

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **Consideration, discussion and possible action regarding the approval of minutes from the budget workshop of August 4, 2015.**
2. Party Making Request: **City Secretary, Ann Franklin**
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>
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 SPECIAL WORKSHOP/BUDGET COUNCIL MEETING
BASTROP CITY COUNCIL
AUGUST 4, 2015**

The Bastrop City Council met in a Regular Meeting on Tuesday, August 4, 2015 at 6:00 PM at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Council Members, Kelly Gilleland, Kay Garcia McAnally, Gary Schiff and Dock Jackson.

CALL TO ORDER

At 6:00 PM Mayor Kesselus called the Meeting to order with a Quorum being present. Mayor Pro Tem Willie DeLaRosa was absent.

2. **WORKSHOP SESSION** - The Bastrop City Council will convene into a Workshop Session with the City Manager to discuss the following:

B. Presentation by Bastrop Family Y.M.C.A

Jim Pacey, VP of Operations for YMCA of Austin – Mr. Pacey gave an overview: 2010 the YMCA entered into the partnership with the City of Bastrop and in 2011 started programs with the YMCA and have grown with close to 500 family member units at this time. The pool started operating in 2012; a lot of programs from soccer to adult fitness, special programs-caregiver view and a number of different things for teens; including partnering with the City of Bastrop for special events, movies in the parks for four years, Children's Area For Yesterfest for four years, family days, play days, Easter egg hunts, and a number of other things. The YMCA has come in with an operating loss of about \$500,000 for those years and the Y has subsidized their efforts and the City's efforts for that amount even to account for the \$39,000 given to the Y by the City per the agreement. The YMCA is committed for the long haul and wants to make sure that the community is served. The Y came to this area with the intention of building a full facility. The volunteers and staff have raised over \$150,000 over the years as subsidy. No one is turned away because of inability to pay or lack of funds.

James Finck, President/CEO YMCA of Austin – Mr. Finck stated that the \$1.5 million available through HUD will help but does not get the Y where it needs to be. The new model is to partner with cities, hospitals, higher education and schools this benefits communities in health and wellness. Once the Y is built, using City money, capital improvement and maintenance will be the expense of the Y, not capital maintenance but ongoing expense. Council Member Gilleland asked what that meant and Mr. Finck explain that when the Y is operating the facility the City is not subsidizing it, the bulk of the money from the City is used to build the facility in order for the City to maintain ownership. Council Member Gilleland ask who would be responsible for the ground keeping expense and Mr. Finck answered the Y would. Mr. Finck stated the quality of life issues today should be a priority to be addressed. The Y sees serving this community would be in the neighborhood of \$25,000 to \$35,000, preferably \$35,000 because that would give you the indoor water which people want, teaching kids to swim all the way to the seniors with active lifestyles. The consultation with contractors determined the cost of approximately \$200 per square feet, if you build a 25,000 square foot facility you are looking at \$5,000,000. The way to get there is \$1.5 million, the Y is

looking at \$2 million and the City comes in with \$2 million and explore other sources that would go in such as a school that would want to use the pool for a swim team. Quality of life issues today should be a priority to be addressed.

Mayor Kesselus asked what the MOU was about.

City Manager Talbot explained the only agreement was to provide funding for Terry but when the relationship started there was a gentlemen's agreement to reach a point where a facility could be built, the point in time was never defined. Maybe the shelter grant has moved that time clock up.

The Mayor recalled a presentation given approximately a year or two ago by a company that was hired by the Y that informed the then council that the Y needed a 45,000 square foot facility or they could not build. He asked if the 25,000 or 35,000 square foot could be phased into the 45,000 square foot building? Mr. Finck stated it comes down to an operating expense not to build too big and not to build too small.

Mayor Kesselus said he spoke to two citizens a week ago and they thought that the Y could figure out a way to do a \$4,000,000 building and talked about the 1.5 million of the HUD grant going into this to make it all work out and they mentioned that they thought the Y had 3 million dollars set aside ready to go and with equipment coming out of that would produce the \$4,000,000. The Mayor asked if they were misspeaking. Mr. Finck stated that he was not aware of this. Mayor Kesselus asked Mr. Finck if there were any commitments from the school district and/or county. Mr. Finck said no there isn't but that the Y has not given the school district or county a proposal but could do so. Council Member Jackson asked Mr. Finch to restate the numbers regarding the membership. Mr. Finck stated there were 450 units and 14 to 15 hundred members. Council Member Garcia McAnally asked Mr. Finck how many members he would need. Mr. Finck stated for 25,000 square feet probably about 1,500 units. Council Member Jackson asked how many members were residents. The Y representative stated he did not know. Mayor Kesselus stated the figures he obtained were 1,604 memberships and 1,051 in the 78602 zipcode there was a limited survey that showed that 44% of the 78602 zipcode was inside city limits, outside the city limits in the county but outside 78602 was 510 and outside the county was 43. Reading the numbers on the limited survey revealed that 29% of the members live in the city limits and 71% live outside. Council Member Garcia McAnally stated that she does not believe any retail store or any business or any establishment that wanted to stay here permanently would rely on just the people inside the city limits for the service area they would need to go to a big area to sustain any sort of business. Because there are fewer members inside the city limits than anticipated does not determine how successful this can be. Mayor Kesselus did not dispute Council Member Garcia McAnally's comments regarding members inside the city limits. The Mayor also stated that he is prepared to support putting every bit of the HUD money into this project but when the talk turns to other money and it ends up being City of Bastrop tax payer's money, this is all we have we can't use county money, Elgin money or anybody else's money but it is going to be used by 71% of people outside the city. Council Member Garcia McAnally stated that she believes that more people will join if there are more things offered.

The Mayor stated that if this is based on the Ad Valorem tax that he understands that there are a lot of people that contribute to the City's sales tax but there are people that are outside of the city limits that pay zero Ad Valorem tax. Our residents pay \$.60 per \$100 property tax. The Mayor stated that if that is the kind of money being used he will be very sensitive about the County not participating or BISD not participating. The Mayor stated that this is City money. Council Member Jackson stated the citizens are concerned regarding city taxpayers supporting a program that is being used by non-city residents.

Council Member Gilleland asked the Y representatives what their plan was or is there no plan unless the City can come up with \$2 million more? Mr. Finck stated yes from other sources the Y would have to come up with \$1 million to make it work.

Council Member Gilleland reminded all that the HUD grant has constraints on dates and times.

City Manager Talbot stated that a decision has to be made by the middle to end of September.

Council Member Garcia McAnally stated that whether or not the HUD grant money is used for seed money for the Y, the City is still committed to working with the Y to get a facility built sooner or later.

Mayor Kesselus agreed with Council Member Garcia McAnally's statement but said it is a question of the timing. The Mayor referenced a previous discussion that determined that a bond election would reveal the citizens support/non-support of the City putting up \$2 million. There would be a problem with the timing, the earliest an election could be held would be next May.

The representatives for the Y stated that they would be in agreement of sharing the cost of polling the community regarding their desire for a bond election to approve the additional \$2 million.

Council Member Garcia McAnally stated the comprehensive plan was divided into three groups and each group agreed the City needs a YMCA and she believes that is a commitment on the part of the Council and the Council needs to work in that direction.

Mayor Kesselus stated that another timing issue would be that the report would not be completed for another year.

Council Member Schiff asked if a possible extension had been requested from HUD?

City Manager Talbot stated that in his discussion with the grant coordinator the requirement is to have done something within the two year time to receive an extension. He also stated that if the City went to a November election a whole year of the timeframe would be used up and the outcome would not be known for a full year. The election could be moved up to May but the grant providers would like to see dirt turning for a facility being constructed in order for a possible grant extension to be given. He believes that if within a year we were still waiting for the results of an election

the chances of getting an extension is less likely than if we had a building that was 50 or 60 percent complete at the end of the two years, from September two years. It was said that the \$1.5 million could be spent up front and apply the difference down the road, this is contingent upon approval.

City Manager Talbot stated that he was contacted by the grant coordinator with a concern of not having heard anything from the City as to what kind of project the City planning. There is a variation of facilities that can be built that would meet the criteria set forth. A recreation type facility was submitted even though it was not big enough for what the Y was asking, it had all the basic elements that was required by the grant.

Mayor Kesselus asked if this was to keep our place on the table. City Manager Talbot stated yes and to keep our place in the slot so that when funding was released from HUD we would be eligible to receive it. Mayor Kesselus asked when the drop dead deadline was for submitting the proposal for what we are going to do. City Manager Talbot stated his opinion is that if by September 30th we have not submitted a proposal then we are probably going to lose the grant.

Council Member Schiff proposed building a module that can be used as a shelter and gymnasium. Mr. Finck stated that the Y wants to be in control of the design.

Council Member Garcia McAnally reported that she and Council Member Gilleland have been researching flexible buildings. The buildings are under warranty for 30 years and are inexpensive to build. The cost is approximately \$40 a square foot to build and they are used by U.S. Government. The buildings are capable of sustaining 250 miles an hour hurricane wind. The Y is committed to the community and working toward a permanent building, a gymnasium could be built with the grant with Y offices in it in the future a permanent building could be built.

Mr. Finck stated if it is space that the Y could use for programming and not be responsible for all the operating costs they would be more than happy to have more space for programs.

Council Member Schiff stated that it would be easier for the City to have a small building and let the Y use it as program space rather than try to pull off a \$5 million anything.

Mayor Kesselus asked Mr. Finck if this proposal would fit their needs and he replied no. Mr. Finck stated that the HUD money is for emergency shelter only.

City Manager Talbot stated that there must be certain elements in the facility and if a hurricane hit whatever the building is being used for would have to shut down and open up as a shelter.

Council Member Garcia McAnally stated that she and Council Member Gilleland wanted to give out discussion points during the meeting and if there was discussion like Council Member Schiff was proposing perhaps a solution could be found for the short term where the facility as a gym 30 years from now in addition to the new facility two years from now and this will not be wasted money or opportunity because it would be a

satellite center for the permanent Y. She asked the Y if they were in a position to further discuss? The representative for the Y was in agreement to a discussion.

Mayor Kesselus' analogy was that no one on the City Council or staff are any less committed to making the Y work than when it first started years ago but it is a matter of timing. The question was posed whether this project was premature for what the City and the Y could do together. Is the time down the road or is it now?

Mayor Kesselus asked Council Member Schiff to explain his plan.

Council Member Schiff's thoughts were that an architect should be hired to work with the Y. The Y says these are the elements that are needed to make a Y work in Bastrop such as: a gymnasium, an exercise room, pool etc. Ask how much can be bought for \$1.5 million (A large amount of this could be the land unless the City has land picked out that it already owns.), how much can be bought and still have enough land to eventually build the whole plan, something that meets the HUD requirement, can be on the ground and can be used by the Y as a gymnasium until a bond can be passed, another grant until it is built into the budget, set aside so much a year until enough is saved to build another module and another until a facility is built? This would not be as cost effective as if the money was there all at once.

Mayor Kesselus asked for City Manager Talbot to run the numbers.

Council Member Garcia McAnally asked that the Council keep in mind that cities lose money when the recreation center is ran by the city.

City Manager Talbot stated when the City was first notified of this grant the City had to submit something to obtain a placeholder for the facility. The direction was to orient it towards a recreation center. The city manager gave an overview of the basic elements.

- Admin space where people check in to the shelter
- Extra room behind admin space
- Men/women bathroom with locker and shower
- Kitchen area (not full service)
- Laundry room facility
- Pantry
- Gym that will be used for dorm and eating place, a multi-function room during the course of time the shelter is used.
- There is a limitation on how many days allowed to stay before FEMA moves them off to a more permanent location, possibly 30 days.
- Overall footprint of drawing is 10,367 square feet.

City Manager Talbot stated that there were offices and that they could be multi-functional and when the facility was not being used as a shelter it could be used to check people into the program that was going on. The fitness area does not have to be a fitness area, it was additional space. This is more than \$1.5 million this is about \$2.2 million and it does not include the land or driveway. The required amount of land will probably be five to ten acres. The annual cost would be between \$35 and \$45 thousand.

Council Member Gilleland asked if recreation centers have been profitable in the past. City Manager Talbot replied no.

Mayor Kesselus asked if the drawing included high ceiling to make it a gym. The City Manager replied yes.

Council Member Garcia McAnally said that as she and Council Member Gilleland were doing the research there was a company called Sprung Structures that have 30 year warranty buildings that can be taken down and moved to a different area and can be built on cement or tarmac. The company specializes in disaster centers, gymnasiums, administration offices, public works facilities with storage or without and fire stations. It costs about \$35 to \$38 per foot the structures are very inexpensive and are the perfect amount of time. The City would be charged with the idea of getting an architect to help with the designs and that can be flexible within certain limits of the structure and also for the designer to be sure that when or if a disaster struck, if it were a fire station they would immediately pull out the trucks. It would have to be convertible to make space for the needs. It would also have the restrooms, showers, kitchen and all the things that a fire station would need. The facility could be built with expandable walls and the possibility to do this within the budget.

Mayor Kesselus asked if it would be possible to get a ball park figure. Council Member Schiff stated the bottom line would more than likely be \$140 a square foot rather than \$200 a square foot.

Council Member Garcia McAnally said the facility could be a gym, it could be public works, storage or an admin space, and/or a fire station (Fire station would require purchasing land.) and it will be a disaster recovery space no matter what it becomes. She also suggested that the City could possibly partner with the ISD and make it an education training facility.

Council Member Gilleland asked what other than space for public works will need more money. City Manager Talbot responded, the wastewater treatment plant and there has to be an administrative building onsite for the new wastewater treatment plant, an excess building with three or four office spaces in it.

Council Member Garcia McAnally expressed a desire not to have a use for the \$1.5 million not found. Can the city afford to utilize the \$1.5 million and sustain whatever that investment is?

City Manager Talbot stated there is more needed for public works than administration, more equipment has been added in the last couple of years, additional storage space will be needed for the equipment and more equipment.

Mayor Kessler asked was it possible to take the \$1.5 million and build whatever we can build for that amount of money as a free standing building across the street from the convention center or to add on to the convention center? The Mayor stated that the city probably could not afford to do the whole thing at the convention center following the

City Manager's plan but the city could use the convention center as the sleeping part and extra bathroom, showers and new structure plus extra space to use for very small meetings in addition to the convention center. If there was an emergency the sleeping area could be in the large part of the convention center.

Summary from Mayor Kesselus

Possibility of the Y is to:

- Hold on to the \$1.5 million set aside for a 35,000 or 25,000 square foot building.
- Bond election in May. (Problem: if it fails will it be too late to do one of the other options?)
- The City build its own building at a cost of \$1.5 million plus .7 million. (Would have to worry about maintenance, annual cost and buy land. Could we use it for recreation maybe something else. Maybe modified if used for public works building, lower the ceiling not have a gym.)
- Sprung structures with a few options.
- Something with the convention center.

Mayor Kesselus proposed that the City Manager take a closer look at possibilities in a little more detail and run the traps.

Mayor Kesselus asked if there were any others in the audience that would like to speak.

Mark Palmer, representative of Cube Source. Mr. Palmer proposed the YMCA using Cube Source which is a storage unit. The company has been around for over 50 years and they are green. There are 17 million of them in the United States today only five percent are actually used causing them to pile up on the ports. He also proposed the company building a fabrication center in Bastrop which will bring jobs and opportunity. He proposed the company could get the YMCA done for around \$100 per square foot. The structures can withstand 200 mile an hour wind. This type of build is 30 to 40 percent less than the traditional build.

Mayor Kesselus stated the Council will let the City Manager work on the ideas and come back to Council and discuss in order for Council to figure out a plan.

Mayor Kesselus recessed the meeting at 7:25 PM

Mayor Kesselus called the meeting back to order at 7:35 PM

- A. The Proposed 2015-2016 Budget – A review and discussion with the City Manager regarding the proposed General Fund Budget for fiscal year 2016 as well as the proposed tax rate. City Manager Talbot gave a summary of the proposed General Fund Budget for fiscal year 2016 by category. The proposed FY-16 General Fund Operating Budget gives an outline of the programs and services to be provided by the City during the coming fiscal year. One of the highest priorities for FY-16 is the completion of the New Comprehensive Plan.

City Manager Talbot stated that he understands that it is his responsibility to submit a “balanced budget” for the Council’s consideration. By necessity the “balanced

budget” submitted will not/cannot include all departmental items requested. However, the City Manager believes it is important for the Council to have a clear overview of what the Departments are requesting in order for the Council to be able to fully evaluate the requests via the preliminary proposed FY-16 General Fund Operating Budget and make any suggested changes so long as the budget is kept balanced.

City Manager Talbot wanted to make it clear to Council that the attached preliminary proposed budget is balanced. The following goals and objectives are the guiding principles in the development of the City’s proposed “General Fund Operating Budget” for FY-16:

- Enhanced City programs and services to the Bastrop homeowners, residents, and businesses, with same M&O tax rate as last year.
- Priority based investments for public safety, streets & drainage and quality of life services.
- Investment in the City’s workforce.

The following factors were taken into consideration in preparing the preliminary, proposed FY-16 General Fund Operating Budget:

- General discussions and input from the City Council during the current fiscal year and input gleaned from this year’s “Strategic Planning Workshop”;
- Information received in the annual Departmental budget requests, submitted to the City Manager;
- Information learned from various pertinent City reports; and
- Information learned through communications with the City Council, Department Director’s and Bastrop’s citizenry over the last months, related to potential community needs and priorities.

Section II

City Manager Talbot gave an overview of the revenues.

- Ad Valorem Taxes
- Sales Taxes (He pointed out that the sales tax continue to remain strong.)
- Franchise & Other Taxes
- Licenses & Permits (Mainly Building Official and Planning Department.)
- Service Fees
- Fines & Forfeitures (Municipal Court, Library and other types of fines assessed.)

The City Manager noted that the electrical fund transfer was down as a result of change in policy that street lighting be paid out of the BP&L fund and not the electric fund. That greatly reduced the amount of transfer from the BP&L Fund to the General Fund.

The sales tax collection is the major source of revenue for the General Fund. The projected amount of sales tax for fiscal year 2015 is \$3,805,000. Sales tax collection for fiscal year 15 was up a considerable amount from the previous year and it appears at this point in time that the City will exceed the projected amount budgeted for this year by \$375,000. The increase projected can be attributed to the growth of the City.

Projecting the amount of sales tax collected for this FY-16 considerable thought was put into the evaluation of the local the state and national economy. The amount of sales tax budgeted for FY-15 today has been above what was budgeted. In the month of July the City had a double digit increase from the same period last year. In July 2015 though many cities showed increase the State Comptroller's Office reported a slight decrease in sales tax collection for the State for the same period last year. In projecting sales tax collection it is important to monitor both the State and National economies. Though the national economy has improved considerably over the last two years, there continues to be some weakness in various segments of the National economy. In developing the amount to be budgeted for "Sales Tax Collection for FY-16" the following factors were considered:

1. FY-16 is a presidential election year and as history has shown, Washington DC will all likely pass appropriation bills to fund an array of projects and programs. The State of Texas' economy continues to perform above the national economy in both job creation and retail sales and there have been no economic indicators that this trend will not continue for the State's economy, and
2. The outlook for the City economy continues to look positive, especially with the number of residential and commercial projects that have been submitted to the City's "Planning Department," and the City's commercial growth looks very positive going into FY-16.

The City Manager proposed a tax rate that is the same tax rate as last year. The Chief Financial Officer has to go through the formula because there are certain properties that are frozen because of age or other reasons and that has to be discounted but when you take all of that into account the current tax rate and the property freeze delinquent taxes, penalty and interest property tax should generate \$4,732,000. When you break that down to O&M .3596 will go to O&M which is 63.76 of your property tax and 20 cents is going to the debt service requirement of 1.7 million and that totals your property tax.

The City Manager stated that more revenue is being generated with the same tax rate due to the assess evaluation came in at about \$40 million more than last year. The debt payment for FY-16 was 1.7. A lot of debt was restructured in the last few years which has helped to bring down a lot of the debt service payments.

In the General Fund – Electric

Proposing \$557,000 and that brings the percentage down to almost the point where it is the same amount as the franchise fee.

The City Manager stated the Municipal Court is projected to bring in \$219,000 which is projected to be \$5,000 less than last year.

Mayor Kesselus questioned the program the Council bought into several years ago that was going to produce more money had topped out, reached a peak because it was going back down.

City Manager Talbot stated that he thought that was part of it and that the City has gone through some transitions regarding technology etc. and he believes that some

operational shifts will be seen in the municipal portal next year that could raise the funds.

Want to make sure that the City is maintaining a competitive tax rate and also meet the demands of the municipality.

City Manager Talbot stated that it was challenging even though the fund was balanced and there was a decrease in revenues of \$232,000 when everything was taken into consideration the previous year. It was a challenge to try to strike a balance. The ISD no longer use the City of Bastrop police officers. Seventy percent of the taxes are revenue coming in.

There will have to be a posting in the paper because when you receive an increase in your Ad Valorem Assessments you have to post what tax rate would generate the same amount of revenue as last year and that tax rate would be 5504 that is your effective tax rate, the current tax rate is .5640. If the City were to drop back to the effective rate the City Manager would have to find another \$103,000 to cut from the budget and that would be a struggle. If the City were to raise it a penny there would be an increase in the generation of revenue.

PERSONNEL

Salaries and benefits – Per fiscal year the cost is \$6,190,000 represents 52% of the general fund expenditures.

The number one objective of the City Manager was to get a compensation and wage plan. In FY-15 the turnover rate of employees leaving the City increased substantially from the two previous years. This year there was a little bit over a third of the workforce turnover, that hurts when there is that level of turnover. The wage study was conducted for the City of Bastrop and fiscal year 16 proposed general operating fund reflects the transitional cost for implementation for the proposed rate classification plan, the proposed rate and classification plan is pending approval. Once the plan is approved it will aid in attracting qualified applicants once positions become available. The City Manager made it clear that he is not benefiting from the proposed rate classification plan.

Mayor Kesselus stated that it has been discovered that it is the BEDC that is paying the Y director's salary not the City budget. He feels that this is not appropriate and that he is going to ask that in the BEDC budget this position is not funded it should be the City. Council Member Gilleland asked the City Manager if he remembered that. The City Manager stated the Mayor had asked him about the funding of the Y and he could not remember. Upon his employment with the City the Summer Program was funded through the school district and the Council asked the City Manager to get with the school and figure out where the money was being spent. The first year the City Manager was not able to respond to the request of Council, second year the Council asked again and he was told that the school was using that to keep the gyms open and pay the personnel in the gyms. At that point the Council decided to shift and hire a recreational specialist. An individual was hired and this individual worked for about two or three years and it was a one person show and it was more than one person could

do. At that point the City made the shift to go to the Y because there was support for the employee. Recreational expenditures are an allowable expense under the statute.

The Mayor stated that the problem for him was that if the City is going to be doing a recreational program it should be on the City and not putting the burden on the BEDC and take away from their ability to do economic development.

City Manager Talbot informed the council that pages 14 through 18 of the preliminary summary of the proposed revenues and expenditures are a summary of all the expenditures and the packet has all the details. The City Manager invited the council to look it over and ask any questions of him if they so desired.

Council Member Gilleland asked the City Manager whether or not when he references Fisherman's Park if he is talking about new restrooms that were proposed or if he is speaking of the old ones. City Manager Talbot stated that it is the new restrooms and that his position on that is he follows the economy very closely and that the picture of what the economy is doing is continuously very mixed, the Gross National Product was down a little last month. Because of the City's dependency on the hotel/motel tax, what he decided to do as strongly as he feels the restroom is needed it was put in the contingency and at six months if he is wrong he will do a budget amendment transferring it out to a restroom.

Council Member Gilleland asked if he was proposing to spend it now. The City Manager answered Council Member Gilleland's question by saying as long as the City is meeting the budget expectations both on the expenditures and revenue side in six months he will have no problem transferring the money out to the restroom.

City Manager Talbot stated the wage market summary shows that the City is below market but not as bad as he thought the city was. As long as the compensation plan is implemented and continue to fund the step increase on the anniversary date he believes the City will be providing a very competitive salary for the first time in some time. He feels that for a city this size if the budget is approved with the proposed wage the City will have a very competitive wage plan.

Council Member Gilleland inquired about whether or not there will be an additional IT person. City Manager Talbot explained that there is an advertisement for one additional person. A person was budgeted for and this person will help relieve Andres with some of his duties.

Council Member Gilleland inquired about the dispatch staff for the police department, whether or not a building was being built but no staff to run it. City Manager Talbot stated no but if we are going to run it now is the time to do it and not afterwards. He stated that the wires for technology must be installed as the building is being built.

City Manager Talbot explained that if we try to wait and do it all at one time it will be such a hit to the budget that it will never get done.

Council Member Gilleland asked at what point the City would be able to stop paying the County for 911 services.

City Manager Talbot stated when we start operating. Council Member Garcia McAnally asked the City Manager what he thought the time frame was. City Manager Talbot stated that the amount to build was approximately \$150,000 short. Council Member Garcia McAnally asked if the \$150,000 was per year. The City Manager stated yes in addition to what the City is paying the County. What the City is paying the County now is approximately \$200,000 and it was approximately \$360,000 to fully staff. Once the operation begins the money will no longer be going to the County it will be used to pay the salary of the staff. Council Member Garcia McAnally asked the City Manager if he meant \$150,000 to sustain it every year. City Manager Talbot stated that it will go up every year. Council Member Garcia McAnally stated that Hunter's Crossing was promised a dog park a long time ago and she wanted to know if it would be honored in the budget this year.

City Manager Talbot stated that the City does not have ownership of the parks out there, the PID Board owns them.

City Manager Talbot explained that the setting of the tax rate must be done by following the statutory part of the Local Government Code. The City Manager's recommendation was that Council vote the 5.740, telling the public what the maximum tax rate is for next year. If the tax rate is set at the current rate the Council can't go above that rate. The proposed amount is below the roll back rate but higher than what the City Manager is calling for. The Council must put the public on notice of the highest possible tax rate being considered for assessment.

Mayor Kesselus stated that long conversations have been had between the Council and the City Manager regarding things that the City Manager absolutely has to have. The City Manager brought the list back and there were two or three plans one of which was the police station which was built out of other monies. There was talk of as much as 3% increase but the Mayor feels that this would not be possible if what the City Manager is proposing for the tax rate is passed tonight.

The City Manager explained that is debt finance and the debt service payments will have to be structured to fall in accordance with what is generated. Debt service is viewed as a three step tax increase. When you issue certificates of obligation you put a notice in the paper and you tell citizens how much your tax rate is going to go up and try to structure it so that it falls in place. If a percentage of the voters in the last election say no they do not want the taxes to go up then they can force it to a general bond issue.

Mayor Kesselus asked the City Manager how the citizens would go about getting this to an election and the City Manager explained that it would be through a petition.

City Manager Talbot explained that the issue at this point was that the City does not know at this time how much will be issued but there is a cushion that is kept in the interest and sinking fund. If the Council decide to issue some debt for the critical issues such that only one payment will fall within the new fiscal year and then next year the tax rate would go up but not because of increase but because of your debt service. Your debt service is subject to the roll back rate.

City Manager Talbot stated that \$600,000 was put in for roads. City Manager stated that the structure would be set up to where there is only one debt payment for the fiscal year. But because of the magnitude of that project we should be moving forward with the work because it has to be designed.

C. Discussion and review of the HUD/G.L.O. Shelter Grant designated to the City of Bastrop by Bastrop County.

3. The Bastrop City Council will adjourn Workshop Session and reconvene into Special Session to Take any necessary action(s).
At 8:30 PM, Mayor Kesselus adjourned the Budget Workshop Session and reconvened into the Special Meeting to take necessary actions.

Council Member Garcia McAnally made the motion to approve the .5740 for a public notification, seconded by Council Member Jackson. Motion passed on a vote of 4-0. NO FORMAL ACTION WAS TAKEN ON THE TAX RATE.

4. EXECUTIVE SESSION - No Executive Session was held.

ADJOURNMENT

At 8:35 PM, Council Member Jackson made the motion to adjourn, Council Member Garcia McAnally seconded the motion which passed on a 4-0 vote.

Ann Franklin, City Secretary

I, Ann Franklin, City Secretary of the City of Bastrop certify that the above notice was posted on July 31, 2015 at 5:00 p.m.

THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. PLEASE CALL 512-332-8800.

Confirm time posted KR
Confirm time removed: _____

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 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 Pecan Park Residential, Section 4, being 70 lots located on Childers Drive.**

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:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **Approval of the Final Plat for the Subdivision of a Northwest Portion of Farm Lot 11, East of Main Street being +/- 1.413 acres located on the southeast corner of Mesquite and Pecan Streets, within the city limits of Bastrop, Texas**

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

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**

a) _____

b) _____

c) _____

8. Staff Recommendation:

Staff recommends approval of the requested Final Plat for 5 lots on the southeast corner of Mesquite and Pecan Streets.

9. Advisory Board: _____ Recommended Approval _____ Disapproved _____ None

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

11. Action Taken: _____

City of Bastrop Agenda Information Sheet:



City Council Meeting Date:

August 25, 2015

Project Description:

Consideration, discussion and possible action on the Final Plat for the Subdivision of a Northwest Portion of Farm Lot 11, East of Main Street being +/- 1.413 acres located on the southeast corner of Mesquite and Pecan Streets, within the city limits of Bastrop, Texas.

Item Summary:

Owner: Juan Carlos Morales
Applicant: Dale L Olson Surveying
Location: Southeast corner of Mesquite and Pecan Street
Utilities: City of Bastrop Water and Wastewater and BP&L Electric
Zoning: SF-7, Single Family Residential-7
Acres: 1.413
Residential Lots: 5 residential lots.

Background:

This property is currently vacant and the owner would like to subdivide the property into 5 lots. Each lot meets the minimum lot size requirements. Three lots will face Mesquite Street and two lots will face Pecan Street. Each lot is over 12,000 square feet.

Basis of Support:

Staff supports the request for approval of the Final Plat. City staff has reviewed the Final Plat and it meets all City Requirements.

Special Considerations: None.

Comments: Ten (10) surrounding property owner notifications were mailed August 12, 2015. At this time we have received no responses.

Staff Recommendation:

Staff recommends approval of the Final Plat for Subdivision of a Northwest Portion of Farm Lot 11, East of Main Street being +/- 1.413 acres located on the southeast corner of Mesquite and Pecan Streets, within the city limits of Bastrop, Texas.

City Contact:

Melissa M. McCollum, AICP, LEED AP – Director
Wesley Brandon, PE, City Engineer
Planning and Development

Attachments:

Location Map and Plat



Property Location Map for Fam Lot 11



Legend

 Farm Lot 11



Planning and Development August 2015

20

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **SECOND READING of an Ordinance granting a zone change from C1, Commercial-1 and C2, Commercial-2 to PD, Commercial Planned Development allowing for commercial and multi family development for approximately 66.494 acres within the Nancy Blakey Survey, Abstract No. 98, located south of Orchard Parkway and north of the proposed extension of Hasler Boulevard within the City limits of Bastrop, Texas as part of the overall Pecan Park Conceptual Plan; 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 requested rezone from C1, Commercial-1 and C2, Commercial-2 to PD, Commercial Planned Development allowing for commercial and multi family for approximately 66.494 acres located south of Orchard Parkway and north of the proposed extension of Hasler Boulevard within the City limits of Bastrop, Texas.**

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

The Planning and Zoning Commission conducted a public hearing at their regular meeting July 30, 2015 and voted 6 in favor and 1 opposed to recommend approval of the requested rezone from C1, Commercial-1 and C2, Commercial-2 to PD, Commercial Planned Development allowing for commercial and multi family for approximately 66.494 acres located south of Orchard Parkway and north of the proposed extension of Hasler Boulevard within the City limits of Bastrop, Texas.

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

11. Action Taken: _____

ORDINANCE NO. Ord-2015-14

AN ORDINANCE GRANTING A ZONE CHANGE FROM C1, COMMERCIAL-1 AND C2, COMMERCIAL-2 TO PD, COMMERCIAL PLANNED DEVELOPMENT ALLOWING FOR COMMERCIAL AND MULTI FAMILY DEVELOPMENT FOR APPROXIMATELY 66.494 ACRES WITHIN THE NANCY BLAKEY SURVEY, ABSTRACT NO. 98 LOCATED SOUTH OF ORCHARD PARKWAY AND NORTH OF THE PROPOSED EXTENSION OF HASLER BOULEVARD WITHIN THE CITY LIMITS OF BASTROP, TEXAS AS PART OF THE OVERALL PECAN PARK CONCEPTUAL PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, DM Pecan Park Associates, LTD, Duke McDowell (hereinafter referred to as “Applicant”) submitted a request for a zone change from C1, Commercial-1 and C2, Commercial-2 to PD, Commercial Planned Development for approximately 66.494 acres situated in the Nancy Blakey Survey, Abstract No. 98 located south of Orchard Parkway and north of the proposed extension of Hasler Boulevard within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

WHEREAS, a copy of the Metes and Bounds Survey and location map is attached hereto as Exhibit “A” (the “Property”); and

WHEREAS, the Property is currently zoned as C1, Commercial-1 and C2, Commercial-2; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on July 30, 2015; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended a PD, Commercial Planned Development zoning designation for the Property; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on August 11, 2015 to consider the Applicant’s request to rezone the Property to PD, Commercial Planned Development; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property, which is currently zoned as C1, Commercial-1 and C2, Commercial-2, to a new designation of PD, Commercial Planned Development.

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

Part 1: The Property, is situated in Nancy Blakey Survey, Abstract No. 98 located south of Orchard Parkway and north of the proposed extension of Hasler Boulevard within the city limits of Bastrop, Texas as more particularly shown and described on attached Exhibit “B”, shall be and is hereby rezoned from its prior designation of C1, Commercial-1 and C2, Commerical-2 to a new zoning designation of PD, Commercial Planned Development.

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

Part 3: The Zoning Ordinance standards should be amended as follows:

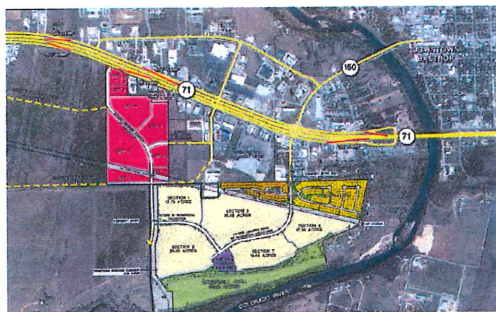
Land Use District	PD-O	PD-GR	PD-C	PD-MF	PD-CA
Land Use	Office Low Intensity Office and Professional Uses	General Retail General Retail, Neighborhood & regional shopping, hotels, restaurants and Service Facilities for the retail sale of Goods and Services	Commercial Retail and light intensity wholesale - commercial uses of a service nature which typically have operating characteristic & traffic service requirements generally compatible with typical office, retail, shopping and some residential environments	Multi-Family Low-rise multiple-dwelling and garden apartments with a maximum density of twenty-five (25) units per acre.	Public & Private Parks, Trail Systems, Private Community Amenity Areas, Public Utility Services, Drainage Channels, Roadways, and accessory uses
Max. Use in Commercial	25.0 %	25.0 %	40.0 %	25.0 %	N/A
Min. Lot Area	7,000 SF.	12,000 SF	12,000 SF	15,000 SF	N/A
Min. Lot Width	60'	100'	100'	100'	N/A
Min. Lot Depth	110'	110'	110'	125'	N/A
Min. Front Yard	25.0'	25.0'	25.0'	25.0'	N/A

Min. Interior Side Yard	10.0'	10.0'	10.0'	15.0'	N/A
Min. Exterior Side Yard	25.0'	25.0'	25.0'	15.0'	N/A
Min. Rear Yard	20.0'	20.0'	20.0'	35.0'	N/A
Maximum Building Height	3-story	2-story	2-story	3-story	N/A
Maximum Lot Coverage	60.0%	60.0%	70.0%	70.0%	N/A

- **PD-O – Office**
Low Intensity Office and Professional Uses
- **PD-GR – General Retail**
General Retail, Neighborhood & regional shopping, hotels, restaurants and Service Facilities for the retail sale of Goods and Services
- **PD-C – Commercial**
Retail and light intensity wholesale - commercial uses of a service nature which typically have operating characteristic & traffic service requirements generally compatible with typical office, retail, shopping and some residential environments
- **PD-MF – Multi-Family**
Low-rise multiple-dwelling and garden apartments with a maximum density of twenty-five (25) units per acre. The maximum allowed number of units will be 400

Other-Use Categories –

- **PD-CA – Common Areas**
Public & Private Parks, Trail Systems, Private Community Amenity Areas, Public Utility Services, Drainage Channels, Roadways, and accessory uses



Standards for all properties in the commercial areas will meet the criteria:

- **C,C&Rs** - Other regulations and restrictions will be established by the Development's C,C,& R's and Design Guideline Standards that will be created for each section. Those Design Guideline Standards will include

provisions for limiting building plan elevations, building street setbacks, building exterior selections and uniform standards for landscaping

- **Maximum Lot Coverage-** The percentage determined by dividing (a) the gross area of the lot (in square feet) by (b) the footprint of the main building; and the footprints of accessory buildings.
- **Permitted Uses -** Within each of the land use categories there are additional permitted uses as per the following table. Uses are designated as Primarily Permitted (P), Prohibited (X), or Accessory to Primary (A) for each of the land use districts.

Permitted uses are defined in the City of Bastrop's Zoning Ordinance and as follows in the land use table provided. Terms not specifically defined herein shall be as defined in the City's Zoning Ordinance in effect at the time of development application submittal.

	PD-O	PD-GR	PD-C	PD-MF	PD-CA
Recreational & Entertainment uses					
Trails, Parks & Open Space	P	P	P	P	P
Educational & Institutional Uses					
Art Gallery or Museum	P	P	P	X	A
Child Care Center/Day Care Center	P	A	P	A	X
Church, Rectory or Temple	P	P	P	X	X
College or University	P	P	P	X	X
Community Center (Public)	P	P	P	X	X
School, Public or Private	P	P	P	X	X
Library	P	P	P	A	X
Office & Professional Uses					
Accountant or Bookkeeping Office	P	A	P	X	X
Architect's Office	P	A	P	X	X
	PD-O	PD-GR	PD-C	PD-MF	PD-CA
Office & Professional Uses					
Professional Type Offices	P	A	P	X	X
Bank, Savings & Loan, Credit Union and Brokerage Firm	P	P	P	X	X
Hospital					

	P	A	P	X	X
Home Owner Association/Owner	P	P	P	P	P
Association Administration Office	P	A	P	X	X
Dental Clinic, Laboratory or Office	P	P	P	X	X
Medical Clinic or Office	P	P	P	X	X
Minor Medical Emergency Clinic	P	P	P	X	X
Mortgage & Loan Agency	P	A	P	X	X
Offices, General Business and Professional	P	A	P	X	X
Optician or Optometrist	P	P	P	X	X
Communication Tower	P	P	P	P	P
Real Estate Office	P	A	P	X	X
Real Estate Sales Center/Model Complex	P	A	P	X	X
Retail & Service Uses					
Alcoholic Beverage Establishment	A	P	P	X	X
Antique Shop, Sales Indoors	A	P	P	X	X
Art Supply Store	A	P	P	X	X
Bakery or Confectionery Shop (Retail)	A	P	P	X	X
Barber Shop/Hair Salon/Day Spa	A	P	P	X	X
Book or Stationery Shop or Newsstand	A	P	P	X	X
Cellular Phone/Pager Sales (Indoor)	A	P	P	X	X
Computer Sales	A	P	P	X	X
Consignment Store	A	P	P	X	X
	PD-O	PD-GR	PD-C	PD-MF	PD-CA
Retail & Service Uses					
Copy Shop	A	P	P	X	X
Custom Personal Service Shop	A	P	P	X	X
Donut Shop	A	P	P	X	X

Drapery, Needlework or Weaving Shop	A	P	P	X	X
Drug Store or Pharmacy	A	P	P	X	X
Farmer's Market	P	P	P	X	X
Florist Shop	A	P	P	X	X
Food and Beverage Sales Store without Gasoline Sales (Convenience Store)	A	P	P	X	X
Food Store	P	P	P	X	X
Fuel Station (Automotive) with Convenience Store	A	P	P	X	X
Garden Shop	A	P	P	X	X
Handicraft Shop and Art Objects Sales	P	P	P	X	X
Hardware Shop or Store	P	P	P	X	X
Hobby Shop	A	P	P	X	X
Ice Cream/Yogurt Sales	P	P	P	X	X
Key Shop	P	P	P	X	X
Motel or Hotel	X	P	P	X	X
Pet Shop & Grooming	P	P	P	X	X
Restaurant or Cafeteria (Not Drive-in Service)	A	P	P	X	X
Retail Shop, Apparel, Gift, Accessory and Similar Items	P	P	P	X	X
Studio, Music, Dance or Drama	P	P	P	X	X
Temporary Outdoor Retail Sales/Commercial Promotion	P	P	P	X	X
Travel Bureau or Travel Consultant	P	P	A	X	X

P = Permitted; A = Accessory; X = Not Allowed

It is recognized that new or additional types of land use will develop and forms of land use not presently anticipated may seek to locate in Pecan Park. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Use Charts shall be made as follows:

A person requesting the addition of a new or unlisted use shall submit to the Director of Planning all information necessary for the classification of the use, including, but not limited to:

1. The nature of the use and whether the use involves dwelling activity, sales, services, or processing.
2. The type of product sold or produced under the use.
3. Whether the use has enclosed or open storage and the amount and nature of the storage
4. Anticipated employment typically anticipated with the use
5. Transportation requirements
6. The nature and time of occupancy and operation of the premises
7. The off-street parking and loading requirements
8. The amount of noise, odor, fumes, dust, toxic materials and vibration likely to be generated
9. The requirements for public utilities such as sanitary sewer and water and any special public services that may be required

The Director of Planning and Development shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use is most similar and should be permitted.

If the Director of Planning and Development is not able to determine a comparable land use, then a major amendment is required to amend the permitted uses. This amendment process will follow the standard City approval process as outlined in Section 36 Use Regulations of the City of Bastrop's Zoning Ordinance.

Part 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 11th day of August 2015.

READ and APPROVED on the Second Reading on the ____ day of August 2015.

APPROVED:

ATTEST:

Kenneth W. Kesselus, Mayor
Mayor

Ann Franklin
City Secretary

Exhibit A

HEARITIGE SURVEYING, CO.

TIM. D. HEARITIGE
727 West Point Loop
West Point, Texas 78963

Registered Professional Land Surveyor No. 5036
Licenced State Land Surveyor
Phone (979)242-3485

May 4, 2004

FIELD NOTE DESCRIPTION OF 69.296 ACRES OF LAND OUT OF THE NANCY BLAKEY SURVEY, ABSTRACT NO. 98, IN BASTROP COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (74.347 ACRE) TRACT OF LAND CONVEYED TO FRANCIS SCHAEFER BUCKHAULTS, JULIA JEAN RABENSBURG, AND LYNN MARI SCHAEFER OUALLINE IN A DEED AS RECORDED IN VOLUME 553 PAGE 684 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, TOGETHER WITH ALL OF LOT 1 OF SCHAEFER WEST, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 2 PAGE 399B OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped $\frac{1}{2}$ " iron rod found in the southwesterly right-of-way line of State Highway 71, being at the most northeasterly corner of that certain (43.00 acre) tract of land conveyed to Lisa Berdoll, as trustee, in a deed as recorded in Volume 631 Page 485 of the Official Records of Bastrop County, Texas, and being at the most northwesterly corner of the remainder of that certain (74.347 acre) tract of land conveyed to Francis Schaefer Buckhaults, Julia Jean Rabensburg, and Lynn Marie Schaefer Oualline in a deed as recorded in Volume 533 Page 684 of the Official Records of Bastrop County, Texas, and being for the most northwesterly corner of the tract herein described,

THENCE, with the southwesterly right-of-way line of Highway 71 **S 66 deg. 57' 15" E 521.79 feet** to a $\frac{1}{2}$ " iron rod found at the most northwesterly corner of that certain (2.00 acre) tract of land conveyed to Lynn Schaefer Oualline and John H. Wieting, jr. in a deed as recorded in Volume 664 Page 448 of the Official Records of Bastrop County, Texas, and being for an angle in the northerly line of this tract,

THENCE, leaving said right-of-way line, and with the westerly line of the Oualline tract, **S 00 deg. 15' 28" W 483.74 feet** to a $\frac{1}{2}$ " iron rod found at the most southwesterly corner of said (2.00 acre) tract,

THENCE, with the southerly line of the Oualline tract, **S 89 deg. 44' 15" E 198.84 feet** to a $\frac{1}{2}$ " iron rod found at the base of a fence corner post at the most southwesterly corner of that certain (2.00 acre) tract of land conveyed to Don A. Stewart, Inc. in a deed as recorded in Volume 661 Page 194 of the Official Records of Bastrop County, Texas, and being for an angle in the northerly line of this tract,

THENCE, with the southerly line of the Stewart tract **S 89 deg. 44' 15" E 253.46 feet** to a $\frac{1}{2}$ " iron rod set in the westerly line of Schaefer West, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 2 Page 399B of the Plat Records of Bastrop County, Texas, and being for an angle in the northerly line of this tract,

THENCE, with the southerly line of the Schaefer West tract, being the westerly and southerly right-of-way lines of Schaefer Boulevard **S 00 deg. 14' 48" W 48.38 feet** to a $\frac{1}{2}$ " iron rod set and **S 89 deg. 48' 19" E 80.00 feet** to a $\frac{1}{2}$ " iron rod found at the southwesterly corner of Lot 2 of said Schaefer subdivision,

THENCE, with the southerly line of said Lot 2, **S 89 deg. 48' 19" E 150.12 feet** to a $\frac{1}{2}$ " iron rod found for the common southerly corner of Lots 1 and 2 of said subdivision,

THENCE, with the common line between Lots 1 and 2, **N 00 deg. 18' 15" E**, passing a $\frac{1}{2}$ " iron rod found at 242.33 feet and continuing on the same course another 3.00 feet for a total distance of **245.33 feet** to a $\frac{1}{2}$ " iron rod set in the southwesterly right-of-way line of Highway 71, being for an angle in the northerly line of this tract,

Exhibit A

Page 2
(69.296 acres)

THENCE, with said right-of-way line S 68 deg. 57' 50" E 233.53 feet to a ½" iron rod set for the most northeasterly corner of this tract, being the most northwesterly corner of that certain (17.516 acre) tract of land conveyed to the Merle Arnold Prokop, jr. Revocable Living Trust, Dated November 22, 1991, in a deed as recorded in Volume 617 Page 308 of the Official Records of Bastrop County, Texas, and also being at the most northwesterly corner of the Beck, NHP, and Prokop Subdivision, Section One, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 3 Page 181B of the Plat Records of Bastrop County, Texas,

THENCE, leaving said right-of-way line and with the common line between the Buckhaults tract and the Prokop tract S 00 deg. 28' 13" W 2069.52 feet to a ½" iron rod found at the base of a fence corner post being the most southeasterly corner of the Buckhaults tract, and also being the most northwesterly corner of that certain (remaining portion of 258.51 acre) tract of land conveyed to Francis Schaefer Buckhaults in a Will as recorded in Volume 82 Page 483 of the Probate Records of Bastrop County, Texas, and also being at the most northeasterly corner of that certain (16.007 acre) tract of land conveyed to Julia Jean Rabensburg and Carl G. Rabensburg in a deed as recorded in Volume 658 Page 429 of the Official Records of Bastrop County, Texas, and being for the most southeasterly corner of this tract,

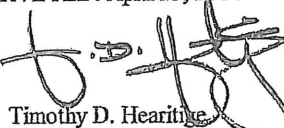
THENCE, with the northerly line of the Rabensburg (16.007 acre) Tract, S 89 deg. 26' 27" W 444.41 feet to a ½" iron rod found at the most northeasterly corner of that certain (94.00 acre) tract of land conveyed to Jo Ann Griesenbeck Cantrell in a deed as recorded in Volume 445 Page 684 of the Official Records of Bastrop County, Texas, and being for an angle in the southerly line of this tract,

THENCE, with the common line between the Buckhaults tract and the Cantrell tract, S 89 deg. 58' 23" W 930.30 feet to a capped ½" iron rod found at the base of a fence corner post, being at the most southeasterly corner of the Berdoll tract and being for the most southwesterly corner of this tract,

THENCE, with the common line between the Buckhaults tract and the Berdoll tract, N 00 deg. 19' 46" E 2661.79 feet to the PLACE OF BEGINNING, in all containing 69.296 acres of land.

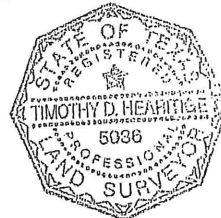
SURVEYED: April 23, 2004

BY:



Timothy D. Hearitige

Registered Professional Land Surveyor No. 5036



see accompanying map no. B 119076

[illegible]

Exhibit A

STATE OF TEXAS
COUNTY OF BASTROP

2.21 ACRES
NANCY BLAKEY SURVEY,
A-98

DESCRIPTION

DESCRIPTION OF A 2.21 ACRE TRACT OF LAND OUT OF THE NANCY BLAKEY SURVEY, A-98, BASTROP COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND CALLED TO BE 69.296 ACRES, CALLED TRACT E, DESCRIBED IN A DEED TO DM PECAN PARK ASSOCIATES, LTD, OF RECORD IN VOLUME 1482, PAGE 70, OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, SAID 2.21 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a TxDOT monument found in the southerly right-of-way line of State Highway 71, at the northwest corner of Lot 1, Austin Telco Subdivision, a subdivision of record in Cabinet 4, Page 145, of the Plat Records of Bastrop County, Texas, same being the most northerly northeast corner of said 69.296 acre tract;

THENCE, N 68° 43' 37" W, with the southerly right-of-way line of said State Highway 71, 153.91 feet to a 5/8 inch iron rod with cap set for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, S 01° 25' 55" E, across said 69.296 acre tract, 304.15 feet to a point for the southeast corner of the herein described tract;

THENCE, S 88° 34' 05" W, across said 69.296 acre tract, 279.40 feet to a 5/8 inch iron rod with cap set in the east line of a 3.22 acre tract out of said 69.296 acre tract, called Parcel A, said iron rod being the southwest corner of the herein described tract;

THENCE, with the east line of said Parcel A, the following three (3) courses:

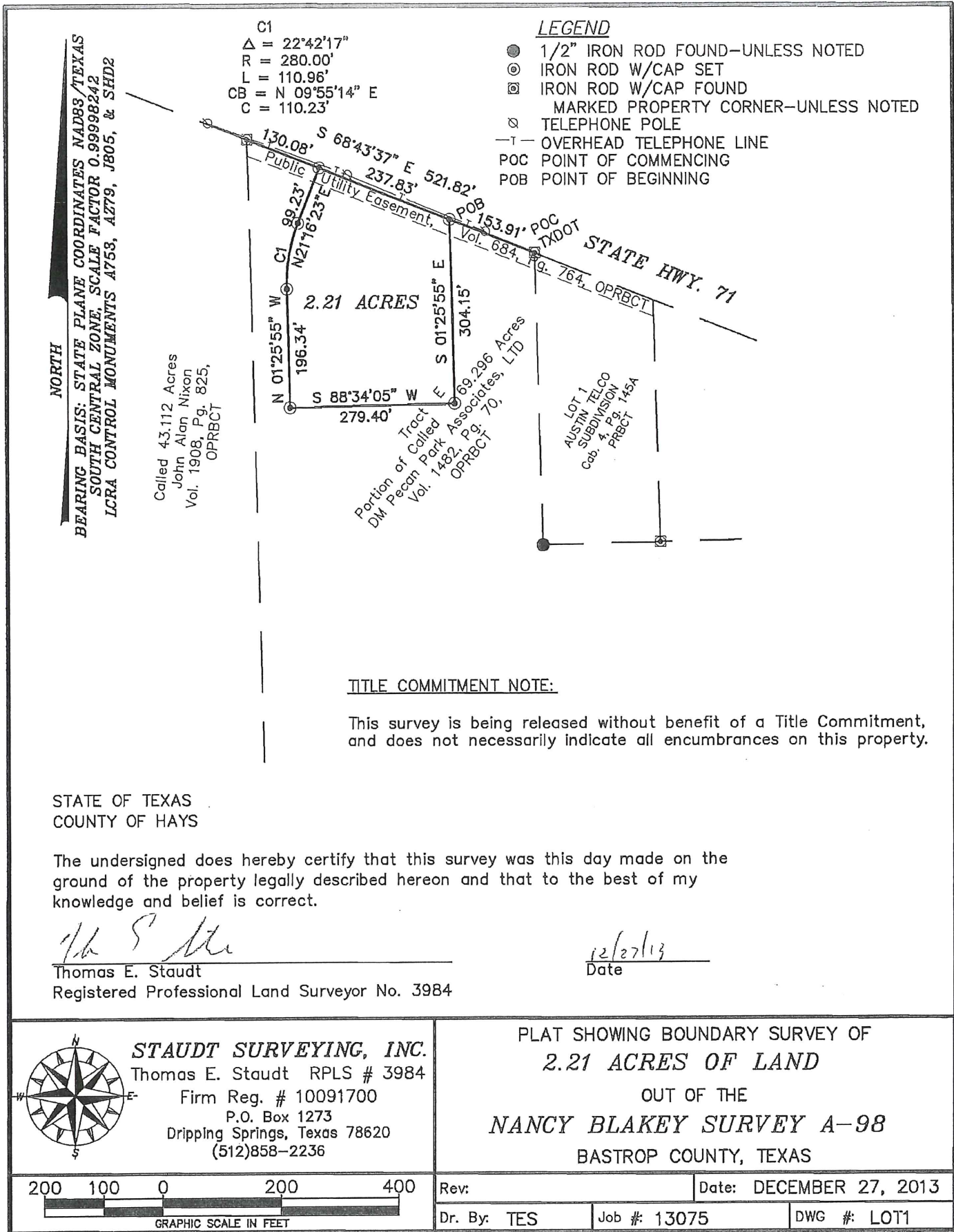
- 1) N 01° 25' 55" W, 196.34 feet to a 5/8 inch iron rod with cap set;
- 2) A curve to the right having a radius of 280.00 feet, an arc distance of 110.96 feet, a central angle 22° 42' 17", and a chord which bears N 09° 55' 14" E, 110.23 feet to a 5/8 inch iron rod with cap set;
- 3) N 21° 16' 23" E, 99.23 feet to a 5/8 inch iron rod with caps set in the southerly right-of-way line of said State Highway 71, for the northwest corner of the herein described tract;

THENCE, S 68° 43' 37" E, with the southerly line of said State Highway 71, 237.83 feet to the POINT OF BEGINNING containing 2.21 acres of land within these metes and bounds.

Description accompanied by sketch.
Surveyed by: *Staudt Surveying, Inc.*
P.O. Box 1273
Dripping Springs, Texas 78620
512-858-2236


Thomas E. Staudt Registered Professional Land Surveyor No. 3984 Date 12/27/13

Exhibit A



LOT1

5/146-B

NOTES:

1. This Plat conforms to the Pecan Park Commercial Preliminary Plat approved by the City Council on March 11, 2014.
2. All subdivision plats shall conform to the City of Beattrop Code of Ordinances, construction standards, and generally accepted engineering practices.
3. Construction Plans and Specifications for all subdivision improvements shall be reviewed and accepted by the City of Beattrop prior to any construction within the subdivision.
4. All subdivision improvements shall be constructed in accordance with the Subdivision Ordinance of the City of Beattrop are required for all construction on each lot, including single family and duplex construction.
5. All signs shall comply with the Beattrop Sign Ordinance and the Memo of Understanding for Development of Land approved by Beattrop City Council November 12, 2013.
6. City of Beattrop shall be responsible for the construction of the subdivision infrastructure in a form acceptable to the City of Beattrop, shall be provided prior to plat recordation by the City.
7. The owner of this subdivision, and his or her successors and assigns, assumes sole responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements for the City of Beattrop. The owner shall be responsible for obtaining all necessary permits for construction of the subdivision improvements. The owner shall be responsible for obtaining all necessary permits for construction of the subdivision improvements. The owner shall be responsible for obtaining all necessary permits for construction of the subdivision improvements.
8. By approving this plat, the City of Beattrop assumes no obligation to construct any infrastructure in connection with this subdivision. Any subdivision infrastructure required for the development of the lots in this subdivision is the sole responsibility of the developer/owner of the lots. The City of Beattrop shall not be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall not be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall not be responsible for the construction of the subdivision infrastructure.
9. Site Development Construction Plans shall be reviewed and accepted by the City of Beattrop prior to any multi-family or non-residential construction. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure.
10. No lot or structure shall be occupied prior to the Applicant submitting the City of Beattrop documentation (including all required permits) to the City of Beattrop for review and approval. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure.
11. Water service is provided by the City of Beattrop.
12. Sewer service is provided by the City of Beattrop.
13. Electric service is provided by the City of Beattrop.
14. Gas service is provided by the City of Beattrop.
15. No lot or structure shall be occupied prior to the Applicant submitting the City of Beattrop documentation (including all required permits) to the City of Beattrop for review and approval. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure.
16. No lot in this subdivision shall be occupied until connected to the approved water distribution and wastewater collection facilities.
17. Wastewater and water systems shall conform to TCEQ (Texas Commission on Environmental Quality).
18. Developer/Owner shall be solely responsible for all relocation and modifications to existing utilities.
19. Flood Protection: The degree of flood protection required by the City of Beattrop shall be determined by the City of Beattrop. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure. The City of Beattrop shall be responsible for the construction of the subdivision infrastructure.
20. All drainage easements, storm water facilities / features shall be maintained by the property owner or his or her assigns.
21. All easements of record as indicated on the most recent title run (dated January 2, 2014, conducted by National Investors Title Insurance Company) shall be recorded in the public records of the County of Tarrant, Texas.
22. Temporary and permanent easements to be provided, as required at the City's sole discretion for off-site water, wastewater and drainage improvements.
23. Property owner shall provide access to all easements as may be necessary and shall not prohibit access by governmental authorities.
24. No vehicular access to SH 71 shall be allowed from Lot 1.

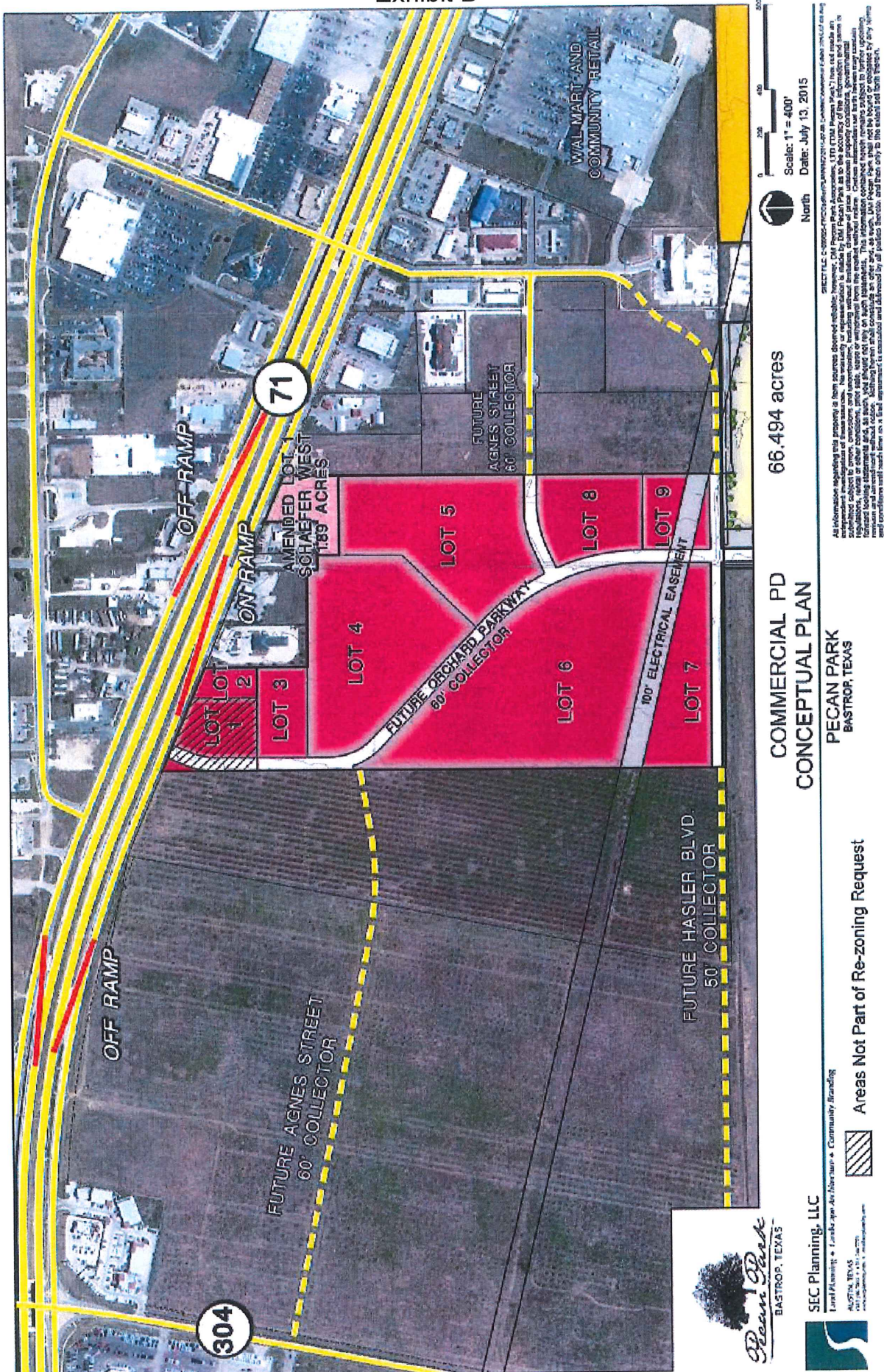


STAUBT SURVEYING, INC.
Thomas E. Staubt
RPLS # 3984
C. Staubt
(817) 250-2233

SUBDIVISION PLAT OF
PECAN PARK COMMERCIAL
PHASE 1
CITY OF BEATTROP
BASTROP COUNTY, TEXAS

100	50	0	100	200
Scale	1" = 50'	1" = 100'	1" = 200'	1" = 400'
DATE	MARCH 2014			

August 25, 2015



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

- 1. Agenda Item: PUBLIC HEARING: Conduct a public hearing to receive citizen input on a request to annex 16.21 acre tract situated in the Town Tract of Bastrop, Abstract 11, in Bastrop County Texas., being the portions of the 90.91 Healy Tract located on the northwest corner of Carter and Railroad Tracts.**

2. Party Making Request: **Michael H. Talbot, City Manager**

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

August 3, 2015 Request and Petition filed with the City Secretary for voluntary annexation of approximately 16.21 acres out of the Town Tract of Bastrop, Abstract 11. This is the first of two public hearings.

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) _____

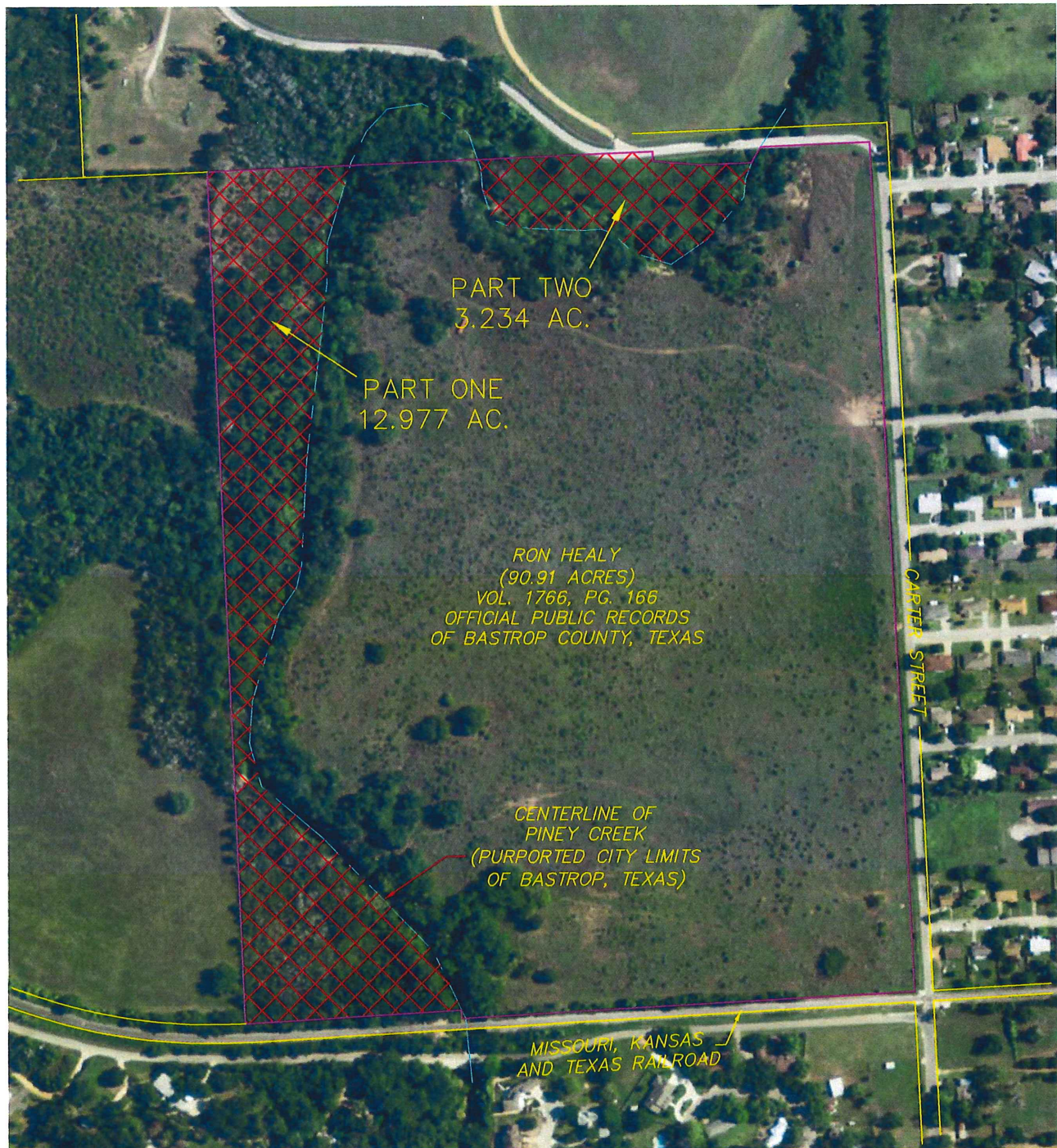
8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

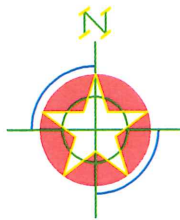
11. Action Taken: _____

EXHIBIT
OF
16.21 ACRES FOR ANNEXATION INTO THE CITY OF BASTROP, TEXAS



SURVOTEX LLC
PROFESSIONAL SURVEYING AND MAPPING SERVICES

600 W. Whitestone Blvd.
Cedar Park, Texas 78613
(512) 249-8875
Fax (512) 249-5040
TBPLS Firm No. 10084600



SCALE: 1" = 400'

SHEET: 1 OF 1

EXHIBIT "A"

Legal Description

BEING A 16.21 ACRE TRACT FOR ANNEXATION INTO THE CITY OF BASTROP, TEXAS, SITUATED IN THE TOWN TRACT OF BASTROP, ABSTRACT 11, BASTROP COUNTY, TEXAS, AND BEING OUT OF A CALLED 90.91 ACRE TRACT CONVEYED TO RON HEALY AS RECORDED IN VOLUME 1766, PAGE 165 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS (OPRBCT), SAID 16.21 ACRES BEING MORE PARTICULARLY DESCRIBED, IN TWO PARTS, BY METES AND BOUNDS AS FOLLOWS:

PART ONE – 12.977 ACRES

BEGINNING at a ½-inch iron rod found at a concrete monument lying at the base of a railroad tie fence corner post, said ½-inch iron rod marking the called northwest corner of a called 90.91 acre tract of land described in said Volume 1766, Page 165 (V1766/P165, OPRBCT), and the called northeast corner of a called 58.74 acre tract of land, described as Tract One, in a deed recorded in Volume 1924, Page 521, OPRBCT;

THENCE N 90°00'00" E (V1766/P165, OPRBCT), with the north line of said 90.91 acre tract, for a distance of 378.88' to a point in the center of Piney Creek, said center of Piney Creek being the purported current City Limits of Bastrop, Texas;

THENCE with the centerline of Piney Creek, and said purported current City Limits for the following thirteen (13) courses and distances:

1. S 19°10'59" W a distance of 213.41' to a point,
2. S 03°11'13" W a distance of 109.56' to a point,
3. S 09°06'27" W a distance of 467.31' to a point,
4. S 05°21'21" W a distance of 274.13' to a point,
5. S 15°04'58" W a distance of 62.87' to a point,
6. S 36°40'09" W a distance of 81.17' to a point,
7. S 19°34'20" W a distance of 243.09' to a point,
8. S 06°32'05" W a distance of 112.62' to a point,
9. S 12°56'23" E a distance of 119.08' to a point,
10. S 47°33'29" E a distance of 212.22' to a point,
11. S 42°11'34" E a distance of 227.62' to a point,
12. S 41°22'36" E a distance of 193.12' to a point, and
13. S 22°54'09" E a distance of 168.78' to a point on the common line being the north right-of-way line of the Missouri, Kansas and Texas Railroad (MK&T RR), and a south line of said 90.91 acre tract;

THENCE S 88°57'39" W (V1766/P165, OPRBCT), with said common line of the MK&T RR and said 90.91 acre tract for a distance of 573.60' (V1766/P165, OPRBCT) to a point being the

called southwest corner of said 90.91 acre tract and the called southeast corner of said 58.74 acre tract of land;

THENCE N 00°00'00" W (V1766/P165, OPRBCT), with the common line of said 90.91 acre tract and said 58.74 acre tract, for a distance of 2250.76' (V1766/P165, OPRBCT), to the **POINT OF BEGINNING** and containing 12.977 acres of land, more or less.

PART TWO – 3.234 ACRES

COMMENCING at a ½-inch iron rod found at a concrete monument lying at the base of a railroad tie fence corner post, said ½-inch iron rod marking the called northwest corner of a called 90.91 acre tract of land described in a deed recorded in Volume 1766, Page 165, OPRBCT (V1766/P165, OPRBCT), and the called northeast corner of a called 58.74 acre tract of land, described as Tract One, in a deed recorded in Volume 1924, Page 521, OPRBCT;

THENCE N 90°00'00" E (V1766/P165, OPRBCT), with the north line of said 90.91 acre tract, at a distance of 378.88', crossing the center of Piney Creek, and continuing for a distance of 338.78', being a total distance of 717.66' to a point in the center of Piney Creek, same being the purported current City Limits of Bastrop, Texas, said point being the **POINT OF BEGINNING** hereof;

THENCE N 90°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 463.45' to a point being an ell corner (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE S 00°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 25.26' (V1766/P165, OPRBCT) to a point being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE S 83°00'34" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 125.78' (V1766/P165, OPRBCT) to a point being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE N 90°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 135.58' (V1766/P165, OPRBCT) to a point in the center of Piney Creek, same being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract, said center of Piney Creek being the purported current City Limits of Bastrop, Texas;

THENCE with the centerline of Piney Creek, and said purported current City Limits for the following fifteen (15) courses and distances:

1. S 22°16'34" W a distance of 47.25' to a point,
2. S 06°50'58" W a distance of 46.03' to a point,
3. S 42°26'31" W a distance of 31.78' to a point,
4. S 43°54'44" W a distance of 117.50' to a point,
5. S 57°48'09" W a distance of 115.62' to a point,

6. N 70°04'56" W a distance of 108.45' to a point,
7. N 42°26'50" W a distance of 72.59' to a point,
8. N 69°47'02" W a distance of 31.34' to a point,
9. S 88°01'54" W a distance of 44.28' to a point,
10. N 85°10'23" W a distance of 146.22' to a point,
11. N 80°25'58" W a distance of 61.18' to a point,
12. N 63°26'21" W a distance of 42.73' to a point,
13. N 15°26'10" W a distance of 80.95' to a point,
14. N 02°12'00" W a distance of 57.62' to a point, and
15. N 17°16'52" W a distance of 23.77' to the **POINT OF BEGINNING** and containing 3.234 acres of land, more or less.

AREA SUMMARY:

PART ONE 12.977 acres

PART TWO 3.234 acres

TOTAL 16.211 acres

With respect to the north, west and south lines of the aforementioned, called 90.91 acre tract, all courses and distances cited herein are from record information (V1766/P165, OPRBCT). Courses and distances locating the centerline of Piney Creek are from on the ground survey of the centerline of Piney Creek, using the western line of said 90.91 acre tract as a basis of bearings (N 00°00'00" W).

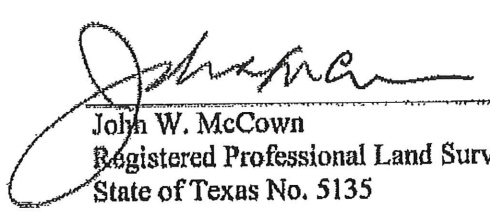
As of this writing, the best information available, from any source, is that the center of Piney Creek, in the area of this description, is the western City Limits of Bastrop, Texas.

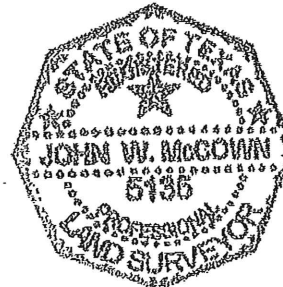
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

8-3-15

Date

SURVTEX, LLC
600 W. Whitestone Blvd.
Cedar Park, TX 78613
(512) 249-8875 Fax (512) 249-5040
TBPLS Firm No. 10084600


John W. McCown
Registered Professional Land Surveyor
State of Texas No. 5135



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **SECOND READING of an Ordinance granting a zone change from SF7, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 204.576 acres within the Mozea Rousseau Survey, Abstract No. 56, located at the terminus of Childers Drive within the City limits of Bastrop, Texas as part of the overall Pecan Park Conceptual Plan; setting out conditions; and establishing 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 rezone from SF7, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 204.576 acres within the Mozea Rousseau Survey, Abstract No. 56, located at the terminus of Childers Drive within the City limits of Bastrop, Texas.**

9. Advisory Board: **XX** Recommended Approval _____ Recommended Denial _____ None

The Planning and Zoning Commission conducted a public hearing at their regular meeting July 30, 2015 and voted 6 in favor and 1 opposed to recommend approval of the requested rezone from SF7, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 204.576 acres within the Mozea Rousseau Survey, Abstract No. 56, located at the terminus of Childers Drive within the City limits of Bastrop, Texas.

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

11. Action Taken: _____

ORDINANCE NO. ORD-2015 - 15

AN ORDINANCE GRANTING A ZONE CHANGE FROM SF7, SINGLE FAMILY RESIDENTIAL AND A/OS –AGRICULTURAL/OPEN SPACE TO PD, RESIDENTIAL PLANNED DEVELOPMENT FOR APPROXIMATELY 204.576 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NO. 56 LOCATED AT THE TERMINUS OF CHILDERS DRIVE WITHIN THE CITY LIMITS OF BASTROP, TEXAS AS PART OF THE OVERALL PECAN PARK CONCEPTUAL PLAN; SETTING OUT CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, DM Pecan Park Associates, LTD, Duke McDowell (hereinafter referred to as “Applicant”) submitted a request for a zone change from SF7, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 204.576 acres situated in the Mozea Rousseau Survey, Abstract 56, located at the terminus of Childers Drive within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

WHEREAS, a copy of the Metes and Bounds Survey and location map is attached hereto as Exhibit “A” (the “Property”); and

WHEREAS, the Property is currently zoned as SF7, Single Family Residential and A/OS – Agricultural/Open Space; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on July 30, 2015; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended a PD, Residential Planned Development zoning designation for the Property, See Exhibit A-1; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on August 11, 2015 to consider the Applicant’s request to rezone the Property to PD, Residential Planned Development; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property, which is currently zoned as SF7, Single Family Residential and A/OS – Agricultural/Open Space, to a new designation of PD, Residential Planned Development.

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

Part 1: The Property, situated in Mozea Rousseau Survey, Abstract No. 56 located at the terminus of Childers Drive within the city limits of Bastrop, Texas as more particularly shown and described on attachments Exhibit “A” and “A-1”, shall be and is hereby rezoned from its prior designation of SF7, Single Family Residential and A/OS – Agricultural/Open Space to a new zoning designation of PD, Residential Planned Development.

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

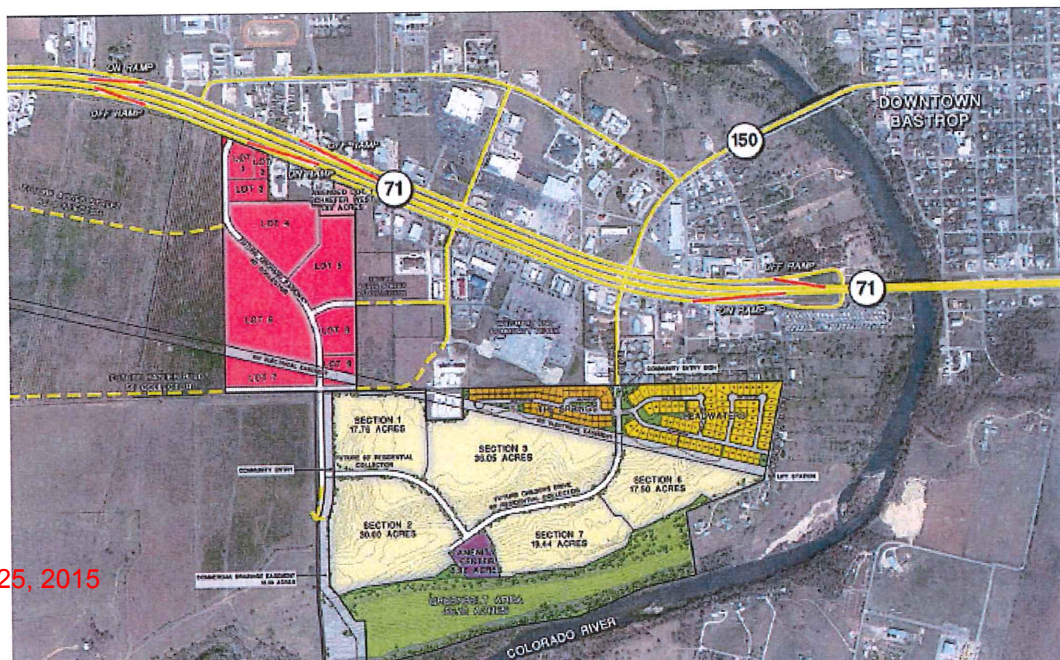
Part 3: The Zoning Ordinance standards should be amended as follows:

<u>District</u>	<u>Min. Lot Area</u>	<u>Min. Dwelling Unit Size</u>	<u>Min. Lot Width</u>	<u>Min. Lot Depth</u>	<u>Min. Front Yard</u>	<u>Min. Interior Side Yard</u>	<u>Min. Side when two-story & adj. SF Zone</u>	<u>Min. Ext. Yard (See Sec.43.3)</u>	<u>Min. Rear Yard</u>	<u>Min. Rear when two-story & Adj. SF Zone</u>	<u>Max. Height of Build</u>	<u>Max. Lot Coverage by Build</u>
PD-SFE	8,400 sq. ft.	1,800 sq.ft.	70'	120'	20'-25'	10'		15'	20'		2.5 stories 35'	60%
PD-SFG (Sec 5)	7,800 sq. ft.	1,000 sq. ft.	65'	120'	20'-25'	7.5'		15'	15'		2.5 stories 35'	60%
PD-SFS	6,000 sq. ft.	1,200 sq. ft.	50'	120'	20'-25'	5'		15'	15'		2.5 stories 35'	75%
PD SFA (Sec 4)	4,000 sq. ft.	1,200 sq. ft.	34'	120'	20' - 25'	5'		10'	20'		2.5 stories 35'	70%
PD PH Not Allowed in Section 6	4,600 sq. ft.	1,000 sq. ft.	40'	115'	20' - 25'	5'		10'	15'		2.5 stories 35'	75%
PD SFC Not Allowed in Section 6	1 acres	900 sq. ft.	75'	100''	15' - 20'	10'		10'	10'		2.5 stories 35'	75%

- **PD-SFE – Single Family Estate** – Larger lots, minimum lot size 70' x 120', minimum home size 1,800 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least twenty feet (20') apart, ten feet (10') from the property line. 25% maximum acreage
- **PD-SFG – Single Family Grand** – Traditional lots, minimum lot size 65' x 120', home size 1,000 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least fifteen feet (15') apart, seven and one-half feet (7.5') from the property line. 30% maximum acreage
- **PD-SFS – Single Family Select** – Traditional lots, minimum lot size 50' x 120', home size 1,200 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 45% maximum acreage
- **PD-SFA – Single Family Attached Housing** – Townhome style lots, minimum lot size 34' x 120', home size 1,200 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 25% maximum acreage
- **PD-PH – Patio Home** - minimum lot size 40' x 115', home size 1,000 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 30% maximum acreage
- **PD-SFC – Single Family Condominium** – Cluster type housing, areas that will provide a variety of housing styles, minimum lot size one (1) acre, minimum unit size 900 square feet; staggered 20'-25' front building setbacks, Minimum rear setback from any adjacent residential will be fifteen feet (15'). Minimum side setback from an adjacent building will be ten feet (10'). 15% maximum acreage

Other-Use Categories –

- **PD-CA** – Use for Public & Private Parks, Trail Systems, Public Utility Services, Drainage Channels, Roadways, Private Community Amenity Areas that may be accompanied by retail, food, and beverage, and accessory uses, which will meet site development permitting in the City of Bastrop.



Standards for all homes in the residential areas will meet the criteria:

- **C,C&Rs** - Other regulations and restrictions will be established by the Development's C,C,& R's and Design Guideline Standards that will be created for each section. Those Design Guideline Standards will include provisions for limiting house plan elevations, building street setbacks, home exterior selections and uniform standards for landscaping
- **Exterior Masonry Requirements** - Minimum Masonry Requirements will be set at 75%. Masonry includes: brick, stone, stucco, and hardiplank,
- **Landscaping** - Use of drought-resistant landscaping or water-conserving techniques in the Development is encouraged. Xeriscaping will be allowed in certain instances in the common areas and at residences in accordance with that certain Xeriscaping Policy set forth in the Development Area's Declaration and each area's Design Guidelines. All landscapes and landscaping must be approved by the Developer prior to installation. To further help conserve water, large expansive areas of natural grass and vegetation shall be required to be irrigated. The use of drip irrigation is encouraged.
- **Front Setbacks** - All of these Land Use Districts will be allowed to have staggered, 20'-25' building setbacks to help achieve aesthetically pleasing street view. All front setbacks will be measured from the property line or right-of-way. At minimum, there must be a front building setback change (between the allowed 20'-25') on every fourth lot.
- **Maximum Lot Coverage** - The percentage determined by dividing (a) the gross area of the lot (in square feet) by (b) the footprint of the main building; and any swimming pools surface area including decks.
- **Utilities** - All utilities shall be provided separately to each lot so that each unit will be individually metered
- **Site Plans** - A site plan will be submitted at time of home development within a section of the Development
- **Recreational vehicles** - Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes and will be hidden from public view.
- **Fencing** - Electrical Fencing and barbed wire is prohibited as perimeter fencing. Only 6' Cedar, Wrought Iron or masonry fencing will be allowed.
- **Yard Storage Facilities** - Open storage is prohibited (except for materials for the resident's personal use or consumption (i.e. firewood, gardening materials, etc.)
- **Side Entry Garages** - Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the garage door to the side property line for maneuvering.

- **Roofs** - All residential structures shall have roof slopes with a minimum of 3:12 pitch
- **Road Standards** -Cul-de-sac shall comply with the current Fire Code adopted by the City of Bastrop Distances are measured from centerline of the intersecting street to the center of the bulb of the Cul-de-sac. Turnarounds shall have a minimum pavement diameter of ninety-six (96) feet. Hammerhead turnarounds may be permitted if approved by the Fire Department.
- **Roadway Improvements** – Brick or stone pavers will be allowed across paved roadway services to create an aesthetically pleasing look for the area roadways and to promote additional safety control of roadway traffic speeds.
- **Condominium Areas** - Condominium areas will have the flexibility to have private roadways, gated entrances, twenty-six (26) foot wide streets and street design configurations that will benefit the overall intended look for those areas. Walkway paths would be allowed rather than sidewalks along the roadways. A Site Development Plan will be submitted.
- **Guest Parking** - Shared Guest Parking will be provided in the following Land Use District; PD-SFA, PD-PH, and PD-SFC.

Part 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the ____ day of August 2015.

READ and APPROVED on the Second Reading on the ____ day of August 2015.

APPROVED:

ATTEST:

Kenneth W. Kesselus, Mayor
Mayor

Ann Franklin
City Secretary

Exhibit A

HEARITIGE SURVEYING, CO.

TIM. D. HEARITIGE
727 West Point Loop
West Point, Texas 78963

Registered Professional Land Surveyor No. 5036
Licenced State Land Surveyor
Phone (979)242-3485

July 20, 2004

FIELD NOTE DESCRIPTION OF 242.006 ACRES OF LAND OUT OF THE MOZEA ROUSSEAU SURVEY, ABSTRACT NO. 56, IN BASTROP COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (282.1 ACRE) TRACT OF LAND CONVEYED TO K.G. SCHAEFER IN A DEED AS RECORDED IN VOLUME 100 PAGE 376 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS, AND ALSO BEING A PORTION OF THOSE TRACTS OF LAND CONVEYED TO FRANCES SCHAEFER BUCKHAULTS IN A WILL AS RECORDED IN VOLUME 82 PAGE 483 OF THE PROBATE RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (16.007 ACRE) TRACT OF LAND CONVEYED TO JULIA JEAN RABENBURG AND CARL G. RABENBURG IN A DEED AS RECORDED IN VOLUME 658 PAGE 429 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND ALL OF THAT CERTAIN (1.012 ACRE) TRACT OF LAND CONVEYED TO CARL G. RABENBURG AND JULIE S. RABENBURG IN A DEED AS RECORDED IN VOLUME 555 PAGE 138 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND ALSO ALL OF THAT CERTAIN (5.134 ACRE) TRACT OF LAND CONVEYED TO JULIE S. RABENBURG AND CARL G. RABENBURG IN A DEED AS RECORDED IN VOLUME 818 PAGE 508 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (20.000 ACRE) TRACT OF LAND CONVEYED TO CARL G. RABENBURG, JR. IN A CONTRACT OF SALE AND PURCHASE AS DESCRIBED AND RECORDED IN VOLUME 332 PAGE 547 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (6.500 ACRE) TRACT OF LAND CONVEYED TO LYNN MARIE OUALLINE IN A DEED AS RECORDED IN VOLUME 831 PAGE 246 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (1.500 ACRE) TRACT OF LAND CONVEYED TO JULIE JEAN RABENBURG AND LYNN MARIE OUALLINE, AS TRUSTEES FOR JAMIE LYNN MARTIN IN A DEED AS RECORDED IN VOLUME 329 PAGE 579 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the base of a fence corner post, being at the most southeasterly corner of that certain (100 acre) tract of land conveyed to K.G. Schaefer in a deed as recorded in Volume 100 Page 376 of the Deed Records of Bastrop County, Texas, and also being in the northerly line of that certain (282.1 acre) tract conveyed to K.G. Schaefer in the same deed, said tracts being a portion of those tracts of land conveyed to Frances Schaefer Buckhaults in a will as recorded in Volume 82 Page 483 of the Probate Records of Bastrop County, Texas, said iron rod also being the southwesterly corner of that certain (17.516 acre) tract of land conveyed to the Merle Arnold Prokop, jr. Revocable Living Trust, dated November 22, 1991 in a deed as recorded in Volume 617 Page 308 of the Official Records of Bastrop County, Texas, and also being for the most northeasterly corner of that certain (16.007 acre) tract of land conveyed to Julie Jean Rabensburg and Carl G. Rabensburg in a deed as recorded in Volume 658 Page 429 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Prokop tract N 89 deg. 37' 52" E 387.06 feet to a ¾" iron pipe found at the most southwesterly corner of Lot 3 of the Beck, NHP, and Prokop Subdivision, Section One, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 3 Slide 191B of the Plat Records of Bastrop County, Texas,

THENCE, with southerly line of said Lot 3, N 89 deg. 32' 41" E 322.40 feet to a capped ½" iron rod found at the most northwesterly corner of that certain (2.798 acre) tract of land conveyed to the Lower Colorado River Authority (L.C.R.A.) in a deed as recorded in Volume 1132 Page 490 of the Official Records of Bastrop County, Texas,

THENCE, with the bounds of the L.C.R.A. tract, S 00 deg. 26' 02" E 325.06 feet to a capped iron rod found, N 89 deg. 34' 02" E 374.92 feet to a capped iron rod found, and N 00 deg. 25' 55" W 324.98 feet to a capped ½" iron rod found in the southerly line of Lot 1, Block A, of Bastrop West Commercial, Section 3, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 3 Slide 110A of the Plat Records of Bastrop County, Texas,

THENCE, with the southerly line of said Lot 1, Block A, N 88 deg. 48' 06" E 75.62 feet to a ½" iron rod found at the southwesterly corner of Lot 1, of Bastrop West Commercial, Section 2, a subdivision in Bastrop County, Texas, according to the map or plat thereof, recorded in Cabinet 2 Slide 377B of the Plat Records of Bastrop County, Texas,

Exhibit A

Page 2
242.006 acres

THENCE, with the southerly line of said Lot 1, N 89 deg. 37' 24" E 1186.72 feet to a 3/4" iron pipe found at the base of a fence corner post, being at the most southwesterly corner of that certain (0.947 acre-Lot 1) tract of land conveyed to the Utley Cattle Limited Partnership in a deed as recorded in Volume 1012 Page 907 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of said Cattle tract, N 89 deg. 34' 36" E 322.83 feet to a 1/2" iron rod found at the southwesterly terminus of Childers Drive,

THENCE, N 89 deg. 33' 34" E, passing at or about 50' the southeasterly terminus of Childers Drive, and being the southwesterly corner of that certain (4.096 acre) tract of land conveyed to FM Partners, VII in a deed as recorded in Volume 400 Page 353 of the Official Records of Bastrop County, Texas, and continuing on the same course, with the southerly line of the Partners tract, and passing the most southwesterly corner of that certain (0.512 acre) tract of land conveyed to Olen Russell Jenkins and Mary Jo Jenkins in a deed as recorded in Volume 275 Page 839 of the Official Records of Bastrop County, Texas, at or about 410.55 feet, and continuing on the same course another 186 feet for a total distance of 596.55 feet to a 1/2" iron rod found at the southwesterly corner of that certain (130' X 120') tract of land conveyed to Victor Juarez, Jr. and Mary Ann Juarez in a deed as recorded in Volume 257 Page 737 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Juarez tract, N 89 deg. 26' 57" E 131.02 feet to a 1/2" iron rod found at the most southwesterly corner of that certain (80' X 120') tract of land conveyed to John P. Calhoun and Rose A. Calhoun in a deed as recorded in Volume 277 Page 769 of the Deed Records of Bastrop County, Texas,

THENCE, with the southerly line of the Calhoun tract, N 89 deg. 52' 01" E, passing the southwesterly corner of that certain (80' X 120') tract of land conveyed to Robert L. Miller, Sr. and Robert L. Miller, Jr. in a deed as recorded in Volume 306 Page 593 of the Official Records of Bastrop County, Texas, at or about 80' and continuing on the same course, and passing southwesterly corner of that certain (94' X 120') tract of land conveyed to Theresia Brenner Roberts in a deed as recorded in Volume 256 Page 870 of the Official Records of Bastrop County, Texas, at or about 80', and continuing on that same course, and passing the most southwesterly corner of that certain (94.3' X 120') tract of land conveyed to Ray Barron in a deed as recorded in Volume 289 Page 550 of the Official Records of Bastrop County, Texas, at or about 94', and continuing on the same course and passing the most southwesterly corner of that certain (80' X 120') tract of land conveyed to Terry Jackson and Kay Jackson in a deed as recorded in Volume 346 Page 774 of the Official Records of Bastrop County, Texas, at or about 94.3', and continuing on the same course, and passing the most southwesterly corner of that certain (0.304 acre) tract of land conveyed to Forrest D. Wilson and Kimberly K. Wilson in a deed as recorded in Volume 1244 Page 467 of the Official Records of Bastrop County, Texas, at or about 80', and continuing on the same course another 50.35 feet for a total distance of 478.65 feet to a 1/2" iron rod found at the most northwesterly corner of that certain (20.000 acre) tract of land conveyed to Carl G. Rabensburg, jr. in a Contract of Sale and Purchase as described and recorded in Volume 332 Page 547 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Wilson tract, N 89 deg. 14' 29" E, passing the southwesterly corner of that certain (0.2749 acre) tract of land conveyed to Debra L. Perry and Douglas L. Perry in a deed as recorded in Volume 1250 Page 763 of the Official Records of Bastrop County, Texas at or about 60' and continuing on the same course another 99.62 feet for a total distance of 159.62 feet to a 1/2" iron rod found at the most southwesterly corner of that certain (0.241 acre) tract of land conveyed to Ed Lowden in a deed as recorded in Volume 164 Page 209 of the Deed Records of Bastrop County, Texas,

THENCE, with the southerly line of the Lowden tract, N 89 deg. 15' 43" E, passing the southwesterly corner of that certain (0.241 acre) tract of land conveyed to E. W. Baker in a deed as recorded in Volume 166 Page 654 of the Deed Records of Bastrop County, Texas, at or about 87.56 feet, and continuing on the same course, and passing the southwesterly corner of that certain (0.390 acre) tract of land conveyed to Mary S. Weatherford in a deed at or about another 87.56 feet, and passing the southwesterly corner of the Lowden (0.241 acre) tract at or about another 118 feet, in all a total distance of 380.31 feet to a 1/2" iron rod found in the westerly right-of-way line of Perkins Street, being for the most northwesterly corner of this tract,

THENCE, with the westerly right-of-way line of Perkins Street (as found fenced and used on the ground, and as described in the Rabensburg (20.000 acre) description) S 12 deg. 18' 11" W 1044.05 feet to a 60d nail found at the base of a fence corner post, being at an angle in the right-of-way line of Perkins Street, and being at the most southeasterly corner of this tract,

THENCE, with the northerly right-of-way line of Perkins Street S 68 deg. 40' 21" W 863.76 feet to a 1/2" iron rod set at the most northwesterly corner of that certain (1.626 acre) tract of land conveyed to Lynn Schaefer Oualline in a deed as recorded in Volume 421 Page 607 of the Official Records of Bastrop County, Texas,

Exhibit A

Page 3
242.006 acres

THENCE, with the westerly line of the Oualline (1.626 acre) tract, S 07 deg. 34' 14" E, passing a ½" iron rod set at the most southwesterly corner of the Oualline (1.626 acre) tract at 286.78 feet, and continuing on the same course another 365.40 feet, for a total distance of 652.18 feet to a point on the low bank of the Colorado River, being for the most southeasterly corner of this tract,

THENCE, with the low bank of the Colorado River, S 73 deg. 46' 04" W 53.45 feet to a point at the most southeasterly corner of that certain (6.500 acre) tract of land conveyed to Lynn Schaefer Oualline in a deed as recorded in Volume 831 Page 246 of the Official Records of Bastrop County, Texas,

THENCE, with the low bank of the Colorado River S 77 deg. 26' 05" W 481.30 feet to a point for the most southerly corner of the Oualline (6.500 acre) tract and being for the most southerly corner of this tract,

THENCE, with the low bank of the Colorado River the following six (6) general courses:

- 1) S 67 deg. 28' 34" W 758.29 feet,
- 2) S 81 deg. 36' 16" W 670.03 feet,
- 3) S 77 deg. 41' 19" W 346.22 feet,
- 4) S 71 deg. 49' 38" W 506.08 feet,
- 5) S 76 deg. 00' 10" W 638.98 feet,
- 6) S 85 deg. 52' 23" W 554.84 feet to a point on the low bank of the Colorado River where the fence between the Schaefer (282.10 acre) tract and that certain (94.00 acre) tract of land conveyed to Jo Ann Griesenbeck Cantrell in a deed as recorded in Volume 445 Page 684 of the Official Records of Bastrop County, Texas, being for the most southwesterly corner of this tract,

THENCE, with the fence between the Schaefer (282.1 acre) tract and the Cantrell tract, N 03 deg. 10' 00" W 418.69 feet, and N 05 deg. 54' 13" W 313.26 feet to a capped ½" iron rod found at the most southwesterly corner of that certain (5.134 acre) tract of land conveyed to Julie S. Rabensburg and Carl G. Rabensburg in a deed as recorded in Volume 818 Page 508 of the Official Records of Bastrop County, Texas,

THENCE, with the westerly line of the Rabensburg (5.134 acre) tract, N 00 deg. 30' 49" E 781.27 feet to a ½" iron rod found in the concrete around a fence corner post at the most southwesterly corner of that certain (1.012 acre) tract, conveyed to Carl G. Rabensburg and Julie S. Rabensburg in a deed as recorded in Volume 555 Page 138 of the Official Records of Bastrop County, Texas,

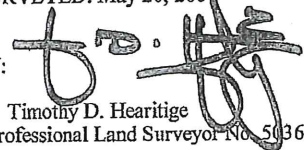
THENCE, with the westerly line of the Rabensburg (1.012 acre) tract of land N 00 deg. 12' 05" W 350.02 feet to a capped ½" iron rod found at the most westerly southwest corner of the Rabensburg (16.007 acre) tract,

THENCE, with the westerly line of the Rabensburg (16.007 acre) tract, N 00 deg. 25' 59" E 1016.05 feet to a ½" iron rod found at the base of a fence corner post, being in the southerly line of the Schaefer (100 acre) tract of land, and being for the most northwesterly corner of this tract,

THENCE, with the northerly line of the Rabensburg (16.007 acre) tract, N 89 deg. 26' 27" E 444.41 feet to the PLACE OF BEGINNING, in all containing 242.006 acres of land.

SURVEYED: May 20, 2004

BY:


Timothy D. Hearitige
Registered Professional Land Surveyor No. 5036



see accompanying map no. B 120002

August 25, 2015

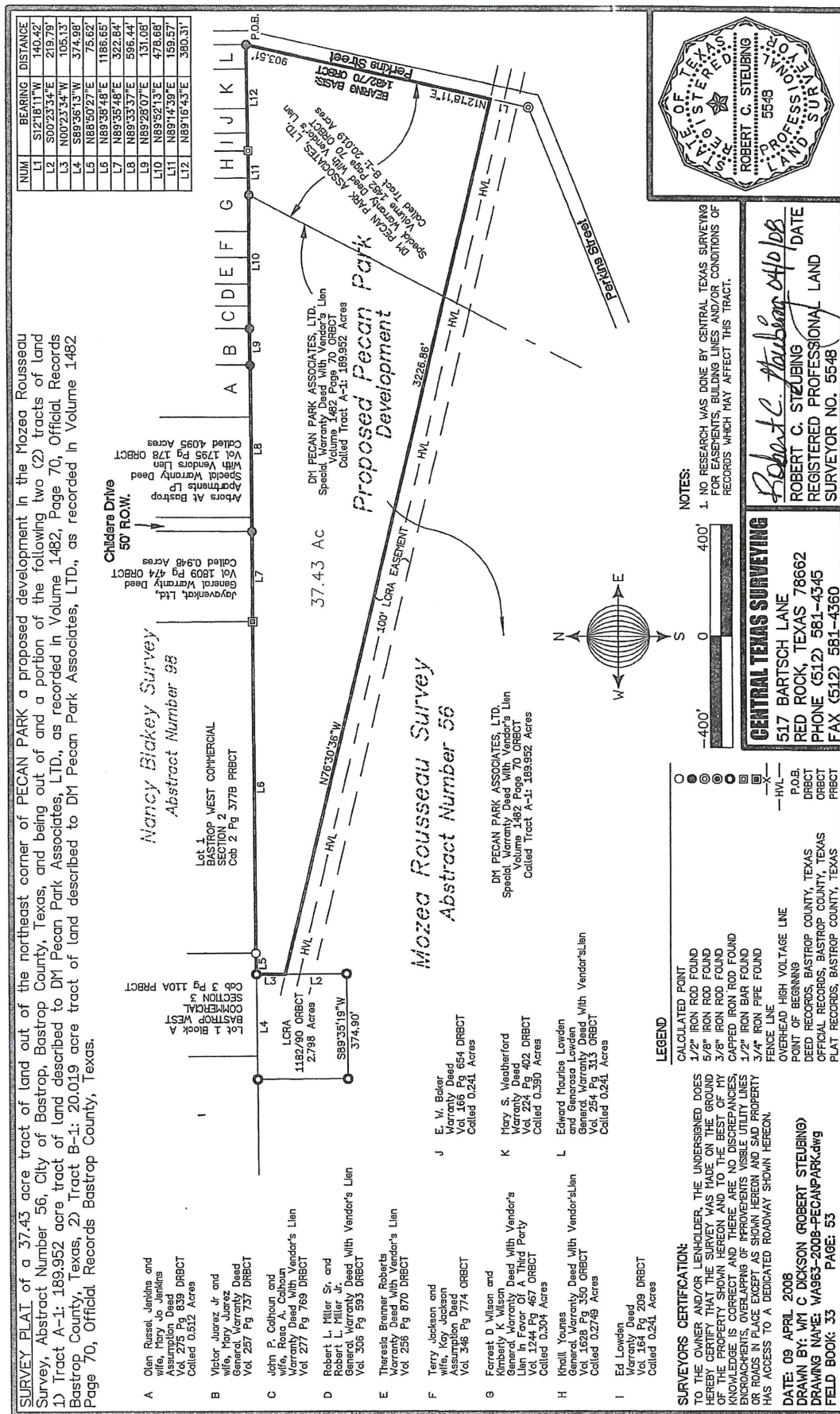


Exhibit A

CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING
ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 581-4345 • FAX (512) 581-4360

EXHIBIT "A"

LEGAL DESCRIPTION

BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF THE FOLLOWING TWO (2) TRACTS OF LAND: 1) TRACT A-1: 189.952 ACRE TRACT OF LAND DESCRIBED TO DM PECAN PARK ASSOCIATES, LTD., IN THAT CERTAIN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 1482, PAGE 70, OFFICIAL RECORDS BASTROP COUNTY, TEXAS, 2) TRACT B-1: 20.019 ACRE TRACT OF LAND DESCRIBED TO DM PECAN PARK ASSOCIATES LTD., IN THAT SAME SPECIAL WARRANTY DEED RECORDED IN VOLUME 1482, PAGE 70, OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, SAID 37.43 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a one-half inch iron rod found on the west line of Perkins Street for the southeast corner of that tract of land described to Edward Maurice Lowden and Genarose Lowden in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 254, Page 313, of the Deed Records of Bastrop County, Texas and the northeast corner of said 20.019 acre tract of land, same being the northeast corner of the herein described 37.43 acre tract of land;

THENCE South 12°18'11" West, along the common dividing line of said Perkins Street and said 20.019 acre tract of land, a distance of 903.51 feet to a calculated point at the intersection of the east line of said 20.019 acre tract of land with the north line of that certain 100 foot Easement described to LCRA Transmission Services Corporation as recorded in Volume C, Page 477, of the Official Records of Bastrop County, Texas for the southeast corner of the herein described 37.43 acre tract of land and from this point a five-eighths capped iron rod found for the most southeasterly corner of the said 20.019 acre tract of land bears South 12°18'11" West, a distance of 140.42 feet;

THENCE North 76°30'36" West, through said and severing from said 20.019 acre tract of land and said 189.952 acre tract of land, a same being along the north line of said LCRA 100 foot transmission easement a distance of 3226.86 feet to a calculated point on the east line of that certain 2.798 acre tract of land described to Transmission Services Corporation as recorded in Volume 1182, Page 90, of the Official Records of Bastrop County, Texas for the southwest corner of the herein described 37.43 acre tract of land and from this point a capped iron rod found bears South 00°23'34" East, a distance of 219.79 feet for the southeast corner of the said LCRA 2.798 acre tract of land;

THENCE North 00°23'34" West, along the common dividing line of said 2.798 acre tract of land and said 189.952 acre tract of land, a distance of 105.13 feet to a capped iron rod found on the common dividing line of said 189.952 acre tract of land and Lot 1, Block A, Bastrop West Commercial, Section 3, a subdivision in Bastrop County, Texas, according to the plat recorded in Plat Cabinet 3, Page 110A, of the Plat Records of Bastrop County, Texas, same being the northeast corner of the said LCRA 2.798 acre tract of land;

THENCE along a portion of the north line of the said Tract A-1: 189.952 acre tract of land, along the north line of the said Tract B-1: 20.019 acre tract of land and along the south line of the following eighteen (18) tracts of land: 1) The said Lot 1, Block A, Bastrop West Commercial, Section 3, 2) Lot 1, Bastrop West Commercial, Section 2, a subdivision in Bastrop County, Texas, according to the plat recorded in Plat Cabinet 2, Page 377B, of the Plat Records of Bastrop County, Texas, 3) That called 0.948 acre tract of land described to Jayavenkat, LTD., in that certain General Warranty deed as recorded in Volume 1809, Page 474, Official Records of Bastrop County, Texas, 4) Terminus of Childers Drive, a street in the City of Bastrop, Bastrop County, Texas, 5) That called 4.095 acre tract of land described to Arbors At Bastrop Apartments LP as recorded in Volume 1795, Page 178, Official Records of Bastrop County, Texas, 6) That called 0.512 acre tract of land described to Olen Russell Jenkins and wife, Mary Jo Jenkins in that certain Assumption Deed as recorded in Volume 275, Page 839, Official Records of Bastrop County, Texas, 7) That 130' x 120' tract of land described to Victor Juarez, Jr. and wife, Mary Juarez in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 257, Page 737, Official Records Bastrop County, Texas, 8) That 80' x 120' tract of land described to John P. Calhoun and wife, Rosa A. Calhoun in that certain Warranty Deed With

Exhibit A

CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING
ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 581-4345 • FAX (512) 581-4360

(BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS)

Vendor's Lien as recorded in Volume 277, Page 769, Deed Records Bastrop County, Texas, 9) That 80' x 120' tract of land described to Robert L. Miller Sr. and Robert L. Miller Jr., in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 306, Page 593, Official Records Bastrop County, Texas; 10) That 94' x 120' tract of land described to Theresia Brenner Roberts in that certain Warranty Deed With Vendor's Lien as recorded in Volume 256, Page 870, Official Records Bastrop County, Texas, 11) That 94.3' x 120' tract of land described to Ray Barron in that certain Quitclaim Deed as recorded in Volume 289, Page 550, Deed Records Bastrop County, Texas, 12) That 80' x 120' tract of land described to Terry Jackson and wife, Kay Jackson in that certain Assumption Deed as recorded in Volume 346, Page 774, Official Records Bastrop County, Texas, 13) That called 0.304 acre tract of land described to Forrest D. Wilson and Kimberly K. Wilson in that certain General Warranty Deed With Vendor's Lien in Favor of Third Party as recorded in Volume 1244, Page 467, Official Records Bastrop County, Texas, 14) That called 0.2749 acre tract of land described to Khalil Younes in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 1628, Page 350, Official Records of Bastrop County, Texas, 15) That called 0.241 acre tract of land described to Ed Lowden in that certain Warranty Deed as recorded in Volume 164, Page 209, Deed Records Bastrop County, Texas, 16) That called 0.241 acre tract of land described to E. W. Baker in that certain Warranty Deed as recorded in Volume 166, Page 654, Deed Records Bastrop County, Texas, 17) That called 0.390 acre tract of land described to Mary S. Weatherford in that certain Warranty Deed as recorded in Volume 224, Page 402, Deed Records Bastrop County, Texas, 18) The said 0.241 acre tract of land described to Edward Maurice Lowden and Generosa Lowden in the said General Warranty Deed With Vendor's Lien as recorded in said Volume 254, Page 313, Official Records Bastrop County, Texas, the following eight (8) courses:

- 1) North 88°50'27" East, a distance of 75.62 feet to a point for the southeast corner of the said Lot 1, Block A, Bastrop West Commercial, Section 3, same being the southwest corner of the said Lot 1, Bastrop West Commercial, Section 2;
- 2) North 89°38'48" East, a distance of 1186.65 feet to a three-quarter inch inside diameter pipe found for the southeast corner of the said Lot 1, Bastrop West Commercial, Section 2, and the southwest corner of the said Jayavenkat, Ltd., tract of land;
- 3) North 89°35'48" East, a distance of 322.84 feet to a one-half inch iron rod found for the southeast corner of the said Jayavenkat, Ltd., tract of land and the terminus of and intersection of the west line of the said Childers Drive with the north line of the said Tract A-1: 189.952 acre tract of land;
- 4) North 89°33'37" East, passing at a distance of 50.29 feet a five-eighths inch iron rod found at the terminus of and intersection of the east line of the said Childers Drive with the north line of the said Tract A-1: 189.952 acre tract of land, same being the southwest corner of the said Arbors At Bastrop Apartments tract of land, continuing for a **Total Distance** of 596.44 feet to a one-half inch iron rod found for the southeast corner of the said Jenkins tract of land and the southwest corner of the said Juarez tract of land;
- 5) North 89°28'07" East, a distance of 131.08 feet to a one-half inch iron rod found for the southeast corner of the said Juarez tract of land and the southwest corner of the said Calhoun tract of land;
- 6) North 89°52'13" East, a distance of 478.68 feet to a one-half inch iron rod found for the northeast corner of the said Tract A-1: 189.952 acre tract of land, same being the northwest corner of the said Tract B-1: 20.019 acre tract of land and a point on the south line of the said Wilson tract of land;
- 7) North 89°14'39" East, a distance of 159.57 feet to a one-half inch bar found for the southwest corner of the said Lowden tract of land and the southeast corner of the said Younes tract of land;
- 8) North 89°16'43" East, a distance of 380.31 to the **POINT OF BEGINNING**, and containing 37.43 acres of land, more or less, within these metes and bounds.

Exhibit A

CENTRAL TEXAS SURVEYING

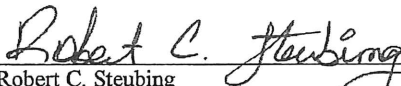
PROFESSIONAL LAND SURVEYING
ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 581-4345 • FAX (512) 581-4360

(BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS)

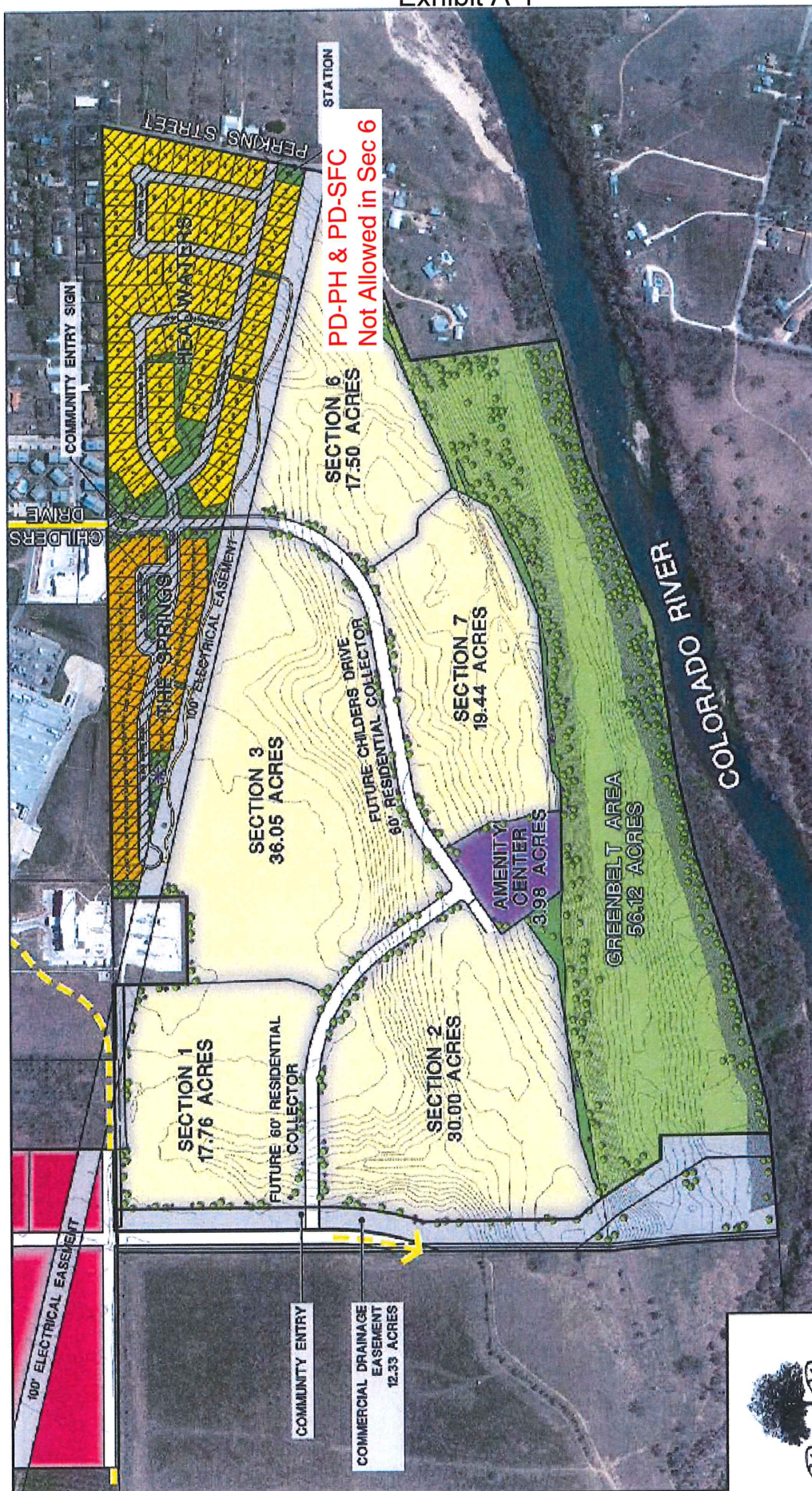
BASIS OF BEARINGS for this survey is the east common dividing line of the said 20.019 acre tract of land and the said Perkins Streets between a one-half inch iron rod found for the northeast corner of said 20.019 acre tract of land and a five-eighths inch iron rod found for an exterior angle corner as South 12°18'11" West as per Volume 1482, Page 70, of the Official Records of Bastrop County, Texas.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in February 2008 and is true and correct according to my best belief and knowledge.


Robert C. Steubing
Registered Professional Land Surveyor
State of Texas - No. 5548



04/10/08
Date



RESIDENTIAL PD
CONCEPTUAL PLAN

RIVER'S BEND AT PECAN PARK
BASTROP, TEXAS

Areas Not Part of Re-zoning Request

SEC Planning, LLC

AUSTIN, TEXAS

Pharmacokinetics

[illegible]

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Scale: 1" = 400'
Date: July 13, 2015

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **CONDUCT A PUBLIC HEARING:** The City Council will conduct the first "Public Hearing" on the Proposed Property Tax Rate for the City of Bastrop for Fiscal Year 2016.

2. Party Making Request: **Tracy Waldron, CFO**

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

In accordance with the "Truth in Taxation" laws of the State of Texas, if an entity's (the City of Bastrop) proposed tax rate exceeds the effective rate, the entity is required to conduct two public hearings. This evening the Council will conduct the first of the required "Public Hearing". The second public hearing is scheduled to be held at the regular City Council Meeting on September 8, 2015. The City Council cannot take any action regarding the tax rate at these public hearings. The sole purpose of the "Public Hearing" is to provide the public an opportunity to address the Council regarding the proposed tax rate. **The Bastrop City Council will consider the second reading of an ordinance to adopt the "Tax Rate" for the City of Bastrop Fiscal Year 2016 at the September 22, 2015 City Council Meeting at 6:30 pm at the City Hall located at 1311 Chestnut Street, Bastrop Texas 78602. Members of the public are encouraged to attend the hearings and express their views to the Mayor and City Council. Please note at the wording above in bold must be read at the close of the "Public Hearing".**

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:

9. Advisory Board: ☐ Approved ☐ Disapproved ☐ None

10. Manager's Recommendation: ☒ Approved ☐ Disapproved ☐ None

As state above this is the "First Public Hearing" regarding the FY-16 proposed tax and to provide an opportunity for the citizens of Bastrop to address the City Council regarding the proposed tax rate. What is of upmost important is at the close of the Public Hearing to read the section in bold advising the public when the Council will action to adopt the "Tax Rate".

NOTICE OF 2015 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF BASTROP, TEXAS

A tax rate of \$.5640 per \$100 valuation has been proposed for adoption by the governing body of City of Bastrop, Texas. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

PROPOSED TAX RATE	\$ <u>.5640</u> per \$100
PRECEDING YEAR'S TAX RATE	\$ <u>.5640</u> per \$100
EFFECTIVE TAX RATE	\$ <u>.5504</u> per \$100
ROLLBACK TAX RATE	\$ <u>.5830</u> per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Bastrop, Texas from the same properties in both the 2014 tax year and the 2015 tax year.

The rollback tax rate is the highest tax rate that City of Bastrop, Texas may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Ms. Linda Harmon

Bastrop County tax assessor-collector

211 Jackson Street, Bastrop, Texas 78602

(512) 581-7160

linda.harmon@co.bastrop.tx.us

www.co.bastrop.tx.us

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 25, 2015 at 6:30pm at City Hall, 1311 Chestnut Street, Bastrop, TX 78602.

Second Hearing: September 8, 2015 at 6:30pm at City Hall, 1311 Chestnut Street, Bastrop, TX 78602.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

- 1. Agenda Item: Consideration, discussion and possible action on Approving the proposed funding allocation to those entities who submitted a request to the City Council by the Application due date for requesting Hotel Motel Funding for Fiscal Year 2015-16. As well as, why the Bastrop Fine Arts Guild was not considered for receiving Hotel Motel funds for FY 2015-16.**

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

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

- #### 4. Policy Implication:

The calendar developed for the Hotel Motel funding distribution identifies August 11, 2015 for City Council to approve the preliminary funding levels for organizations. This preliminary approval was postponed by Council to August 25, 2015. The final approval by City Council to appropriate these funds for Fiscal Year 2015 will take place on October 13, 2015.

The attachment includes a spreadsheet identifying FY2014-15 Approved Funding by City Council last year, FY2015-2016 Funding Requested from Organizations, FY2015-2016 City Council Allocations and FY2015-2016 Proposed Funding.

- | | | | |
|--------------|-----|----|-----|
| 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: Approval of the proposed funding allocation provided.

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

11. Action Taken:

CITY OF BASTROP
FY 2016 HOT FUNDING REQUEST FORM
(Proposed Funding Totals are preliminary)

Organization	Projects	FY 2014-2015	%	FY 2015-2016	COUNCIL ALLOCATIONS						CITY COUNCIL		FY 2015-2016
		FUNDING		FUNDING	COUNCIL ALLOCATIONS						AVERAGE		PROPOSED
		APPROVED		REQUEST	SCHIFF	JACKSON	KESSELUS	DELAROSA	MCANALLY	GILLELAND	\$	%	FUNDING
Bastrop Chamber of Commerce		\$ 48,000	16%										
	Project 1: Designated Visitor Center Operations			\$ 56,840	\$ -	\$ 30,000	\$ 10,000	\$ 50,000	\$ 35,000	\$ 43,225	\$ 28,038	9.35%	\$ 28,038
	Project 2: 25th Annual Patriotic Festival/Pet 'n' Pal Parade			\$ 6,400	\$ 6,400	\$ 6,500	\$ 6,000	\$ 6,667	\$ 6,400	\$ 5,000	\$ 6,161	2.05%	\$ 6,161
	Project 3: River of Lights, Holiday Tourism, Street Decorations			\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 6,667	\$ 5,000	\$ 5,000	\$ 5,278	1.76%	\$ 5,278
	Project 4: Familiarization Tours			\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,000	\$ 6,666	\$ 1,200	\$ 1,200	\$ 2,078	0.69%	\$ 2,078
Bastrop Downtown Business Alliance		\$ 50,800	17%										
	Project 1: Lost Pines Christmas			\$ 29,000	\$ -	\$ 25,000	\$ 10,000	\$ 25,000	\$ 29,000	\$ 25,000	\$ 19,000	6.33%	\$ 19,000
	Project 2: Downtown Marketing			\$ 55,000	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ 55,000	\$ 31,125	\$ 26,854	8.95%	\$ 26,854
Bastrop Historical Society		\$ 18,200	6%										
	Project 1: Promotion of Museum & Historic Preservation			\$ 20,000	\$ 20,000	\$ 15,000	\$ 14,000	\$ 14,000	\$ 10,000	\$ 10,000	\$ 13,833	4.61%	\$ 13,833
	Project 2: Tours			\$ 10,000	\$ 10,000	\$ 3,000	\$ 6,000	\$ 13,000	\$ 10,000	\$ 9,085	\$ 8,514	2.84%	\$ 8,514
Bastrop Homecoming Committee		\$ 20,400	7%										
	Project 1: Bastrop Homecoming & Rodeo			\$ 60,000	\$ 20,000	\$ 15,000	\$ 28,000	\$ 25,000	\$ 15,000	\$ 21,725	\$ 20,788	6.93%	\$ 20,788
Bastrop Juneteenth Committee		\$ 5,450	2%										
	Project 1: Bastrop Juneteenth Celebration			\$ 5,000	\$ 5,000	\$ 6,000	\$ 3,000	\$ 6,000	\$ 5,000	\$ 5,000	\$ 5,000	1.67%	\$ 5,000
Bastrop Old Town Visitor's Center		\$ 60,700	21%										
	Project 1: Visitor Center Tourism Operations			\$ 118,800	\$ 118,000	\$ 60,000	\$ 100,000	\$ 70,000	\$ 60,000	\$ 61,455	\$ 78,243	26.08%	\$ 78,243
Bastrop Opera House		\$ 50,700	17%										
	Project 1: Season of the Phoenix: the Old made New again!			\$ 57,000	\$ 72,100	\$ 30,000	\$ 25,000	\$ 15,000	\$ 10,000	\$ 24,225	\$ 29,388	9.80%	\$ 29,388
	Project 2: Yesterfest 2016: Return to the River			\$ 35,000	\$ 35,000	\$ 50,000	\$ 15,000	\$ 15,000	\$ 30,000	\$ 30,000	\$ 29,167	9.72%	\$ 29,167
Family Crisis Center		\$ 1,800	1%										
	Project 1: Pedal Thru the Pines			\$ 1,800	\$ 1,800	\$ 1,800	\$ 1,000	\$ 1,800	\$ 1,800	\$ 1,800	\$ 1,667	0.56%	\$ 1,667
Friends of Fairview													
	Project 1: Maintain/restore historic headstones in Fairview Cemetery			\$ 1,500	\$ 1,500	\$ 1,500	\$ 2,000	\$ 1,500	\$ 1,600	\$ 1,500	\$ 1,600	0.53%	\$ 1,600
Tough Mudder, Inc.													
	Project 1: Tough Mudder Central Tx 2016			\$ 58,000	\$ -	\$ -	\$ 20,000	\$ -	\$ 5,000	\$ 2,645	\$ 4,608	1.54%	\$ 4,608
Upstart, Inc.		\$ 14,000	5%										
	Project 1: Bastrop Film & Musical Festival			\$ 25,000	\$ -	\$ 10,000	\$ 15,000	\$ 8,700	\$ 15,000	\$ 16,145	\$ 10,808	3.60%	\$ 10,808
	Project 2: Passport to Fun			\$ 24,800	\$ -	\$ 5,000	\$ 10,000	\$ -	\$ -	\$ -	\$ 2,500	0.83%	\$ 2,500
YMCA of Austin		\$ 3,550	1%										
	Project 1: Burning Pine Run			\$ 10,000	\$ 4,000	\$ 10,000	\$ 4,000	\$ 10,000	\$ 5,000	\$ 5,870	\$ 6,478	2.16%	\$ 6,478
Other-Organizations not requesting funding for 2016		\$ 21,350	7%										
Total		\$ 294,950	100%	\$ 580,340	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	100%	\$ 300,000.00

CITY OF BASTROP
FY 2016 HOT FUNDING REQUEST FORM

Organization	FY 2014-2015 FUNDING APPROVED	FY 2015-2016 FUNDING REQUEST	FY 2015-2016 FUNDING ADOPTED
Bastrop Chamber of Commerce	\$ 48,000		
Project 1: Designated Visitor Center Operations		\$ 56,840	\$ 23,645.00
Project 2: 25th Annual Patriotic Festival/Pet 'n' Pal Parade		\$ 6,400	\$ 6,060.00
Project 3: River of Lights, Holiday Tourism, Street Decorations		\$ 5,000	\$ 5,000.00
Project 4: Familiarization Tours		\$ 1,200	\$ 1,160.00
Bastrop Downtown Business Alliance	\$ 50,800		
Project 1: Lost Pines Christmas		\$ 29,000	\$ 17,800.00
Project 2: Downtown Marketing		\$ 55,000	\$ 27,225.00
Bastrop Historical Society	\$ 18,200		
Project 1: Promotion of Museum & Historic Preservation		\$ 20,000	\$ 13,800.00
Project 2: Tours		\$ 10,000	\$ 7,617.00
Bastrop Homecoming Committee	\$ 20,400		
Project 1: Bastrop Homecoming & Rodeo		\$ 60,000	\$ 19,945.00
Bastrop Juneteenth Committee	\$ 5,450		
Project 1: Bastrop Juneteenth Celebration		\$ 5,000	\$ 4,800.00
Bastrop Old Town Visitor's Center	\$ 60,700		
Project 1: Visitor Center Tourism Operations		\$ 118,800	\$ 79,891.00
Bastrop Opera House	\$ 50,700		
Project 1: Season of the Phoenix: the Old made New again!		\$ 57,000	\$ 32,265.00
Project 2: Yesterfest 2016: Return to the River		\$ 35,000	\$ 32,000.00
Family Crisis Center	\$ 1,800		
Project 1: Pedal Thru the Pines		\$ 1,800	\$ 1,640.00
Friends of Fairview			
Project 1: Maintain/restore historic headstones in Fairview Cemetery		\$ 1,500	\$ 1,620.00
Tough Mudder, Inc			
Project 1: Tough Mudder Central Tx 2016		\$ 58,000	\$ 5,529.00
Upstart, Inc.	\$ 14,000		
Project 1: Bastrop Film & Musical Festival		\$ 25,000	\$ 11,229.00
Project 2: Passport to Fun		\$ 24,800	\$ 3,000.00
YMCA of Austin	\$ 3,550		
Project 1: Burning Pine Run		\$ 10,000	\$ 5,774.00
Other-Organizations not requesting funding for 2016	\$ 21,350		
Total	\$ 294,950	\$ 580,340	\$ 300,000.00

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: Consideration, discussion and possible action on an ordinance amending Chapter 15, Article 15.01 “Cemeteries” of the Bastrop Code of Ordinances, and Appendix A “Fee Schedule,” Article A15.01 “Fairview Cemetery” to reflect an increase in fees for the purchase of cemetery plots; providing a severance clause, and providing an effective date as recommended by the Cemetery Advisory Board.

2. Party Making Request: **Tracy Waldron**

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

4. Policy Implication: The Cemetery currently charges a fee of \$1,000 for Operations and Maintenance per plot. The ordinance we are recommending for approval will increase the plot fee to \$1,500 for Operations and Maintenance per plot for Non-residents of the City of Bastrop. The ordinance will also establish a permitting fee of \$25.00 per permit for any work that requires the issuance of a permit. In order to keep the Fairview Cemetery self-sufficient and not require supplemental funding from the General Fund, the Finance Department requests your approval of the revised fee schedule.

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: Approval

9. Advisory Board: Approved Disapproved None

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

Cost Comparison Cemetery Fees						
Cemetery	Cost of Plot (Flat Rate)	Cost of Plot		Admin Fee	Permit Fees	
		Resident	Non-Resident		Opening/Closing	Set Headstone
Fairview	\$ 1,000.00			\$ 20.00		
Oak Hill (Smithville)		\$ 750.00	\$ 1,500.00		\$ 75.00	
Georgetown 1980		\$ 1,325.00		\$ 25.00	\$ 100.00	\$ 75.00
			\$ 1,575.00	\$ 25.00	\$ 100.00	
Georgetown 2007		\$ 1,550.00	\$ 1,800.00	cluded in cos	\$ 100.00	
		\$ 1,025.00	\$ 1,175.00	cluded in cos	\$ 100.00	
		\$ 575.00	\$ 625.00	cluded in cos	\$ 100.00	
Lockhart		\$ 500.00		\$ 26.00	\$ 100.00	
(present/prior County)			\$ 600.00	\$ 26.00	\$ 250.00	
(outside County)			\$ 1,200.00	\$ 26.00	\$ 600.00	
Taylor	\$ 700.00			\$ 25.00		
(City staff does digging for interments/disinterments)						
	\$ 350.00			\$ 25.00		
Austin Memorial Park	\$ 2,675.00			\$ 50.00		\$ 75.00
(City staff does digging for interments/disinterments)						
Adult-selected by City	\$ 875.00			\$ 50.00		
Infant	\$ 850.00			\$ 50.00		
Cremation	\$ 850.00			\$ 50.00		
Evergreen (Austin)	\$ 1,850.00			\$ 50.00		\$ 75.00
(City staff does digging for interments/disinterments)						
Infant	\$ 450.00			\$ 50.00		
Cremation	\$ 850.00			\$ 50.00		

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Agenda Item: **Consideration, discussion and possible action on approving the transfer of \$102,000 of available Art Funds from Hotel Motel Tax Fund to the General Fund. These funds will partially reimburse the General Fund for a grant paid to the Bastrop Art Guild.**

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

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

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) _____

c) _____

8. Staff Recommendation: Approval of the proposed funding allocation provided.

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

FY15 Analysis of Art Funds

Projected Rev	\$2,801,500	15%	\$420,225
---------------	-------------	-----	-----------

AIPP	\$41,159
Art Guild	\$144,580 (transfer to GF)
Overpass Art	\$67,900
Art Guild	\$8,000
Theatre Conf	\$5,150
Opry House	\$50,700
Total	<u>\$317,489</u>

11.3%

Art Funds Avail.	\$420,225
	<u>-\$317,489</u>
	<u><u>\$102,736</u></u>

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 19, 2015

MEETING DATE: August 25, 2015

1. Consideration, discussion and possible action regarding the **A Resolution of the City of Bastrop Authorizing and Creating XS Ranch Public Improvement District, establishing the boundaries for same.**

2. Party Making Request: **City Manager, Mike Talbot**

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:

RESOLUTION NO. R-2015 - 12

**A RESOLUTION OF THE CITY OF BASTROP TEXAS
AUTHORIZING AND CREATING
XS RANCH PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING THE
BOUNDARIES FOR SAME.**

WHEREAS, Chapter 372 of the Texas Local Government Code (the “Act”) authorizes the creation of public improvement districts; and

WHEREAS, owners of real property located in Bastrop County southwest of Bastrop County Road 157 in the area of Bastrop County Road 969, and north of the Colorado River, delivered to the City of Bastrop a petition (the “Petition”) indicating the (i) the owner of more than 50% of the appraised value of the taxable real property liable for assessment and (ii) the owners of more than 50% of the area of all taxable real property liable for assessment within the District (the “Owner” or “Developer”) have executed the Petition requesting that the City Council create the XS Ranch Public Improvement District (the “District”), as shown on Exhibit “A” (the “Map of the District”); and

WHEREAS, after providing the notices required by Section 372.009 of the Act, the City Council, on August 11, 2015, conducted a public hearing on the advisability of the improvements and services related to the proposed District; and

WHEREAS, the City Council adjourned such public hearing held on August 11, 2015 and after receiving the public input and considering same, and evaluating the supporting information received by the City from the Developer, related to the creation of the District, the Council takes the following action.

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

Section 1. Findings. Pursuant to the requirements of the Act, the City Council, after considering the Petition for the proposed District and the evidence and testimony presented at the public hearing on August 11, 2015, hereby finds and declares:

- (a) Advisability of Services and Improvements Proposed for the District. It is advisable to create the District to provide the services and improvements described in this Resolution; the services and improvements will contribute to the public health, safety, and welfare.
- (b) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District are:
 - (i) acquisition, construction and improvement of sidewalks, streets, other roadways, and rights-of-way;
 - (ii) acquisition, construction, and improvement of water, wastewater and drainage facilities;

- (iii) landscaping;
 - (iv) establishment and improvement of parks;
 - (v) acquisition, construction, and improvement of off-street parking facilities;
 - (vi) projects similar to those listed in subsections (i) – (v) above authorized by the Act;
 - (vii) other improvement projects not listed in subsections (i) – (vi) above but that are authorized by the Act; and
 - (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering, and operating the District.
- (c) Estimated Cost of Services and Improvements. The estimated amount of bonds to be issued for the District through assessments for the first three (3) years of the District's term, is not more than \$45,000,000. The total bonded indebtedness over the term of the District is anticipated to be not more than \$45,000,000. The petitioners have represented to the City that these amounts will be supplemented with (i) additional revenue expected to be received from governmental reimbursement and participation agreements, and (ii) developer equity investment and debt financing. These anticipated additional funds are expected to be detailed in the proposed Service Plan associated with the District.
- (d) Boundaries. The District is located in the extraterritorial jurisdiction of the City of Bastrop, Texas. The boundaries of the District are shown on the Map of the District, Exhibit "A."
- (e) Method of Assessment. District costs may be assessed using any methodology that results in the imposition of equal shares of the costs on property similarly benefited within the District.
- The City shall exclude the following classes of property from assessment: (i) property of the City; (ii) property of the County; (iii) property owned by political subdivisions of the State of Texas and used for public purposes; and (iv) other property that is excluded by law or by agreement of the City and the petitioners.
- (f) Assessment Roll and Setting of Rate. The City Manager shall annually prepare an assessment roll and file that roll with the County Clerk, in conformity with the exemptions from the assessment established under subparagraph (e) above. The annual assessment installment for the first year for which bonds are issued shall not exceed 0.80% of each parcel's anticipated build out value per \$100.00 valuation of taxable real property as shown on the tax rolls of the Bastrop Central Appraisal District.

Section 2. Authorization and Creation. The XS Ranch Public Improvement District is hereby authorized and created as a Public Improvement District under the Act in accordance with the findings set forth in this Resolution as to the advisability of the services and improvements. The District shall be subject to the terms, conditions, limitations, and reservations contained in the findings of Section 1 of this Resolution.

Section 3. Notice of Authorization. The City Secretary is directed to give notice of the authorization of establishment of the District by publishing a copy of this Resolution once in a newspaper of general circulation in the City of Bastrop. Such authorization shall take effect and the District shall be deemed to be established effective upon publication of such notice. The District can be terminated as provided by law. Subject to the last sentence of this Section 3, the power of the City to continue to levy and collect assessments within the District pursuant to the Act will cease and the District will be dissolved following the date that a petition requesting dissolution is filed with the City Secretary of the City of Bastrop and the petition contains signatures of at least the number of property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act, and a public hearing has been held by the City Council as described in Section 372.011 of the Act. If the District is dissolved, the District shall remain in effect for the purpose of meeting obligations of indebtedness.

PASSED, APPROVED, AND EFFECTIVE August 25, 2015.

Ken Kesselus, Mayor,
City of Bastrop, Texas

ATTEST:

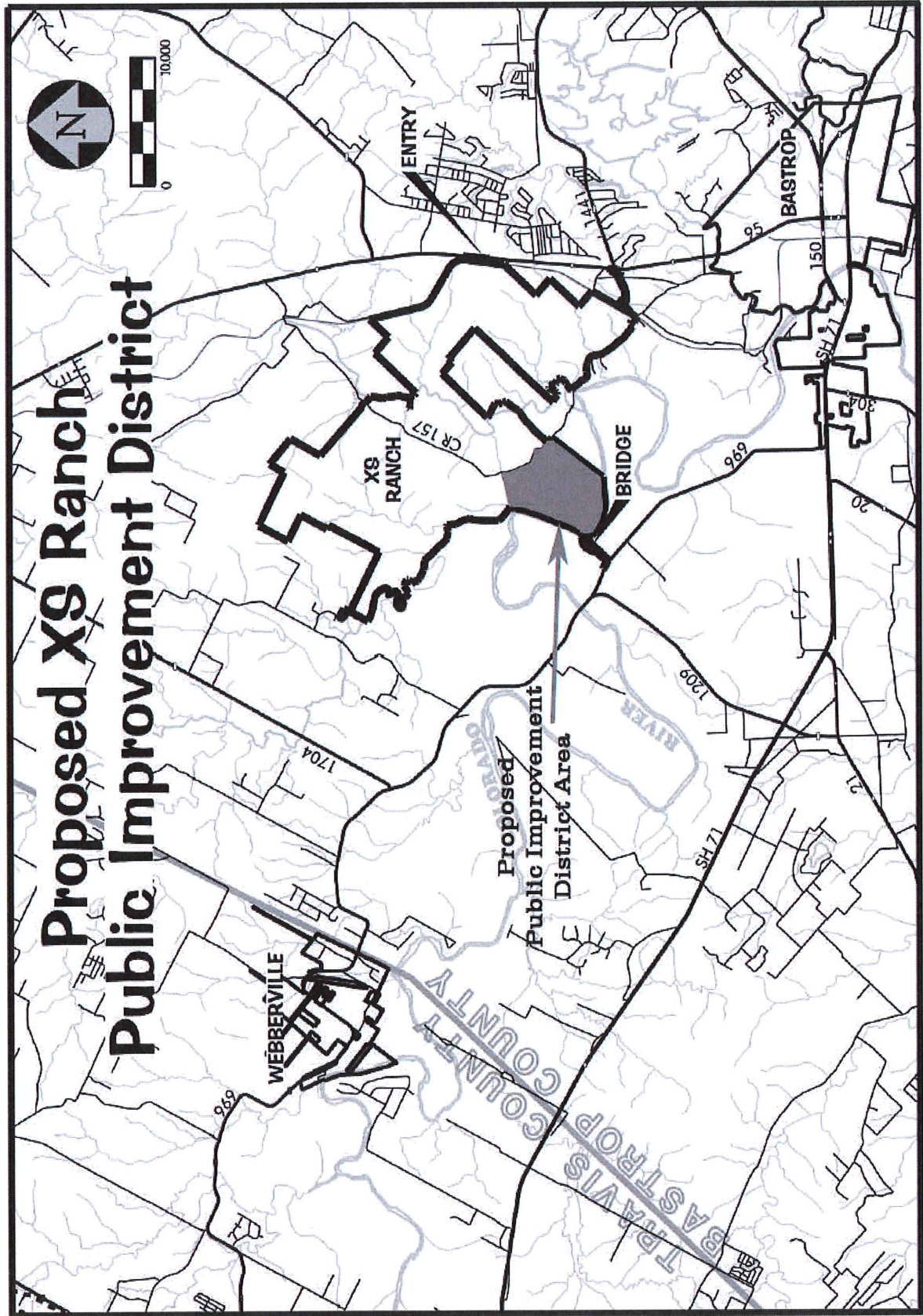
Ann Franklin, City Secretary
City of Bastrop, Texas

[CITY SEAL]

APPROVED AS TO FORM:

J.C. Brown, City Attorney,
City of Bastrop, Texas

EXHIBIT "A"



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 21, 2015

MEETING DATE: August 25, 2015

1. Consideration, discussion and possible action **regarding the Consideration, discussion and possible action by the City Council to Suspend for FY-16 the current process which is "Termed Tier II Funding" for HOT Funds Grants and this suspension shall remain in effect until the City Council takes action to remove the suspension.**

2. Party Making Request: **Mayor Ken 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: August 21, 2015

MEETING DATE: August 25, 2015

1. Consideration, discussion and possible action on **parallel parking on Main between the East side of Chestnut and Pine and extending the backline of the West side of the same area.**

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: