on north of Black Jack Lane within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

A city must take action on a plat within 30 days or the plat is automatically approved.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**

a) _____

b) _____

c) _____

8. Staff Recommendation: **Staff recommends approval of the statutory denial.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: **Approval of Taylor Lane Subdivision Final Plat being +/- 2.97 acres out of the Nancy Blakey Survey A98 located on Taylor Lane in the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X X No

November 10, 2015, City Council approved the request for a variance to the Subdivision Ordinance allowing Lots 2 and 3 to be accessed through the 30' access easement.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

8. Staff Recommendation: **A plat note (note 16) has been added with regards to the variance to Section 6.50.2A as granted by City Council. The plat appears to meet all other subdivision requirements and staff recommends approval of the Taylor Lane Final Plat.**

9. Advisory Board Recommendation: _____ Recommended Approval _____ Denial _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

November 24, 2015

Project Description:

Final plat for the proposed Taylor Lane Subdivision being +/-2.97 acres out of the Nancy Blakey Survey A98 located on Taylor Lane in the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

Item Summary:

Owners: Maria Del Rosario Tellez-Valtierra, Mario C. Perez and Naomi and Michael Langham
Applicant: Maria Del Rosario Tellez-Valtierra, Mario C. Perez and Naomi and Michael Langham
Location: 2.97 acres east of Taylor Lane in the ETJ.
Utilities: Aqua water, septic, and Bluebonnet electric

Background:

The proposed three (3) residential lots are located within Area A of the Bastrop, Texas Extra Territorial Jurisdiction (ETJ), north of State Highway 21 and east of Union Chapel Road on Taylor Lane. The subdivision consists of three (3) +/-0.99 acre parcels that have been in this configuration since 1983. Our Subdivision Ordinance legal lot date is April 20, 1981.

Lot 1 has an existing home, Lot 2 is vacant and Lot 3 has an existing home. There is an existing 30' access easement and gravel drive that serves all three lots.

Section 6.50.2 (A) of the Subdivision Ordinance requires each lot within a subdivision abut a public street. Lots 2 and 3 of this proposed subdivision do not abut Taylor Lane. Access to these lots are through a 30' access easement. November 10, 2015, City Council granted a request for a variance to the requirement that lots abut a public street.

Comments: Eleven (11) adjacent property owner notifications were mailed 10/26/2015. Two responses were received – neither had an objection to the request.

Staff Recommendation:

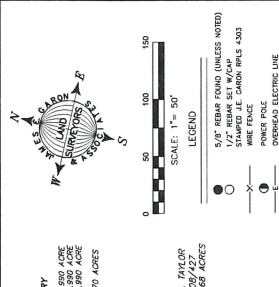
Staff recommends approval of the Final Plat for the Taylor Lane Subdivision as this subdivision appears to meet all other subdivision requirements and has remained in this configuration for 32 years. All three property owners are applicants on the plat submittal.

City Contact:

Melissa M. McCollum, AICP, LEED AP, Director
Planning and Development Department

Attachments:

Copy of proposed plat and two responses



MY E. RUSSELL ET AL
10000 S. 22ND AVE.
TOL. 323, PG. 679
TOL. 340, PG. 698

1-STORY RESIDENCE

316.507

LOT 9
0.990 ACRE

MARIA DEL ROSARIO TELLEZ
2297/620
0.999 ACRE

356.737

VISION

KANE SUBDIVISION
FINAL PLAT

TAYLOR

LOT 1
0.980 ACRE
MICHAEL W. LANGHAM &
1536 / 455
0.980 ACRE

340.54'

340.54'

340.54'

340.54'

A hand-drawn map of a property. At the top is a rectangular building labeled 'MANUFACTURED BUILDING'. Below it is a 'DIRT DRIVE'. To the right of the dirt drive is a 'WATER METER'. Further right is a '10' GRAVEL DRIVE'. The map is oriented with North at the top. At the bottom, there are two bearings and distances: 'N 12°43.0' W 128.23'' and 'N 12°43.0' W 128.22''. On the left side, there is a label 'DIRT DRIVE' and a 'WATER METER'.

LOCATION MAP
North to Scale

DOWN GUY
CORRUGATED METAL PIPE
CLIP
(SEE FIG. 1-7)
POINT OF BEGINNING
P.B.B.
CLIP
(SEE FIG. 1-7)
POINT OF BEGINNING
P.B.B.

[illegible]

W 1036.62' 2015 BY THE
N 1036.62' DAY OF BASTROP, TEXAS
P L P
C L O R
S
C O R E S
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I
DISCLOSED AUTHORITY ON THIS DAY PERSONALLY APPEARED
IN PERSON AND VOLUNTARILY SUBMITTED TO ME THAT HE KNOWS
THE INSTRUMENT AND ACKNOWLEDGES TO ME THAT HE KNOWS
THE CONTENTS AND PURPOSES WHEREIN EMPLOYED.
SIGNED AND SEAL OF OFFICE THIS _____ DAY OF _____

S
NOTARY / CLERK

S 77255
 6 77255
 J.H. TA
 2025 A
 420 A

STATE OF TEXAS
 COUNTY OF MADRID
 BEFORE ME, THE UN-
 DER-SIGNED, A PUBLIC
 OFFICER, HAS PRESENTED
 TO ME THE FOLLOWING
 INSTRUMENT OF RECORDING
 TO BE RECORDED IN THE
 PUBLIC RECORDS OF THE
 COUNTY OF MADRID, TEXAS, A.D.
 2015, A.D.
 NEWBURY PUBLIC IN-
 THE STATE OF TEXAS
 PRINTED NAME OF THE
 APPROVED THIS
 CITY COUNCIL OF THE

AT 1 MARIA DEL ROSARIO BELLY, VALLESPA
AS AND CONVICTION OF THE BLADED
SHERIFF, BEING THE OWNER OF LONG ACRES OUT
TO ME IN (RED) RECORDED IN VOLUME
INSTRUMENT BEING THE OWNERS OF ESTATE OUT
TO ME IN (RED) RECORDED IN VOLUME
TO ME IN (RED) RECORDED IN VOLUME, AND
SUBJECT TO ANY EASEMENTS OR
RECORDATIONS.

COUNTY OF BASTROP
STATE OF TEXAS

TAYLOR LANE
(of E.O.A.)

[illegible][illegible][illegible]

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APPROVED:	
KEN KESSELUUS, MA	
STATE OF TEXAS	
COUNTY OF BASTROP	
JAMES C. GARDEN	
ACCOUNTS RECEIVABLE	
ACCOUNTS PAYABLE	
PROPERTY TAX	
JAMES C. GARDEN	
REG. NO. 4303	
REG. NO. 4303	
REG. NO. 4303	
BASTROP, TEXAS	
JAMES@CAPA.COM	
UTILITY SERVICE PR	
WATER SERVICE IS	
SEWER SERVICE IS	
ELECTRIC SERVICE	
ON-SITE SERVICE	

OF _____, 2016, A.D.

WITNES MY HAND THIS _____ DAY OF _____ 1987.

MARK A. LANGHAM, CLERK OF DISTRICT COURT, TEXAS
1500 N. ST. LOUIS, TEXAS 78027

AUSTIN, TEXAS 78745

MARIO C. PEREZ, CLERK OF DISTRICT COURT, TEXAS
DEL VALLE, TEXAS 78817

NAOMI A. LANGHAM, CLERK OF DISTRICT COURT, TEXAS
CLARK CREEK, TEXAS 78612

MICHAEL W. LANGHAM, CLERK OF DISTRICT COURT, TEXAS
P.O. BOX 514
CLARK CREEK, TEXAS 78612

STATE OF TEXAS
COUNTY OF BASTROP

BEFORE ME, THE UNDERSIGNED AUTHORITY,

STATE OF TEXAS II
COUNTY OF BASTROP

ROSE PITCOCK, COUNTY CLERK OF BASTROP COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE RECORD AS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2015, A.C.

ROSE PITCOCK
COUNTY CLERK
BASTROP COUNTY, TEXAS

DEPUTY

OTC in this subdivision,
18. 00 OREGON AND
PAGES WILL COVER
THE SUBDIVISION
IN HEREON ARE
INCLOSURE, BUT NOT
IN THE SUBDIVISION
IN TOTAL, ONE LINE.
BASTROP.
INCTION 4.502 A, ACCESS
POD WIRE ACCESS

[illegible][illegible][illegible]

PHILIP MUÑOZ, D.J.
DESIGNATED REPRESENTATIVE

FLOOD PLAN NOTES
NO PORTION OF THE
JANUARY 18, 2006
FLOODING IN THE
COUNTY FLOODED
WAS CAUSED BY
COORDINATING
OF THIS EVENT BY
PREPARED FROM A
FLOODING FOR ANY
INTENDED FOR ANY
MADE HEREUNDER,
NOT THE LAND USE
NO STRUCTURES OR

OFFICE INS THE _____ DAY OF _____

ON THE DAY PERSONALLY APPEARED WHO
PERSON WISE NAME IS SUBSCRIBED TO THE
STATEMENT AND HE EXCORDED THE SAME FOR
PERSON EXPRESSED.

OFFICE INS THE _____ DAY OF _____

PRINTED NAME OF NOTARY / EMBLES NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 20____.	PRINTED NAME OF NOTARY / EMBLES NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, A.D. 20____.
--	--

TAYLOR LANE SUBDIVISION
FINAL PLAT
 FLE: Seven (7) Bostrop School Taylor Lane Subd 38015.dwg

JAMES E. GARON & ASSOC.
 PROFESSIONAL LAND SURVEYORS
 P.O. Box 1917
 Bostrop, Texas 78602
 (512) 261-1100
 jgaron@earthlink.net
 www.jamesegaron.com

DAI WATER SERVICE, FROM
THE RECORDS OF THE
REGULATING CONCERNING

DATE _____

ALAN DAVID JAGGERY
GENERAL MANAGER
ASIA WATER SUPPLY CORPORATION

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AND THEIR ASSIGNS SHALL PROVIDE ACCESS TO REARAGEWAYS, DRIVEWAYS, SIDEWALKS, STAIRS, AND OTHER ACCESSWAYS NECESSARY AND SHALL NOT PROHIBIT ACCESS BY BICYCLES, STROLLER, OR WHEELCHAIR.

PROPERTY OWNERS
PRIORITY OWNERS
PROPERTY OWNERS
PROPERTY OWNERS
COUNTY NERAKSA

PERSON WHOSE NAME IS SUBMITTED TO THE
OFFICE THIS THE _____ DAY OF _____

**NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS**

PRINTED NAME OF NOTARY / EXPIRES

Notarized by James C. Brown, Jr., Associate
Notary Public in and Notary Expires after this time expiration is reached.

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: DEREK EVERHART

Property Address: 180 TAYLOR LANE

Mailing Address: CEDAR CREEK TX

Property Owner's Signature: DEREK EVERHART

Comments: (Optional)

Please reply to: Planning and Development Department
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Re: Variance to Subdivision Ordinance – Taylor Lane Subdivision – notices mailed 10/26/2015

Received
MM 11/10/15
@ 6:45pm

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: BJ Taylor c/o Ruth Godine

Property Address:

Mailing Address: 3803 Leafield Dr

AUSTIN TX 78749

Property Owner's Signature: Ruth Godine

Comments: (Optional)

Please reply to: Planning and Development Department
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Re: Variance to Subdivision Ordinance – Taylor Lane Subdivision – notices mailed 10/26/2015

Received
MM 11/10/15
@ 6:45pm

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED:

MEETING DATE:

1. ITEM LANGUAGE: **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, TO FORMALIZE THE WORK AND ACTIVITIES OF ALL CITY OF BASTROP TASK FORCES.**
2. Party Making Request: **Mayor Kesselus and Council Member McAnally**
3. Nature of Request: (Brief Overview) Attachments: Yes X__ No __
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>

8. Staff Recommendation: _____

9. Advisory Board: ____Approved ____Disapproved ____None
10. Manager's Recommendation: ____Approved ____Disapproved ____None
11. Action Taken:

RESOLUTION NO. R-2015 - 26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS,
RELATED TO FORMALIZING THE WORK AND ACTIVITIES OF ALL CITY OF
BASTROP TASK FORCES, PROVIDING THAT CERTAIN POLICIES AND
REGULATIONS ARE APPLIED TO CITY TASK FORCES; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, pursuant to its general authority under the laws of the State of Texas, the Texas Constitution, the provisions of its Home Rule Charter, and its Code of Ordinances, as it deems appropriate and necessary, the City Council, periodically calls upon volunteer task forces ("City Task Forces") to assist it in performing various advisory type functions; and

WHEREAS, heretofore, the organization and work of City Task Forces has been informally done, and has not been conducted under the standard procedures and rules followed by other more formal City Boards and Commissions that also perform similar advisory functions that assist the City Council in evaluating and undertaking work related to the community and City organization, and

WHEREAS, the City Council is aware that the work done by City Task Forces is also important to the City, the City Council and the City staff, and moreover, is generally of interest to the community and citizens; and

WHEREAS, the City Council therefore believes that the work of the volunteers acting on City Task Forces would benefit from having the Task Forces more formally recognized by the City as formal advisory entities of the City, whose work enhances the productivity of the City Council in various undertakings and, accordingly, the City Council desires to formally recognize City Task Forces as regular City entities, similar to all other City Boards and Commissions, going forward, as set forth herein.

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

Part 1: All City Task Forces are hereby formally recognized by the City of Bastrop to be organized as advisory entities that operate under the authority of the City of Bastrop, Texas.

Part 2: From the effective date of this Resolution forward, all City Task Forces will operate pursuant to the policies and rules utilized by other City boards and commissions, in that they shall comply with the Open Meetings Act and Public Information Act of the State of Texas, and with the City of Bastrop's Code of Ethics.

Part 3: The City will provide a staff liaison to assist all City Task Forces with their organizational work, as necessary.

Part 4: All meetings of City Task Forces will take place at the City Hall, unless the Task Forces determine that a particular meeting should be held in an alternate location, which shall be the subject of a public notice and held in a manner that is open to the public, in accord with the Open Meetings Act.

Part 5: If any section or part of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not invalidate or impair the validity, force or effect of any other section or part of this Resolution or Code of Ordinances, City of Bastrop, Texas.

Part 6: This Resolution supersedes and repeals all Resolutions or parts of Resolution, if any, in conflict herewith; however, such present Resolutions shall remain in full force and effect until the effective date of this Resolution.

Part 7: This Resolution shall take effect upon the date of passage noted below.

READ and ADOPTED on the 24th day of November, 2015.

APPROVED:

ATTEST:

Ken Kesselus
Mayor

Ann Franklin
City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED:

MEETING DATE:

1. ITEM LANGUAGE: **Appointment of the Honorable Chris Duggan to Place 1 on the Ethics Commission, subject to Council confirmation.**
2. Party Making Request: **Mayor Kesselus**
3. Nature of Request: (Brief Overview) Attachments: Yes ___ No X
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken:

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 17, 2015

MEETING DATE: November 24, 2015

Agenda Item.

Consideration, discussion and possible action on the Award of Contract to Langford Community Management Services for grant writing services to prepare FEMA Hazard Mitigation Grant Program (HMGP) applications and the subsequent project management /administration of the grant for drainage improvements, buy-outs of flood damaged properties, and emergency generators if the City is awarded a State HMGP contract.

2. Party Making Request: **Director of PW& Utilities, Trey Job**

3. Nature of Request: (Brief Overview) Attachments: Yes ☒ No ☐

4. Policy Implication:

5. Budgeted: X Yes No N/A

Bid Amount: _____

Under Budget:

Budgeted Amount:

over Budget: _____

Amount Remaining:

6. Alternate Option/Costs:

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**

a) _____

8. Staff Recommendation: Award the Bid to _____ and begin work thirty days after contracts are signed.

9. Advisory Board: Approved Disapproved X None

10. Manager's Recommendation:	Approved	Disapproved	None
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11. Action Taken: _____

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date: November 24, 2015

Agenda Item Description:

Consideration, discussion and possible action on the Award of Contract to Langford Community Management Services for grant writing services to prepare FEMA Hazard Mitigation Grant Program (HMGP) applications and the subsequent project management /administration of the grant for drainage improvements, buy-outs of flood damaged properties, and emergency generators if the City is awarded a State HMGP contract.

Item Summary: This award will allow the city to apply for grant funding that can help mitigate flooding, purchase generators for the WWTP and assist with long term planning and flood study funding.

City Contact:

Trey Job – Director of Public Works & Utilities

Attachments:

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 17, 2015

MEETING DATE: November 24, 2015

Agenda Item.

Consideration, discussion and possible action on the Award of Contract at the recommendation of city staff for engineering services to include budget/BCA/scopes of work/draft specifications for the preparation of FEMA Hazard Mitigation Grant Program (HMGP) applications and the subsequent preliminary and final design plans and necessary interim and final inspections required by the City for the implementation of the Hazard Mitigation Grant Program project(s) of drainage improvements, buy-outs of flood damaged properties, and emergency generators if the City is awarded a State HMGP contract.

2. Party Making Request: **Director of PW& Utilities, Trey Job**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

4. Policy Implication: _____

5. Budgeted: X Yes No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	NAME/TITLE	INITIAL	DATE	CONCURRENCE
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a) _____

8. Staff Recommendation: Award the Bid to _____ and begin work thirty days after contracts are signed.

9. Advisory Board: Approved Disapproved X None

10. Manager's Recommendation:	Approved	Disapproved	None
-------------------------------	----------	-------------	------

11. Action Taken: _____

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date: November 24, 2015

Agenda Item Description:

Consideration, discussion and possible action on the Award of Contract at the recommendation of city staff for engineering services to include budget/BCA/scopes of work/draft specifications for the preparation of FEMA Hazard Mitigation Grant Program (HMGP) applications and the subsequent preliminary and final design plans and necessary interim and final inspections required by the City for the implementation of the Hazard Mitigation Grant Program project(s) of drainage improvements, buy-outs of flood damaged properties, and emergency generators if the City is awarded a State HMGP contract.

Item Summary: This award for engineering services to provide necessary documentation that will allow the city to apply for grant funding that can help mitigate flooding, purchase generators for the WWTP, and assist with long term planning and flood study funding.

City Contact:

Trey Job – Director of Public Works & Utilities

Attachments:

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 17, 2015

MEETING DATE: November 24, 2015

Agenda Item.

Consideration, discussion and possible action on the Award of Contract to Excel Construction Services, LLC for repair of the Waste water treatment plant headworks, including the Lift station rehabilitation at Gills branch, Mauna Loa, and Wilson Street lift station project for a total amount of \$895,000.00

2. Party Making Request: **Director of PW& Utilities, Trey Job**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

4. Policy Implication:

5. Budgeted: X Yes No N/A

Bid Amount: _____

Under Budget:

Budgeted Amount: _____

over Budget: _____

Amount Remaining:

6. Alternate Option/Costs: _____

7. Routing:	NAME/TITLE	INITIAL	DATE	CONCURRENCE
-------------	------------	---------	------	-------------

a) _____

8. Staff Recommendation: Award the Bid to _____ and begin work thirty days after contracts are signed.

9. Advisory Board: Approved Disapproved X None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date: November 24, 2015

Agenda Item Description:

Consideration, discussion and possible action on the Award of Contract to Excel Construction Services, LLC for repair of the Waste water treatment plant headworks, including the Lift station rehabilitation at Gills branch, Mauna Loa, and Wilson Street lift station project for a total amount of \$895,000.00

Item Summary: The project will consist of rehabilitation of the following Gills branch, Mauna Loa, and Wilson Street lift stations, and will also include the repair of the WWTP headworks. The replacement of the mechanical screens will improve the operation of the plant by removing solids from the influent while allowing the liquid to pass through.

City Contact:

Trey Job – Director of Public Works & Utilities

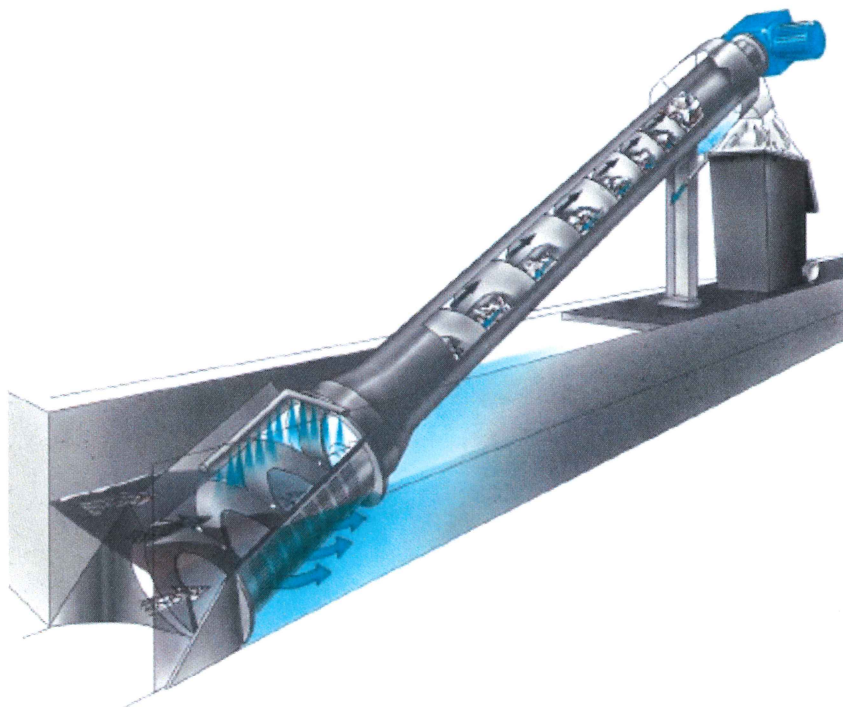
Attachments:

See pics

1.2 Definition of terms for machine components

Definition of terms:

Terms for equipment components according to the following drawing



The stationary part of the screen comprises (from top to bottom):

- Screen basket with rubber sealing surfaces in the channel
- *Plastic bearing in the closed rising pipe (on machines > 19.7 ft (6 m) length)*
- Rising pipe with guide bars
- Support
- Press zone, press liquor collection chamber, press water return
- Screenings discharge
- Gear motor

These components form the machine body, to which optional equipment can be attached.

The rotating part of the screen comprises (from top to bottom):

- Screw with central shaft and flights, upper pivot
- Brush attached to the flights in the screen basket area

These components form a rotating unit which is driven by a gear motor with hollow shaft fitted at the upper end of the machine.



BEFCO ENGINEERING, INC.
Consulting Engineering/Land Surveying
P.O. BOX 615 485 NORTH JEFFERSON
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

November 19, 2015

Mr. Trey Job
Director of Water and Wastewater
City of Bastrop
1311 Chestnut Street
Bastrop, Texas 78602

RE: City of Bastrop
Wastewater Improvements
BEFCO Job No. 12-5787

Dear Trey:

The City of Bastrop received bids on Thursday, November 19, 2015 for wastewater improvements project. The project consists of reworking the Gills Branch and Mauna Loa lift stations, replacing the Wilson Street lift station, and installing new headworks screens at both wastewater treatment plants.

There were five (5) bids received and they ranged in price from \$895,000 to \$1,490,000. The apparent low bidder was Excel Construction Services, LLC from Leander, Texas.

Excel Construction Services has been in business for many years. They have worked in Bastrop previously on the Bob Bryant Water Improvements project. The City was pleased with their work. All other references contacted were satisfied with the work performed by Excel Construction Services.

It is recommended to award the contract for the Wastewater Improvements Project to Excel Construction Services as the lowest responsible bidder in the amount of \$895,000.

If you have any comments or questions, please contact me. I am thanking you and the City of Bastrop for our professional relationship.

Very truly yours,

BEFCO ENGINEERING, INC.

Gene Kruppa, P.E., R.P.L.S.

GK:bms

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

City of Bastrop
Wastewater Improvements
Lift Stations and WWTP Headworks
BEFCO JOB NO. 12-5787
November 19, 2015

Item No.	Units	Description in Words	Excel Construction Services, LLC		Keystone Construction, Inc.		TTE, LLC		Central Road & Utility, Ltd.		Qro Mex Construction Co., Inc.	
			Unit Price		Unit Price		Unit Price		Unit Price		Unit Price	
1	LS	UPGRADE THE GILL'S BRANCH LIFT STATION	\$235,000.00		\$249,000.00		\$244,000.00		\$280,000.00		\$430,000.00	
2	LS	UPGRADE THE MAUNA LOA LIFT STATION	\$235,000.00		\$249,000.00		\$246,000.00		\$250,000.00		\$430,000.00	
3	LS	UPGRADE THE WILSON STREET LIFT STATION	\$125,000.00		\$159,000.00		\$165,000.00		\$235,000.00		\$160,000.00	
4	LS	REMOVE AND INSTALL NEW HUBER Rø9 400x6 ROTAMAT MICRO STRAINER Rø9	\$150,000.00		\$165,000.00		\$194,000.00		\$290,000.00		\$235,000.00	
5	LS	REMOVE AND INSTALL NEW HUBER Rø9 300x6 ROTAMAT MICRO STRAINER Rø9	\$150,000.00		\$171,000.00		\$191,000.00		\$270,000.00		\$235,000.00	
TOTAL BID (Item Nos. 1-5)			\$895,000.00		\$993,000.00		\$1,040,000.00		\$1,325,000.00		\$1,490,000.00	

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



Eugene Kruppa
Eugene Kruppa
Registration No. 43989
November 20, 2015

11.20.15

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 19, 2015

MEETING DATE: November 24, 2015

1. ITEM LANGUAGE: **Appointment by Mayor, subject to confirmation by City Council of Joseph J. Beal to Seat 7 on the Board of the Bastrop Economic Development Corporation.**

2. Party Making Request: **Mayor Kesselus**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No _____ N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken:

received
11/12/15

November 10, 2015

Mayor Ken Kesselus
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Dear Mayor Kesselus:

I am submitting this letter to you as my resignation from the Board of Directors for the Bastrop Economic Development Corporation.

I have undertaken other projects that require my full attention at this time. It is for this reason that I must step back from my Board duties and devote more time to those obligations. My last day of service to the board will be November 11, 2015. Please accept this as my official Board resignation letter.

I have enjoyed my time serving on the BEDC Board and am grateful for the experience. I will remain actively involved in the community and look forward to my continued participation in some of the very same projects and initiatives within BEDC's scope of work. Thank you for allowing me to be a part of this valuable organization.

Sincerely,



Carlos Liriano

cc: Steve Mills, BEDC Board Chair
Shawn Kirkpatrick, BEDC Executive Director
Mike Talbot, City Manager
Bastrop City Council

Ann Franklin

From: Ken Kesselus <bastropmayorken@gmail.com>
Sent: Tuesday, November 17, 2015 10:17 AM
To: Ann Franklin
Subject: Fwd: Joe Beal

From: **Steve Mills** <smills@copperstationholdings.com>
Date: Tuesday, November 17, 2015
Subject: Joe Beal
To: Ken Kesselus <bastropmayorken@gmail.com>

I think the board should seriously consider Joe Beal to fill the position vacated by Carlos. I spoke to Joe to get a feel for his willingness to serve on the BEDC board. He was flattered to be considered. I have worked closely with Joe on many projects when he was the GM for the LCRA as well as having many conversations with Joe regarding BEDC issues with him in his capacity as a Bastrop City Councilman. I have always found Joe to be very objective, innovative and an excellent business man. He is obviously already familiar with the BEDC operations from his tenure on the council. I believe he would be a "quick study" on EDC matters and challenges. If you and the council were to recommend Joe I would support his nomination.

This electronic mail transmission may contain information that is confidential and proprietary. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. Thank you for your cooperation.

No information in this electronic mail transmission is meant to be an offer to sell property by Copper Station Holdings, LLC or any of its affiliates. The information should be received only as information related to a discussion of the property and that no official offer has been made, nor will an offer from you be accepted by Copper Station Holdings, LLC or any of its affiliates until an actual contract has been executed by Copper Station Holdings, LLC or the proper affiliate that holds title to the subject property.

--
Ken Kesselus
Mayor - City of Bastrop
512-940-7897

Ann Franklin

From: Ken Kesselus <bastropmayorken@gmail.com>
Sent: Tuesday, November 17, 2015 10:17 AM
To: Ann Franklin
Subject: Fwd: BEDC Board Nominee

From: **Gary Schiff** <gschiff@schiffinterests.com>
Date: Tuesday, November 17, 2015
Subject: BEDC Board Nominee
To: Ken Kesselus <bastropmayorken@gmail.com>

Ken,

I hope you will seriously consider Joe Beal for the BEDC board.

He brings a wealth of knowledge to the table including:

- Experience from Council
- Business leader
- Understands commercial development
- Expert in wastewater extension and expansion
- Commitment to Bastrop

Gary S. Schiff, PE, CPP

3101 Hwy. 71 East

Suite 200

Bastrop, TX 78602

512-321-6060



This email has been checked for viruses by Avast antivirus software.
www.avast.com

--

Ken Kesselus

Mayor - City of Bastrop

512-940-7897

Joseph J Beal, P.E. is a seasoned civil engineer with a strong financial management background. His career spans 50 years and includes building a large engineering and environmental consulting firm, previously serving as the General Manager of the LCRA, creating banks, and serving on the boards of two large publically traded companies in the US and Australia. He currently provides consulting services and is president of Beal Consulting, Inc.

He has a Bachelor's degree in civil engineering from Texas Tech and a MBA in municipal finance from the University of Texas. He is the former Chairman of the Texas Board of Professional Engineers. He is a decorated U.S. Army Viet Nam veteran.



CITY OF BASTROP

City Secretary's Office
1311 Chestnut Street
Bastrop, Texas 78602
(512) 332-8800
<http://www.cityofbastrop.org>

received
11/16/10

Application for City Board/Commission/Committee Please Print or Type Clearly.

New Appointment: ☒

Request for Re-Appointment: ☐

SECTION A: APPLICANT INFORMATION

Last Name	<u>Beal</u>	First	<u>Joseph</u>	Middle	<u>Jameson</u>
Street Address	<u>1311 Pecan</u>		Mailing Address	<u>1311 Pecan</u>	
Apt/Unit #	City	<u>Bastrop</u>	State	<u>Tx</u>	ZIP Code
					<u>78602</u>
Phone () -			E-mail Address		
Date Available	<u>15 Nov 2015</u>	I have lived in Bastrop	<u>21</u> years.	Place of Employment	<u>Beal Consulting, Inc.</u>
Have you filed an application here before?	YES ☒ NO ☐	If so, when?	<u>1997</u>		
Have you ever been convicted of a crime?	YES ☐ NO ☒	If so, when?			
Do you reside within the City Limits of Bastrop?	YES ☒ NO ☐	Currently Employed	YES ☒ NO ☐		

Note: Various boards, commissions and committees of the City either allow for or require appointments of persons who reside in the County, the City's Extra Territorial Jurisdiction, and/or the Bastrop Independent School District. For more information on this please refer to the Articles of Incorporation or By Laws of the entities of interest. The City Secretary is able to assist in obtaining copies of the By-Laws, upon request.

SECTION B: REFERENCES

Please list three professional references.

Full Name	<u>Mark Rose</u>	Relationship	<u>Friend</u>
Company	<u>Bluebonnet Electric</u>	Phone	<u>(512) 925-5064</u>
Full Name	<u>Tom Scott</u>	Relationship	<u>Friend</u>
Company	<u>Retired</u>	Phone	<u>(512) 581-2715</u>
Full Name	<u>Steve Rivers</u>	Relationship	<u>Friend</u>
Company	<u>Oppenheimer</u>	Phone	<u>(512) 771-6183</u>

SECTION C: ADDITIONAL INFORMATION

Do you currently serve on any other boards, commissions, or committees? Please list any below:

No

What qualifies you to serve on the board(s) you are applying for? Retired Business Owner
70 years of experience in life. Civil Engineer
General Manager of LCRA. Past City Council member

Why do you want to serve on the board(s) you are applying for?

I want to continue to help my City and be of service.

SECTION D: BOARDS/COMMISSIONS/COMMITTEES

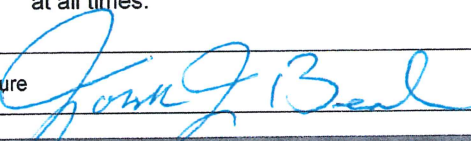
Please indicate the Boards, Commissions or Committees you are interested in serving. List in order of preference.

☐ Bastrop Parks Board	☒ Bastrop Economic Development Corporation	☐ Bastrop Housing Authority
☐ Planning and Zoning Commission	☐ Board of Adjustment	☐ Construction Standards Board of Adjustments
☐ Main Street Advisory Board	☐ Fairview Cemetery Advisory Board	☐ Art in Public Places Board
☐ Hunters Crossing Local Government Corporation Board	☐ Bastrop Library Board (☐ City Resident / ☐ BISD Area Resident)	
☐ Automated Red Light Advisory Committee	☐ Other:	
☐ Historic Landmark Commission	*Please indicate which position(s) you are qualified to serve under. ☐ Architect, Planner, Designer ☐ Licensed Real Estate Professional ☐ Own Commercial Historic Structure/Property ☐ Own Residential Historic Structure/Property ☐ General Resident of City of Bastrop ☐ Planning and Zoning Member ☐ Bastrop County Historic Society Member	

DISCLAIMER AND SIGNATURE

- It is understood and agreed upon that any misrepresentation by me on this application will be sufficient cause for cancellation of this application and/or separation from the board/commission/committee.
- I give the City of Bastrop the right to investigate all references and to secure additional information about me, if related. I hereby release from liability the City of Bastrop and its representatives for seeking such information and all other persons, corporations or organizations for furnishing such information.
- This application is kept on active file at the City Secretary's Office for 1 year. At the conclusion of this time, if I have not heard from the City Secretary and still wish to be considered for a board/commission/committee, it will be necessary to fill out a new application.
- I understand that just as I am free to resign at any time, the City of Bastrop reserves the right to terminate my status as member at any time, with or without cause and without prior notice. I understand that no representative of the City of Bastrop has the authority to make any assurances to the contrary.
- I understand it is the City of Bastrop's policy not to refuse to hire a qualified individual with a disability because of this person's need for an accommodation that would be required by the ADA.
- I agree to participate and complete any required training the city deems necessary, such as Open Meetings Act training, as a condition of my board service, and I agree to submit a copy of completion documentation on file with the City Secretary.
- If selected, I agree to adhere to the City of Bastrop's Ethics Ordinance and to represent the City's business ethically at all times.

Signature



Date

15 Nov 2015

WRITTEN NOTICE

A hardcopy of this application with the original signature must be printed and mailed to be officially accepted for a board/commission/committee. Please return by mail or in person to:

City of Bastrop, TX
 City Secretary's Office
 1311 Chestnut Street
 Bastrop, Texas 78602

OFFICE USE ONLY

Date Application Received:		Application Received by:	
Position Appointed:		Date Appointed:	
Term Starts:		Term Expires:	

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. ITEM LANGUAGE: **Follow up discussion from November 17, 2015 workshop for Hotel Occupancy Tax.**

2. Party Making Request: **Mayor Kesselus**

3. Nature of Request: (Brief Overview) Attachments: Yes __ No X

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken:

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 19, 2015MEETING DATE: November 24, 2015

1. Agenda Item: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM THE LOST PINES ART CENTER (a/k/a the BASTROP FINE ARTS GUILD) TO ENTER INTO A SHARED 'PARKING AGREEMENT' WITH THE CITY OF BASTROP FOR UTILIZING PARKING SPACES AT EITHER THE BASTROP CITY HALL OR THE BASTROP CONVENTION CENTER, AND TO ENTER INTO A 'LICENSE AGREEMENT' FOR THE USE OF HAYSEL AND SPRING STREETS FOR PRIVATE PARKING FOR THE ART CENTER PROJECT, BOTH IN LIEU OF PROVIDING PARKING ON SITE AT THE ART CENTER SITE.

2. Party Making Request: LOST PINES ART CENTER, (a/k/a the Bastrop Fine Arts Guild) – Presentation of Request by - Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes x No

Attached is a Nov. 16, 2015, letter that was submitted to the City Manager's Office by Karol Rice, Project Manager for the Lost Pines Art Center, (the "Art Center") (a/k/a the Bastrop Fine Arts Guild) requesting that the Council consider two special requests related to the Art Center Project, which are: (1) entering into "Shared Parking Agreement" with the Art Center that would allow its customers and visitors to utilize some parking spaces at either "City Hall" and /or the "Convention Center," when they have needs that over-extend their Haysel and Spring Street parking; and (2) entering into a "License Agreement," with the City allowing the Center to meet 43 of its 46 space Project parking space requirement by using portions of two public street right-of ways (i.e., Haysel and Spring Streets,) as shown on their site plan/diagrams.

I advised the Art Center representatives, as has the Planning staff during their initial and preliminary discussions on the site plan with Art Center Representatives that these two (2) requests were decisions that would require Council approval and action, which is why these items are on the agenda for your consideration, evaluation and input, this evening. If the Council supports these two variance requests, it will need to direct that the staff and I develop a "Shared Parking Agreement" for use of City property at City Hall and/or the Convention Center for shared overflow parking, in coordination with the City Attorney, [the agreement should contain details such as stipulations related to notice to the City when the parking spaces would needed, the maximum number of spaces the Council would be willing to make available to the Art Center, identification for Art Center users, time limitations, and costs for use, etc.] Each facility/location the Art Center has proposed that it be able use has its own unique needs, so careful consideration and coordination will be requires so as not to disrupt their use. For example the use of City Hall, both during the day and evening, has increased substantially since we first moved to City Hall. There have been occasions in this past month, for example, during which we have had three (3) Boards or Commissions meetings at the same time, at City Hall. These meetings are frequently held in the evening, which may be in conflict with the evening Art Center events. Likewise, the Convention Center's parking needs are generally based on the size of the event taking place, at any given time, at the Convention Center. There may be times that ample parking could be available at the Convention Center, but there will also be occasions where joint use of the parking could pose a challenge for

The Planning Department is handling the first request on tonight's agenda. But since both requests are interrelated I felt I should provide you my thought with regards to the Art Center's request to use public street right-of way, in both Haysel and Spring Streets, for "head-in parking," instead of placing the 46 parking spaces that it will need for its tenants and customers on the Art Center's property, this is a 'policy decision' that poses a significant variation from the City's past practice. Therefore, it is important for the Council to determine, not only for this Project, but for future project implications related to traffic flows and street use in the Central Business District, in general. While 'on-street parking' is noted by the Form Based Code as a permissible alternative option, under the appropriate conditions, the Council should carefully consider whether such a use of downtown streets is a best practice for a new construction, private retail project. As noted by the Art Center in its letter to the City, this on-street parking application would allow the Art Center to capitalize on its private land use, by allowing it to build additional retail rental spaces (i.e., build a larger building). As the Art Center correctly notes, however, this proposal if approved will replicate a traffic and street use scenario similar to that which have challenged Downtown, along Main Street, for many years, where "head-in off-site parking" is currently used by retail businesses. So, again, the long-term policy implication of allowing a new project to have **only** off-site parking should be carefully considered prior to approval. As the City is aware, this scenario cannot be remedied easily once established, if congestion or parking problems occur in these areas after the variances are granted.

4. Policy Implication(s): Yes, there are several long-term policy implications triggered by these two variance requests. Entering into two shared parking and license agreements: (1.) to use Haysel and Spring Street right-of ways for head-in parking, and (2) to allow private event overflow parking on City Hall /Convention Center lots) would be precedent setting changes in the allowable use of public property by private businesses, and would undoubtedly trigger future requests, from other developers, to the Council. For example, the property directly west of City Hall is in the process of being cleared and I believe the property is up for sale and redevelopment. It would not surprise me to receive similar requests for street parking and shared parking from the developers of this property, so that they will also be able to maximize building on that site for their private/commercial use, as well.

5. Budgeted: _____ Yes _____ No N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____

- b) _____
- c) _____

- 8. Staff Recommendation:
- 9. Advisory Board: _____ Approved _____ Disapproved _____ None
- 10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
- 11. Action Taken: _____



November 16, 2015

Mr. Mike Talbot, Manager
City of Bastrop
1311 Chestnut St.
Bastrop, TX 78602

Dear Mike:

The Bastrop Fine Arts Guild is intending to address several issues regarding the Lost Pines Art Center & Reflective Sculpture Garden by including specifics on two areas in this memo of understanding/lease agreement. We are requesting these items be on the Nov. 24th Council Agenda if at all possible.

1. The first issue involves parking that encroaches on the public right of way (ROW). In designing the Art Center we have attempted to add additional square footage, primarily on the second floor for leasable office/studio spaces. This benefits businesses other than our own local artists but also creates the need for additional parking. We have approximately 14,000 sq ft and need 46 spaces. We have identified 43 spaces in the Haysel and Spring ROW. By parking in the ROW it will allow us to maintain the maximum amount of green space. Doing otherwise would significantly reducing the amount of quality space that could be utilized for outside events and venues. After discussing this with staff, we know that the designed parking spaces extend into the public right of way which is permitted under the new Form Based Code if we enter into an approved license agreement (Section 6.1 (i)i4) with the council allowing us, or our clients, to encroach on the pubic right of way when parking at the Art Center. The parking would be head-in parking with appropriate street cross sections (Attachment E) while still maintaining appropriate sidewalks and access for the public. Currently paved parking areas already exist and are utilized in the ROW on Haysel St. This is not an precedent setting request as parking in the ROW is already done on a daily basis throughout the Central Business District, around downtown, Main Street the Courthouse and Pecan Street. Finally, this parking not only will meet the standards outlined and allowed in the Form Based Code but will actually upgrade the parking, providing ample travel lanes. The attached

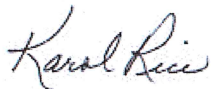
parking plan demonstrates where the Art Center will construct within the right of way.

2. The second issue is that of shared parking. According to the new Form Based Code, shared parking must be within one-quarter mile. The Art Center would require 46 parking spaces; we have been able to design parking for 43 of those 46 required spaces. While we believe 43 spaces will be sufficient the majority of time based on the number of classes and daily activities; we do need 3 additional spaces to meet the intent of the ordinance. There could be larger events that would require additional parking. Therefore, we are asking the City to enter into a shared parking license agreement with the Guild for a minimum of 5 years. We request that this shared parking agreement allow the Guild to use up to 10 additional spaces of the 70 currently in the City's parking lot after 5pm when these special events occur. The larger events for the Guild are generally on Friday or Saturday evenings, which is when we would expect the greatest need for these additional parking spaces. Naturally, the Guild would give sufficient notification to our clients of these shared parking options and would notify the City at least 72 hours prior to any such special event. We would also be open to other shared parking options, if available, such as the Convention Center. Both the City Hall and Convention Center have adequate sidewalk access to the Art Center

This Art Center and Sculpture Garden are intended for the use of our residents and area wide citizens and as a unique destination for tourists. In designing the main building, the studio silos, water feature, and sculpture garden we have tried to maintain enough indoor and outdoor space for creative interaction and thoughtful reflection. We have also designed walkways on the grounds and sidewalks around the perimeter of the property along Chestnut, Haysel and Spring. If we were to attempt to push all the necessary parking into the property lines we would dramatically reduce and limit the use of that space by our residents and others. We have worked diligently on these plans that represent a very complex project and are looking to the Council to resolve these two specific issues. It is our sincere hope that the Council will look favorably on this request.

We look forward to finalizing these matters at the earliest possible convenience.

Best Regards,



Karol Rice, Project Manager
Lost Pines Art Center
1204 Chestnut St.
Bastrop, TX 78602

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 18, 2015

MEETING DATE: November 24, 2015

1. Agenda Item: **Consideration, discussion, and possible action on a License to Encroach within the Right-of-Way (ROW) for parking within Haysel and Spring Streets for the Lost Pines Art Center and Sculpture Garden, to be located at 1204 Chestnut Street.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X X No

This property is located within the Form Based Code (FBC) area, and is zoned Civic/Cultural Arts Character Zone. The proposed Lost Pines Art Center is proposing their parking to be located within the ROW. For parking to be located within the ROW, a License to Encroach must be approved by City Council. Parking can be allowed within the ROW if approved by Council and built in accordance with the cross sections approved in Exhibit E, FBC.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**

a) _____

b) _____

8. Staff Recommendation: **Staff recommends approval the parking within the ROW for the Lost Pines Art Center if designed and constructed in accordance with Exhibit E, Head-In Parking. Staff continues to review the Site Development Plans. This site, being part of the Form Based Code (FBC) area, is an extension of downtown and parking has been traditionally allowed within the ROW for the Central Business District. If approved a License to Encroach must be executed.**

9. Advisory Board Recommendation: _____ Recommended Approval _____ Denial _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

November 24, 2015

Project Description:

Consideration, discussion, and possible action on a License to Encroach within the Right-of-Way (ROW) for parking within Haysel and Spring Streets for the Lost Pines Art Center and Sculpture Garden, to be located at 1204 Chestnut Street..

Item Summary:

Owners: Bastrop Fine Arts Guild
Applicant: Karol Rice
Location: 1204 Chestnut Street
Utilities: City of Bastrop, Water and Wastewater and BP&L Electric
Zoning: Civic/Cultural Arts, Form Based Code

Background:

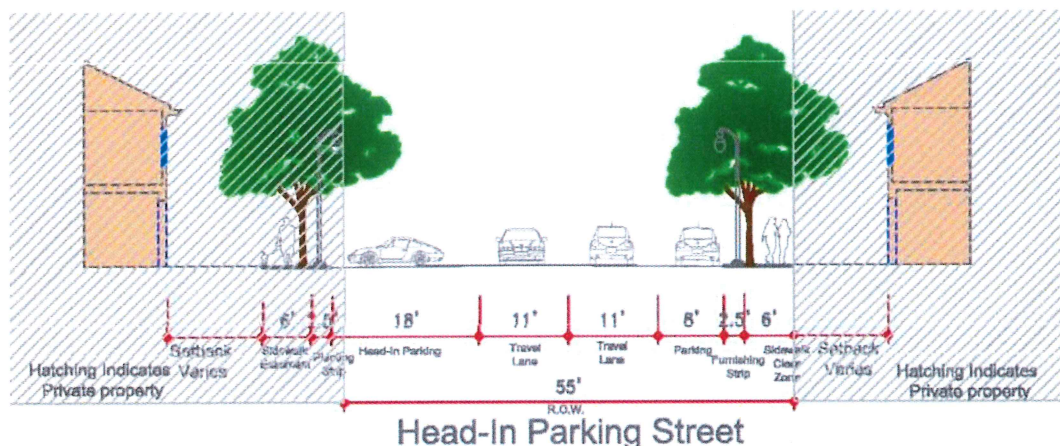
The proposed property is to be the future home of the Lost Pines Art Center & Reflective Sculpture Garden. The property was previously used as an auto body and car repair shop (Clyde Clardy property).

Parking within the Civic Cultural Arts zoning classification within the FBC is at 1 space per 300 sq. ft.

Lost Pines Art Center needs 46 spaces and is providing 43, albeit proposed within the right-of-way (ROW). No on-site parking is proposed within the property lines within the Lost Pines Art Center.

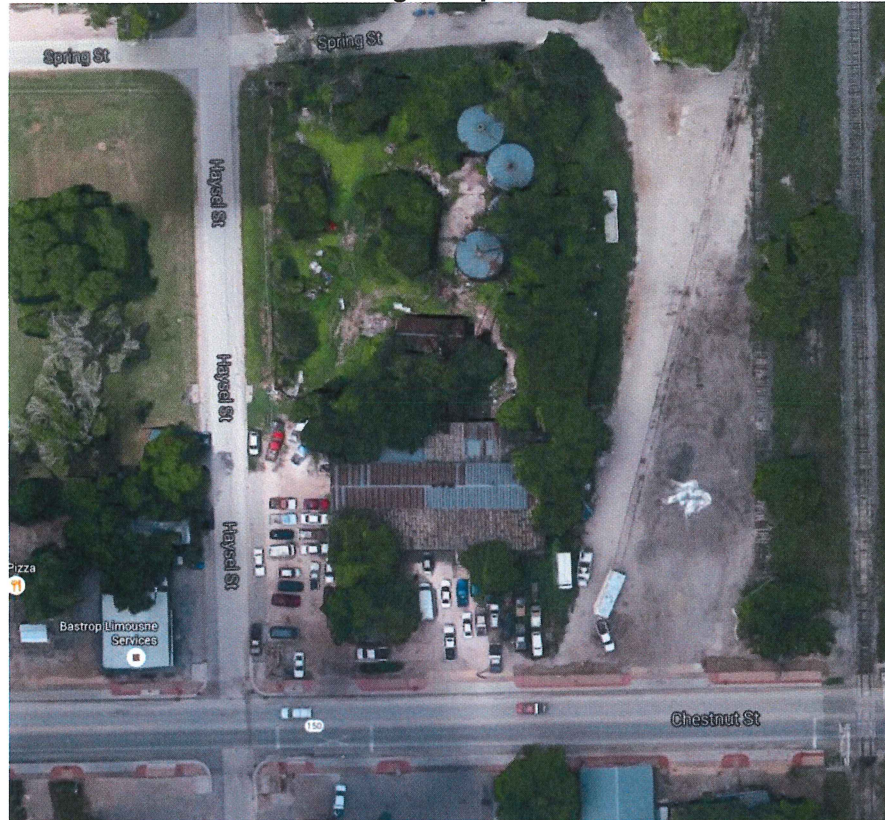
Parking is proposed to be Head-In Parking within Haysel and Spring Street ROW, to be built as show in the attached diagram, Exhibit E, Form Based Code (FBC). Parking within the ROW will necessitate some of the public improvements such as sidewalk and street trees to be located on private property.

Exhibit E, FBC, Head-in Parking



Paved area already exists within the ROW and was used for parking from the previous property owner, Clyde Clardy.

Google Map 2010



Parking will be built at the Lost Pines Art Center's expense, and plans will be reviewed and approved by staff prior to construction.

If this item is approved to allow the parking to be placed within the ROW a License to Encroach will be drafted and recorded.

Staff Recommendation:

Staff recommends approval the parking within the ROW for the Lost Pines Art Center if designed and constructed in accordance with Exhibit E, Head-In Parking. Staff continues to review the Site Development Plans. This site, being part of the Form Based Code (FBC) area, is an extension of downtown and parking has been traditionally allowed within the ROW for the Central Business District. If approved a License to Encroach must be executed.

City Contact:

Melissa M. McCollum, AICP, LEED AP, Director
Planning and Development Department

Attachments:

Letter - Request