

**NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
March 12, 2013 6:15 P.M.**

Pursuant to the Texas Government Code, Chapter 551, the City Council of Bastrop, Texas will hold a regular meeting on **March 12, 2013 at 6:15 p.m.** at Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas and will consider the following matters to wit:

REGULAR MEETING	TAB	PAGE	ORIGINATOR	STATUS
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ANNOUNCEMENTS

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Presentations:
 - A. Character Education – Bastrop student
4. Proclamations
5. Announcements

CITY MANAGER INFORMATIONAL UPDATE REPORT: Items for update, discussion and possible action:

- A. Meetings and Events Attended:
 1. Planning and Zoning Commission monthly meeting on February 28, 2013.
 2. Parks Board monthly meeting on March 7, 2013.
- B. Update on City Projects:
 1. Bob Bryant Park Water Facilities Improvements Project.
 2. State Highway 71 Wastewater Pipe Bursting Project.
 3. Fayette Street Wastewater Improvements Project.
 4. Construction of sidewalks across the railroad tracks on Chestnut Street.
 5. Authorization for the City Manager to make revisions to construction notification sign area of State Highway 71.
 6. Proposed meeting with the local hotel/motel owners.
 7. Planning Retreat held on March 9, 2013.
 8. Alley A School Zone Improvements.
 9. City wide School Zone Improvements.
 10. Proposed infrastructure improvements at the Bastrop Economic Development Corporations Business Park.
 11. Meeting with CARTS.
 12. Discussion and review with City Manager the Hotel Occupancy Tax (HOT) Revenue Funding and Community Support Funding calendar and possible approval by Council after review.
- C. Update on City Business:
 1. Convention Center Activities.
 2. Main Street Program Activities.
 3. Commercial/Residential Construction Projects in the City.
 4. YMCA Activities.
- D. Department and Board Reports.
- E. Inviting input from Council related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

A. CONSENT AGENDA

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

- | | | | |
|--|-----|----|---------------|
| A.1 Approval of meeting minutes of February 26, 2013. | A.1 | 11 | Teresa Valdez |
| A.2 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses. | A.2 | 26 | Karla Stovall |

A.3 Appointment by Mayor and confirmation by Council of Council Member to serve as the City Council's Representative/ex-officio Member on the Bastrop Main Street Advisory Board.	A.3	29	Mayor Terry Orr
A.4 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Amended Plat of Lots 1 and 2 of Rubio Estates located within the City of Bastrop, Texas.	A.4	30	Melissa McCollum
A.5 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Amended Plat of Building Blocks 100 and 101 East of Jackson Street, South of Jasper Street and North of South Street for the future Bastrop County Development Offices located within the City of Bastrop, Texas.	A.5	32	Melissa McCollum
A.6 Approval of the first reading of a Resolution of the City Council of Bastrop approving a project (Small Business Forum in conjunction with the Texas Governor's Office and Texas Workforce Commission in an amount not to exceed \$25,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding \$10,000.	A.6	34	Dave Quinn

B. PUBLIC HEARINGS

B.1 PUBLIC HEARING: On a request for a zone change from "Parkland" to "Office" for +/-0.703 acre, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut Street (according to the Iredell Map), the property to be rezoned is also locally known as "702 Main Street", within the city limits of the City of Bastrop, Texas.	B.1	38	Melissa McCollum
B.2 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City of Bastrop, Texas granting a zoning district change from "Parkland" to "Office" for approximately 0.703 acre, commonly known as "702 Main Street" in the city limits of Bastrop, Texas; and establishing an effective date.	B.2	69	Melissa McCollum
B.3 PUBLIC HEARING: On a request to vacate and abandon a 0.213 acre portion of unopened Austin Street located West of Main Street within the city limits of the City of Bastrop, Texas.	B.3	77	Melissa McCollum
B.4 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance authorizing the vacation and abandonment of 0.213 acre portion of unopened Austin Street – West of Main Street, platted City of Bastrop ownership; providing for the terms and conditions of such vacation and abandonment; authorizing the City Manager to execute a Quitclaim Deed for a 2,784 square feet portion of the 0.213 acres to be vacated and abandoned; and providing for an effective date..	B.4	82	Melissa McCollum
B.5 PUBLIC HEARING: On a request for a zoning district change from public street right-of-way to O, Office for +/-2,784 square feet of vacated and abandoned Austin Street, adjacent to the south line of Building Block 17 West of Water Street and West of Main Street and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons", within the city limits of the City of Bastrop, Texas.	B.5	92	Melissa McCollum

B.6 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change from public street right-of-way to "Office" for approximately 2,784 square feet of a vacated and abandoned portion of Austin Street West of Main Street In the city limits of the City of Bastrop, Texas; establishing an effective date.

B.6 127 Melissa McCollum

B.7 PUBLIC HEARING: On a request for a zoning district change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56, located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.

B.7 134 Melissa McCollum

B.8 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56, located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision; establishing an effective date.

B.8 163 Melissa McCollum

B.9 Citizen Comments.

Executive Session: The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Chapter 551 Government Code, Vernon's Texas Code, Annotated, the item below will be discussed in closed session.

1. Section 551.071 – Consultations with Attorney

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2013 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior Ordinances and actions in conflicts herewith; and providing for an effective date.

D.1 172 Karla Stovall

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.2 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending of January 31, 2013.

D.2 187 Karla Stovall

D.3 Consideration, discussion and possible action on a presentation by the Bastrop Police Department to implement the Military Service Flag Program for the City of Bastrop to honor active-duty members and their families.

D.3 215 Police Chief Michael Blake

D.4 Consideration, discussion and possible action on speed limit on Blakey Lane, street extending from Edward Burleson Lane to Farm to Market Road 969.

D.4 218 Willie DeLaRosa

D.5 Consideration, discussion and possible action on adoption of a Resolution nominating an individual as Member of the Bastrop Central Appraisal District Board of Directors. D.5 221 Teresa Valdez

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551 to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) - Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.
3. Section 551.087 – Deliberation regarding economic development negotiations – JAMCo project.
4. Section 551.074 – Personnel Matters: City Manager.

E.2 The Bastrop City Council will reconvene into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

F. ADJOURNMENT

CERTIFICATE

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Bastrop, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted the 8th day of March 2013 at 12:30 p.m. Copies of this agenda have been provided to those members of the media requesting such information.

Teresa Valdez

Teresa Valdez, City Secretary

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL AND COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 512-332-8811. PLEASE PROVIDE FORTY-EIGHT HOURS NOTICE WHEN FEASIBLE.

Confirm time posted: TC

CITY OF BASTROP

AGENDA ITEM : **City Manager Report****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: March 8, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **City Manager informational update report: Items for update, discussion and possible action:**
 - A. **Meetings and Events Attended:**
 1. **Planning and Zoning Commission monthly meeting on February 28, 2013.**
 2. **Parks Board monthly meeting on March 7, 2013.**
 - B. **Update on City Projects:**
 1. **Bob Bryant Park Water Facilities Improvements Project.**
 2. **State Highway 71 Wastewater Pipe Bursting Project.**
 3. **Fayette Street Wastewater Improvements Project.**
 4. **Construction of sidewalks across the railroad tracks on Chestnut Street.**
 5. **Authorization for the City Manager to make revisions to construction notification sign area of State Highway 71.**
 6. **Proposed meeting with the local hotel/motel owners.**
 7. **Planning Retreat held on March 9, 2013.**
 8. **Alley A School Zone Improvements.**
 9. **City wide School Zone Improvements.**
 10. **Proposed infrastructure improvements at the Bastrop Economic Development Corporation Business Park.**
 11. **Meeting with CARTS.**
 12. **Discussion and review with City Manager the Hotel Occupancy Tax (HOT) Revenue Funding and Community Support Funding calendar and possible approval by Council after review.**
 - C. **Update on City Business:**
 1. **Convention Center Activities.**
 2. **Main Street Program Activities.**
 3. **Commercial/Residential Construction Projects in the City.**
 4. **YMCA Activities.**
 - D. **Departmental and Board Reports.**
 - E. **Inviting input from Council related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.**

2. Party Making Request: **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**

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

BASTROP FIRE DEPARTMENT MONTHLY FIRE DEPARTMENT REPORT

February-13

Part 1

Number of Calls, by type

Structure *	1	Wildland **	1
Vehicles	0	EMS Assist	5
Mutual Aid	5	False Alarms	20
Control Burns	31	Haz-Mat	11
Rescue/Extrication	1	Other	1

Total Calls 76

* % of Structure Saved (Use back of page, if needed)

25%		

	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Other
Fires By District	9	15	16	13	5
CTY	18	0			

** Total Number of Acres Burned 0.25

Part 2

PERSONNEL HOURS*

Total Personnel Hours at Calls (Part 1)	601.29
Total Personnel Hours at Training	220
Total Personnel Hours at other Events	150

Total Personnel Hours This Month 971.29

1. Number of Accidents/Injuries this Month. 0

Part 3

Average Response Time 8.01 Minutes

Top 5 Responders	Amount of Calls
1 <u>bill / carolyn laird</u>	65
2 <u>mike norman</u>	44
3 <u>devan laird</u>	40
4 <u>george martinez</u>	39
5 <u>kenny wines</u>	34

Planning and Development Department

Monthly Report – February 1, 2013 – February 28, 2013

<u>Building Permit Type</u>	<u>Month</u>	<u>YTD</u>	<u>2012 YTD</u>
Single Family Residences	1	13	4
Commercial Starts	4	4	0
Miscellaneous (electrical, plumbing, HVAC, pools, sprinklers, storage buildings, patio covers, signs)	60	106	82
Residential Remodels	1	6	12
Commercial Remodels	0	5	4
Total Permits Issued	66	134	149
Commercial and Residential Inspections	231	367	293

Business Information requests:

- Continuing Care Facility
-

Projects in Process:

Commercial Construction

- LaHacienda Restaurant, Meat Market and Tortilla Factory
- Popeye's Chicken
- Riverwood Commons Phase 1 Senior Apartments
- Tiger Tote
- Burleson-Rack Room Shoes

Commercial Const Remodels

Tres Viejos on Main St
Mattress Firm in old Blockbuster
Maxine's Catering and Bakery

Land Development Plans

- Covert Chevrolet-Remodel
- Bethlehem Baptist Church
- H2O Ice House
- Pine Forest Drainage Master Drainage Study
- BEDC Industrial Park-Art Warehouse

Subdivisions

- Hunters Crossing, Section 9C Final
- Final Plat for Bear Hunter Drive in Hunters Crossing
- Tahitian Unit 2 Amended Plat
- Bldg Blks 100 and 101 –Bastrop County Development Offices
- Rubio Estates Amended Plat

Site Work

- Duff –dirt from Bucces
- Temp emergency access Bear Hunter

Other Projects/Activities in Process:

Regulatory/Policy Documents:

Official Meetings:

- 2 City Council Meetings
- 1 Planning and Zoning Commission Meeting
- 1 Board of Adjustment Meeting
- 1 Historic Landmark Commission Meeting
- 4 Predevelopment Meeting (Tuesdays with developers)
- 1 preconstruction meeting with contractors

A detailed monthly report is available in the P and D Office – 1311 Chestnut Street

2/1/2013-2/28/2013

Last update: 3/4/2013

Planning and Development Monthly Report

**Bastrop Public Library
Librarian's Report
March 4, 2013**

1. Library Statistics for the month of January. Circulation statistics are up 12% compared to January 2012; gate count is down 2% compared to January 2012; programming is up 17% compared to January 2012; Internet usage is up 8% as compared to January 2012 and reference requests are up 89% compared to January 2012.
2. In the month of February 194 children and adults attended Story time.
3. On Friday, February 1 Mickey DuVall and Laura Green interviewed Kaye Brilliant for the position of archive project assistant.
4. On Monday, February 4 Mickey DuVall and Bonnie Ueckert visited with Nancy Wood concerning the library's branding project. Nancy agreed to facilitate a meeting composed of members from the community on discovering the brand for the library.
5. On Monday, February 4 Bonnie Ueckert hosted eleven students from the Calvary Episcopal School after school program.
6. On Tuesday, February 5 Kaye Brilliant was hired to work on the Bastrop County Complex Wildfire Archive project.
7. On Wednesday, February 6 Mickey DuVall attended the monthly Bastrop Chamber of Commerce luncheon.
8. On Thursday, February 7 Mickey DuVall provided a library tour for the Cuero librarian and members of the Cuero Public Library building committee. Cuero is trying to decide if they want to build a new library or expand the one they have.
9. On Thursday, February 7 Sheilah Kosco hosted a Teen Advisory Board committee meeting. Nine teens attended the meeting. The Teens played board games and black light dodge ball, which was wild. Attendance is down as several teens have "aged out" of programs and Sheilah is trying to get new teens involved.
10. On Saturday, February 9 nine children read to Bow Wow Book Buddies.
11. On Monday, February 11 Bonnie Ueckert hosted thirteen students from the Calvary Episcopal School after school program.
12. On Tuesday, February 12 Mickey DuVall met with Melissa McCollum from Planning, Trey Job from Public Works and Lyle Nelson from CARTS (Capital Area Rural Transportation System) to discuss bus routes in Bastrop.
13. On Thursday, February 14 Mickey DuVall, Sheilah Kosco, Cookie Adkins and Kathy Lindsey attended a Texas Municipal Retirement System (TMRS) workshop.
14. On Thursday, February 14 Sheilah Bowman met with Tracey Waldron concerning cash handling at the library.
15. On Thursday, February 14 Sheilah Kosco hosted a teen Anime Club meeting. Fourteen teens attended the meeting. Had Valentine themed meeting with chocolate dipped refreshments. Watched Anime series Fairy Tale. Teens exchanged "secret Valentines" gifts.
16. On Saturday, January 19 Bonnie Ueckert hosted a Super Saturday "Very Hungry Caterpillar" Craft Day. Thirty-seven children and adults attended the event.
17. On Monday, February 18 Will Snyder of HBMG consultants conducted a computer system inspection and review of the library's network and computers. The inspection and review is part of a grant program paid through a grant from the Texas State Library.

18. On Tuesday, February 19 Sheilah Kosco hosted four UT LBJ School of Public Policy students who were interviewing computer users concerning their perceptions as to how well the BTOP grant money is being spent.
19. On Wednesday, February 20 Mickey DuVall attended legal review with JC Brown, Samantha Friedman and Mike Talbot. We discussed the wording on our emergency shelter agreement. Samantha is working on the final draft.
20. On Thursday, February 21 Sheilah Kosco hosted the Teen Open Video Games third Thursday event. Fourteen teens attended the event. Played Rock Band, Mario Smash Brothers, Call of Duty 2, Mario Brothers and Mario Cart. Teens stayed and played the entire time, and seemed to have a great time. Did not have kids coming and going throughout the event which was very nice.
21. On Friday, February 22 Mickey DuVall, Sheilah Kosco and Bonnie Ueckert met with Thomas Dowdy of the Bastrop Independent School District. Mr. Dowdy provided us with a tour and inspection of the Cedar Creek High School in light of using the facility as an emergency shelter if needed in the future.
22. On Thursday, February 27 Mickey DuVall has a departmental meeting scheduled with Mike Talbot to discuss happenings in the library.
23. On Thursday, February 28 the Friends of the Bastrop Public Library will meet in a regularly scheduled meeting.

Respectfully submitted: Mickey DuVall, Library Director

CITY OF BASTROP

AGENDA ITEM: **A.1****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: February 27, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Approval of meeting minutes of February 26, 2013.**
2. Party Making Request: **Teresa Valdez, City Secretary**
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: _____
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

February 26, 2013

The Bastrop City Council met in regular session on February 26, 2013 at 6:15 p.m. at the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Ken Kesselus, Kay Garcia McAnally, Joe Beal, Willie DeLaRosa and Dock Jackson.

ANNOUNCEMENTS**1. CALL TO ORDER**

At 6:15 p.m. Mayor Terry Orr called the meeting to order with all members present.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Former Mayor Tom Scott led the pledges of allegiance to the U.S. and Texas flags. Reverend Bill Hobby led the invocation.

3. PRESENTATIONS:**A. BASTROP POLICE DEPARTMENT POLICE CONTACTS ANNUAL REPORT
2012 – POLICE CHIEF MICHAEL BLAKE.**

Police Chief Michael Blake called the Council's attention to a PowerPoint presentation displaying graphics in his Memorandum included in the Council Agenda packet. Chief Blake reviewed the various graphs showing: 1) City of Bastrop Census Data – 2010; 2) Bastrop County Census Data – 2010; 3) Consent & Probable Cause Searches Percentages – 2012; 4) Bastrop Police Department Contact Totals & Percentages by Race January – December 2012 and 5) Bastrop Police Department Traffic Stop Custody Arrests January – December 2012. Chief Blake stated that pursuant to compliance mandates associated with Senate Bill 1074 and the Texas Code of Criminal Procedures, he submitted the attached annual report of police department activities regarding patrol officer vehicle stops, arrests, citations, and/or search of individuals conducted by Bastrop police officers. Chief Blake stated as a historical reference, Senate Bill 1074 was crafted in the 72nd Texas Legislative Session as a result of national interest and debate involving allegations of biased-based racial profiling practices involving law enforcement. Chief Blake stated the Annual Report shows that the City of Bastrop Police Department does not practice biased-based racial profiling.

Brief discussion was held among Council and Chief Blake.

Mayor Orr stated this annual report shows fair treatment and administration of laws of the City of Bastrop.

4. PROCLAMATIONS:

Mayor Terry Orr proclaimed February as African American History Month in the City of Bastrop, Texas.

5. ANNOUNCEMENTS

Mayor Orr recognized former Mayor David Lock and former Council Member Martha Harris.

Mayor Orr announced that the annual Mayor's Prayer Breakfast will be held Thursday, February 28, 2013 at 6:45 p.m. at the First Methodist Church and is sponsored by the Bastrop Christian Ministerial Alliance. Mayor Orr stated the guest speaker is Grant Teaff, former Baylor Football Coach.

Council Member Dock Jackson announced that the MLK Scholarship Committee is hosting a catfish dinner fund raiser at Maxine's on Main on March 11, 2013 from 5:00 p.m. to 8:00 p.m.

CITY MANAGER INFORMATIONAL UPDATE REPORT: ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

A. MEETINGS AND EVENTS ATTENDED:

1. GUEST SPEAKER AT THE CITIZENS ON PATROL ACADEMY ON FEBRUARY 14, 2013.
2. BASTROP PARKS BOARD PLANNING RETREAT ON FEBRUARY 16, 2013.
3. BASTROP ECONOMIC DEVELOPMENT CORPORATION MONTHLY BOARD MEETING ON FEBRUARY 18, 2013.
4. LOST PINES GROUNDWATER CONSERVATION DISTRICT MONTHLY BOARD MEETING ON FEBRUARY 20, 2013.

B. UPDATE ON CITY PROJECTS:

1. BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PROJECT.
2. STATE HIGHWAY 71 WASTEWATER PIPE BURSTING PROJECT.
3. FAYETTE STREET WASTEWATER IMPROVEMENTS PROJECT.
4. PROPOSED MEMORIAL SECTION OF THE FAIRVIEW CEMETERY.
5. REQUIRED REPAIRS AT WASTEWATER TREATMENT PLANT #1.
6. AUTHORIZATION FOR THE CITY MANAGER TO APPROVE CONSTRUCTION NOTIFICATION SIGN.
7. LONG TERM WATER SUPPLY STUDY BEING UNDERTAKEN BY K. FRIESE & ASSOCIATES.
8. PROPOSED MEETING WITH THE LOCAL HOTEL/MOTEL OWNERS.
9. PROPOSED IMPROVEMENTS AT THE BASTROP ECONOMIC DEVELOPMENT CORPORATION'S BUSINESS PARK.
10. REVIEW OF THE PROPOSED LETTER OF AGREEMENT REGARDING THE LOAN OF THE 1931 AERIAL PHOTO OF THE CITY OF BASTROP DONATED TO THE CITY OF BASTROP BY JUDGE R.L. BATTS ON JANUARY 5, 1931.
11. PROPOSED "RIVER TERRACE PROJECT" AT HUNTERS CROSSING PLANNED DEVELOPMENT LOT 9 BY THE JHS HOLDINGS GROUP OF COLUMBIA, MISSOURI.

C. UPDATE ON CITY BUSINESS:

1. CONVENTION CENTER ACTIVITIES.
2. MAIN STREET PROGRAM ACTIVITIES.
3. COMMERCIAL/RESIDENTIAL CONSTRUCTION PROJECTS IN THE CITY.
4. YMCA ACTIVITIES.

- D. DEPARTMENT AND BOARD REPORTS.
- E. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

City Manager, Mike Talbot stated that tonight there are three Mayors present who he has worked for: former Mayor Lock, former Mayor Scott and Mayor Orr. Mr. Talbot stated he is honored to have worked for all three of them.

City Manager, Mike Talbot stated his written City Manager Report was sent to the Council on Monday.

Mr. Talbot addressed Item B.4. Mr. Talbot stated he wanted to see if the Council is in agreement with the proposed Memorial Section at the Fairview Cemetery, so that work can begin on developing the proposed policies and procedures that would apply to it.

Ken Kesselus moved to approve the Cemetery Board's request for creation of a Memorial Section at the Fairview Cemetery, authorize the Cemetery Board to begin developing the proposed policies and procedures that would apply to the Memorial Section at the Fairview Cemetery and thank the Cemetery Board for their service. Motion was seconded by Kay Garcia McAnally and carried unanimously.

City Manager, Mike Talbot addressed Item B.6. Mr. Talbot stated he had a meeting with the owner of the Toyota dealership last week regarding the current construction being undertaken by the Texas Department of Transportation (TxDOT) for an overpass at the intersection of State Highway 71 and State Highway 20. Mr. Talbot stated the dealership owner has advised him that once construction got into full swing business activity at the Toyota dealership dropped off by more than 30%. Mr. Talbot stated additional information on this item was included in his City Manager's Report. Mr. Talbot stated he did not want to be perceived as advocating that the City's Ordinances be ignored, but in this case, he believes we need to find an equitable and timely solution. Mr. Talbot stated he is requesting the City Council grant him the authority to work out a suitable, temporary arrangement with the owner of the Toyota dealership to allow the use of the LED sign, as a traffic diversion and information tool during the TxDOT construction period.

Willie DeLaRosa moved to authorize the City Manager to work out a suitable, temporary arrangement with the owner of the Toyota dealership to allow the use of the LED sign, as a traffic diversion and information tool during the TxDOT construction period. Motion was seconded by Dock Jackson and carried unanimously.

City Manager, Mike Talbot addressed Item B.10. Mr. Talbot stated pursuant to the Council's direction he has drafted a Letter Agreement regarding the loan of the aerial photo. Mr. Talbot called the Council's attention to the draft Letter Agreement he had distributed to Council tonight. Mr. Talbot stated he had reviewed the Minutes from the Council meeting when this was discussed and everything Council discussed has been included in the Letter Agreement except for Number 5, which the Council had not discussed. Mr. Talbot stated if the Council has no problems with the Letter Agreement he will issue it to the Bastrop County Historical Society for

their review.

It was the consensus of Council for the City Manager to issue the Letter Agreement to the Bastrop County Historical Society for their review.

A. CONSENT AGENDA

ALL OF THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY BY THE COUNCIL AND WILL BE ENACTED WITH ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS.

A.1 APPROVAL OF MEETING MINUTES OF FEBRUARY 12, 2013.

A.2 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.

A.3 APPROVAL OF THE SPECIAL EVENT PERMIT SUBMITTED IN THE APPLICATION RECEIVED FROM THE DOWNTOWN BUSINESS ALLIANCE TO HOST "YESTERFEST" ON FRIDAY, APRIL 28, 2013, ON MAIN STREET, ON SATURDAY, APRIL 27, 2013, ON MAIN STREET AND IN ALLEY B (CULINARY CULTURAL ARTS); AND ON SUNDAY, APRIL 28, 2013, ON THE VACANT LOT AT 921 MAIN STREET (COWBOY BREAKFAST).

Willie DeLaRosa moved to approve the Consent Agenda. Motion was seconded by Kay Garcia McAnally and carried unanimously.

B. PUBLIC HEARINGS:

B.1 CITIZEN COMMENTS.

Herb Goldsmith addressed the Council. Mr. Goldsmith stated he wanted to speak to the Council regarding strategic planning. Mr. Goldsmith read the following: "I believe the City Council, Mayor and City Manager are doing the best they can under stressful times however it may be time to re-evaluate the current demands placed upon you. As a result of participating on the Bastrop Economic Strategy Steering Committee, careful review of various comprehensive plans, analysis of various City Board Agenda packets and observation of various boards and public meetings, I believe it is time for the City to examine its organizations Chart and operations. At a minimum I believe there is a need to consider City wide strategic planning that integrates the various entities governed by the City. This function would include being a part of all the various boards and planning efforts that impact the City, including county and regional efforts. It would examine policy impacts, complete data analysis, provide project management, and prepare white papers for the City Council, Boards and Commissions as well as department heads. It would synthesize the various consulting reports and tract strategic plan outcomes and performance, including the recently developed Bastrop Economic Development Strategic Plan. Furthermore, I believe the City Council would benefit from improved decision making due to enhanced project/issue management, including the capacity for formative and summative assessment on priority issues. I believe that the City Manager is spread too thin. I believe there may also be an

over reliance on expensive consultants. The City Manager currently requires management of numerous projects, complex issues, some with high levels of contention. It is clear he is attempting to serve this function as best he can with current resources. The position I propose will require a high level post that reports directly to the City Manager and City Council. I believe it will pay for itself and save taxpayers money due to enhanced project management, increased efficiency, increased collaboration, and help the City remain true to its existing plans while providing consistency for future strategic plans. It will also unify the various efforts of the Bastrop Community as we move forward at a rapid pace and facilitate cohesive cogent reporting to the citizens of Bastrop.”

C. OLD BUSINESS

D. NEW BUSINESS

Council Member Joe Beal recommended the Council move to Agenda Item D.3 since Mr. Bené is a paid by hour consultant for the City. Mr. Beal stated this would be advantageous to the City.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION BY MR. JAMES BENÉ OF R.W. HARDEN & ASSOCIATES REGARDING THE TEST DRILLING AND AQUIFER TESTING PROGRAM AT MAYFEST PARK.

Mayor Orr left the dais at 6:43 p.m. and returned at 6:45 p.m.

Mr. James Bené gave a PowerPoint presentation on the Test Drilling and Aquifer and Testing Program. Mr. Bené reviewed the following: 1) Goals of aquifer testing program; 2) Methods used during testing; 3) Mayfest Park test drilling and 4) Action Items: Further work at Mayfest Park: temporary well and/or Continue testing at additional sites. Mr. Bené stated the previously constructed water system infrastructure at Mayfest Park is still in place (and in use) and the re-development of groundwater at the site presents a convenient, lower-cost opportunity for augmenting supplies. Mr. Bené stated the Mayfest Park Test Hole was drilled through the entire Wilcox to a depth of 1600 feet. Mr. Bené stated there was clay and mixed sediments in the upper and lowermost portions of the Wilcox. Mr. Bené stated there where three sand-rich aquifer zones found between 800 feet and 1200 feet depths. Mr. Bené stated the upper mixed zone had low to moderate productivity, fresh water and a probability of high dissolved iron. Mr. Bené stated the sand-rich zones had moderate to high productivity and probably brackish water. Mr. Bené stated if blending water at Mayfest is a desirable option he recommended the following: 1) Constructing and sampling temporary well in Mayfest test hole to document water quality for blending analysis and document hydraulic characteristics of aquifer and 2) Screen depth of 950 to 1050 feet. Mr. Bené stated the approximate cost for this would be \$65,000. Mr. Bené stated the other action item would be for Council authorization to continue test drilling program: 1) Original objective not yet achieved; extent of poorer quality Wilcox still unknown; 2) Recommend drilling testing at additional site(s) to the north of the City; and 3) Additional test hole cost approximately \$41,000 per hole.

City Manager, Mike Talbot stated his concern is that if blending is necessary for the test well that only produces 400 gallons per minute at Mayfest Park that would be a very expensive for a small amount of production.

Mayor Orr stated he would like to have a little time to digest the information provided by Mr. Bené tonight. Mayor Orr stated the Council has scheduled a Utility Workshop on March 19, 2013 and they could discuss this further at that meeting.

Discussion was held among Council and Mr. Talbot.

Willie DeLaRosa stated if the Council discusses this again on March 19th or March 9th he would ask that the City Manager provide the Council with a dollar amount of all the money spent up to this date and how much money it would cost to continue.

Joe Beal stated the Council has a Retreat scheduled for March 9, 2013 and could discuss this at the Retreat also.

Mr. Bené stated that when it comes to blending, the 400 gallons per minute shown in his PowerPoint Presentation was just used for informational purposes. Mr. Bené stated it makes a whole lot more sense to put something at Mayfest since the infrastructure is already there. Mr. Bené suggested that the City does not discount blending until they have a chance to run some of the numbers in regard to blending.

No action was taken.

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON PRESENTATION AND ACCEPTANCE OF CITY OF BASTROP, TEXAS COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2012.

Karla Stovall, Chief Financial Officer, addressed the Council. Ms. Stovall stated the Finance Department respectfully submits the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2012. Ms. Stovall stated included in the Report is a set of financial statements in conformity with generally accepted accounting principles and audited by Singleton, Clark & Company, PC. Certified Public Accountants. Ms. Stovall stated the Governmental Finance Officers Association awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its comprehensive annual financial report for the fiscal year ended September 30, 2011. Ms. Stovall stated a certificate of achievement is valid for a period of one year only. Ms. Stovall stated City staff believes the Report presented to you this evening continues to conform to the Certificate of Achievement program requirements and they are submitting it to the Government Finance Officers Association to determine its eligibility for another certificate. Ms. Stovall stated Preston Singleton with Singleton, Clark and Company, PC will be presenting this year's audited report. Ms. Stovall stated she is available for any questions and she turned the podium over to Mr. Singleton.

Mr. Preston Singleton addressed the Council. Mr. Singleton stated there are three pieces of information, which he calls the "Big Three", that the City Council should understand regarding the Report. Mr. Singleton stated the "Big Three" items are: 1) Fund Balance; 2) Type of Report and 3) Any report of non-compliance issues or deficiencies with internal control. Mr. Singleton stated the City of Bastrop Fund Balance in the General Fund for the year ended September 30, 2012 increased from the previous year by \$1.2 million. Mr. Singleton stated the Fund Balance for the year ended September 30, 2012 is \$3.3 million and this represents about 4.8 months of

expenditures for this City. Mr. Singleton stated that is a very good fund balance. Mr. Singleton stated the type of report given to the City is an Independent Auditor's Report. Mr. Singleton stated there were no non-compliance issues or deficiencies with internal control to report. Mr. Singleton stated this was a great audit report and he recommended acceptance.

Council Member Joe Beal commented that this was one of the better audit reports he has heard. Mr. Beal stated the bottom line is that the City is financially strong.

Joe Beal moved acceptance of the City of Bastrop, Texas Comprehensive Annual Financial Report for the Year ended September 30, 2012. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.2 PRESENTATION BY MS. JAMIE HOWARD REGARDING THE PROPOSED MAIN STREET PROMENADE INITIATIVE.

Mayor Orr stated this is a private initiative, not a governmental one, and this item is not posted for action this evening. Mayor Orr stated that if there is any further disposition of this, he will be taking direction from the City Council. Mayor Orr stated this is not a public hearing but he will allow the public to speak after the presentation. Mayor Orr asked that the public address their comments to the City Council and if there are questions, please direct them to the presenter outside of these Council Chambers. Mayor Orr stated he has purposely not attended any presentations previously made by this group. Mayor Orr stated he has observed that Main Street has been closed several times a year for events and at the last Council meeting the Council approved closure of Main Street for an event.

Council Member Dock Jackson, who serves as the Council Parliamentarian, stated he wanted to reiterate what the Mayor had said. Mr. Jackson stated this is a presentation and there will be no formal action taken by the Council. Mr. Jackson stated the Council has adopted Robert's Rules of Order and will be following those. Mr. Jackson asked that the public wait to be recognized before approaching the podium to speak, that they state their name clearly, into the microphone, for the record. Mr. Jackson stated that only one person should speak at a time.

Mayor Orr welcomed Ms. Jamie Howard.

Ms. Jamie Howard thanked the Council for the forum and stated this initially started out as a discussion. Ms. Howard stated it is a privilege to embrace this discussion and she hoped they could find some common ground. Ms. Howard then gave a PowerPoint presentation on "Main Street Promenade Initiative". Ms. Howard's presentation included the following:

A. Just to clarify:

- 1) This is not the vision for this project (not a Las Vegas strip). This is more like it (authentic, beautiful, unique, fun, vibrant);
- 2) We are not proposing any changes to the North block of Main Street (i.e., from Bastrop Copier Northward);
- 3) We are not proposing to completely and permanently close traffic to vehicles on the South side of Main Street - We are proposing to create an aesthetically pleasing way to close the street, and to close it only when it is economically advantageous to do so;
- 4) We are not proposing an expensive new capital project – By pairing up with an

existing improvement plan that has established budgets and funding options, this proposal will not require a tremendous amount of additional expenditures from the City or taxpayers; and

- 5) Texas is hot – but that doesn't mean people won't walk a block to shop, eat, and play downtown. Places like Fredericksburg, Wimberley, Salado and Gruene thrive because walking, wandering, and exploring the town is a valued part of experiencing the town.

B. Why something has to change:

- 1) In order for our Main Street to thrive, we cannot rely on local dollars alone. Tourism revenue is an essential part of our recipe for success. It is time we create an environment in which unique specialty shops, restaurants, and entertainment venues can really succeed, and where Bastropians can gather together and celebrate being a part of this great community.

C. As supported by the Sustainable Design Assessment Teams (SDAT) Report:

- 1) A study by the American Institute of Architects done for Bastrop, Texas November 14-16, 2011.
- 2) The SDAT Team believes the City is facing a critical juncture in its future development, and needs to take control of its growth. Glenn Kellogg captures Bastrop's growing reality: "For better or worse, Bastrop is going to continue to grow...Bastrop may double in size over the next twenty years. This change could overwhelm the town by continuing the recent development trends and patterns. However, if planned for, this growth could be an opportunity to enable the aspirations of downtown. The City must get ahead of the growth by planning for the desired change, and use this momentum to improve downtown rather than disturb it."
- 3) About Removing Parking (Pages 43 & 44 of the SDAT Report) – "The City should not allow surface parking between buildings and the street. Allowing this type of suburban style development obviates the central distinguishing asset of the downtown. The undisturbed pedestrian block structure of downtown is an enviable asset & one of the greatest strengths of the city. Allowing this type of parking fails to differentiate the downtown from the suburbs & wastes the existing pedestrian block scale, charm & walkable environment that gives the downtown its competitive advantage & makes downtown a desirable location. When it comes to the ability to provide a walkable environment; don't waste it by building like every other suburban place in America."

D. How do we do it?

- 1) First....The Parking Solution (what people think and what is possible).
- 2) Then...Main Street Improvements – Only after we have established the long-term parking solutions for downtown, and ideally in conjunction with the Main Street Improvement Project: Improvements may include things such as stamped concrete or brick sidewalks and streets, existing black iron benches, light poles, black trash cans, potted plants, and removable iron barricades (bollards).

E. Imagine....

- 1) Our restaurants and shops spilling out on the sidewalks with outdoor dining, music and fun events.
- 2) Uniquely Bastrop events, demonstrations, street parties and so much more!

- 3) Imagine if we could make downtown the lifeblood of our community, just as it was 100 years ago.
- 4) But...we don't have to reinvent the wheel – The population, geographic location in relation to major cities and resources and other demographics of Bastrop in 2013 are extremely similar to the statistics on Fort Collins, Colorado, in the early 1980s, when they began their pedestrian project. It is not the "life-blood of their community."

Ms. Howard stated store owners have taken this very seriously and have come together to found a team. Ms. Howard stated store owners have agreed to bring the team of people to Bastrop and the proposal is that this team come to Bastrop for three (3) days and see if they can come up with a plan. Ms. Howard stated she was asking Council to meet with this team and see if there is a workable solution to move forward with downtown.

Council Member Kay Garcia McAnally stated that Ms. Howard said shop owners have come together. Ms. McAnally asked Ms. Howard if this was all shop owners.

Ms. Howard stated that it was not all shop owners, it was three (3) shop owners because she had only asked three owners.

Council Member Joe Beal stated he had read Ms. Howard's presentation and studied it and it seem to say that the idea is not to propose great changes, the idea is to close off Main Street for special events, but when I look at the graphics, they show that the parking is done away with and sidewalks extended. Mr. Beal stated it appears to him that the street does get closed, does away with parking and the idea is to actually transform the south part of Main Street to a pedestrian setting.

Ms. Howard stated the answer to Mr. Beal is "Yes" and "No". Ms. Howard stated the initial plan does allow traffic and yes it does include removing parking to generate space to do what we need to do. Ms. Howard stated that is why she suggested bringing in professionals to see what they suggest. Ms. Howard stated the only way to get more space is to take away parking.

Mr. Beal commented that he thought what the Council was going to do tonight was show courteousness to Ms. Howard and allow her to do her presentation. Mr. Beal stated now he counts 115-120 people in the Council Chambers and it appears to him that where we are is in a public hearing about an idea. Mr. Beal stated he for one, as a Council Member did not assume the Council was going to have a public hearing.

Mayor Orr stated it has been a policy of this Council to allow the public to speak on any agenda item. Mayor Orr stated there is nothing different about this item than any other item that has been on a Council agenda.

Mr. Beal stated he respectfully disagreed with the Mayor. Mr. Beal stated he was willing to hear and study the idea, and if it would have been posed for action, which it is not, and action might have been to direct the City Manager to do something and could have included a public hearing. Mr. Beal stated it is the responsibility of Council if action is to be taken to dramatically change the street. Mr. Beal stated if the Council were to vote to do that tonight, he would vote against it and he would not agree to remove parking. Mr. Beal stated he does think it is a good idea to

make the improvements which the City is going to do and he does think it is good to close down streets for events which benefit the City. Mr. Beal stated he is not in favor of continuing this dialogue on closing the street.

Council Member Kay Garcia McAnally stated she thought this was a beautiful idea, but not for Bastrop, not at this time and maybe never. Ms. McAnally stated that when Ms. Howard used the verbiage “shop owners” that was a misrepresentation because there were only three shop owners according to Ms. Howard. Ms. McAnally stated parking should not be taken away. Ms. McAnally thanked Ms. Howard for the time and energy put into the initiative but she would not vote for it.

Council Member Willie DeLaRosa asked how far the Council is planning on going tonight as to listening to this. Mr. DeLaRosa stated that he thinks if the Council would have been asked, this could have been posted as a public hearing and posted for Council to take a vote on it. Mr. DeLaRosa stated he thinks the question that needs to be asked is: “Do we want to move forward before we sit here for two hours and listen to everyone.”

Mayor Orr stated he hoped that the Council would consider deliberation, and as Mayor, he intends to take direction from the Council, which could be no action, negative action or positive action. Mayor Orr stated he did think it was important for the Council to deliberate.

Council Member Ken Kesselus stated he did not see any energy from the Council to do anything about this. Mr. Kesselus stated what he was hearing is that if the Council wants to post this to move ahead then it would be posted as such. Mr. Kesselus stated he has not heard anything.

Mayor Orr stated it was not his intent to de-energize or energize any of the Council. Mayor Orr stated he allowed the presentation, and would allow comments and then the Council could consider that.

Council Member Dock Jackson stated this is no different from any Council meeting, it is a non-action item and the Council’s tradition is to allow people to speak. Mr. Jackson stated he is not opposed to listening if the speakers are concise and brief. Mr. Jackson stated it is only fair to let them speak.

Mr. Beal stated he was not suggesting the public be denied the opportunity to speak, he said it was posted as a presentation from an individual to Council. Mr. Beal stated if the Council wants to have 115 people speak, that is fine, but it sounded to him that the Council does not want to proceed.

Ms. McAnally stated she agreed with Mr. Beal but there are a lot of people gathered here tonight and she would like to hear them.

Mayor Orr stated he would start the process and allow people to speak but they were to limited to three (3) minutes.

Ann Beck addressed the Council. Ms. Beck mentioned four items of concern to her: 1) thanked the permanent store owners along Main Street in Bastrop; 2) requested that Council vote on this situation because it has been being discussed since July and it has torn the town apart; 3) Council

should consider implementing a vacancy tax for businesses whose doors are not open for six months; and 4) wonderful businesses in Bastrop – Please Buy Bastrop.

David Lock addressed the Council. Mr. Lock stated he owns Lock Drug on Main Street and has been in business for 42 years. Mr. Lock stated he opposed this idea and it will affect the north side of Main Street. Mr. Lock stated his business does not rely on tourism and if this initiative were to happen it would kill his business.

Cynthia Sanders Meyer addressed the Council. Ms. Meyer voiced opposition to the initiative. Ms. Meyer stated she has researched the long-term studies of pedestrian malls and it showed that the streets were re-opened. Ms. Meyer stated of 200 streets converted to pedestrian malls only 30 streets remain pedestrian malls. Ms. Meyer asked the Council to consider any devastating effect this could have on Bastrop.

Deborah Johnson addressed the Council. Ms. Johnson stated she is a small business owner in downtown, opened in September 2010. Ms. Johnson stated when the fire devastated Bastrop, the community pulled together and supported one another. Ms. Johnson stated in the last couple of months she has seen division in the community. Ms. Johnson stated it is important to respect new ideas, and respect those who have worked and sweated to establish their businesses and Bastrop. Ms. Johnson addressed the audience and stated: “Please stop the campaigning, take down the signs, put away the petitions and stop the tyrants in the newspapers. Look at what you can do personally to better Bastrop. Ms. Johnson stated she was asking Council to do their job.

David Bragg addressed the Council. Mr. Bragg stated the statistic previously mentioned that said 85% of pedestrian malls built fail needed to be repeated. Mr. Bragg stated he was in Waco when they did this and he watched downtown Waco die. Mr. Bragg stated four cities were mentioned in the presentation and none of those four cities have closed streets. Mr. Bragg stated in order for a pedestrian mall to be successful a City has to have a large existing supply of pedestrian. Mr. Bragg stated he is against this initiative.

Pat Crawford addressed the Council. Ms. Crawford stated it was hard for her to understand such an effort. Ms. Crawford stated closing Main Street would be costly. Ms. Crawford stated she had just returned from Raleigh, North Carolina, a city that had just recovered from this. Ms. Crawford stated businesses do not support the closing of Main Street nor is there any logic to eliminate parking. Ms. Crawford stated some of her concerns on Main Street are the high rents and the buildings which are empty and unmaintained. Ms. Crawford stated she does support some type of vacancy tax.

Doug Kelsay addressed the Council. Mr. Kelsay stated he is not a resident of Bastrop, but one of the things he has observed is that Main Street is full of local businesses that have customer service and the City should be reducing impediments for doing business. Mr. Kelsay stated he did not see how reducing parking would be reducing an impediment. Mr. Kelsay stated there is a large building at the entrance to The Colony Subdivision, and he suggested the supporters of the proposed initiative take over that building and make it into the kind of place they want it to be.

Dan Hepker addressed the Council. Mr. Hepker stated he has been in business in downtown Bastrop for 29 years. Mr. Hepker stated he called other cities about the same size as Bastrop and asked them how many businesses they have had close in the last three years. Mr. Hepker stated

that the cities he talked to stated they were jealous of Bastrop because of our successful working downtown, nothing needed to be fixed, except for an extension of parking as long as it was not paid for by citizens. Mr. Hepker stated he has over 2000 signatures, of which some are visitors, opposing this initiative. Mr. Hepker stated he has lost a lot of sleep on how a bad idea could put him out of business, but he realized who the citizens have on the City Council and none of you would vote for a negative effect.

Jo Ann Bertrand addressed the Council. Ms. Bertrand stated she used to own a business in town. Ms. Bertrand stated the reason her family fell in love with downtown Bastrop is because you could walk into Lock Drug and they would greet you and call you by name. Ms. Bertrand stated there are a lot of people in her church that are handicapped and if Main Street was closed, those people cannot walk to get their medications. Ms. Bertrand stated Main Street should be kept like it is currently, that is the beauty of it.

Diana McNabb addressed the Council. Ms. McNabb stated she is a resident of Bastrop and she has a few physical issues. Ms. McNabb stated she like other people would not be able to walk to shop and to the drug store. Ms. McNabb stated she is on a fixed income and she cannot afford an increase in taxes for a large parking garage and the upkeep and maintenance of one.

Chris Parachini addressed the Council. Mr. Parachini thanked the troops for fighting for democracy for things like this. Mr. Parachini stated he had a business in a country without democracy and their dialogue did not happen. Mr. Parachini stated he has a new business on Main Street and he feels blessed by God that he has been welcomed to the community. Mr. Parachini stated before he did jewelry, his family mined and flew all over the world. Mr. Parachini stated Ft. Collins did not close Main Street and in California, an initiative like this did kill downtown. Mr. Parachini stated people drive by his business and see it and pull in and stop and support his. Mr. Parachini stated that removing the parking and traffic would remove the visibility to his business.

Michel Llauger addressed the Council. Ms. Llauger stated she moved here seven years ago and the first thing she saw was that the town closed at 7:00 p.m. Ms. Llauger stated you do not know a good thing until you lose it. Ms. Llauger stated if there was a pedestrian mall you will get the same genetic junk sales that all pedestrian malls have. Ms. Llauger stated Bastrop has great old buildings and history and that should not be thrown away for tacky iron horses on sidewalks, that is not aesthetics. Ms. Llauger stated pedestrian malls die because they are genetic.

Dee Dee Peddy addressed the Council. Ms. Peddy stated she is one of the business owners who want someone to come in and review Main Street. Ms. Peddy stated we do have a parking problem. Ms. Peddy stated it is in City plans for the water lines to be dug up on Main Street and if there are not some plans in regard to this those buildings will close. Ms. Peddy stated employees park downtown, meetings are held downtown and those people park there all day long. Ms. Peddy stated people find parking where ever it is. Ms. Peddy stated lets first look at getting additional parking before we close down businesses.

Pam Davenport addressed the Council. Ms. Davenport stated she is a business owner, but not on Main Street, she cannot afford to be on Main Street. Ms. Davenport stated this initiative is talking about one block of downtown, the parking has to go somewhere. Ms. Davenport stated

she drives a big truck and nine times out of ten she has to sit and wait to go down Main Street because the parking spaces are not big enough and wide enough for a large vehicle to go down. Ms. Davenport stated Bastrop has a beautiful river, if people can build more businesses along the river, then more empty businesses will be along Main Street. Ms. Davenport stated she agreed with Ms. Peddy that the main problem is parking.

Kazem Khonsari addressed the Council. Mr. Khonsari stated it was nice to be open-minded. Mr. Khonsari stated it did not matter whose idea it is. Mr. Khonsair urged the Council to just walk through Main Street, think about what can be done, what kind of improvements. Mr. Khonsair stated the street is not wide enough for parking. Mr. Khonsari stated the Council should listen to people who are owners and be open-minded. Mr. Khonsari stated it is nice to get out of the box and look outside the box.

Tammy Schneider addressed the Council. Ms. Schneider stated everyone's ideas are important and she was not here to complain or make a fuss. Ms. Schneider stated she was here to say how proud she was of Bastrop. Ms. Schneider stated her Grandmother, Grandpa, Mother and Dad would be so amazed and just maybe a little scared of the great changes made for the better in Bastrop. Ms. Schneider spoke of sweet memories made in downtown Bastrop with her Grandmother and how they will last her a lifetime. Ms. Schneider stated and yet today when she walks historical downtown she has that special feeling and how important it is not to mess with Main Street. Ms. Schneider stated there is a time to speak, a time to listen, a time to work, a time to play and a time to pray. Ms. Schneider stated changes are good but not in this case. Ms. Schneider stated that before people leave tonight they should look at the pictures displayed in City Hall, these are pictures of beautiful and historical Main Street. Ms. Schneider stated some things do not need to change and Main Street should be kept open.

Charlynn Farris addressed the Council. Ms. Farris stated she moved her six years ago and has since moved away, but her family still comes to Bastrop to shop regularly and enjoy downtown. Ms. Farris stated she agreed that Bastrop needs parking, but taking away parking is not the answer. Ms. Farris stated there is not enough parking downtown for the handicapped and if the street is closed, she will not be coming downtown.

Amanda Rachui addressed the Council. Ms. Rachui stated she lives in Bastrop County and when her family first moved here the downtown area was not thriving. Ms. Rachui stated there is now a lot of things to do, places to shop and eat in Bastrop. Ms. Rachui stated she really feels parking is an issue and when she cannot find a parking space she goes home. Ms. Rachui stated the Council should look at something different for downtown and then move on to the promenade.

Mayor Orr stated he appreciated Ms. Howard's presentation and the Council and citizen input. Mayor Orr stated he hoped the Council would deliberate the matter and the Council has more data to consider than when they started.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, TO DISCUSS THE FOLLOWING:

1. SECTION 551.071(1)(A) AND SECTION 551.071(2) - CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.072 – DELIBERATION REGARDING REAL PROPERTY: REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY.
3. SECTION 551.084 – PERSONNEL MATTERS: CITY MANAGER.

At 8:46 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, or value of real property.

E.2 THE BASTROP CITY COUNCIL WILL RECONVENE INTO OPEN SESSION TO DISCUSS, CONSIDER AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE EXECUTIVE SESSIONS NOTED HEREIN, OR REGULAR AGENDA ITEMS, NOTED ABOVE, AND/OR RELATED ITEMS.

At 9:15 p.m., Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

Joe Beal moved to authorize the City Manager to initiate the process necessary to vacate and sell a portion of Mill Street to Bastrop County, based upon the County's acceptance of the City's Appraisal of the fair market value of the property and the City Manger's discussion of same with the County. Motion was seconded by Ken Kesselus and carried unanimously.

F. ADJOURNMENT

At 9:16 p.m., Willie DeLaRosa moved to adjourn. Motion was seconded by Kay Garcia McAnally and carried unanimously.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

CITY OF BASTROP

AGENDA ITEM

A.2

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: Mar. 4, 2013

MEETING DATE: Mar. 12, 2013

1. Agenda Item: **Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.**

2. Party Making Request: **Karla Stovall, Chief Financial Officer**

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

4. Policy Implication: _____

5. Budgeted: X Yes No N/A

Bid Amount: _____

Budgeted Amount:

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

- a) _____
- b) _____
- c) _____

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

**CITY OF BASTROP
FINANCE
DEPARTMENT**

Memo

To: Mayor, City Council and City Manager
From: Karla Stovall, Chief Financial Officer
Date: March 4, 2013
Re: Reimbursement of Accrued Bastrop Marketing Corporation Expenses

Attached is the request from Bastrop Marketing Corporation (BMC) for payment of funds in accordance with the Tourism Marketing Agreement that was signed with the City of Bastrop in November 2003.

This request is for the time period for January 2013. There is a month lag in the receipt of the hotel occupancy tax monies.

It is recommended that Council approve the reimbursement of funds in the amount of \$30,495.48 for January 2013 to BMC in accordance with our agreement to be spent on advertising and marketing the City of Bastrop area. This amount represents 45% of the tax collections.

If you have any questions regarding this agreement please contact me at 512-332-8820.

Bastrop Marketing Corporation ("BMC")
October 2012 through September 2013 - Budget

Updated: February 25, 2013

2 0 1 2					2 0 1 3										
	September	October	November	December	January	February	March	April	May	June	July	August	September		
HRLPR Room Revenues	\$ 2,215,639.80	\$ 2,293,230.63	\$ 2,593,685.28	\$ 1,304,184.17	\$ 1,023,075.37	\$ 1,503,954.00	\$ 2,430,552.00	\$ 2,492,715.00	\$ 2,360,913.00	\$ 3,119,568.00	\$ 3,510,926.00	\$ 2,408,761.00	\$ 2,382,970		
Exemptions	(5,106.00)	(66,136.00)	(2,843.71)	(129.00)	(45,186.14)	-	-	-	-	-	-	-	-		
Taxable Room Revenues	2,210,533.80	2,227,094.63	2,590,841.57	1,304,055.17	977,889.23	1,503,954.00	2,430,552.00	2,492,715.00	2,360,913.00	3,119,568.00	3,510,926.00	2,408,761.00			
City of Bastrop HOT Rate	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%		
City of Bastrop HOT Tax	\$ 154,737.37	\$ 155,896.62	\$ 181,358.91	\$ 91,283.86	\$ 68,452.25	\$ 105,276.78	\$ 170,138.64	\$ 174,490.05	\$ 165,263.91	\$ 218,369.76	\$ 245,764.82	\$ 168,613.27			
Gross Liability to City	\$ 154,737.37	\$ 155,896.62	\$ 181,358.91		\$ 91,283.86	\$ 68,452.25	\$ 105,276.78	\$ 170,138.64	\$ 174,490.05	\$ 165,263.91	\$ 218,369.76	\$ 245,764.82	\$ 168,613.27		
Hotel Owner Collection Allowance (1%)	(1,547.37)	(1,558.97)	(1,813.59)		(912.84)	(684.52)	(1,052.77)	(1,701.39)	(1,744.90)	(1,652.64)	(2,183.70)	(2,457.65)	(1,686.13)		
Net Collection by City	153,190.00	154,337.65	179,545.32		90,371.02	67,767.73	104,224.01	168,437.25	172,745.15	163,611.27	216,186.06	243,307.17	166,927.14		
Applicable % payable to BMC	45%	45%	45%		45%	45%	45%	45%	45%	45%	43%	43%	43%		
Funds Available to BMC	68,935.50	69,451.94	80,795.39		40,666.96	30,495.48	46,900.80	75,796.76	77,735.32	73,625.07	92,960.01	104,622.08	71,778.67		
Total Budget	<u>\$833,763.98</u>	Allocated:	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.33	69,480.35		
Payment of Funds by City to BMC	\$ 68,935.50	\$ 69,451.94	\$ 80,795.39		\$ 40,666.96	\$ 30,495.48	\$ 46,900.80	\$ 75,796.76	\$ 77,735.32	\$ 73,625.07	\$ 92,960.01	\$ 104,622.08	\$ 71,778.67		
	Paid	Paid	Paid		Currently due	Currently due									

check: \$ -

CITY OF BASTROP

AGENDA ITEM: **A.3****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Appointment by Mayor and confirmation by Council of Council Member to serve as the City Council's Representative/ex-officio member on the Bastrop Main Street Advisory Board.**

2. Party Making Request: **Mayor Terry Orr**

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

To balance Council Members' responsibilities Mayor Orr will be appointing Council Member Dock Jackson as the Council's Representative/ex-officio member on the Bastrop Main Street Advisory Board.

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: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Amended Plat of Lots 1 and 2 of Rubio Estates located within the City of Bastrop, Texas.**

2. Party Making Request: **Bruce Swan**

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: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Amended Plat of Building Blocks 100 and 101 East of Jackson Street, South of Jasper Street and North of South Street for the future Bastrop County Development Offices located within the City of Bastrop, Texas.**

2. Party Making Request: **City of Bastrop**

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: _____



SCALE: 1" = 100'

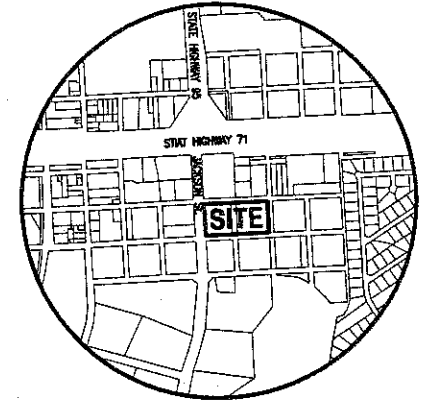
■ CONCRETE MONUMENT
 ● IRON ROD POINT
 ○ IRON PIPE POINT
 ○ 1/2" IRON ROD SET
 ○ UTILITY POLE
 ○ NAILING SET
 + FENCE LINE
 + ELECTRIC LINE
 + SURVEY CONTROL

EASEMENT ABREVIATIONS:

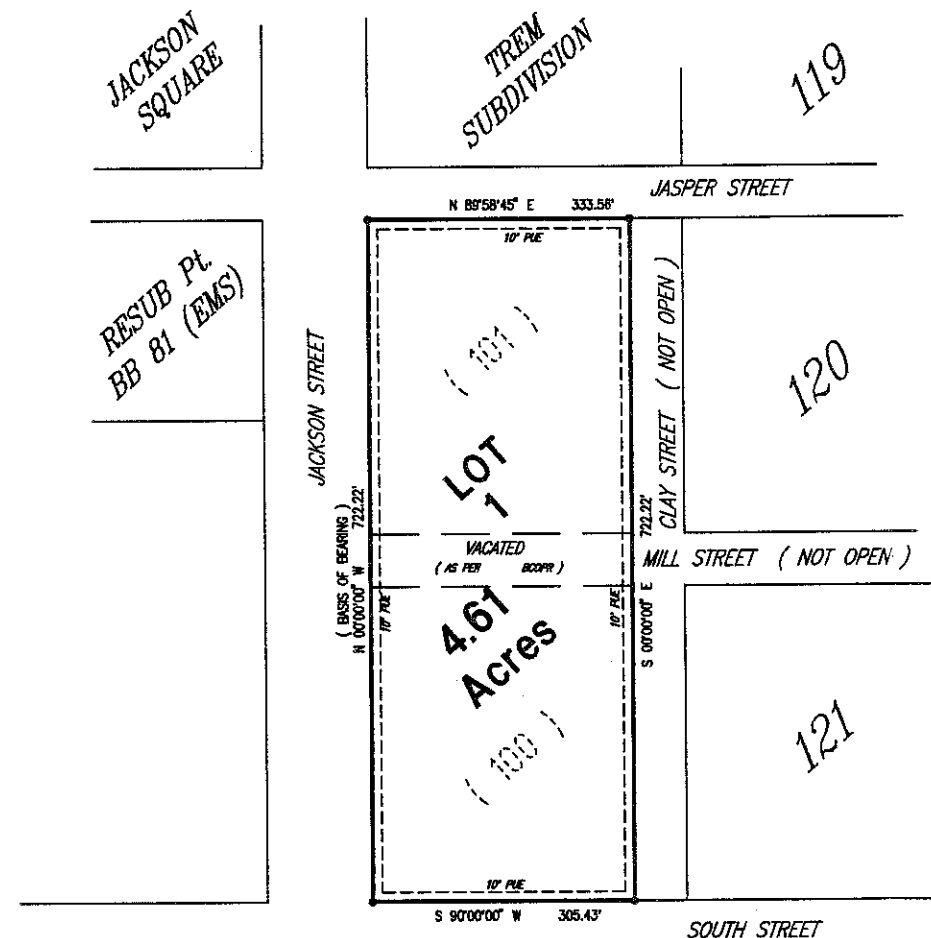
B. BUILDING LINE
 PUE PUBLIC UTILITY EASEMENT

BASE of BEARING
 as per 1984 ACPS

AMENDING PLAT of BUILDING BLOCKS 100 and 101 (EMS), and a PORTION of MILL STREET



SCALE: 1" = 1000'



- All subdivision permits shall conform to the City of Bastrop Code of Ordinances, construction standards, and generally accepted engineering practices.
- Construction Plans and Specifications for all subdivision improvements shall be reviewed and accepted by the City of Bastrop prior to any construction within the subdivision.
- Erosion and Sedimentation controls constructed in accordance with the Subdivision Ordinance of the City of Bastrop are required for all construction on each lot, including single family and duplex construction.
- All signs shall comply with the Bastrop Sign Ordinance.
- Fiscal surety for subdivision construction, in a form acceptable to the City of Bastrop, shall be provided prior to plat approval by the City.
- 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 of the City of Bastrop. The owner understands and acknowledges that plat vacation or re-platting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.
- By approving this plat, the City of Bastrop 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 and/or the owners of the lots. Failure to construct any required infrastructure to City standards may be just cause for the City to deny applications for certain development permits including building permits, site plan approvals and/or certificates of occupancy.
- Building setbacks not shown shall be in accordance with City of Bastrop Zoning Ordinance.
- Prior to construction of any improvements on lots in this subdivision, building permits will be obtained from the City of Bastrop.
- Site Development Construction Plans shall be reviewed and accepted by the City of Bastrop prior to any multi-family or non-residential construction.
- No lot or structure shall be occupied prior to the Applicant submitting to the City of Bastrop, documentation for subdivision/site registration with the Texas Department of Licensing and Regulation (TDLR) and provide documentation of review and compliance of the subdivision construction plans with Texas Architectural Barriers Act (TABA).
- Services provided by:
Water service provided by: City of Bastrop
Wastewater service provided by: City of Bastrop
Electric service provided by: City of Bastrop
Telephone service provided by: SBC
Cable service provided by: Time Warner
Gas service provided by: Centerpoint Energy
- All utilities will be underground.
- No lot in this subdivision shall be occupied until connected to the approved water distribution and wastewater collection facilities.

- Wastewater and Water systems shall conform to TCEQ (Texas Commission on Environmental Quality).
- Developer shall be solely responsible for all relocation and modifications to existing utilities.
- No portion of this subdivision lies within a designated Flood Hazard Area as shown on the Flood Insurance Rate Map No. 48021C0360E, Community No. 480022, for the City of Bastrop, Texas. Effective date: 01/19/06. This subdivision lies within Zone "X".
WARNING: The degree of flood protection required by the Bastrop County Flood Damage Prevention Order is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur, and flood heights may be increased by man-made or natural causes. Acceptance of this plat by the Commissioners Court does not imply that the land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. Nor shall acceptance of this plat create liability on the part of the City of Bastrop or Bastrop County or any official or employee thereof for any flood damages that result from reliance on the information contained within this plat or any administration decision lawfully made hereunder.
- On-site storm water detention facilities will be provided to reduce post-development peak rates of discharge of the 5, 10, 25, 50 and 100-year storm events.
- No buildings, fences, landscaping or other structures are permitted within drainage easements shown, except as approved by the City of Bastrop.
- All drainage easements and/or storm-water detention facilities shall be maintained by the property owner or his or her assigns.
- Temporary and permanent easements to be provided, as required at the City's sole discretion for off-site water, wastewater and drainage improvements.
- As shown hereon, a ten (10) foot wide public utility easement (PUE) is hereby dedicated adjacent to street ROW on all lots. A five (5) foot wide PUE is hereby dedicated along each side lot line.
- Property owner shall provide access to all easements as may be necessary and shall not prohibit access by governmental authorities.
- All easements on private property shall be maintained by the property owner or his/her assigns.
- The electric utility has the right to prune and/or remove trees, shrubbery vegetation and other obstructions to the extent necessary to keep the easements clear. The owner/developer of this subdivision shall provide the City of Bastrop Electric Utility Department with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities.
- The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection for electric utility work required to provide electric service to this project.
- Sidewalks shall be constructed in accordance with the Subdivision Ordinance of the City of Bastrop.

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS:

That Bastrop County, owner of Building Blocks 100 and 101 (EMS), and a portion of Mill Street, in the City of Bastrop, as recorded in Plat Cabinet No. 1, Page 23A, Bastrop County Plat Records, do hereby amend said tracts in accordance with the plat shown hereon, subject to any easements or restrictions heretofore granted to be known as AMENDING PLAT of BUILDING BLOCKS 100 and 101 (EMS), and a PORTION of MILL STREET, do hereby dedicate to the Public the use of the Easements as shown hereon.

Witness my hand this the ____ day of _____, 201__ A.D.

County of Bastrop

by:
Paul Pape, County Judge

STATE OF TEXAS
COUNTY OF BASTROP

This instrument was acknowledged before me on the ____ day of _____, 201__, by Paul Pape.

(SEAL)

Notary Public, State of Texas

Printed Name of Notary / Expires

APPROVED ADMINISTRATIVELY AND ACCEPTED BY THE CITY OF BASTROP
ON THIS THE ____ DAY OF _____, 201__ A.D.

APPROVED:

ATTEST:

Terry Orr, Mayor of the
City of Bastrop, Texas

City Secretary, City of
Bastrop, Texas

STATE OF TEXAS
COUNTY OF BASTROP

I, Rose Pietsch, County Clerk of Bastrop County, Texas, do hereby certify that the foregoing instrument of writing with the certificates of authentication was filed for record in my office on the ____ day of _____, 201__ A.D. at ____ o'clock ____ M., in the Plat Records of Bastrop County, Texas, in Plat Cabinet ____ Page ____

FILED FOR RECORD on the ____ day of _____, 201__ A.D.

Rose Pietsch
County Clerk
Bastrop County, Texas

Deputy

FEB 21 2013

STATE OF TEXAS
COUNTY OF BASTROP

I, Dale L. Olson, do hereby certify that I prepared this plat from an actual and accurate on-the-ground survey of the land, and that the corner monuments shown were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Bastrop, Bastrop County, Texas.

Dale L. Olson, RPLS
 Registered Professional Land Surveyor
 Reg. No. 1753
 711 Water Street
 Bastrop, Texas 78602

(SEAL)

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: 03/05/13

MEETING DATE: 03/12/13

1. Agenda Item: **Approval of the FIRST READING of a Resolution of the City Council of Bastrop approving a project (Small Business Forum in conjunction with the Texas Governor's Office and Texas Workforce Commission in an amount not to exceed \$25,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding \$10,000.**

2. Party Making Request: **Dave Quinn, BEDC Executive Director**

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

On February 18, 2013, the Bastrop Economic Development Corporation Board of Directors approved entering into a contract with the Governor's Office for the BEDC to host a Small Business Forum on April 18, 2013, provided the BEDC is reimbursed \$13,000 for expenditures for the event from the Governor's Office.

BEDC has been working with several local organizations to host a Governor's Small Business Forum in Bastrop. The proposal packet submitted to the Governor's office is attached for your review, as well as the program guidelines. The Governor's Office, in conjunction with the Texas Workforce Commission, is issuing several grants to communities willing to host regional forums. The program requires the lead organization to expend the funds for the event and then be reimbursed for allowable costs up to \$13,000. By leveraging the grant, the BEDC will be building goodwill with local business owners and building strategic partnerships with other organizations throughout the county. BEDC has secured \$4,000 in sponsorships already and feel we will have additional monies come in as we move forward.

4. Policy Implication: _____

5. Budgeted: _____ Yes X 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: _____

RESOLUTION NO. R-2013-

**A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS,
APPROVING A PROJECT, USING FUNDS PROVIDED BY THE BASTROP
ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING
\$10,000.**

WHEREAS, the Board of the Bastrop Economic Development Corporation ("BEDC") met on February 18, 2013, and at that time took formal action to support and provide funds for various projects; and

WHEREAS, Section 4B(3), of the Texas Economic Development Act, mandates that prior to the BEDC funding a project involving an expenditure by the BEDC of more than \$10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions; and

WHEREAS, the City has reviewed the February 18, 2013, actions of the BEDC related to the project noted herein below, has considered and evaluated that project, and has found it meritorious of the Council's approval.

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

- (1) The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the BEDC:
 - a. To fund a Small Business Forum in conjunction with the Texas Governor's Office, Texas Workforce Commission, and Bastrop County partners, in order to provide training and resources to Bastrop Area entrepreneurs and small business owners, in an amount not to exceed \$25,000.
- (2) The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.
- (3) That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

READ and APPROVED on First Reading on the 12th of March 2013.

READ and ADOPTED on Second Reading on the __th day of March 2013.

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **PUBLIC HEARING: On a request for a zone change from Parkland to Office for +/- 0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut Street (according to the Iredell Map), the property to be rezoned is also locally known as "702 Main Street within the city limits of the City of Bastrop, Texas.**

2. Party Making Request: **City of Bastrop**

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) _____

8. Staff Recommendation: **Staff recommends approval of the requested zoning change from Parkland to O-Office for +/- 0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut Street (according to the Iredell Map), the property to be rezoned is also locally known as "702 Main Street located within the city limits of Bastrop, Texas.**

9. Advisory Board Recommendation: XX Recommended Approval Denial None

The Planning and Zoning Commission conducted a public hearing on February 28, 2013 and voted 5-2 (Lisa Patterson abstained) to recommend approval of the requested zone change from Parkland to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street, including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, located within the city limits of Bastrop, Texas. Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.

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

11. Action Taken: _____

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

March 12, 2013

Public Notice Description:

Public Hearing, consideration, discussion, consideration and possible action on a request for a zoning change from 'Parkland' to O -'Office' for +/-0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also locally known as "702 Main Street," within the corporate limits of Bastrop, Texas.

Item Summary:

Owner: Bastrop County Historical Society
Applicant: City of Bastrop
Location: 702 Main Street
Utilities: City water, sewer, and electric
Zoning: Currently Parkland
Land Use Plan: Public, Semi Public/Institutional

Background:

The P&Z's recommendation to the Council on this matter comes to the Council at this time, after being considered by the P&Z on two separate occasions. The first consideration by P&Z took place on January 31, 2013. The second ("reconsideration") of this agenda item #6, was performed by the P&Z at their February 28th P&Z Commission meeting.

After the first P&Z meeting, it came to the City's attention that some of the information presented to the P&Z, at its first hearing on this matter, was not accurate. It is the City's policy that when staff learns that there have been significant errors in the materials/information presented to the Commission, during its decision making process, the Commission should have an opportunity to be presented with the correct information - and to reconsider its previously stated advisory recommendation to the Council in light of accurate information presented - prior to sending the matter to Council with its recommendation. In this case, the staff learned that the Commission received inaccurate information concerning: (1) the actual zoning designation of the property to be re-zoned, and (2) the zoning classification of some of the adjacent and near-by tracts. In addition, some statements from the floor, during the public hearing, were inaccurate.

To clarify the misinformation for the P&Z and for the Public, as well as for the Council, if questions arise, the Staff prepared and provided the attached "Questions and Answers" regarding other questions that were raised at the first P&Z meeting. This information was made available to the public at the February 28th meeting. Additional copies are available to the public in attendance here this evening, on the table by the door. .

Request:

The 0.703 acres is currently used as the museum location for Bastrop County Historical Society. The museum is in the process of relocating to 904 Main Street. This is a 'City initiated' rezoning, in part because the existing property is designated as Parkland, and in part, because a portion of land that will

potentially be added to this tract is currently owned by the City and is also un-zoned. Accordingly, it seemed to make sense that the City could more effectively coordinate this process by becoming the “applicant” on the rezoning, with the consent and cooperation of the Property owner, i.e., the BCHS.

In accord with the City's Zoning Code, Chapter 17, Section 7, should the Planning & Zoning Commission determine to recommend to the Council that it approve the rezoning/zoning, the City also requests that the Commission apply to the museum operation and the building the City's rules and regulations related to grandfathered “nonconforming uses and structures,” inasmuch as the structure and use predate this requested rezoning. This will permit the building to continue to ‘legally’ exist on the Property in its current configuration (e.g., with its current setbacks) and will also grant to the owners the ‘legal right’ to continue to operate the facility as a ‘museum’ that operates with the same level, type and intensity, without the need for the Historical Society to upgrade structural components, parking, or other “Office” zoning requirements or restrictions, i.e., as a “grandfathered use.”

As per the Code, if the City approves the re-zoning to Office, and the owner then discontinues, abandons, changes, expands, enlarges, extends, or intensifies this pre-existing ‘nonconforming structure/use’, *regardless of ownership*, the new “use/structure” will be required by the City's Code to then conform to all of the requirements of Chapter 14, Zoning Code, Section 7, and any other applicable rules and regulations.

If rezoned to O, Office by the City, in addition to continuing the above-noted “grandfathered use/structure,” any owner of the property would also have, by right, the opportunity to operate any of the permitted uses in the O, Office zoning classification, but only if the operation envisioned met all requirements of the Office classification for any other, “non-grandfathered” uses/structures.

For example, any use other than the grandfathered current use would only be allowed so long as the operation met the Code's parking requirements.

As per the City's current Code, several examples of required on-site (i.e., not street) “Parking” in the Office classification for the uses noted below, must meet the following ratios.

- Medical or Dental Office: 1 parking space per 200 sq. ft. of building space
- Office (administrative or professional) : 1 parking space per 300 sq. ft. of building space
- Real Estate Office: 1 parking space per 200 sq. ft. of building space
- Business or professional office (general) 1 parking space per 300 sq. ft. building space

So, to continue the example further, a real estate office that wanted to locate on this property, that had 1800 square feet of building space would be required to provide a minimum of 9 on-site parking spaces.

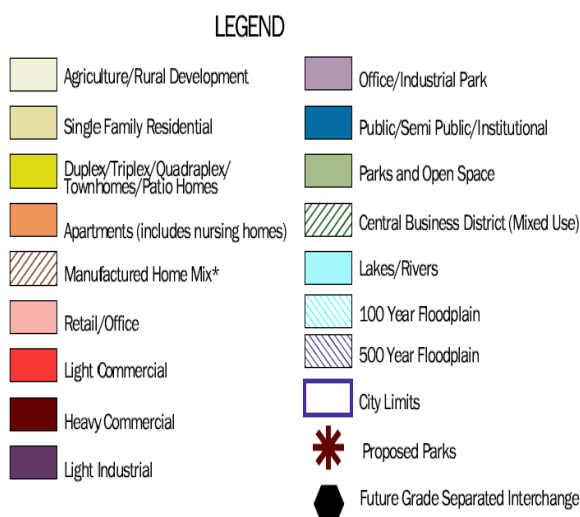
The parking example is but one of the Code requirements that will affect the future use of the Property, if rezoned as per this application.

Proposal:

The City is initiating a zoning change to O, Office so that a zoning designation with regulatory uses that are set forth in the Code will be applied to the future use and operations on the Property. . Currently Parkland is a placeholder on the zoning map and no requirements or regulations are applicable to a Parkland designation. This status leaves the owners and the City staff without guidance as to how to address development and use issues related to this particular tract.

Surrounding Zoning and Land Uses:

Location	Zoning	Future Land Use Plan
North (Vacant)	O, Office	Retail/Office
South (Ferry Park)	Park Land	Parks and Open Space
East (B&B and Residential)	SF-7, Residential	Single Family Residential
West (river)	N/A, Colorado River	Lakes/River

Future Land Use Map**Comprehensive Plan Conformance:**

The City's Comprehensive Plan, adopted by Bastrop City Council on May 8, 2001, serves as a guide for land use policy decisions to be made by the City. State law requires that zoning regulations are in conformance with the City's Comprehensive Plan. The Land Use chapter of the Comprehensive Plan establishes land use policy priorities and goals for the City's future development. In establishing these policies, the Comprehensive Plan divides the community into various land use categories.

The Comprehensive Plan and Land Use Map are tools to aid in zoning changes and amendments. The Future Land Use Map can be amended to match the changes in zoning classification.

The subject tract is designated on the future Land Use Plan map as Public, Semi Public/Institutional

Semi-Public (Light Blue)

Institutional uses (churches, hospitals) and non-government facilities where people frequently gather (private schools, meeting halls)

Public (Dark Blue)

Public schools and government buildings, offices, facilities and non-park properties (including public cemeteries)

Future Land Use Designation:

The Comprehensive Plan also establishes a future Land Use Plan map that distributes the various land use districts throughout the City's planning area. While the future Land Use Plan map is not intended to be a parcel specific or mandate for how land is developed, it is the primary guide for the City in evaluating development proposals. When a development proposal differs from the future Land Use Plan, it is the responsibility of the City to determine whether the proposal is in keeping with the general goals and objectives of the Comprehensive Plan.

The Subject Tract is designated on the future Land Use Plan map as Public, Semi Public/Institutional. If the Planning and Zoning Commission and City Council find that the requested zoning O, Office is appropriate, the Planning and Zoning Commission and City Council should take the necessary steps to update to the future Land Use Plan map during the annual amendment process to change the land use designation of the Subject Property to Retail/office (or more appropriate district), the adjacent neighboring use category, that is most appropriate to those use allowed in the zoning district for the Subject Tract.

Comments: Eleven (11) adjacent property owner notifications were mailed regarding the new P&Z meeting on February 14, 2013. Six (6) surrounding property owner notices have been received, five (5) in favor and an additional one from the property owner and (1) opposed. Included in the packet are previous responses from both the January 31, 2013 meeting and February 28, 2013 meeting.

Staff Basis of Support:

Staff supports the zoning change to Office. The Historical Society property currently has a designation as 'parkland' which is not a zoning district within the zoning ordinance. This lack of zoning classification makes it difficult to change/develop the property and the Owner is seeking a remedy to this situation, by supporting and cooperating with the City in this request for re-zoning. The future land use plan supports the original public/semipublic use of the museum property. This rezoning would alleviate any zoning/development issues in the future and would provide regulatory guidelines that would ensure that future use of the Property, by any future owner, is done in compliance with the City's Code.

Staff Recommendation: Staff recommends approval of the requested zoning change from Parkland and Office to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street, including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, within the municipal limits of Bastrop, Texas.

Planning and Zoning Recommendation:

The Planning and Zoning Commission conducted their regular meeting February 28, 2013 and voted **5-2 (Lisa Patterson abstained)** to recommend approval of the requested zone change from Parkland and Office to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street, including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, within the municipal limits of Bastrop, Texas. [Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.]

City Contact:

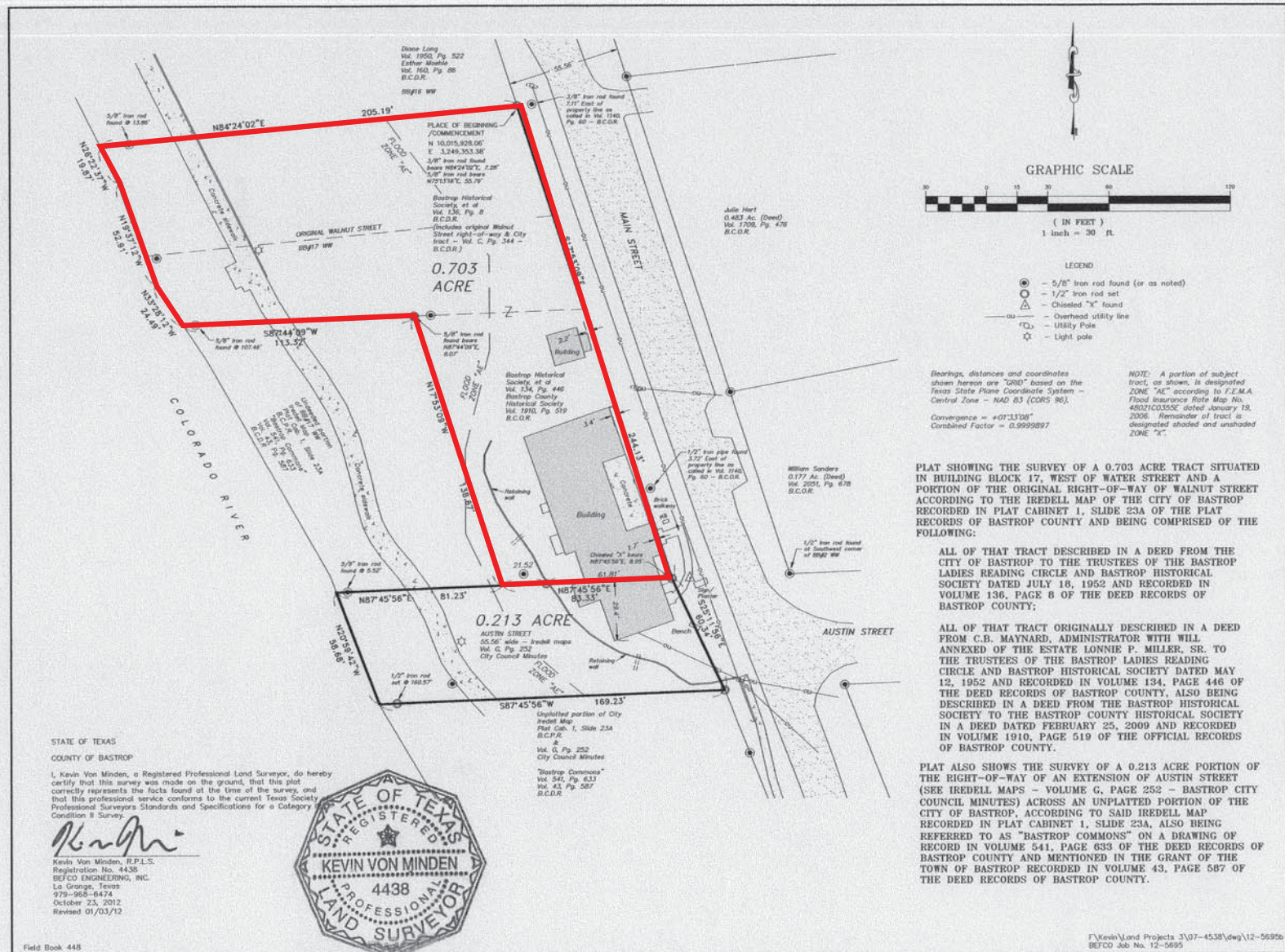
Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:

Maps and surrounding property owner information (January and February) and "Questions and Answers" public information hand-out.

Bastrop County Historical Society Property - 0.703 acres

PAGE 3 OF 3





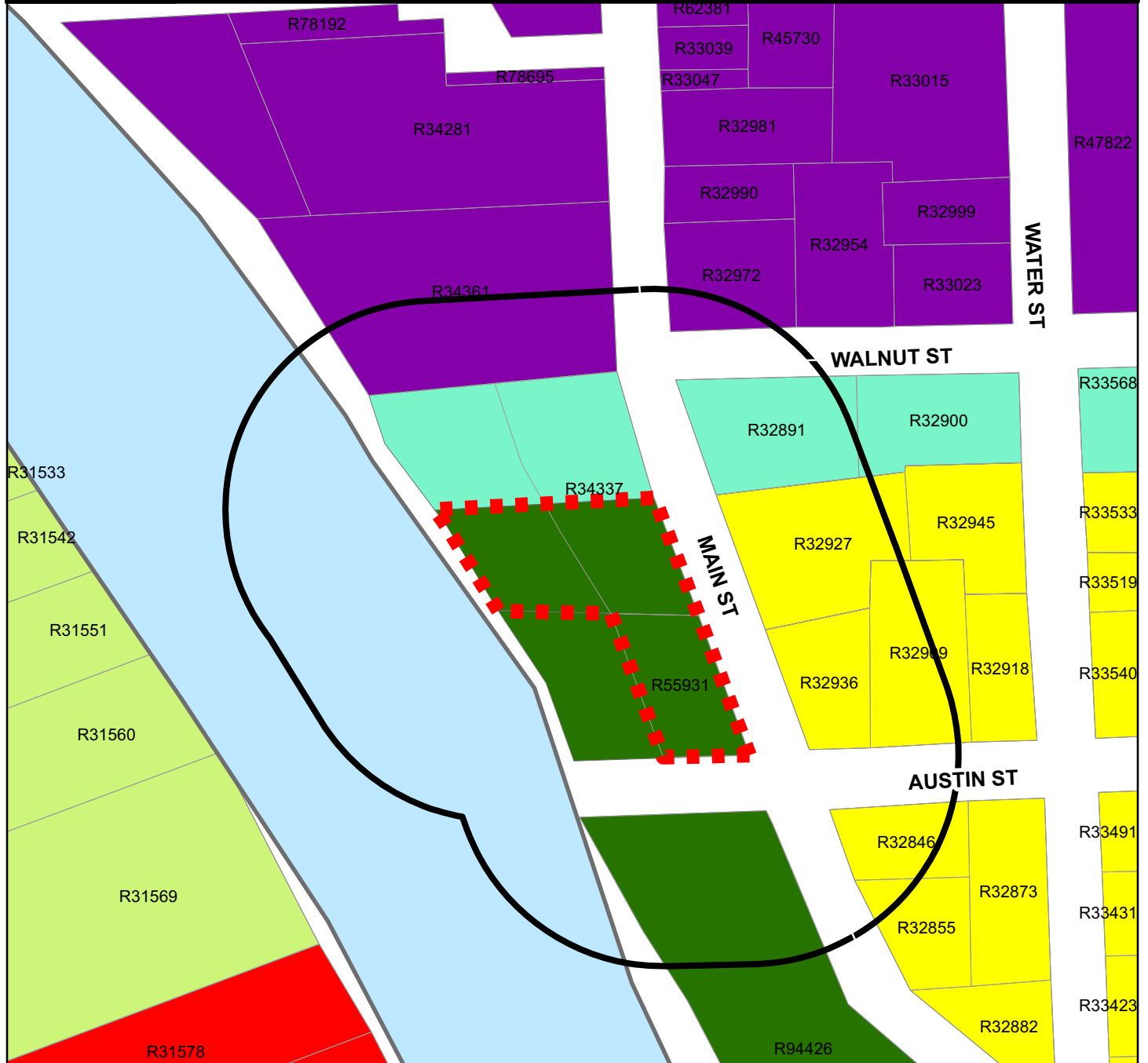
Bastrop County Historical Society Museum

Property to be Rezoned from
Parkland to Office for +/- .703 acres

Legend

- Bastrop County Historical Society Museum Property
- Bastrop County Historical Society Museum Property 200' Buffer

February 13, 2013



Legend

2012 Zoning

District

- SF-7 - Single Family Residential
- SF-20 - Single Family Residential
- CBD - Central Business District

- O - Office

- C-2 - Commercial-2

- Park Land



Ariel View of Bastrop County Historical Society Museum

Legend

 - Bastrop County Historical
Society Museum Property

Property to be Rezoned from
O, Office/Parkland to Office for +/- .703 acres







Bastrop County Historical Society Museum

Property Owners In Favor & Opposed
to the rezoning of
+/- .703 acres from Parkland to Office

Legend

- Bastrop County Historical Society Museum Property

- Bastrop County Historical Society Museum Property 200' Buffer



Legend

Opposed - 1

In Favor - 6

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

This item was heard at the January 31, 2013 Planning and Zoning Commission meeting and did not go to City Council. Please see the corrected attached zoning map and follow the new schedule of meeting dates below.

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, February 28, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, March 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, March 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change from Parkland to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, within the city limits of Bastrop, Texas. **A zoning map is included with this notice.**

Applicant: City of Bastrop

The property being considered is described as follows:

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X
X

PROPERTY OWNER'S RESPONSE

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

- ☐ I am in favor of the request.
☒ I am opposed to the request.

Property Owner Name: Julie Hart + Paula Rabe

Property Address: 703 Main St Bastrop, TX

Mailing Address: same

Phone (optional): (512) 736-5013

Email (optional): julie-hart@shoglobal.net

Property Owner's Signature: Julie Hart Paula Rabe

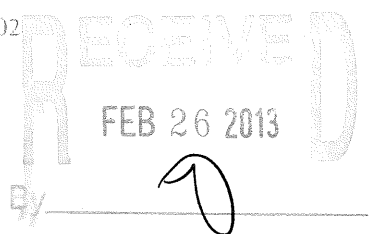
Comments: (Optional)

PLEASE SEE ATTACHED

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

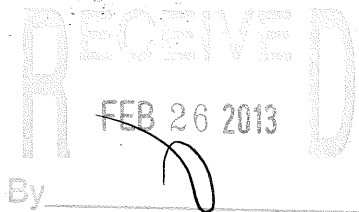
Zoning Change - Parkland to Office, +/-0.703 acres, mailed out February 14, 2013



Julie Hart and Paula Pate
703 Main Street
Bastrop, TX 78602

February 26, 2013

Ms. Melissa McCollum and Planning and Zoning Commission Members
City of Bastrop, Planning and Development Department
P. O. Box 427
Bastrop, TX 78602



Dear Ms. McCollum and P&Z Commission Members,

We are writing, as homeowners and neighborhood residents, to explain our opposition to the zoning change for the property located at 702 Main Street and to the zoning change for the proposed vacation of Right of Way of Austin Street. As previously voiced, we have concerns about: the continued encroachment of office zoning down Main Street which is reducing residential property values, whether the planned development will be compatible with the neighborhood, how the increased traffic and parking will affect safety (particularly of children and pedestrians who are walking to the park), risking the degradation of an important local, state and national historic landmark and that areas that are designed to buffer the residential areas from encroachment are now being used to justify continued encroachment.

In further research, it was encouraging to find that the City's adopted Comprehensive Plan supports these concerns and that staff and the Commission are tasked with making their decisions in concurrence with this plan. Per Section 4 of the Comprehensive Plan: "They (policies) serve as a reference for planning officials and city staff, and should be utilized when making decisions regarding future development within the City. In particular, policies should be utilized in implementing goals, objectives and actions, and in reviewing zoning classification changes or amendments to the land use plan." (I have attached an addendum summary of highlights from the plan for ease of reference.)

We do not believe that office zoning for either of these properties is compatible with the surrounding property zoning and land uses. As you know, this property is predominantly surrounded by SF-7 (ie, single family homes) and has only one property line that borders office zoning. Per the Comprehensive Plan (Section 4) "neighboring land uses should not detract from the enjoyment or values of properties and buffers should separate retail/office space from residential areas." A carte blanche office zoning will open this property up to uses that aren't compatible with the neighborhood. A few examples of allowed uses in the office zoning district that would not be compatible with the neighborhood are: Multi-Family Dwelling (Apartment), Multi-Family Dwelling (Quadraplex), Fraternity or Sorority House, Boarding House, Lighted Tennis Court, Theatre/Playhouse, Assisted Living Facility, Cemetary/Musoleum, Child Care Center, Acute Care Hospital, Bakery (Retail) and others.

As we all know, zoning goes with the property and not the owner, and once zoned the City's and neighbors' ability to influence development on this important parcel land is severely limited and any approved use in that district is available to the property owner.

Personally, our first preference would be that this property be deeded to the City (or that the City pursue a purchase of this property) for dedicated Parkland, especially since a high percentage of this property lies in the flood plain. This is supported in Section 4 of the Comprehensive Plan as an action item: "Continue to pursue open space preservation and/or parkland acquisition along the river corridor to minimize development impacts in areas immediately adjacent to the river. This may include developing a "land bank" strategy in which owners of properties in the floodplain would be encouraged to deed their land to the bank to ensure long-term conservation."

Additionally the Plan states that "The City should use its zoning authority to minimize significant new development along the Colorado River corridor through Bastrop. The City should attempt to maintain all undeveloped areas within the 100-year floodplain as open space (public park land, where feasible) or rural low density development." It's difficult to see how office zoning achieves these adopted City goals.

Maintaining Parkland zoning (and ultimately dedicating this property as parkland) would allow for the continuation of much needed sidewalks in this area as well as potentially provide public, accessible restrooms, which is again supported by the Comprehensive Plan in Section 9. "The following were identified in the plan as proposed park acquisition and improvement sites: Old Ferry Park – Existing Park – Improvements include a sidewalk to downtown area, a water fountain and wheelchair accessible restroom."

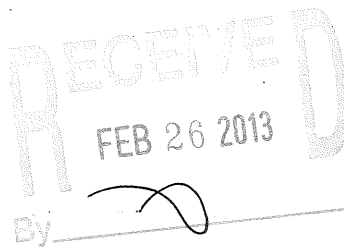
Barring that option (which obviously isn't a decision for this board, but is presented as an item for consideration by all parties), we would request that the owner present a formal plan for the property and request a Conditional Use Permit for their planned uses. Again, CUP's are supported by the Comprehensive Plan for unique properties that don't neatly fit into a specific zoning category. Section 11 of the Plan states: "A conditional or special use permit provides a process by which a particular use can be reviewed in relation to a specific site to determine whether the proposed use, with or without the imposition of conditions, is appropriate for the premises. Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district. However, such uses may be appropriate and suitable where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the interests of the city as a whole." This would allow the City and neighbors to have more input on this unique property and to ensure that the future use is indeed compatible with the neighborhood and the City's interest. Zoning this property as Office simply creates too much risk for the neighborhood and the quality of life of the residents.

Thank you for your service to our community and for your time to review this matter thoroughly.

Sincerely,

Julie Hart and Paula Pate



**Addendum to Letter from Julie Hart and Paula Pate in Opposition to Zoning Changes for
702 Main Street and the Right of Way of Austin Street**

Excerpts from the Adopted "Bastrop Comprehensive Plan" referenced by section. Highlights are added for personal emphasis. The entire plan can be found on the City's website.

Section 12 - Implementation

Goal 1: Be accountable to the citizens of Bastrop for working toward the goals, objectives policies and actions set forth in this and future comprehensive plans.

Section 4 - Land Use Policies

Policies serve as a guide for decision making and the development of goals and objectives for the City of Bastrop. They serve as a reference for planning officials and city staff, and should be utilized when making decisions regarding future development within the City. In particular, policies should be utilized in implementing goals, objectives and actions, and in reviewing zoning classification changes or amendments to the land use plan. The following generic policy statements regarding sound land use planning practices were reviewed and placed in priority order by the Comprehensive Plan Steering Committee during the plan development process:

In General

- Potential negative land use impacts (noise, odor, pollution, excessive light, traffic, etc.) should be considered and minimized.
- Neighboring land uses should not detract from the enjoyment or value of properties.
- Buffers should separate retail/office uses and residential areas.

Goal 1: Achieve an efficient, diverse and balanced pattern of land used within the City and ETJ.
Objective B: Encourage the development of compatible land uses, avoiding mixtures of incompatible uses in close proximity to each other.

Goal 2: Recognize physical constraints to development within the community and conserve and protect valued environmental and cultural resources in Bastrop, including waterways, sensitive land habitats and historic structures and districts.

Objective A: Coordinate future development with the physical environment and natural features of the community.

Action 1: Evaluate floodplains, soils, vegetation and other physical features to identify the most appropriate sites for various types of development.

Action 2: Promote the use of floodplains as natural areas and preserves for wildlife, vegetation, parks, and as open space buffers between incompatible land uses.

Objective B: Continue to promote environmentally sound access to and use of the Colorado River.

Action 1: Continue to pursue open space preservation and/or parkland acquisition along the river corridor to minimize development impacts in areas immediately adjacent to the river. This may include developing a "land bank" strategy in which owners of properties in the floodplain would be encouraged to deed their land to the bank to ensure long-term conservation.

Action 2: Encourage any new development or redevelopment near the river to utilize river views and amenities while not encroaching upon the natural aspects of the river corridor.

Action 3: Continue to provide public access to the river through the expansion of existing trail networks, public piers and overlooks, and canoe access points.

Objective C: Guard against the degradation of Bastrop's Historic District.

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By 

Goal 3: Provide a variety of safe and high quality residential areas that meet the needs of Bastrop's residents.

Objective B: Preserve the character of existing and future neighborhoods by protecting residential development from encroaching incompatible uses.

Action 1: Require adequate buffering between residential and non-residential land uses.

Action 2: Utilize open space easements around residential areas.

Other General Observations

In addition to the zoning recommendations above, the following observations are also provided for the City's consideration:

- The City should use its zoning authority to minimize significant new development along the Colorado River corridor through Bastrop.
- The City should attempt to maintain all undeveloped areas within the 100-year floodplain as open space (public park land, where feasible) or rural low density development.

Section 3 – Visions and Goals

Goals for Housing

Goal 4: Preserve the integrity and appearance of existing neighborhoods and create a livable and safe neighborhood environment.

GOALS for Historic Resources

Goal 1: Protect and preserve the City's historic and cultural resources by promoting historic preservation efforts in Bastrop.

GOALS for Implementation

Goal 1: Be accountable to the citizens of Bastrop for working toward the goals, objectives policies and actions set forth in this and future comprehensive plans.

Section 9 – Parks and Recreation

Key Parks and Recreation Issues

Issues related to parks and recreation were identified during the plan development process through a Community Forum held in February 2000 and input from the Comprehensive Plan Steering Committee and other community leaders and residents. These issues were important in developing the goals, objectives and actions in the Parks and Recreation element.

- Expanding river park area
- Providing more parks

The following were identified in the plan as proposed park acquisition and improvement sites: Old Ferry Park – Existing Park – Improvements include a sidewalk to downtown area, a water fountain and wheelchair accessible restroom.

Goals for Parks and Recreation

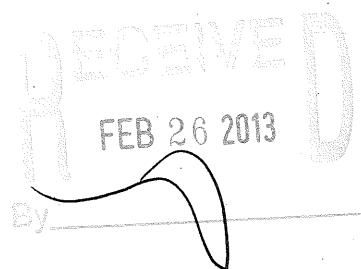
Goal 1: Encourage the conservation of natural resources through acquisition of parks and recreation areas, preservation of open space, and environmentally sensitive planning.

Goal 4: Maintain and enhance existing parks and recreation facilities.

Goal 5: Utilize natural waterways to provide water-oriented recreation opportunities within the community.

Conditional or Special Use Permits

Generally a conditional or special use is defined as a use other than those permitted by (or "as of") right. A conditional or special use permit provides a process by which a particular use can be reviewed in relation to a specific site to determine whether the proposed use, with or without the imposition of conditions, is appropriate for the premises. Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district. However, such uses may be appropriate and suitable where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the interests of the city as a whole. Approval of a conditional or special use typically requires an additional level of review by the Planning Commission, City Council, Architectural Review Board and/or other special-purpose review board.



Melissa McCollum

From: Julie Hart <jhart@austintexas.org>
Sent: Thursday, January 31, 2013 4:14 PM
To: Melissa McCollum
Cc: Mike Talbot
Subject: Response to Zoning Request Change for 702 Main Street

Melissa,

Please accept this email as my official response as a property owner within the notification area. Unfortunately, previous commitments prevent me from being at the Planning and Zoning meeting tonight to personally voice my concerns. Will you please distribute this email to the P&Z members at the meeting and read this email into the minutes of the meeting.

I have concerns about this property being zoned as office and do not support the zoning change. I don't believe that office zoning is appropriate for this property. First, street parking is already an issue on this portion of Main Street. When the museum or the Masonic Lodge has an event, it creates traffic hazards because two cars driving can no longer pass on the street and since there are not adequate sidewalks, pedestrians are put into hazardous situations. I don't believe that this property will allow for adequate off street parking to support an office complex. Second, I am concerned that an office zoning will allow for a building height and facade that is out of character with the neighborhood. I am also concerned by the amount of spot zoning that is creeping down Main Street and I think the infringement on single family homes is reducing the quality of life for those residents along with reducing property values for those properties. The reduction of property valuations in this area due to the infringement of offices and commercial zoning is supported by feedback from a local realtor at Remax Bastrop and a local appraiser.

I am also against the City vacating a Right of Way that provides access to the Colorado River and can be included in future park plans. As a community, we claim that the Colorado River is our greatest resource, but we have been unable to showcase it effectively. Vacating land that provides access to the river and can be used to expand parks doesn't seem to benefit the greater good of our entire community.

On a personal note, when I was on City Council and the museum personnel lobbied me for the free space at the old City Hall, I specifically asked what the plan was for the old museum. I suggested if it was sold, they could then consider the City funds for the new museum as a loan and could repay the citizens of Bastrop for their investment. I was assured that they had no plans to sell the property and intended it to keep it long term as a "research facility". The change of heart on the usage concerns me.

From the map I received, the notification of property owners in the area seemed to include very few properties. Please note that the owners of 701 Main Street do not occupy that property, but rent it out, and therefore are not subject to the ramifications of the zoning change. Additionally, they are very intimately involved with the museum and, in my opinion, it may not be appropriate for them to comment on this zoning change as property owners.

Thank you for taking my comments into consideration. Again, I apologize that another commitment precludes me from attending personally.

Thank you,

Julie

3/8/2013

55

JULIE HART | VICE PRESIDENT AND CHIEF FINANCIAL OFFICER

AUSTIN CONVENTION & VISITORS BUREAU

301 Congress, Suite 200 - Austin, TX 78701

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3/8/2013

56

**NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

Dear Property Owner:

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Applicant: City of Bastrop

The property being considered is described as follows:

Legal Description: +/-0.703 acres within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut St. (according to Iredell Map)

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 prior to the scheduled public hearings or call (512) 332-8840.

X
X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: KKG Bastrop Investments, L.L.C.
Property Address: 802 Main Street, Bastrop, TX 78602
Mailing Address: 5306 Clinton Drive, Bastrop, TX 78602
Email (optional): Kazem@griffindexwatering.com
Owner's Signature: *Kazem*
Comments: (Optional)

Phone (optional): _____

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FEB 27 2013
By *[Signature]*

Please provide reply to: The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – Parkland to Office, +/-0.703 acres, mailed out February 14, 2013

**PROPERTY OWNER'S RESPONSE**

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

☒ I am in favor of the request.

☐ I am opposed to the request.

Property Owner Name: DIANE K. LONG

Property Address: 712 MAIN

Mailing Address: POB 1222 BASTROP

Phone (optional): 512 3216510

Email (optional): _____

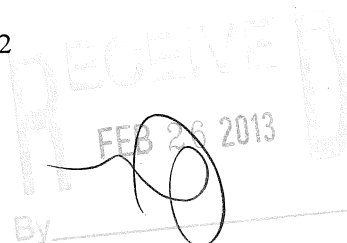
Property Owner's Signature: Diane K. Long

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – Parkland to Office, +/- .703 acres, mailed out February 14, 2013



X
X

X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: Patsy TriggProperty Address: 701 Austin StreetPhone (optional): 512-332-6208Mailing Address: Bastrop, TX 78602

Email (optional): _____

Property Owner's Signature: Patsy Trigg

Comments: (Optional) _____

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
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Zoning Change – Parkland to Office, +/- .703 acres, mailed out February 14, 2013

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FEB 26 2013
By [Signature]

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

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✂

✂

PROPERTY OWNER'S RESPONSE

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

☒ I am in favor of the request.

☐ I am opposed to the request.

Property Owner Name: DAVID & SHARON LOCK

Property Address: 801 MAIN ST.

Phone (optional): 512-321-9788

Mailing Address: 801 MAIN ST.

Email (optional): _____

Property Owner's Signature: David Lock + Sharon Lock

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – Parkland to Office, +/-0.703 acres, mailed out February 14, 2013

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FEB 20 2013
By _____

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X
X

X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: William T. SANDERS

Property Address: ~~701~~ 701 MAIN

Mailing Address: 1402 MAIN

Phone (optional): 512 303 3389

Email (optional): TSANDER12444@AOL
.com

Property Owner's Signature: Wm T. Sanders

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – Parkland to Office, +/-0.703 acres, mailed out February 14, 2013

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FEB 19 2013
By [Signature]

PROPERTY OWNER'S RESPONSE

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

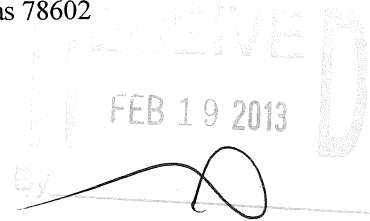
- ☒ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: Bastrop County Historical Society
Property Address: 909 Main St Phone (optional): 512 303-0057
Mailing Address: BASTROP TX 78602 Email (optional): BCHS1832@SBCglobal.net
Property Owner's Signature: Ally Anderson, President
Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – Parkland to Office, +/- .703 acres, mailed out February 14, 2013



NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, January 31, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, February 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, February 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change from Parkland and O, Office to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, within the city limits of Bastrop, Texas. **A site location map is included with this notice.**

Applicant: City of Bastrop

The property being considered is described as follows:

Legal Description: +/-0.703 acres within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut St. (according to Iredell Map)

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 prior to the scheduled public hearings or call (512) 332-8840.

✂

✂

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor the request.
☐ I am opposed to the request.

Property Owner Name: WM TERRY SANDERS
 Property Address: 701 MAIN ST
 Mailing Address: 1402 MAIN ST

Phone (optional): 512 303 3389
 Email (optional): TSANDERS12444
@AOL.COM

Property Owner's Signature: Wm Terry Sanders
 Comments: (Optional)

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

Zoning Change – Office/Parkland to Office, +/-0.703 acres, mailed out January 11, 2013

RECEIVED
JAN 25 2013
 By [Signature]

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

QUESTIONS AND ANSWERS

PLANNING AND ZONING COMMISSION

BASTROP, TEXAS

Overview of the P&Z's decorum and procedural policy and requirements:

1. **Note:** The P&Z, like all City Boards and Commissions, operates under "Roberts Rules of Order," so that meetings are efficient and orderly. While Robert's Rules are often less formally enforced, on occasion, the Chair and presiding member reserve the right to require more strict compliance, when doing so will facilitate the Commission's work.
 2. All speakers should use the 'Speaker Cards' provided on the table to the left of the City Secretary's desk. To be recognized, the speaker must provide all information requested on that form.
 3. No Speaker Cards will be accepted after the Chair (or presiding member) has opened an agenda item for presentation and consideration by the Commission. Accordingly, if you anticipate you would like to address the Commission, you must fill out and provide the completed form prior to the time that the item you are interested in discussing has been called before the Commission by the Chair/presiding member.
 4. All Speakers, including Commission members, should use the microphones provided, so that all may hear the conversation and so that the P&Z minutes may be accurately maintained.
 5. Speakers must respect the time frame that is identified by the Chair (or presiding member), so that all involved have a fair opportunity to be heard and the Commission's work can be completed in a reasonable time period.
 6. Only one person will be allowed to speak at a time. **No cross-talk** – either in the audience or on the dais – **will be permitted or tolerated**, so that the consideration process is equitable to all concerned and so that the Commission's secretary may accurately record the proceeding.
 7. All input and discussion, whether from the floor or on the dais, should be directed through the Chair (or presiding member), and no informal conversation either on the floor or on the dais is allowed, unless formally cleared by the Chair (or the presiding member).
-

QUESTION 1: Why is the matter concerning the potential rezoning of the property located at 702 Main Street back before the P&Z at this time, rather than being before the Council, based upon the P&Z's last action on the matter?

ANSWER 1: It came to the City Staff's attention, after the last P&Z meeting, that some of the information presented to the P&Z, at its first hearing on this matter, was not accurate. It is the City's policy that when staff learns that there have been significant errors in the materials/information

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
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presented to the Commission, during its decision making process, the Commission should have an opportunity to be presented with the correct information - and to reconsider any previously stated advisory 'recommendation to the Council', in light of accurate information presented - prior to sending the matter to Council with its recommendation.

In this case, the staff learned that the Commission received inaccurate information concerning: (1) the actual zoning designation of the property to be re-zoned, and (2) the zoning classification of some of the adjacent and near-by tracts. In addition, some statements from the floor, during the public hearing, were inaccurate. The inaccuracies are corrected herein.

Accordingly, it is prudent to allow the P&Z an opportunity to re-consider this rezoning request, with corrected information at its disposal.

QUESTION 2: Does the property located at 702 Main Street hold any 'historic designations' and, if so, what effect do such designations have on the re-zoning matter that is now pending before the P&Z?

ANSWER 2: NOTE: Any historic character and/or formal "designation" of the property does not affect the rezoning in question. Designations affect the use of property, in the future, and will be dealt with in the appropriate forum and at the appropriate time. Accordingly, the property's historic designation, if any, is a matter that is not before the Commission and will not be the topic of further discussion or evaluation by the Commission.

However, because this question was raised at the last public hearing, and misinformation about the historic nature and/or designation of the property/structure was presented in the public hearing, staff will take this opportunity to correct that misinformation, based upon what information has been made available, so far.

Information that is available, to date, indicates that the property at 702 Main Street holds a number of historical designations, e.g., from the Texas Historical Society Registry, the National Registry of Historical Places/National Historic Trust, and also is designated by the City of Bastrop, as per its Code, Section 14.03.001, *et seq.*, as both a 'significant' and an 'historic' structure. Thus, this property falls under the Federal, State and local guidelines and programs for protected historic buildings/property. It also appears that the structure and area have been designated as a "Texas Shrine" (by the Legislature in 1954, according to a plaque on the building at 702 Main Street, but the impact of such a legislative designation is unclear at this time.)

While such designations will most certainly have *a major effect on any future upgrading, demolition, renovation, or additions to the structure at 702 Main Street*, if any, these designations - in and of themselves - do not affect the 'rezoning' of the property, per se, and therefore, are not a subject that is before the P&Z, at this time.

QUESTION 3: Have the City and the Society made any binding agreements, in the past, that would affect the future use of 702 Main Street (or designate that the proceeds from any sale of 702 Main Street would be paid/reimbursed to the City)?

ANSWER 3: NO. As with the “historic designations,” discussed above in Question/Answer 2, the terms of any agreement between the City and the Society, other than those addressed directly at zoning and re-zoning, if any, are not matters that are appropriately before the Commission.

A review of various pertinent records (letters, proposals, resolutions, Council minutes, etc.), referencing the Society’s plans for its future “use/sale of 702 Main Street”, indicates that, while a Council member once suggested that revenue from the future sale of 702 Main Street should be reimbursed back to the City to defray the City’s funding for the lease of/improvements to the Old City Hall, and/or stating that the Society would “endeavor” to keep the 702 Main Street property “open to the public,” - - - there was no ‘majority support’ for this type of requirement, nor was there any provision in the Lease that would mandate this result. Accordingly, there is no contractual obligation to the City, on the part of the Society, that the 702 Main Street property continue to be a venue that is dedicated to a public use, or that any revenue from its sale by the Society be reimbursed back to the City.

Again, this information is provided for purposes of clarifying misinformation at the last public hearing, and this matter is NOT BEFORE THE COMMISSION, nor is it one that affects the Commission’s work on the rezoning application that is under consideration at this time.

QUESTION 4: Does the fact that a past Council placed a ‘zoning designation’ (or “Parkland”) on the 702 Main Street property mean that this property is ‘dedicated’ to the City as a ‘park’ and that, therefore, any decision to change the zoning of this property would also require that the City undertake some special handling and treatment of the property, as a “dedicated park” of the City, prior to the zoning and/or rezoning?

ANSWER 4: NO. THE PROPERTY IN QUESTION IS NOT A CITY PARK, nor should it be considered or treated by the Commission, as such.

‘*Zoning designations*’ and public parkland ‘*dedications*’ are two entirely different legal activities. To become dedicated a public “park,” property must go through a formal dedication and acceptance process with the City, and the City must agree to future oversight and maintenance of the ‘park’ for the public’s use. In addition, formal action by the City to accept the dedication of land for any particular purpose (including as a public “park”) must be reflected in the formal actions of the City, including a recordation of the legal description (by metes and bounds) of such ‘dedicated’ property for the specified

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

purpose. A review of the records at hand indicates that this property is under private ownership and control. Further, the formal “public park” dedication process that would be necessary to make any property a “public park” has not occurred with regards to the property at 702 Main Street. Rather, this property merely received a ‘*zoning designation*’ as a “Parkland zoning district,” via the prior zoning activities of the City.

It is not possible for us to discern, at this time, why this was done. But this designation does not render the land involved as “park land.”

QUESTION 5 (a) and (b):

Question 5(a): Has the City been asked to sell and convey to the Society the entire abandoned portion of unopened Austin Street (i.e., the entire 0.213 acres)?

ANSWER 5(a): NO. The Society has only asked to purchase a portion (that is about 1/3 of the total) of the abandoned Austin Street from the City. The unopened Austin Street right-of-way is an area of approximately 0.213 acres, which equates to a total of approximately 9,278 square feet. The City has only been asked to sell about 30% of the total right-of-way, i.e., an area of approximately 2,784 square feet (0.06 acres) of this total area.

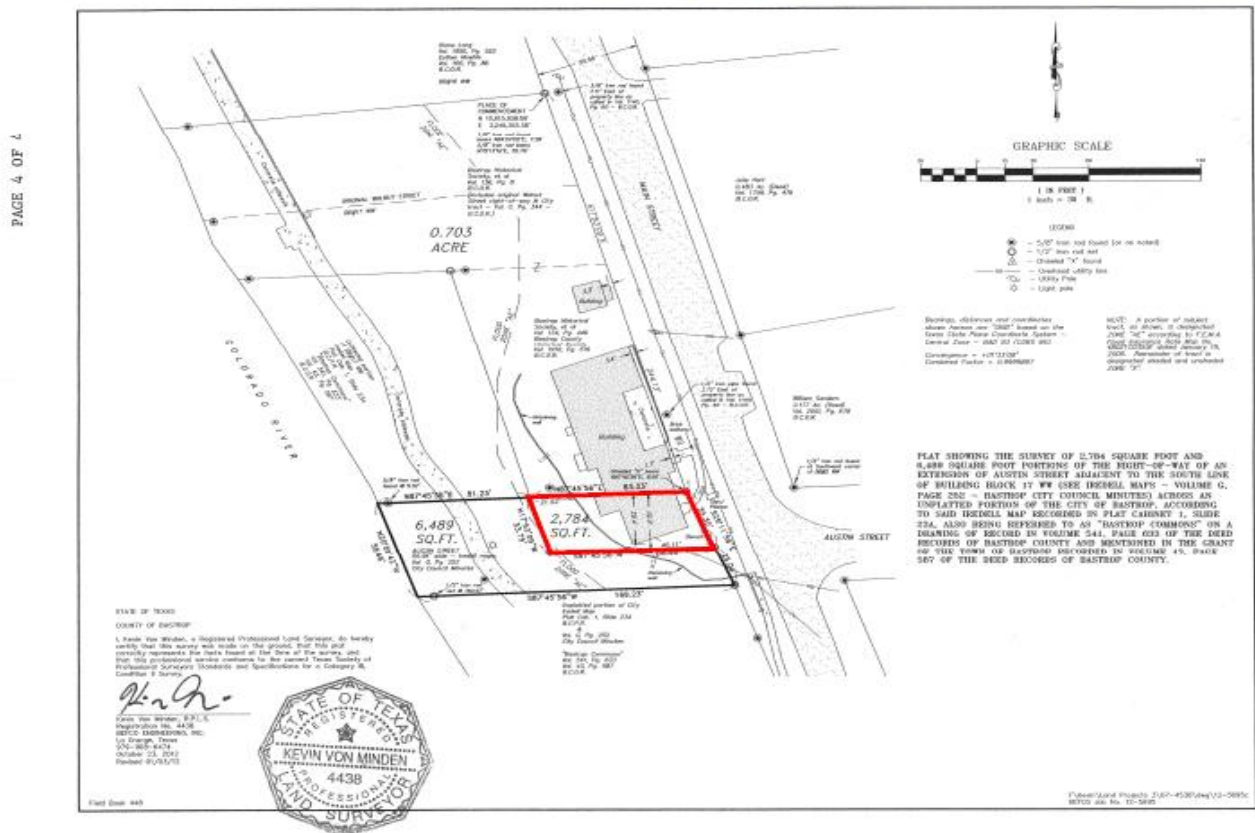
The City has commissioned an appraisal to obtain the “fair market value” from an independent third party appraiser (Hornsby & Company) for the sale/purchase of the 2,784 square feet, and the Society will be required to pay the City for this portion of Austin Street, if and when the sale is approved by the City Council. By law, the proceeds from this sale, if it occurs, will be used by the City strictly to fund other street improvements in the City.

Question 5 (b): Will the City still have access to the Colorado River, if it sells this portion of Austin Street to the Society?

ANSWER 5 (b): YES. While the City does not currently use this unopened Austin Street area for access to the River from Main Street, due to the rough terrain in this area, the City would, nonetheless continue to have access to the Colorado River over the portion of Austin Street that will not be sold to the Society, if it wants to use it in the future. The City is only offering to sell about 30% of the total area of Austin Street and will retain access to the Colorado River. See diagram that follows. In sum, the City has access to the Colorado River via various routes, and the sale of the portion of Austin Street that is proposed does not negatively affect the City’s access.

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

Portion of Austin Street to be Vacated to Bastrop County Historical Society - 2,784 sq ft (0.064 acres)



QUESTION 6: (a) Under what conditions is a "super-majority" vote of the P&Z required to approve an item that is before it? (b) Under what circumstances is a "super-majority" vote of the City Council required concerning a P&Z recommendation that is before it?

ANSWER 6:

- (a) The P&Z is an advisory body to the City Council, and as such, its recommendation to the Council is pursuant to the majority vote of that body. No "super-majority" votes are required on the part of the P&Z.
- (b) Pursuant to State Statute and the City's Code, there are two circumstances that may require Council action on a rezoning to be approved by a super-majority vote of the Council. Those circumstances are as follows:
- If a proposed change in zoning is "protested" (i.e., opposed) by 20% or more of the owners of the area of the lots and land immediately adjoining and extending 200 feet away from the land to be rezoned, and the protest is done in the manner stipulated by the Local Government Code, Section 211.006 (d), then the rezoning by the City Council would require a $\frac{3}{4}$ vote of all Council Members.
 - A $\frac{3}{4}$ vote from the City Council is required to approve a rezoning change, when the P&Z recommends to the Council that a proposed zoning change be "denied."

QUESTION 7: Are property owners who have other tracts of land that are located within 200 feet of the 702 Main Street property boundary, allowed to comment and/or to be involved (e.g., as a board member in the operation or control of the land to be rezoned), or does this involvement by adjacent landowners present a “conflict of interest?”

ANSWER 7: Such persons are allowed to be involved in the rezoning process.

This purportedly inappropriate ‘dual involvement’ does not present an impermissible conflict of interest in the City’s zoning process. Persons with ‘interest in other nearby properties’ are frequently involved as owners and neighbors of property to be rezoned.

Think of this example: A person owns two lots that are adjacent to one another. One is zoned “residential” and the adjacent one is zoned “retail.” The land owner wants to have them both zoned “retail,” so he applies for rezoning of the “residential” lot, to have it changed to “retail”. Consider: Would it be a conflict for her to comment at the hearing in favor of the rezoning because she owns/controls other land near the lot to be rezoned? No. He has a reasonable and legal property interest in the rezoning and is permitted to be involved.

Any “conflict of interest” related to that individual’s role as an officer in a particular organization would be addressed by that organization, and would not be a matter of concern to the City, if the person is not a board member of the City.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change from "Parkland" to "Office" for approximately 0.703 acres, commonly known as "702 Main Street in the city limits of Bastrop, Texas; and establishing an effective date.**

2. Party Making Request: **City of Bastrop**

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

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

8. Staff Recommendation: **Staff recommends approval of the requested zoning change from Parkland to Office' for +/- 0.703 acres, within Building Block 17 West of Water Street including a portion of the original right-of-way of Walnut Street (according to the Iredell Map), the property to be rezoned is also locally known as "702 Main Street located within the city limits of Bastrop, Texas.**

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

The Planning and Zoning Commission conducted a public hearing on February 28, 2013 and voted 5-2 (Lisa Patterson abstained) to recommend approval of the requested zone change from Parkland to O, Office for +/-0.703 acres, within Building Block 17 West of Water Street, including a portion of the original right-of-way of Walnut St. (according to Iredell Map), the property to be rezoned is also known as 702 Main Street, located within the city limits of Bastrop, Texas. Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.

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

11. Action Taken: _____

ORDINANCE NO. _____**AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM “PARK-LAND” TO “OFFICE” FOR APPROXIMATELY .703 ACRES, COMMONLY KNOWN AS 702 MAIN STREET, IN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Bastrop has determined that it is in the best interest of the public to change the existing zoning designation of a .703 acre tract. Commonly known as 702 Main Street, situated in Building Block 17, West of Water Street and a portion of the original right-of-way of Walnut Street according to the Iredell map of the City of Bastrop recorded in Plat Cabinet 1, Slide 23A of the Plat records of Bastrop County more particularly shown and described on a location map attached hereto as Exhibit “A” (the “Property”), from the designation of “park-land” to “office”; 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 February 28, 2013; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended a zoning designation of all of the Property to “Office”; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the zoning 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 March 12, 2013 to consider the City’s intent to establish a zoning designation of “Office”, and to consider the Commission’s recommendation to zone all of the Property “Office”; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the City of Bastrop Planning Department, and all other information presented, City Council finds that it is in the public interest to approve the zone of the Property, which is currently identified as “park-land”, to a new designation of “Office”.

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

Part 1: The Property, situated in Building Block 17, west of Water Street and a portion of the original right-of-way of Walnut Street according to the Iredell map of the City of Bastrop recorded in Plat Cabinet 1, Slide 23A of the Plat records of Bastrop County, as more particularly shown and described on attached Exhibit “B”, shall be and is hereby rezoned from its prior designation of “park-land” to a new zoning designation of “Office”.

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

READ and APPROVED on First Reading on the 12th day of March 2013.

READ and ADOPTED on the Second Reading on the ____ day of March 2013.

APPROVED:

ATTEST:

Terry Orr
Mayor

Teresa Valdez
City Secretary

3/8/2013

72

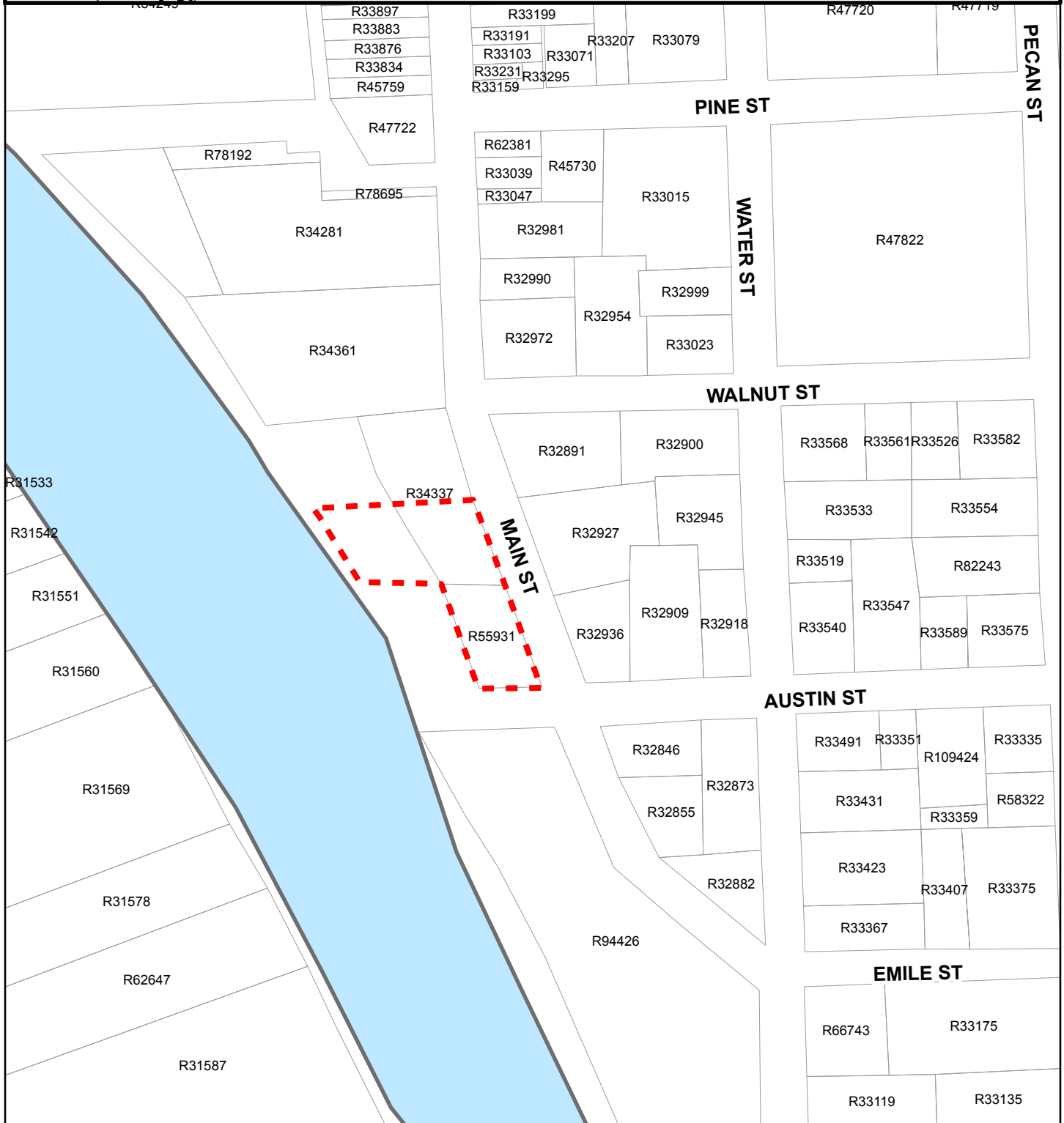


Bastrop County Historical Society Museum

Property Location of
Bastrop County Historical Society Museum
+/- .703 acres from Parkland to Office

Legend

 - Bastrop County Historical Society Museum Property



STATE OF TEXAS

BASTROP HISTORICAL SOCIETY

COUNTY OF BASTROP

0.703 ACRE

All that certain tract or parcel of land containing 0.703 acre situated in Building Block 17 West of Water Street, and including a portion of the original location of Walnut Street, according to the Iredell Map of the City of Bastrop recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being comprised of the following:

All of that tract described in a deed from the City of Bastrop to the Trustees of the Bastrop Ladies Reading Circle and Bastrop Historical Society dated July 18, 1952 and recorded in Volume 136, Page 8 of the Deed Records of Bastrop County (this tract includes a portion of original Walnut Street right-of-way and a tract described in Volume C, Page 344 B.C.D.R.);

All of that tract originally described in a deed from C.B. Maynard, Administrator with will annexed of the Estate of Lonnie P. Miller, Sr. to the Trustees of the Bastrop Ladies Reading Circle and Bastrop Historical Society dated May 12, 1952 and recorded in Volume 134, Page 446 of the Deed Records of Bastrop County, also being described in a deed from the Bastrop Historical Society to the Bastrop County Historical Society in a deed dated February 25, 2009 and recorded in Volume 1910, Page 519 of the Official Records of Bastrop County;

said 0.703 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod set in the West right-of-way line of Main Street (55.56' right-of-way) at it's intersection with the original North margin of Walnut Street for the Southeast corner of Building Block 16 WW, the Southeast corner of the Diane Long tract (Vol. 1950, Pg. 522 B.C.O.R. [Vol. 160, Pg. 86 - original]), the Northeast corner of said Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.), the Northeast corner of the tract herein described and the **PLACE OF BEGINNING**, said point having a coordinate value of North = 10,015,928.06 feet and East = 3,249,353.38 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN), from which a 3/8" iron rod found called for witness (Volume 1140, Page 60 - B.C.O.R.) bears North 84 degrees 24 minutes 02 seconds East, 7.28 feet and a 5/8" iron rod found in the East right-of-way line of Main Street bears North 75 degrees 13 minutes 16 seconds East, 55.79 feet;

BASTROP HISTORICAL SOCIETY
0.703 ACRE
PAGE 2 OF 4

Thence **South 17 degrees 53 minutes 09 seconds East**, along the West line of Main Street and the East line of said Bastrop Historical Society tracts, at 198.82 feet passing 3.72 feet West of a crimped 1/2" iron pipe found called for witness (Volume 1140, Page 60 - B.C.O.R.), and continuing for a total distance of **244.13 feet** to a 1/2" iron rod set at the intersection of the Westerly extension of Austin Street across an unplatted portion of the City of Bastrop according to the Iredell Maps (Vol. G, Page 252 Bastrop City Council Minutes), called the "Bastrop Commons" on a plat recorded in Volume 541, Page 633 of the Bastrop County Official Records and mentioned in the original grant of the Town of Bastrop recorded in Volume 43, Page 587 of the Deed Records of Bastrop County, for the Southeast corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Southeast corner of Building Block 17 and the Southeast corner of the tract herein described, from which an "X" found chipped in concrete bears North 87 degrees 45 minutes 56 seconds East, 8.95 feet;

Thence **South 87 degrees 45 minutes 56 seconds West**, departing said Main Street along the North line of said Austin Street and the North line of said "Bastrop Commons", at 61.81 feet passing a 1/2" iron rod set for witness near the base of a retaining wall, and continuing for a total distance of **83.33 feet** "toward the Colorado River" (as called in Volume 134, Page 446 B.C.D.R.) to a point on the concrete riprap below said wall for the Southwest corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Southeast corner of an undeeded portion of Building Block 17 and the most Southerly Southwest corner of the tract herein described, from which a 5/8" iron rod found near the river bank bears South 87 degrees 45 minutes 56 seconds West, 75.71 feet;

Thence **North 17 degrees 53 minutes 09 seconds West**, departing said Austin Street, **138.67 feet** to a 1/2" iron rod set in the South line of said Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.) for the Northwest corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Northeast corner of said undeeded portion of Building Block 17 and an inside corner of the tract herein described, from which a 5/8" iron rod found bears North 87 degrees 44 minutes 09 seconds East, 8.07 feet;

Thence **South 87 degrees 44 minutes 09 seconds West**, along said South line, at 107.46 feet passing a 5/8" iron rod found for witness and continuing for a total distance of **113.32 feet** to a point on the low bank of the Colorado River for the Southwest corner of last said Bastrop Historical Society tract and the Northwest corner of said undeeded portion of Building Block 17;

Thence **North 33 degrees 28 minutes 12 seconds West**, **24.49 feet** along said Colorado River bank and the West line of last said Bastrop Historical Society tract to a point;

Thence **North 19 degrees 37 minutes 12 seconds West**, **52.91 feet** along said river bank to a point;

BASTROP HISTORICAL SOCIETY
0.703 ACRE
PAGE 3 OF 4

Thence **North 26 degrees 22 minutes 37 seconds West, 19.87 feet** along said river bank to a point for the Southwest corner of said Diane Long tract, the Southwest corner of Building Block 16, the Northwest corner of original Walnut Street, the Northwest corner of said Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.) and the Northwest corner of the tract herein described, from which a 5/8" iron rod found bears North 84 degrees 24 minutes 02 seconds East, 13.86 feet;

Thence **North 84 degrees 24 minutes 02 seconds East**, departing said river bank, **205.19 feet** along the common line between last said Bastrop Historical Society tract and said Long tract to the **PLACE OF BEGINNING** and containing 0.703 acre.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN). Convergence = +01 degree 33 minutes 08 seconds. Combined factor = 0.9999897.

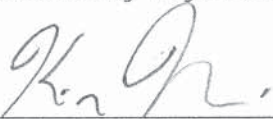
STATE OF TEXAS

COUNTY OF BASTROP

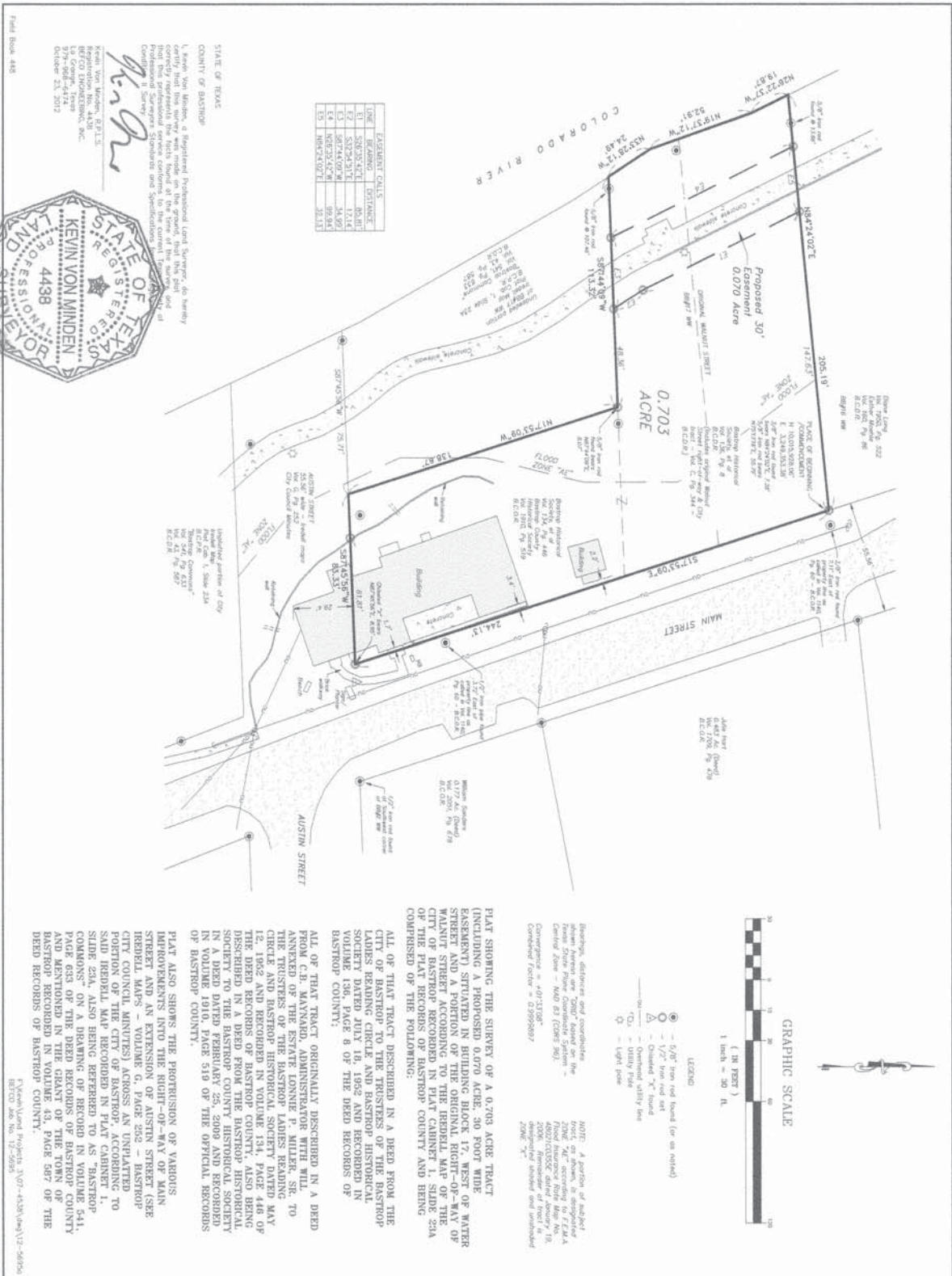
I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.

Consulting Engineering & Land Surveying


Kevin Von Minden, R.P.L.S.
Registration No. 4438
October 23, 2012
BEFCO Job No. 12-5695





11. Action Taken: _____



City of Bastrop

Agenda Information Sheet:

City Council Meeting Date:

March 12, 2013

Public Notice Description:

Consideration, discussion and possible action on a request to vacate and abandon a 0.213 acre portion of unopened Austin Street located West of Main Street within the city limits of the City of Bastrop, Texas.

Description:

The property/street to be vacated is unopened Austin Street; north of SH 71 and extending West of Main Street to the Colorado River. This unopened ROW is between the Bastrop County Historical Society Museum (702 Main Street) and Ferry Park.

Background:

The City is requesting the right-of-way vacation.

A portion, 2,784 sq. ft. (0.064 acres) of the ROW to be vacated is proposed to be sold to the neighboring Bastrop County Historical Society (702 Main Street) as a portion of the building currently encroaches into this Austin Street ROW.

The other portion of the ROW being, 6,489 sq. ft. (0.15 acres) will remain under the City of Bastrop ownership and will NOT be sold.

The appraised value, as determined in the appraisal prepared by Paul Hornsby & Company Appraisers and Consultants, dated January 14, 2013 is \$5,600.00.

Ordinance/ Comprehensive Plan Issues

The portion of Austin Street right-of-way proposed for vacation is not needed for street/thoroughfare connectivity purposes and is not included in the City of Bastrop's Thoroughfare Plan.

Recommended Action:

Staff can foresee no current or future city use for Austin Street right-of-way property; therefore, recommends that the portion of vacation may be approved and sold to the Bastrop County Historical Society for \$5,600.00 as identified in the January 14, 2013 appraisal report.

City Contact:

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

Attachments:

Exhibits



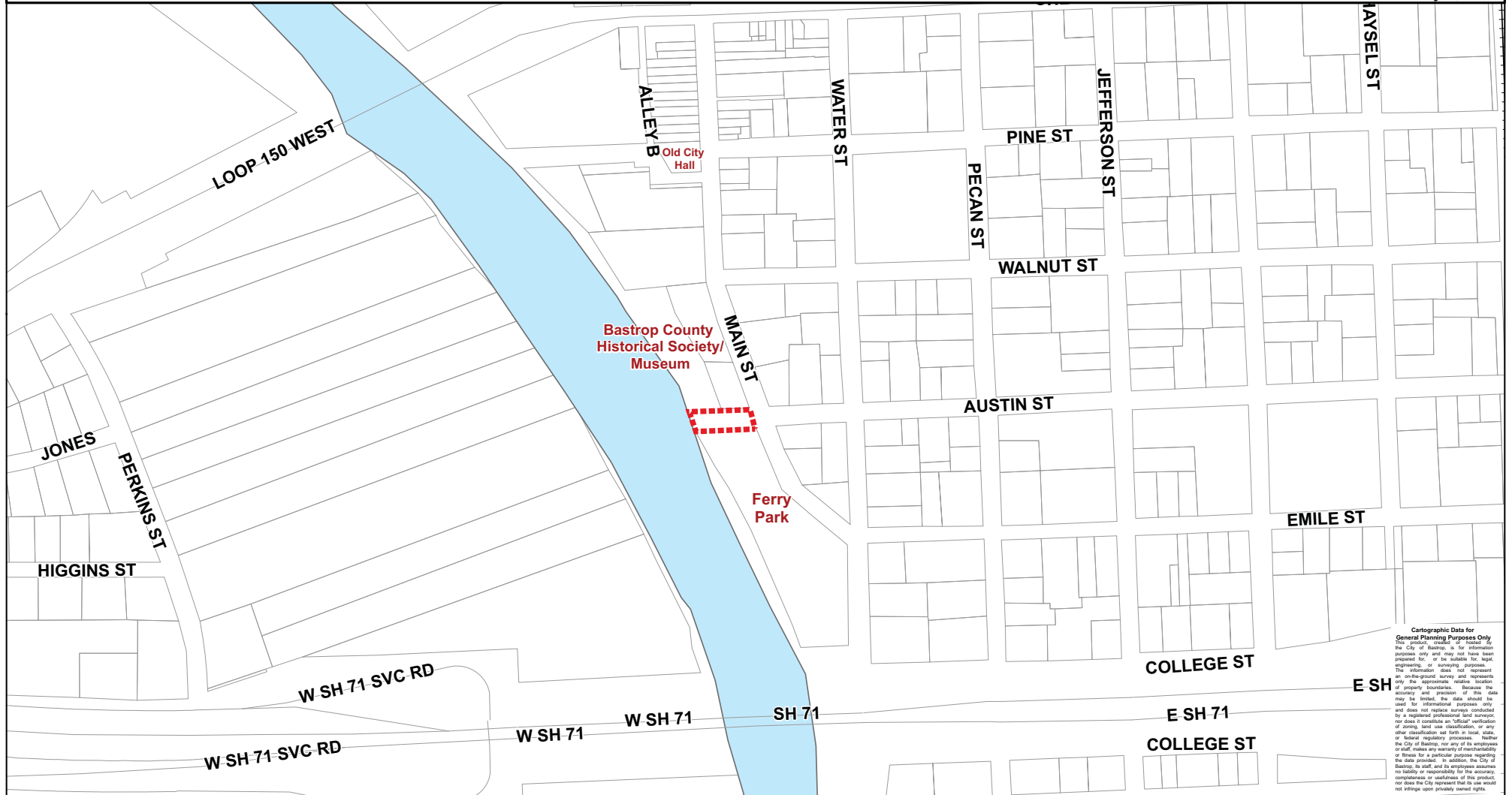
Austin Street Right of Way

Legend

- Proposed portion of Austin Street to be Vacated - 0.213 acres

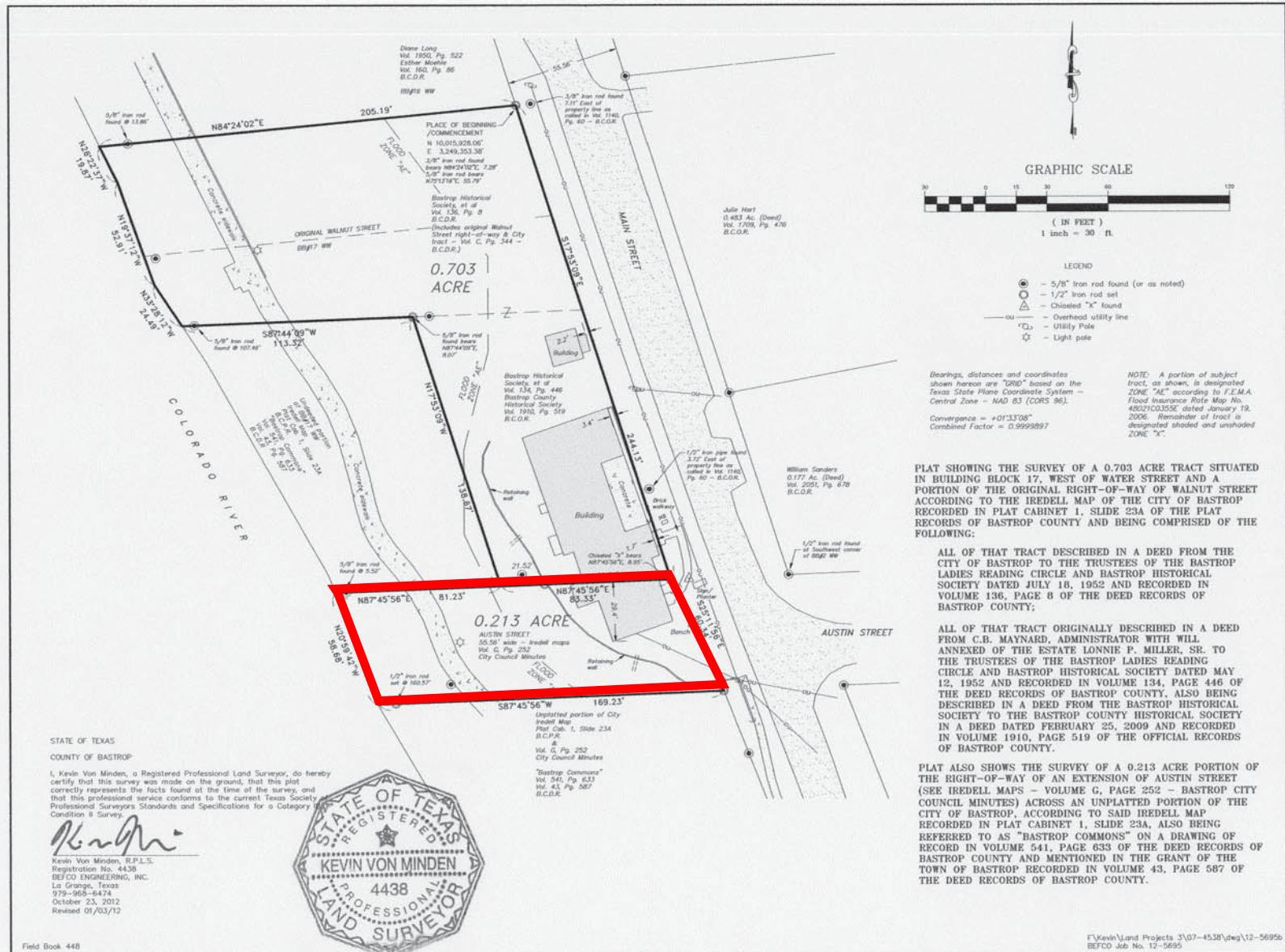
January 8, 2013

D.3



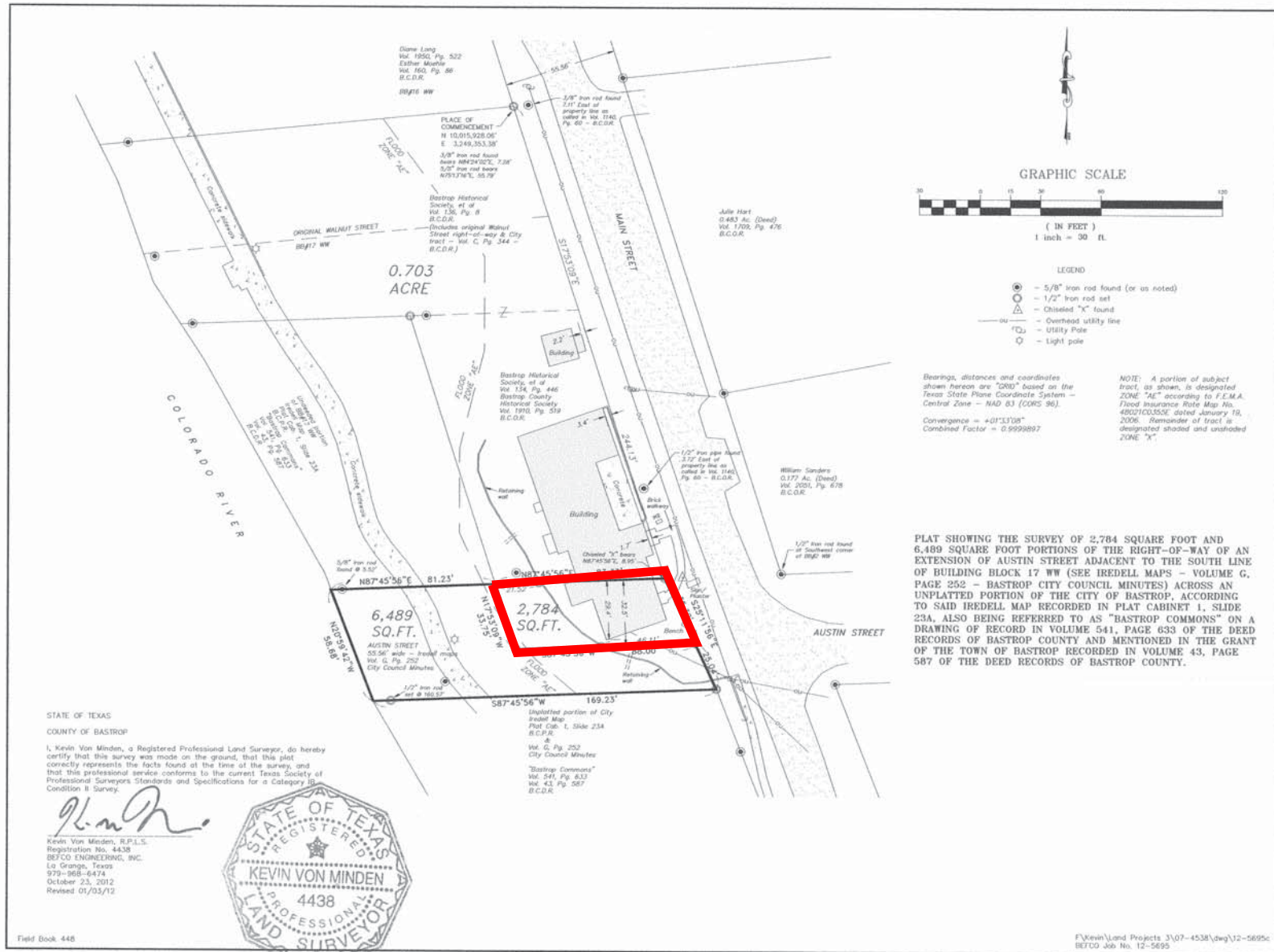
Cartographic Data for General Planning Purposes Only
This product, created or hosted by the City of Bastrop, is for informational purposes only and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. The information does not represent an independent survey and represents only the approximate relative location of property boundaries. Because the accuracy and precision of this data may be limited, the data should be used for informational purposes only and does not replace a survey conducted by a registered professional land surveyor. The data provided is intended for use in zoning, land use classification, or any other classification not based on local, state, or federal regulatory processes. Neither the City of Bastrop, nor any of its employees or staff, makes any warranty of merchantability or fitness for a particular purpose regarding the data provided. In addition, the City of Bastrop, its staff, and its employees assume no liability or responsibility for the accuracy, completeness or usefulness of this product, nor does the City represent that its use would not infringe upon privately owned rights.

PAGE 3 OF 3



Portion of Right of Way of Austin Street to be sold to Bastrop County Historical Society, being 0.064 acres, or 2,784 sq. ft.

PAGE 3 OF 3



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance authorizing the vacation and abandonment of a 0.213 acre portion of unopened Austin Street – West of Main Street, platted City of Bastrop ownership; providing for the terms and conditions of such vacation and abandonment; authorizing the City Manager to execute a Quitclaim Deed for a 2,784 square feet portion of the 0.213 acres to be vacated and abandoned; and providing for an effective date.**

2. Party Making Request: **City of Bastrop**

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:

9. Advisory Board Recommendation: ____Recommended Approval ____ Denial ____None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VACATION AND ABANDONMENT OF A 0.213 ACRE PORTION OF UNOPENED AUSTIN STREET – WEST OF MAIN STREET, PLATTED CITY OF BASTROP OWNERSHIP; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH VACATION AND ABANDONMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED FOR A 2,784 SQUARE FEET PORTION OF THE 0.213 ACRES TO BE VACATED AND ABANDONED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas is a City incorporated and operating under the laws of the State of Texas, which has the authority under Chapters 282 and 253 of the Local Government Code, as amended, to vacate, abandon and close municipal rights-of-way, streets or alleys, by ordinance, when such action is in the best interest of and serves the public purpose; and

WHEREAS, the City owns a portion of unopened Austin Street, being 0.213 Acres, lying South of Building Block 17 WW and West of Main Street, and being across an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide23(A) of the Bastrop County Plat Records, and also being referred to as “Bastrop Commons” on a drawing recorded in Volume 541, Page 633 of the Deed Record of Bastrop County and mentioned in the Grant of the Town of Bastrop in Volume 43, Page 587 of the Deed Records of Bastrop County, said line being common with City of Bastrop Ownership according to the George Iredell Map of the City of Bastrop, Volume G, Page 252, and as further demonstrated by the metes and bounds and diagram attached hereto as Exhibit “A”.

WHEREAS, 0.213 Acres of Austin Street – West of Main Street to be abandoned and vacated is unimproved and not open to the public; and

WHEREAS, the City of Bastrop has received a request from the abutting property owner, the Bastrop County Historical Society, to sell to them a 2,784 square feet portion of the 0.213 Acres of unopened Austin Street to be abandoned and vacated; and

WHEREAS, the property owner requesting to purchase a portion of Austin Street to be vacated and abandoned is the sole property owner abutting the Right-of Way, other than the City of Bastrop, such that there are no other abutting property owners to be notified of the vacation and abandonment by certified and regular mail other than the Bastrop County Historical Society; and

WHEREAS, the City's Planning and Development Department has reviewed and approved the vacation and abandonment of 0.213 Acres of Austin Street- West of Main Street, and the sale of 2,784 square feet of the abandoned right-of-way to the Bastrop County Historical Society and the City Council now finds that the utilities currently existing, or that will exist in the future, if any, in the area of the unopened Streets, Alleys, and/or public Right-of-ways will be sufficiently protected by being either relocated or placed into easements and that the utility companies serving the area including and surrounding the right-of-way have determined that their utilities, if existing, will also be sufficiently protected by the same means; and

WHEREAS, the abandonment and vacation of said portion of Austin Street – West of Main Street will not affect the traffic flow or pattern in the area, and the City Council finds that it is in the best interest of the City to abandon, vacate and close said portion of the Street for public use and to sell 2,784 square feet to the Bastrop County Historical Society; and

WHEREAS, the City Council of the City of Bastrop, Texas, finds and declares that it is in the best interest of all of the citizens of the City of Bastrop, Texas that the 0.213 Acre identified portion of Austin Street- West of Main Street be vacated and abandoned and a 2,784 square feet portion of that 0.213 Acres be sold to the Bastrop County Historical Society for fair market value and deposited in the street maintenance fund, as required by State law.

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

Section 1: That the identified 0.213 acre portion of unopened Austin Street- West of Main Street on Exhibit "A," which is attached hereto, and is made a part of this ordinance for all purposes, be, and the same are hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned.

Section 2: That said 0.213 acre portion of Streets, Alleys, and/or Public Right-of-Ways are not needed for public roadway purposes and it is in the public interest of the City of Bastrop to abandon said described portions of the Streets, Alleys, and/or Public Right-of-Ways for use as roads and roadways.

Section 3: That a 2,784 square feet portion of the 0.213 acres to be abandoned and vacated, as shown by the survey and metes and bounds attached hereto as Exhibit "B" and made a part hereof for all purposes, be deeded by quit claim deed to the Bastrop County Historical Society.

Section 4: That the City Manager is hereby authorized and directed to convey and transfer by quitclaim deed a 2,784 square feet portion of the 0.213 acres of Austin Street – West of Main Street that is to be abandoned and vacated for the fair market value of the Street, which is the interest of the City of Bastrop, Texas, in and to the said Streets and/or Public Rights-of-Ways, except for any past, present, or future utility easement belonging to the City.

Section 5: That the vacation, abandonment and transfer provided for herein shall extend only to the public right and title in and to the tracts of land described in this Ordinance, and shall be construed only to that interest the governing body of the City of Bastrop may legally and lawfully abandon, vacate and convey.

Section 6: That the consideration for said transfer to the Bastrop Historical Society shall be deposited in the street maintenance fund of the City of Bastrop as is required by provisions of the State law as set forth in the Local Government Code, Section 253.001, as amended.

READ and APPROVED on First Reading on the 12th day of March 2013

READ and ADOPTED on Second Reading on the ____ day of March 2013

APPROVED:

ATTEST:

Terry Orr
Mayor

Teresa Valdez
City Secretary

STATE OF TEXAS

AUSTIN STREET - WEST OF MAIN

COUNTY OF BASTROP

0.213 ACRE

All that certain tract or parcel of land containing 0.213 acre, being an extension of Austin Street (See Iredell Maps - Volume G, Page 252 - Bastrop City Council Minutes) lying South of Building Block 17 WW and West of Main Street, and being across an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide 23A of the Bastrop County Plat Records, also being referred to as "Bastrop Commons" on a drawing recorded in Volume 541, Page 633 of the Deed Records of Bastrop County and mentioned in the Grant of the Town of Bastrop recorded in Volume 43, Page 587 of the Deed Records of Bastrop County, said 0.213 acre tract being more particularly described by metes and bounds as follows:

Commencing at a 1/2" iron rod set in the West right-of-way line of Main Street (55.56' right-of-way) at it's intersection with the original North margin of Walnut Street for the Southeast corner of Building Block 16 WW, the Southeast corner of the Diane Long tract (Vol. 1950, Pg. 522 B.C.O.R. [Vol. 160, Pg. 86 - original]) and the Northeast corner of a Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.), said point having a coordinate value of North = 10,015,928.06 feet and East = 3,249,353.38 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN), from which a 3/8" iron rod found called for witness (Volume 1140, Page 60 B.C.O.R.) bears North 84 degrees 24 minutes 02 seconds East, 7.28 feet and a 5/8" iron rod found in the East right-of-way line of Main Street bears North 75 degrees 13 minutes 16 seconds East, 55.79 feet;

Thence South 17 degrees 53 minutes 09 seconds East, along the West line of Main Street and the East line of the Bastrop Historical Society tracts (Vol. 136, Pg. 8 and Vol. 134, Pg. 446 B.C.D.R.), at 198.82 feet passing 3.72 feet West of a crimped 1/2" iron pipe found called for witness (Volume 1140, Page 60 - B.C.O.R.), and continuing for a total distance of 244.13 feet to a 1/2" iron rod set for the Northeast corner of said extension of Austin Street, the Southeast corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Southeast corner of Building Block 17 WW, the Northeast corner of the tract herein described and the **PLACE OF BEGINNING**, from which an "X" found chipped in concrete bears North 87 degrees 45 minutes 56 seconds East, 8.95 feet;

Thence **South 25 degrees 11 minutes 56 seconds East, 60.34 feet** along the West margin of Main Street to a 1/2" iron rod set for the Southeast corner of said extension of Austin Street and the Southeast corner of the tract herein described;

AUSTIN STREET - WEST OF MAIN
0.213 ACRE
PAGE 2 OF 3

Thence **South 87 degrees 45 minutes 56 seconds West**, departing said Main Street along the South line of said Austin Street and across said "Bastrop Commons" tract, at 160.57 feet passing a 1/2" iron rod set for witness, and continuing for a total distance of **169.23 feet** to a point on the East bank of the Colorado River for the Southwest corner of said Austin Street and the Southwest corner of the tract herein described;

Thence **North 20 degrees 59 minutes 42 seconds West, 58.68 feet** along said Colorado River bank to a point for the Northwest corner of said Austin Street, the Southwest corner of Building Block 17 WW and the Northwest corner of the tract herein described, from which a 5/8" iron rod found for witness bears North 87 degrees 45 minutes 56 seconds East, 5.52 feet;

Thence **North 87 degrees 45 minutes 56 seconds East**, departing said river bank, **81.23 feet** along the South line of an undeeded portion of Building Block 17 WW and the North line of Austin Street to a point for the Southwest corner of said Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.O.R.), from which a 1/2" iron rod set for witness at the base of a retaining wall bears North 87 degrees 45 minutes 56 seconds East, 21.52 feet;

Thence **North 87 degrees 45 minutes 56 seconds East, 83.33 feet** along the South line of said Bastrop Historical Society tract and the North line of Austin Street to the **PLACE OF BEGINNING** and containing 0.213 acre.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN). Convergence = +01 degree 33 minutes 08 seconds. Combined factor = 0.9999897.

STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.

Consulting Engineering & Land Surveying


Kevin Von Minden, R.P.L.S.

Registration No. 4438

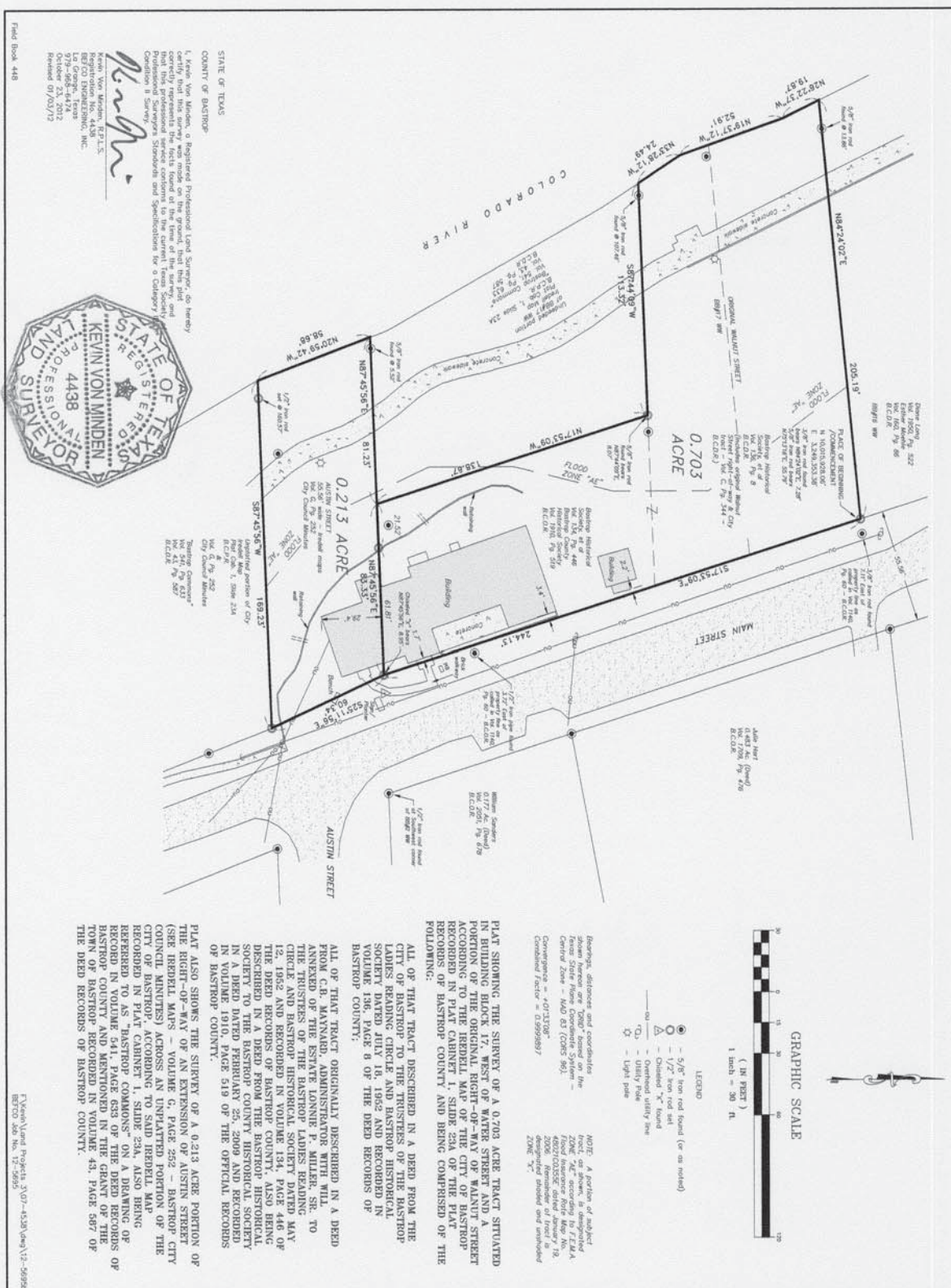
January 3, 2013

BEFCO Job No. 12-5695 (aust st)



EXHIBIT A

PAGE 3 OF 3



STATE OF TEXAS
COUNTY OF BASTROP

AUSTIN STREET - WEST OF MAIN
CITY TO BASTROP HISTORICAL SOCIETY
2,784 SQUARE FEET

All that certain tract or parcel of land containing 2,784 square feet, being a part of an extension of Austin Street (See Iredell Maps - Volume G, Page 252 - Bastrop City Council Minutes) lying South of Building Block 17 WW and West of Main Street, and being across an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide 23A of the Bastrop County Plat Records, also being referred to as "Bastrop Commons" on a drawing recorded in Volume 541, Page 633 of the Deed Records of Bastrop County and mentioned in the Grant of the Town of Bastrop recorded in Volume 43, Page 587 of the Deed Records of Bastrop County, said 2,784 square foot tract being more particularly described by metes and bounds as follows:

Commencing at a 1/2" iron rod set in the West right-of-way line of Main Street (55.56' right-of-way) at it's intersection with the original North margin of Walnut Street for the Southeast corner of Building Block 16 WW, the Southeast corner of the Diane Long tract (Vol. 1950, Pg. 522 B.C.O.R. [Vol. 160, Pg. 86 - original]) and the Northeast corner of a Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.), said point having a coordinate value of North = 10,015,928.06 feet and East = 3,249,353.38 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN), from which a 3/8" iron rod found called for witness (Volume 1140, Page 60 B.C.O.R.) bears North 84 degrees 24 minutes 02 seconds East, 7.28 feet and a 5/8" iron rod found in the East right-of-way line of Main Street bears North 75 degrees 13 minutes 16 seconds East, 55.79 feet;

Thence South 17 degrees 53 minutes 09 seconds East, along the West line of Main Street and the East line of the Bastrop Historical Society tracts (Vol. 136, Pg. 8 and Vol. 134, Pg. 446 B.C.D.R.), at 198.82 feet passing 3.72 feet West of a crimped 1/2" iron pipe found called for witness (Volume 1140, Page 60 - B.C.O.R.), and continuing for a total distance of 244.13 feet to a 1/2" iron rod set for the Northeast corner of said extension of Austin Street, the Southeast corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Southeast corner of Building Block 17 WW, the Northeast corner of the tract herein described and the **PLACE OF BEGINNING**, from which an "X" found chipped in concrete bears North 87 degrees 45 minutes 56 seconds East, 8.95 feet;

AUSTIN STREET - CITY TO BASTROP HISTORICAL SOCIETY
2,784 SQUARE FEET
PAGE 2 OF 3

Thence **South 25 degrees 11 minutes 56 seconds East, 35.30 feet** along the West margin of Main Street to a 1/2" iron rod set for the most Easterly Northeast corner of a 6,489 square foot portion of Austin Street also surveyed this date and the Southeast corner of the tract herein described;

Thence **South 87 degrees 45 minutes 56 seconds West**, departing said Main Street, at 46.11 feet passing a 1/2" iron rod set near the base of a retaining wall for witness, and continuing for a total distance of **88.00 feet** to a 1/2" iron rod set for an inside corner of said 6,489 square foot tract also surveyed this date and the Southwest corner of the tract herein described;

Thence **North 17 degrees 53 minutes 09 seconds West, 33.75 feet** to a point in the South line of Building Block 17 WW and the North line of Austin Street for the Southwest corner of said Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), from which a 1/2" iron rod set for witness at the base of a retaining wall bears North 87 degrees 45 minutes 56 seconds East, 21.52 feet;

Thence **North 87 degrees 45 minutes 56 seconds East, 83.33 feet** along the South line of said Bastrop Historical Society tract and the North line of Austin Street to the **PLACE OF BEGINNING** and containing 2,784 square feet.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN). Convergence = +01 degree 33 minutes 08 seconds. Combined factor = 0.9999897.

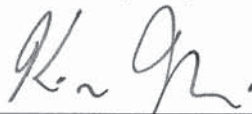
STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.

Consulting Engineering & Land Surveying



Kevin Von Minden, R.P.L.S.

Registration No. 4438

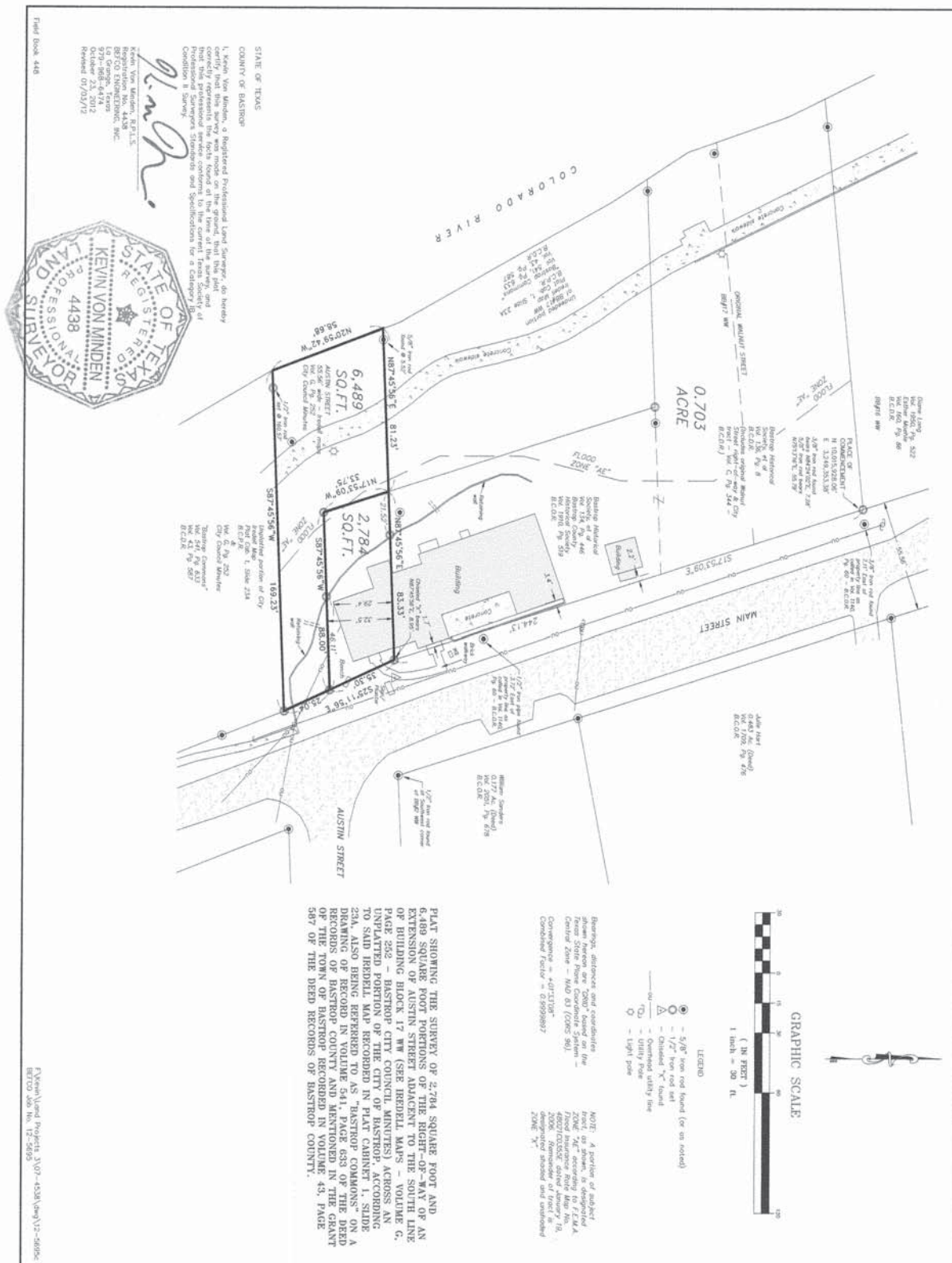
January 3, 2013

BEFCO Job No. 12-5695 (aust st tr



EXHIBIT B

PAGE 3 OF 3



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **PUBLIC HEARING: On a request for a zoning district change from public street right-of-way to O, Office for +/-2,784 square feet of vacated and abandoned Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as “Bastrop Commons”, within the city limits of the City of Bastrop, Texas.**

2. Party Making Request: **City of Bastrop**

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

4. Policy Implication: _____

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

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

8. Staff Recommendation: Staff recommends approval of the requested zoning district change from public street right-of-way to O, Office for +/-2,784 square feet, of a vacated and abandoned portion of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as “Bastrop Commons”, located within the city limits of Bastrop, Texas.

9. Advisory Board Recommendation: XX Recommended Approval Denial None

The Planning and Zoning Commission conducted a public hearing on February 28, 2013 and voted 5-2 (Lisa Patterson abstained) to recommend approval of the requested zoning district change from public street right-of-way to O, Office for +/-2,784 square feet, of a vacated and abandoned of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as “Bastrop Commons”, located within the city limits of Bastrop, Texas. Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.

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

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

March 12, 2013

Public Notice Description:

Public Hearing, discussion, consideration and possible action on a request for a request for a zoning designation of O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons", within the corporate limits of Bastrop, Texas.

Item Summary:

Owner/Applicant: City of Bastrop
Location: Portion of Austin Street ROW, being 2,784 sq. ft.
Utilities: City water, sewer, and electric
Zoning: N/A, Currently ROW
Land Use Plan: ROW/indistinguishable

Background:

The P&Z's recommendation to the Council on this matter comes to the Council at this time, after being considered by the P&Z on two separate occasions. The first consideration by P&Z took place on January 31, 2013. The second ("reconsideration") of this agenda item #6, was performed by the P&Z at their February 28th P&Z Commission meeting.

After the first P&Z meeting, it came to the City's attention that some of the information presented to the P&Z, at its first hearing on this matter, was not accurate. It is the City's policy that when staff learns that there have been significant errors in the materials/information presented to the Commission, during its decision making process, the Commission should have an opportunity to be presented with the correct information - and to reconsider its previously stated advisory recommendation to the Council in light of accurate information presented - prior to sending the matter to Council with its recommendation. In this case, the staff learned that the Commission received inaccurate information concerning: (1) the actual zoning designation of the property to be re-zoned, and (2) the zoning classification of some of the adjacent and near-by tracts. In addition, some statements from the floor, during the public hearing, were inaccurate.

To clarify the misinformation for the P&Z and for the Public, as well as for the Council, if questions arise, the Staff prepared and provided the attached "Questions and Answers" regarding other questions that were raised at the first P&Z meeting. This information was made available to the public at the February 28th meeting. Additional copies are available to the public in attendance here this evening, on the table by the door.

Request:

The 2,784 square feet, or 0.064 acres is platted Right of Way for Austin Street, which is not constructed. A portion of the old/current museum, owned by the Bastrop County Historical Society encroaches onto the Austin ROW. The City has initiated this zoning request, in the hopes that when

Austin Street is vacated (Between Water Street and the Colorado River) that this small portion of ROW can be conveyed/sold to the Bastrop County Historical Society. This portion of ROW will then convert to property that can be platted with the existing/old museum property.

The museum is in the process of relocating to 904 Main Street.

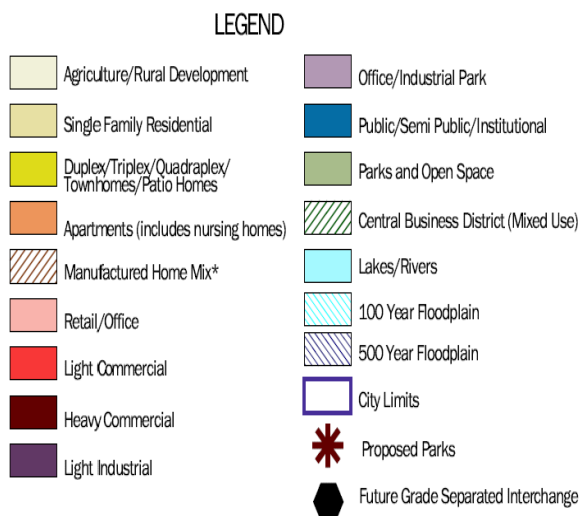
Proposal:

The City is initiating a zoning change to O, Office to bring the entire Historical Society property under one zoning classification.

Surrounding Zoning and Land Uses:

Location	Zoning	Future Land Use Plan
North (old/current museum)	Park Land	Public, Semi Public/Institutional
South (Ferry Park)	Park Land	Parks and Open Space
East (residential)	SF-7, Residential	Single Family Residential
West (river)	N/A, Colorado River	Lakes/River

Future Land Use Map



Comprehensive Plan Conformance:

The City's Comprehensive Plan, adopted by Bastrop City Council on May 8, 2001, serves as a guide for land use policy decisions to be made by the City. State law requires that zoning regulations are in conformance with the City's Comprehensive Plan. The Land Use chapter of the Comprehensive Plan establishes land use policy priorities and goals for the City's future development. In establishing these policies, the Comprehensive Plan divides the community into various land use categories.

The subject tract is designated on the future Land Use Plan map as Parks and Open Space.

Parks and Open Space (Green)

Public parks, outdoor recreation areas, golf courses, and undeveloped reserves

Future Land Use Designation:

The Comprehensive Plan also establishes a future Land Use Plan map that distributes the various land use districts throughout the City's planning area. While the future Land Use Plan map is not intended to be a parcel specific or mandate for how land is developed, it is the primary guide for the City in evaluating development proposals. When a development proposal differs from the future Land Use Plan, it is the responsibility of the City to determine whether the proposal is in keeping with the general goals and objectives of the Comprehensive Plan.

Usually ROW of Streets are not included as Future Land Use designations, however, it looks like this portion of ROW, was included into Ferry Park.

The Subject Tract is designated on the future Land Use Plan map as Parks and Open Space. If the Planning and Zoning Commission and City Council find that the requested zoning O, Office is appropriate, the Planning and Zoning Commission and City Council should take the necessary steps to update to the future Land Use Plan map during the annual amendment process to change the land use designation of the Subject Property to Retail/office (or more appropriate district), the adjacent neighboring use category, that is most appropriate to those use allowed in the zoning district for the Subject Tract.

Comments: Eight (8) adjacent property owner notifications were mailed regarding the new P&Z meeting on February 14, 2013. Four (4) surrounding property owner notices have been received in favor and (1) opposed. Included in the packet are previous responses from both the January 31, 2013 meeting and February 28, 2013 meeting.

Staff Basis of Support:

Staff supports the zoning change to office. This portion of the Austin Street ROW already has encroachment from the neighboring museum that the Historical Society owns. Once this property is vacated it will need an appropriate zoning classification and it would be platted with the remaining historical property. This rezoning would alleviate any zoning/development future issues.

Staff Recommendation:

Staff recommends approval of the requested zoning change to O, Office for +/-2,784 square feet, being a portion of a to-be-abandoned right-of-way locally known as Austin Street (see Iredell Maps- Volume G, Page 252), which is adjacent to the south line of Building Block 17, West of Water and West of Main and being across an un-platted portion of the City of Bastrop, also referred to as "Bastrop Commons.", within the municipal limits of Bastrop, Texas.

Planning and Zoning Recommendation:

The Planning and Zoning Commission conducted their regular meeting February 28, 2013 and voted **5-2 (Lisa Patterson abstained)** to recommend approval of the requested zone change designation of O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons", within the corporate limits of Bastrop, Texas. Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.

City Contact:

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

Attachments:

Maps and surrounding property owner information.



Portion of Austin Street

Portion of Austin Street
to be Zoned O, Office for +/-2,784 sq ft

Legend

- Portion of Austin Street to be Rezoned to Office
- Bastrop County Historical Society Museum Right of Way 200' Buffer



Legend

2012 Zoning

District

- SF-7 - Single Family Residential
- O - Office
- C-2 - Commercial-2
- Park Land
- SF-20 - Single Family Residential
- CBD - Central Business District



**Ariel View of a
Portion of Austin Street**
Portion of Austin Street
to be Zoned O, Office for +/-2,784 sq ft

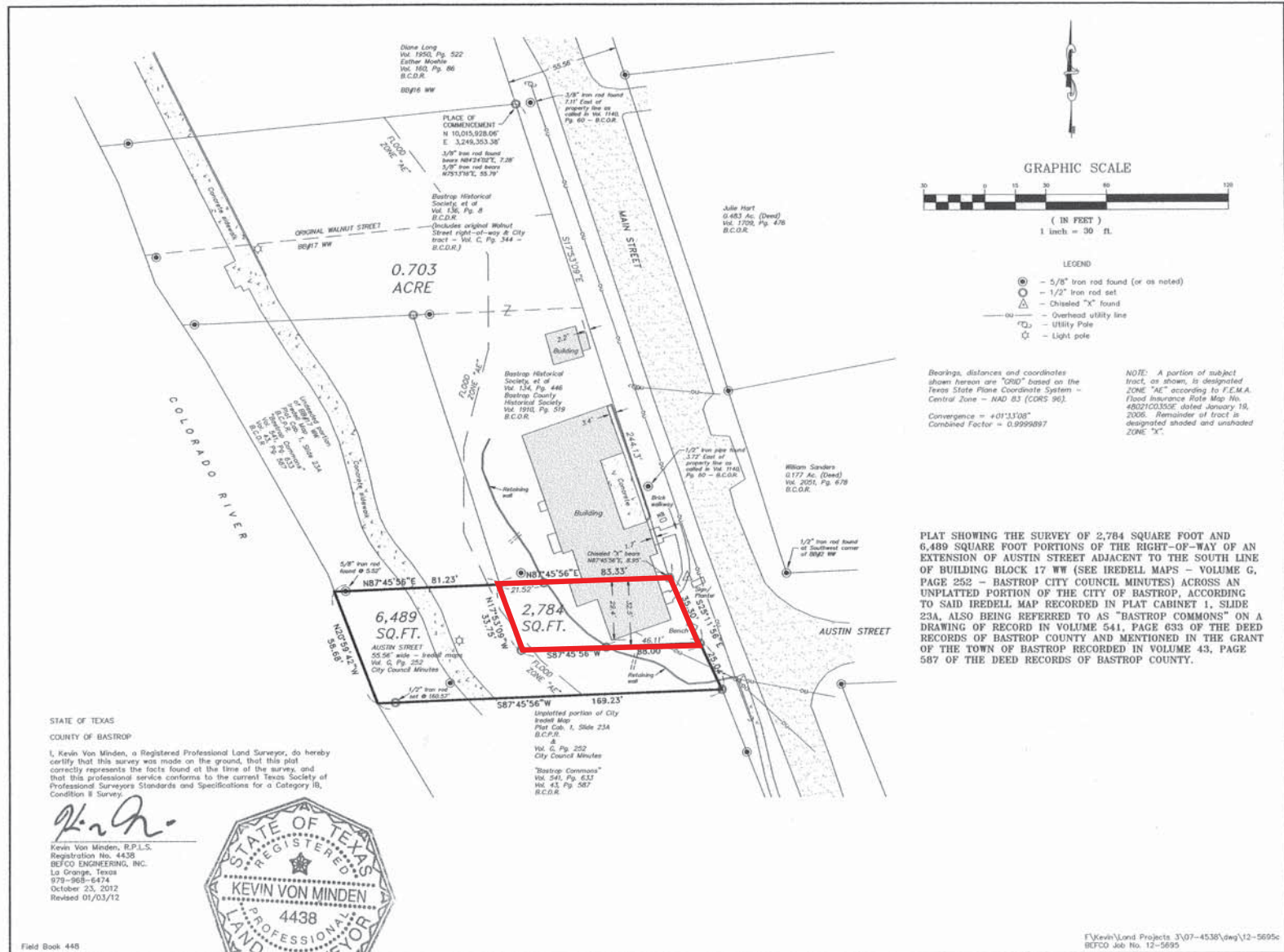
Legend

 - Portion of Austin Street
to be Rezoned to Office



Portion of Austin Street to be Vacated to Bastrop County Historical Society - 2,784 sq ft (0.064 acres)

PAGE 4 OF 4





Portion of Austin Street Right-of-Way

Property Owners In Favor & Opposed
to the rezoning of
+/-2,784 sq ft to Office

Legend

- Portion of Austin Street to be Rezoned to Office
- Bastrop County Historical Society Museum ROW 200' Buffer



Legend

Opposed - 1
In Favor - 4

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

This item was heard at the January 31, 2013 Planning and Zoning Commission meeting and did not go to City Council. Please see the corrected attached zoning map and follow the new schedule of meeting dates below.

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, February 28, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, March 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, March 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change to O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons.", within the city limits of Bastrop, Texas. **A zoning map is included with this notice.**

Applicant: City of Bastrop

The property being considered is described as follows:

Legal Description: +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 prior to the scheduled public hearings or call (512) 332-8840.

PROPERTY OWNER'S RESPONSE

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

- ☐ I am in favor in the request.
☒ I am opposed to the request.

Property Owner Name: JULIE HART & PAULA PATE

Property Address: 703 MAIN ST BASTROP, TX

Mailing Address: SAME

Phone (optional): (512) 736-5013

Email (optional): ~~same~~ julie.hart @ sbcglobal.net

Property Owner's Signature: 

Comments: (Optional)

PLEASE SEE ATTACHED

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

Zoning Change - ROW to Office, +/-2,784 square feet, mailed out February 14, 2013

RECEIVED

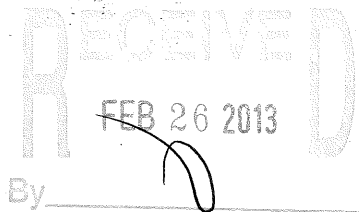
FEB 26 2013

By: 

Julie Hart and Paula Pate
703 Main Street
Bastrop, TX 78602

February 26, 2013

Ms. Melissa McCollum and Planning and Zoning Commission Members
City of Bastrop, Planning and Development Department
P. O. Box 427
Bastrop, TX 78602



Dear Ms. McCollum and P&Z Commission Members,

We are writing, as homeowners and neighborhood residents, to explain our opposition to the zoning change for the property located at 702 Main Street and to the zoning change for the proposed vacation of Right of Way of Austin Street. As previously voiced, we have concerns about: the continued encroachment of office zoning down Main Street which is reducing residential property values, whether the planned development will be compatible with the neighborhood, how the increased traffic and parking will affect safety (particularly of children and pedestrians who are walking to the park), risking the degradation of an important local, state and national historic landmark and that areas that are designed to buffer the residential areas from encroachment are now being used to justify continued encroachment.

In further research, it was encouraging to find that the City's adopted Comprehensive Plan supports these concerns and that staff and the Commission are tasked with making their decisions in concurrence with this plan. Per Section 4 of the Comprehensive Plan: "They (policies) serve as a reference for planning officials and city staff, and should be utilized when making decisions regarding future development within the City. In particular, policies should be utilized in implementing goals, objectives and actions, and in reviewing zoning classification changes or amendments to the land use plan." (I have attached an addendum summary of highlights from the plan for ease of reference.)

We do not believe that office zoning for either of these properties is compatible with the surrounding property zoning and land uses. As you know, this property is predominantly surrounded by SF-7 (ie, single family homes) and has only one property line that borders office zoning. Per the Comprehensive Plan (Section 4) "neighboring land uses should not detract from the enjoyment or values of properties and buffers should separate retail/office space from residential areas." A carte blanche office zoning will open this property up to uses that aren't compatible with the neighborhood. A few examples of allowed uses in the office zoning district that would not be compatible with the neighborhood are: Multi-Family Dwelling (Apartment), Multi-Family Dwelling (Quadraplex), Fraternity or Sorority House, Boarding House, Lighted Tennis Court, Theatre/Playhouse, Assisted Living Facility, Cemetary/Musoleum, Child Care Center, Acute Care Hospital, Bakery (Retail) and others.

As we all know, zoning goes with the property and not the owner, and once zoned the City's and neighbors' ability to influence development on this important parcel land is severely limited and any approved use in that district is available to the property owner.

Personally, our first preference would be that this property be deeded to the City (or that the City pursue a purchase of this property) for dedicated Parkland, especially since a high percentage of this property lies in the flood plain. This is supported in Section 4 of the Comprehensive Plan as an action item: "Continue to pursue open space preservation and/or parkland acquisition along the river corridor to minimize development impacts in areas immediately adjacent to the river. This may include developing a "land bank" strategy in which owners of properties in the floodplain would be encouraged to deed their land to the bank to ensure long-term conservation."

Additionally the Plan states that "The City should use its zoning authority to minimize significant new development along the Colorado River corridor through Bastrop. The City should attempt to maintain all undeveloped areas within the 100-year floodplain as open space (public park land, where feasible) or rural low density development." It's difficult to see how office zoning achieves these adopted City goals.

Maintaining Parkland zoning (and ultimately dedicating this property as parkland) would allow for the continuation of much needed sidewalks in this area as well as potentially provide public, accessible restrooms, which is again supported by the Comprehensive Plan in Section 9. "The following were identified in the plan as proposed park acquisition and improvement sites: Old Ferry Park – Existing Park – Improvements include a sidewalk to downtown area, a water fountain and wheelchair accessible restroom."

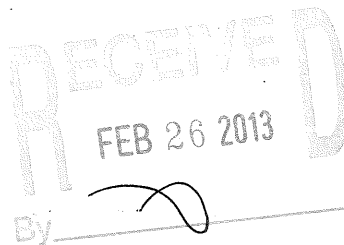
Barring that option (which obviously isn't a decision for this board, but is presented as an item for consideration by all parties), we would request that the owner present a formal plan for the property and request a Conditional Use Permit for their planned uses. Again, CUP's are supported by the Comprehensive Plan for unique properties that don't neatly fit into a specific zoning category. Section 11 of the Plan states: "A conditional or special use permit provides a process by which a particular use can be reviewed in relation to a specific site to determine whether the proposed use, with or without the imposition of conditions, is appropriate for the premises. Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district. However, such uses may be appropriate and suitable where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the interests of the city as a whole." This would allow the City and neighbors to have more input on this unique property and to ensure that the future use is indeed compatible with the neighborhood and the City's interest. Zoning this property as Office simply creates too much risk for the neighborhood and the quality of life of the residents.

Thank you for your service to our community and for your time to review this matter thoroughly.

Sincerely,

Julie Hart and Paula Pate



**Addendum to Letter from Julie Hart and Paula Pate in Opposition to Zoning Changes for
702 Main Street and the Right of Way of Austin Street**

Excerpts from the Adopted "Bastrop Comprehensive Plan" referenced by section. Highlights are added for personal emphasis. The entire plan can be found on the City's website.

Section 12 - Implementation

Goal 1: Be accountable to the citizens of Bastrop for working toward the goals, objectives policies and actions set forth in this and future comprehensive plans.

Section 4 - Land Use Policies

Policies serve as a guide for decision making and the development of goals and objectives for the City of Bastrop. They serve as a reference for planning officials and city staff, and should be utilized when making decisions regarding future development within the City. In particular, policies should be utilized in implementing goals, objectives and actions, and in reviewing zoning classification changes or amendments to the land use plan. The following generic policy statements regarding sound land use planning practices were reviewed and placed in priority order by the Comprehensive Plan Steering Committee during the plan development process:

In General

- Potential negative land use impacts (noise, odor, pollution, excessive light, traffic, etc.) should be considered and minimized.
- Neighboring land uses should not detract from the enjoyment or value of properties.
- Buffers should separate retail/office uses and residential areas.

Goal 1: Achieve an efficient, diverse and balanced pattern of land used within the City and ETJ.
Objective B: Encourage the development of compatible land uses, avoiding mixtures of incompatible uses in close proximity to each other.

Goal 2: Recognize physical constraints to development within the community and conserve and protect valued environmental and cultural resources in Bastrop, including waterways, sensitive land habitats and historic structures and districts.

Objective A: Coordinate future development with the physical environment and natural features of the community.

Action 1: Evaluate floodplains, soils, vegetation and other physical features to identify the most appropriate sites for various types of development.

Action 2: Promote the use of floodplains as natural areas and preserves for wildlife, vegetation, parks, and as open space buffers between incompatible land uses.

Objective B: Continue to promote environmentally sound access to and use of the Colorado River.

Action 1: Continue to pursue open space preservation and/or parkland acquisition along the river corridor to minimize development impacts in areas immediately adjacent to the river. This may include developing a "land bank" strategy in which owners of properties in the floodplain would be encouraged to deed their land to the bank to ensure long-term conservation.

Action 2: Encourage any new development or redevelopment near the river to utilize river views and amenities while not encroaching upon the natural aspects of the river corridor.

Action 3: Continue to provide public access to the river through the expansion of existing trail networks, public piers and overlooks, and canoe access points.

Objective C: Guard against the degradation of Bastrop's Historic District.

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By 

Goal 3: Provide a variety of safe and high quality residential areas that meet the needs of Bastrop's residents.

Objective B: Preserve the character of existing and future neighborhoods by protecting residential development from encroaching incompatible uses.

Action 1: Require adequate buffering between residential and non-residential land uses.

Action 2: Utilize open space easements around residential areas.

Other General Observations

In addition to the zoning recommendations above, the following observations are also provided for the City's consideration:

- The City should use its zoning authority to minimize significant new development along the Colorado River corridor through Bastrop.
- The City should attempt to maintain all undeveloped areas within the 100-year floodplain as open space (public park land, where feasible) or rural low density development.

Section 3 – Visions and Goals

Goals for Housing

Goal 4: Preserve the integrity and appearance of existing neighborhoods and create a livable and safe neighborhood environment.

GOALS for Historic Resources

Goal 1: Protect and preserve the City's historic and cultural resources by promoting historic preservation efforts in Bastrop.

GOALS for Implementation

Goal 1: Be accountable to the citizens of Bastrop for working toward the goals, objectives policies and actions set forth in this and future comprehensive plans.

Section 9 – Parks and Recreation

Key Parks and Recreation Issues

Issues related to parks and recreation were identified during the plan development process through a Community Forum held in February 2000 and input from the Comprehensive Plan Steering Committee and other community leaders and residents. These issues were important in developing the goals, objectives and actions in the Parks and Recreation element.

- Expanding river park area
- Providing more parks

The following were identified in the plan as proposed park acquisition and improvement sites: Old Ferry Park – Existing Park – Improvements include a sidewalk to downtown area, a water fountain and wheelchair accessible restroom.

Goals for Parks and Recreation

Goal 1: Encourage the conservation of natural resources through acquisition of parks and recreation areas, preservation of open space, and environmentally sensitive planning.

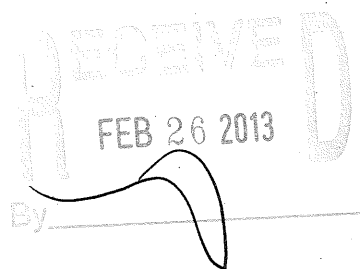
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FEB 26 2013
By _____

Goal 4: Maintain and enhance existing parks and recreation facilities.

Goal 5: Utilize natural waterways to provide water-oriented recreation opportunities within the community.

Conditional or Special Use Permits

Generally a conditional or special use is defined as a use other than those permitted by (or "as of") right. A conditional or special use permit provides a process by which a particular use can be reviewed in relation to a specific site to determine whether the proposed use, with or without the imposition of conditions, is appropriate for the premises. Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district. However, such uses may be appropriate and suitable where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the interests of the city as a whole. Approval of a conditional or special use typically requires an additional level of review by the Planning Commission, City Council, Architectural Review Board and/or other special-purpose review board.



Melissa McCollum

From: Julie Hart <jhart@austintexas.org>
Sent: Thursday, January 31, 2013 4:14 PM
To: Melissa McCollum
Cc: Mike Talbot
Subject: Response to Zoning Request Change for 702 Main Street

Melissa,

Please accept this email as my official response as a property owner within the notification area. Unfortunately, previous commitments prevent me from being at the Planning and Zoning meeting tonight to personally voice my concerns. Will you please distribute this email to the P&Z members at the meeting and read this email into the minutes of the meeting.

I have concerns about this property being zoned as office and do not support the zoning change. I don't believe that office zoning is appropriate for this property. First, street parking is already an issue on this portion of Main Street. When the museum or the Masonic Lodge has an event, it creates traffic hazards because two cars driving can no longer pass on the street and since there are not adequate sidewalks, pedestrians are put into hazardous situations. I don't believe that this property will allow for adequate off street parking to support an office complex. Second, I am concerned that an office zoning will allow for a building height and facade that is out of character with the neighborhood. I am also concerned by the amount of spot zoning that is creeping down Main Street and I think the infringement on single family homes is reducing the quality of life for those residents along with reducing property values for those properties. The reduction of property valuations in this area due to the infringement of offices and commercial zoning is supported by feedback from a local realtor at Remax Bastrop and a local appraiser.

I am also against the City vacating a Right of Way that provides access to the Colorado River and can be included in future park plans. As a community, we claim that the Colorado River is our greatest resource, but we have been unable to showcase it effectively. Vacating land that provides access to the river and can be used to expand parks doesn't seem to benefit the greater good of our entire community.

On a personal note, when I was on City Council and the museum personnel lobbied me for the free space at the old City Hall, I specifically asked what the plan was for the old museum. I suggested if it was sold, they could then consider the City funds for the new museum as a loan and could repay the citizens of Bastrop for their investment. I was assured that they had no plans to sell the property and intended it to keep it long term as a "research facility". The change of heart on the usage concerns me.

From the map I received, the notification of property owners in the area seemed to include very few properties. Please note that the owners of 701 Main Street do not occupy that property, but rent it out, and therefore are not subject to the ramifications of the zoning change. Additionally, they are very intimately involved with the museum and, in my opinion, it may not be appropriate for them to comment on this zoning change as property owners.

Thank you for taking my comments into consideration. Again, I apologize that another commitment precludes me from attending personally.

Thank you,

Julie

3/8/2013

108

JULIE HART | VICE PRESIDENT AND CHIEF FINANCIAL OFFICER

AUSTIN CONVENTION & VISITORS BUREAU

301 Congress, Suite 200 - Austin, TX 78701

V: (512) 583-7205 F: (512) 583-7305

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3/8/2013

PROPERTY OWNER'S RESPONSE

109

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

- ☒ I am in favor in the request.
☐ I am opposed to the request.

Property Owner Name: Patsy Trigg
Property Address: 701 Austin Street
Mailing Address: Bastrop Tx 78602

Phone (optional): 512-332-6208
Email (optional): _____

Property Owner's Signature: Patsy Trigg
Comments: (Optional) _____

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – ROW to Office, +/-2,784 square feet, mailed out February 14, 2013

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FEB 26 2013

By [Signature]

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, January 31, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, February 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, February 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change to O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons.", within the city limits of Bastrop, Texas. **A site location map is included with this notice.**

Applicant: City of Bastrop

The property being considered is described as follows:

Legal Description: +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 prior to the scheduled public hearings or call (512) 332-8840.

✂
✂

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor the request.
☐ I am opposed to the request.

Property Owner Name: BASTROP COUNTY HISTORICAL SOCIETY

Property Address: 702 MAIN, Bastrop

Mailing Address: 704 MAIN, Bastrop

Phone (optional): 303-3389

Email (optional): _____

Property Owner's Signature: Robin Sander, President

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

Zoning Change – Office/Parkland to Office, +/- ~~700~~ 2784 acres, mailed out January 11, 2013

RECEIVED

JAN 18 2013

By _____

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, January 31, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, February 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, February 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change to O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons.", within the city limits of Bastrop, Texas. A **site location map is included with this notice.**

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X
X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor the request.
☐ I am opposed to the request.

Property Owner Name: WM TERRY SANDERS

Property Address: 701 MAIN ST

Mailing Address: 1402 MAIN ST

Phone (optional): 512 303 3389

Email (optional): T.SANDERS 12444
@AOL.COM

Property Owner's Signature: WM Terry Sanders

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

Zoning Change – Office/Parkland to Office, +/- ~~700~~ 2784 acres, mailed out January 11, 2013

RECEIVED

JAN 25 2013

By

NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

This item was heard at the January 31, 2013 Planning and Zoning Commission meeting and did not go to City Council. Please see the corrected attached zoning map and follow the new schedule of meeting dates below.

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, February 28, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing at 6:15 p.m. on **Tuesday, March 12, 2013** (first reading) and have a second reading (not a public hearing) on **Tuesday, March 26, 2013** in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change to O, Office for +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons.", within the city limits of Bastrop, Texas. **A zoning map is included with this notice.**

Applicant: City of Bastrop

The property being considered is described as follows:

Legal Description: +/-2,784 square feet, for a portion of the right-of-way of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 prior to the scheduled public hearings or call (512) 332-8840.

✕
✕

✕

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor in the request.
☐ I am opposed to the request.

Property Owner Name: William T. SANDERS

Property Address: 701 MAIN

Mailing Address: 1402 MAIN

Phone (optional): 512.303.3389

Email (optional): TSANDERS12444@AOL

Property Owner's Signature: Wm T Sanders

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
 or via fax (512) 332-8849

Zoning Change – ROW to Office, +/-2,784 square feet, mailed out February 14, 2013

By

FEB 19 2013

**PROPERTY OWNER'S RESPONSE**

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

☒ I am in favor in the request.

☐ I am opposed to the request.

Property Owner Name: BASTROP COUNTY HISTORICAL SOCIETY

Property Address: 401 Main Street

Mailing Address: Bastrop TX 78602

Phone (optional): 512 303 0057

Email (optional): BCHS1832@SBCglobal.net

Property Owner's Signature: Kelly Lusk

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – ROW to Office, +/-2,784 square feet, mailed out February 14, 2013

FEB 19 2013

By [Signature]

2
X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor in the request.
☐ I am opposed to the request.

Property Owner Name: DIANE K. LONG

Property Address: 712 MAIN

Mailing Address: POB 1222, BASTROP

Phone (optional): 512 321 6510

Email (optional): _____

Property Owner's Signature: Diane K. Long
Comments: (Optional) _____

Please provide reply to: The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change – ROW to Office, +/-2,784 square feet, mailed out February 14, 2013

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FEB 26 2013
By [Signature]

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

QUESTIONS AND ANSWERS

PLANNING AND ZONING COMMISSION

BASTROP, TEXAS

Overview of the P&Z's decorum and procedural policy and requirements:

1. **Note:** The P&Z, like all City Boards and Commissions, operates under "Roberts Rules of Order," so that meetings are efficient and orderly. While Robert's Rules are often less formally enforced, on occasion, the Chair and presiding member reserve the right to require more strict compliance, when doing so will facilitate the Commission's work.
 2. All speakers should use the 'Speaker Cards' provided on the table to the left of the City Secretary's desk. To be recognized, the speaker must provide all information requested on that form.
 3. No Speaker Cards will be accepted after the Chair (or presiding member) has opened an agenda item for presentation and consideration by the Commission. Accordingly, if you anticipate you would like to address the Commission, you must fill out and provide the completed form prior to the time that the item you are interested in discussing has been called before the Commission by the Chair/presiding member.
 4. All Speakers, including Commission members, should use the microphones provided, so that all may hear the conversation and so that the P&Z minutes may be accurately maintained.
 5. Speakers must respect the time frame that is identified by the Chair (or presiding member), so that all involved have a fair opportunity to be heard and the Commission's work can be completed in a reasonable time period.
 6. Only one person will be allowed to speak at a time. **No cross-talk** – either in the audience or on the dais – **will be permitted or tolerated**, so that the consideration process is equitable to all concerned and so that the Commission's secretary may accurately record the proceeding.
 7. All input and discussion, whether from the floor or on the dais, should be directed through the Chair (or presiding member), and no informal conversation either on the floor or on the dais is allowed, unless formally cleared by the Chair (or the presiding member).
-

QUESTION 1: Why is the matter concerning the potential rezoning of the property located at 702 Main Street back before the P&Z at this time, rather than being before the Council, based upon the P&Z's last action on the matter?

ANSWER 1: It came to the City Staff's attention, after the last P&Z meeting, that some of the information presented to the P&Z, at its first hearing on this matter, was not accurate. It is the City's policy that when staff learns that there have been significant errors in the materials/information

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

presented to the Commission, during its decision making process, the Commission should have an opportunity to be presented with the correct information - and to reconsider any previously stated advisory 'recommendation to the Council', in light of accurate information presented - prior to sending the matter to Council with its recommendation.

In this case, the staff learned that the Commission received inaccurate information concerning: (1) the actual zoning designation of the property to be re-zoned, and (2) the zoning classification of some of the adjacent and near-by tracts. In addition, some statements from the floor, during the public hearing, were inaccurate. The inaccuracies are corrected herein.

Accordingly, it is prudent to allow the P&Z an opportunity to re-consider this rezoning request, with corrected information at its disposal.

QUESTION 2: Does the property located at 702 Main Street hold any 'historic designations' and, if so, what effect do such designations have on the re-zoning matter that is now pending before the P&Z?

ANSWER 2: NOTE: Any historic character and/or formal "designation" of the property does not affect the rezoning in question. Designations affect the use of property, in the future, and will be dealt with in the appropriate forum and at the appropriate time. Accordingly, the property's historic designation, if any, is a matter that is not before the Commission and will not be the topic of further discussion or evaluation by the Commission.

However, because this question was raised at the last public hearing, and misinformation about the historic nature and/or designation of the property/structure was presented in the public hearing, staff will take this opportunity to correct that misinformation, based upon what information has been made available, so far.

Information that is available, to date, indicates that the property at 702 Main Street holds a number of historical designations, e.g., from the Texas Historical Society Registry, the National Registry of Historical Places/National Historic Trust, and also is designated by the City of Bastrop, as per its Code, Section 14.03.001, *et seq.*, as both a 'significant' and an 'historic' structure. Thus, this property falls under the Federal, State and local guidelines and programs for protected historic buildings/property. It also appears that the structure and area have been designated as a "Texas Shrine" (by the Legislature in 1954, according to a plaque on the building at 702 Main Street, but the impact of such a legislative designation is unclear at this time.)

While such designations will most certainly have *a major effect on any future upgrading, demolition, renovation, or additions to the structure at 702 Main Street*, if any, these designations - in and of themselves - do not affect the 'rezoning' of the property, per se, and therefore, are not a subject that is before the P&Z, at this time.

QUESTION 3: Have the City and the Society made any binding agreements, in the past, that would affect the future use of 702 Main Street (or designate that the proceeds from any sale of 702 Main Street would be paid/reimbursed to the City)?

ANSWER 3: NO. As with the “historic designations,” discussed above in Question/Answer 2, the terms of any agreement between the City and the Society, other than those addressed directly at zoning and re-zoning, if any, are not matters that are appropriately before the Commission.

A review of various pertinent records (letters, proposals, resolutions, Council minutes, etc.), referencing the Society’s plans for its future “use/sale of 702 Main Street”, indicates that, while a Council member once suggested that revenue from the future sale of 702 Main Street should be reimbursed back to the City to defray the City’s funding for the lease of/improvements to the Old City Hall, and/or stating that the Society would “endeavor” to keep the 702 Main Street property “open to the public,” - - - there was no ‘majority support’ for this type of requirement, nor was there any provision in the Lease that would mandate this result. Accordingly, there is no contractual obligation to the City, on the part of the Society, that the 702 Main Street property continue to be a venue that is dedicated to a public use, or that any revenue from its sale by the Society be reimbursed back to the City.

Again, this information is provided for purposes of clarifying misinformation at the last public hearing, and this matter is NOT BEFORE THE COMMISSION, nor is it one that affects the Commission’s work on the rezoning application that is under consideration at this time.

QUESTION 4: Does the fact that a past Council placed a ‘zoning designation’ (or “Parkland”) on the 702 Main Street property mean that this property is ‘dedicated’ to the City as a ‘park’ and that, therefore, any decision to change the zoning of this property would also require that the City undertake some special handling and treatment of the property, as a “dedicated park” of the City, prior to the zoning and/or rezoning?

ANSWER 4: NO. THE PROPERTY IN QUESTION IS NOT A CITY PARK, nor should it be considered or treated by the Commission, as such.

‘*Zoning designations*’ and public parkland ‘*dedications*’ are two entirely different legal activities. To become dedicated a public “park,” property must go through a formal dedication and acceptance process with the City, and the City must agree to future oversight and maintenance of the ‘park’ for the public’s use. In addition, formal action by the City to accept the dedication of land for any particular purpose (including as a public “park”) must be reflected in the formal actions of the City, including a recordation of the legal description (by metes and bounds) of such ‘dedicated’ property for the specified

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

purpose. A review of the records at hand indicates that this property is under private ownership and control. Further, the formal “public park” dedication process that would be necessary to make any property a “public park” has not occurred with regards to the property at 702 Main Street. Rather, this property merely received a ‘*zoning designation*’ as a “Parkland zoning district,” via the prior zoning activities of the City.

It is not possible for us to discern, at this time, why this was done. But this designation does not render the land involved as “park land.”

QUESTION 5 (a) and (b):

Question 5(a): Has the City been asked to sell and convey to the Society the entire abandoned portion of unopened Austin Street (i.e., the entire 0.213 acres)?

ANSWER 5(a): NO. The Society has only asked to purchase a portion (that is about 1/3 of the total) of the abandoned Austin Street from the City. The unopened Austin Street right-of-way is an area of approximately 0.213 acres, which equates to a total of approximately 9,278 square feet. The City has only been asked to sell about 30% of the total right-of-way, i.e., an area of approximately 2,784 square feet (0.06 acres) of this total area.

The City has commissioned an appraisal to obtain the “fair market value” from an independent third party appraiser (Hornsby & Company) for the sale/purchase of the 2,784 square feet, and the Society will be required to pay the City for this portion of Austin Street, if and when the sale is approved by the City Council. By law, the proceeds from this sale, if it occurs, will be used by the City strictly to fund other street improvements in the City.

Question 5 (b): Will the City still have access to the Colorado River, if it sells this portion of Austin Street to the Society?

ANSWER 5 (b): YES. While the City does not currently use this unopened Austin Street area for access to the River from Main Street, due to the rough terrain in this area, the City would, nonetheless continue to have access to the Colorado River over the portion of Austin Street that will not be sold to the Society, if it wants to use it in the future. The City is only offering to sell about 30% of the total area of Austin Street and will retain access to the Colorado River. See diagram that follows. In sum, the City has access to the Colorado River via various routes, and the sale of the portion of Austin Street that is proposed does not negatively affect the City’s access.

QUESTION 7: Are property owners who have other tracts of land that are located within 200 feet of the 702 Main Street property boundary, allowed to comment and/or to be involved (e.g., as a board member in the operation or control of the land to be rezoned), or does this involvement by adjacent landowners present a “conflict of interest?”

ANSWER 7: Such persons are allowed to be involved in the rezoning process.

This purportedly inappropriate ‘dual involvement’ does not present an impermissible conflict of interest in the City’s zoning process. Persons with ‘interest in other nearby properties’ are frequently involved as owners and neighbors of property to be rezoned.

Think of this example: A person owns two lots that are adjacent to one another. One is zoned “residential” and the adjacent one is zoned “retail.” The land owner wants to have them both zoned “retail,” so he applies for rezoning of the “residential” lot, to have it changed to “retail”. Consider: Would it be a conflict for her to comment at the hearing in favor of the rezoning because she owns/controls other land near the lot to be rezoned? No. He has a reasonable and legal property interest in the rezoning and is permitted to be involved.

Any “conflict of interest” related to that individual’s role as an officer in a particular organization would be addressed by that organization, and would not be a matter of concern to the City, if the person is not a board member of the City.

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

QUESTIONS AND ANSWERS

PLANNING AND ZONING COMMISSION

BASTROP, TEXAS

Overview of the P&Z's decorum and procedural policy and requirements:

1. **Note:** The P&Z, like all City Boards and Commissions, operates under "Roberts Rules of Order," so that meetings are efficient and orderly. While Robert's Rules are often less formally enforced, on occasion, the Chair and presiding member reserve the right to require more strict compliance, when doing so will facilitate the Commission's work.
 2. All speakers should use the 'Speaker Cards' provided on the table to the left of the City Secretary's desk. To be recognized, the speaker must provide all information requested on that form.
 3. No Speaker Cards will be accepted after the Chair (or presiding member) has opened an agenda item for presentation and consideration by the Commission. Accordingly, if you anticipate you would like to address the Commission, you must fill out and provide the completed form prior to the time that the item you are interested in discussing has been called before the Commission by the Chair/presiding member.
 4. All Speakers, including Commission members, should use the microphones provided, so that all may hear the conversation and so that the P&Z minutes may be accurately maintained.
 5. Speakers must respect the time frame that is identified by the Chair (or presiding member), so that all involved have a fair opportunity to be heard and the Commission's work can be completed in a reasonable time period.
 6. Only one person will be allowed to speak at a time. **No cross-talk** – either in the audience or on the dais – **will be permitted or tolerated**, so that the consideration process is equitable to all concerned and so that the Commission's secretary may accurately record the proceeding.
 7. All input and discussion, whether from the floor or on the dais, should be directed through the Chair (or presiding member), and no informal conversation either on the floor or on the dais is allowed, unless formally cleared by the Chair (or the presiding member).
-

QUESTION 1: Why is the matter concerning the potential rezoning of the property located at 702 Main Street back before the P&Z at this time, rather than being before the Council, based upon the P&Z's last action on the matter?

ANSWER 1: It came to the City Staff's attention, after the last P&Z meeting, that some of the information presented to the P&Z, at its first hearing on this matter, was not accurate. It is the City's policy that when staff learns that there have been significant errors in the materials/information

Questions and Answers for the Planning and Zoning Commission Meeting, February 28, 2013,
Item #5 and #6

presented to the Commission, during its decision making process, the Commission should have an opportunity to be presented with the correct information - and to reconsider any previously stated advisory 'recommendation to the Council', in light of accurate information presented - prior to sending the matter to Council with its recommendation.

In this case, the staff learned that the Commission received inaccurate information concerning: (1) the actual zoning designation of the property to be re-zoned, and (2) the zoning classification of some of the adjacent and near-by tracts. In addition, some statements from the floor, during the public hearing, were inaccurate. The inaccuracies are corrected herein.

Accordingly, it is prudent to allow the P&Z an opportunity to re-consider this rezoning request, with corrected information at its disposal.

QUESTION 2: Does the property located at 702 Main Street hold any 'historic designations' and, if so, what effect do such designations have on the re-zoning matter that is now pending before the P&Z?

ANSWER 2: NOTE: Any historic character and/or formal "designation" of the property does not affect the rezoning in question. Designations affect the use of property, in the future, and will be dealt with in the appropriate forum and at the appropriate time. Accordingly, the property's historic designation, if any, is a matter that is not before the Commission and will not be the topic of further discussion or evaluation by the Commission.

However, because this question was raised at the last public hearing, and misinformation about the historic nature and/or designation of the property/structure was presented in the public hearing, staff will take this opportunity to correct that misinformation, based upon what information has been made available, so far.

Information that is available, to date, indicates that the property at 702 Main Street holds a number of historical designations, e.g., from the Texas Historical Society Registry, the National Registry of Historical Places/National Historic Trust, and also is designated by the City of Bastrop, as per its Code, Section 14.03.001, *et seq.*, as both a 'significant' and an 'historic' structure. Thus, this property falls under the Federal, State and local guidelines and programs for protected historic buildings/property. It also appears that the structure and area have been designated as a "Texas Shrine" (by the Legislature in 1954, according to a plaque on the building at 702 Main Street, but the impact of such a legislative designation is unclear at this time.)

While such designations will most certainly have *a major effect on any future upgrading, demolition, renovation, or additions to the structure at 702 Main Street*, if any, these designations - in and of themselves - do not affect the 'rezoning' of the property, per se, and therefore, are not a subject that is before the P&Z, at this time.

QUESTION 3: Have the City and the Society made any binding agreements, in the past, that would affect the future use of 702 Main Street (or designate that the proceeds from any sale of 702 Main Street would be paid/reimbursed to the City)?

ANSWER 3: NO. As with the “historic designations,” discussed above in Question/Answer 2, the terms of any agreement between the City and the Society, other than those addressed directly at zoning and re-zoning, if any, are not matters that are appropriately before the Commission.

A review of various pertinent records (letters, proposals, resolutions, Council minutes, etc.), referencing the Society’s plans for its future “use/sale of 702 Main Street”, indicates that, while a Council member once suggested that revenue from the future sale of 702 Main Street should be reimbursed back to the City to defray the City’s funding for the lease of/improvements to the Old City Hall, and/or stating that the Society would “endeavor” to keep the 702 Main Street property “open to the public,” - - - there was no ‘majority support’ for this type of requirement, nor was there any provision in the Lease that would mandate this result. Accordingly, there is no contractual obligation to the City, on the part of the Society, that the 702 Main Street property continue to be a venue that is dedicated to a public use, or that any revenue from its sale by the Society be reimbursed back to the City.

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STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change from public street right-of-way to "Office" for approximately 2,784 square feet of a vacated and abandoned portion of Austin Street West of Main Street in the city limits of the City of Bastrop, Texas; establishing an effective date.**

2. Party Making Request: **City of Bastrop**

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

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

8. Staff Recommendation: **Staff recommends approval of the requested zoning district change from public street right-of-way to O, Office for +/-2,784 square feet, of a vacated and abandoned portion of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons", located within the city limits of Bastrop, Texas.**

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

The Planning and Zoning Commission conducted a public hearing on February 28, 2013 and voted 5-2 (Lisa Patterson abstained) to recommend approval of the requested zoning district change from public street right-of-way to O, Office for +/-2,784 square feet, of a vacated and abandoned of Austin Street, adjacent to the south line of Building Block 17 West of Water and West of Main and being across an un-platted portion of the City of Bastrop referred to as "Bastrop Commons", located within the city limits of Bastrop, Texas. Koch, Moore, Kosser, Winston and Whitten voted in favor and Schroeder and Kindred opposed the approval.

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

11. Action Taken: _____

ORDINANCE NO. _____**AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM PUBLIC STREET RIGHT-OF-WAY TO “OFFICE” FOR APPROXIMATELY 2784 FEET OF A VACATED AND ABANDONED PORTION OF AUSTIN STREET – WEST OF MAIN STREET, IN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Bastrop has determined that it is in the best interest of the public to change the existing zoning designation of +/- 2,784 feet of a vacated and abandoned portion of Austin Street, West of Main Street, lying South of Building Block 17 WW and West of Main Street, and being a part of an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide 23A of the Bastrop County Plat Records, previously referred to as “Bastrop Commons” on a drawing recorded in Volume 541, Page 633 of the Deed Records of Bastrop County more particularly shown on a location map attached hereto as Exhibit “A” (the “Property”), from the designation of a “public street” to “office”; and

WHEREAS, the Property is currently without a zoning designation as it is identified as an abandoned and vacated public street or right-of-way; 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 February 28, 2013; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended a zoning designation of “Office”; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the zoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on March 12, 2013 on the rezoning to consider the City’s intent to establish a zoning designation of “Office”, and to consider the Commission’s recommendation to zone the Property “Office”; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the City of Bastrop Planning Department, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property currently identified as public “street” to a new designation of “Office”.

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

Part 1: The Property, being more particularly described as +/- 2,784 feet out of an extension of Austin Street (See Iredell Maps- Volume g, Page 252-Bastrop City Council Minutes) (previously vacated and abandoned by the City of Bastrop by Ordinance Number _____) lying south of Building Block 17 WW and West of Main Street, and being across an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide 23A of the Bastrop County Plat Records, also being referred to as “Bastrop Commons” on a drawing recorded in Volume 541, page 632 of the Deed Records of Bastrop County and mentioned in the Grant of the Town of Bastrop recorded in Volume 43, page 587 of the Deed Records of Bastrop county, as more particularly shown on attached Exhibit “B”, shall and is hereby rezoned from its prior designation of “street” to a new zoning designation of “Office”.

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

READ and APPROVED on First Reading on the 12th day of March 2013.

READ and ADOPTED on the Second Reading on the ____day of March 2013.

APPROVED:

ATTEST:

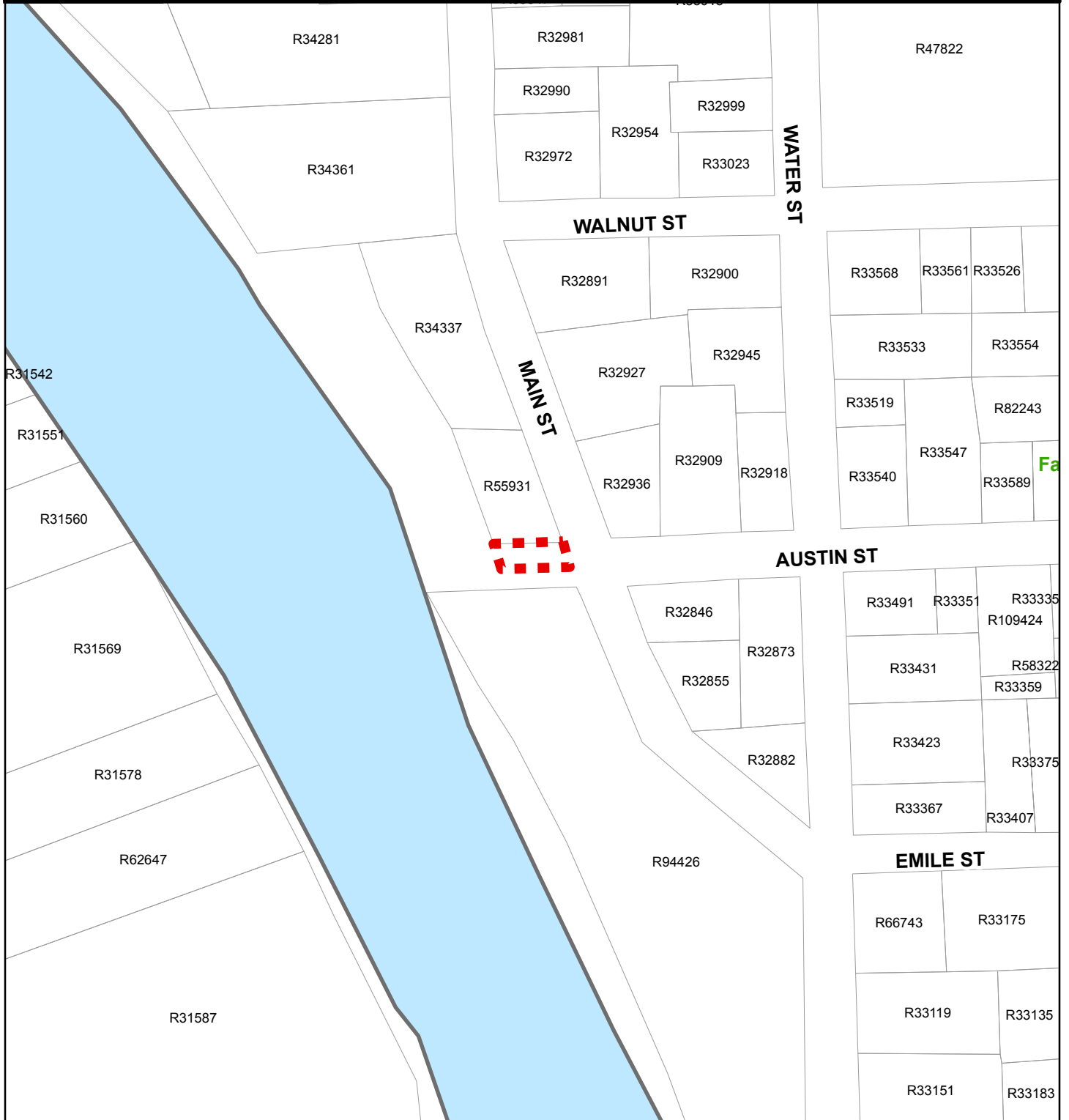
Terry Orr
Mayor

Teresa Valdez
City Secretary



Legend

 - Portion of Austin Street
right-of-way



STATE OF TEXAS
COUNTY OF BASTROP

AUSTIN STREET - WEST OF MAIN
CITY TO BASTROP HISTORICAL SOCIETY
2,784 SQUARE FEET

All that certain tract or parcel of land containing 2,784 square feet, being a part of an extension of Austin Street (See Iredell Maps - Volume G, Page 252 - Bastrop City Council Minutes) lying South of Building Block 17 WW and West of Main Street, and being across an unplatted portion of the City of Bastrop according to the Iredell Map recorded in Plat Cabinet 1, Slide 23A of the Bastrop County Plat Records, also being referred to as "Bastrop Commons" on a drawing recorded in Volume 541, Page 633 of the Deed Records of Bastrop County and mentioned in the Grant of the Town of Bastrop recorded in Volume 43, Page 587 of the Deed Records of Bastrop County, said 2,784 square foot tract being more particularly described by metes and bounds as follows:

Commencing at a 1/2" iron rod set in the West right-of-way line of Main Street (55.56' right-of-way) at it's intersection with the original North margin of Walnut Street for the Southeast corner of Building Block 16 WW, the Southeast corner of the Diane Long tract (Vol. 1950, Pg. 522 B.C.O.R. [Vol. 160, Pg. 86 - original]) and the Northeast corner of a Bastrop Historical Society tract (Vol. 136, Pg. 8 B.C.D.R.), said point having a coordinate value of North = 10,015,928.06 feet and East = 3,249,353.38 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN), from which a 3/8" iron rod found called for witness (Volume 1140, Page 60 B.C.O.R.) bears North 84 degrees 24 minutes 02 seconds East, 7.28 feet and a 5/8" iron rod found in the East right-of-way line of Main Street bears North 75 degrees 13 minutes 16 seconds East, 55.79 feet;

Thence South 17 degrees 53 minutes 09 seconds East, along the West line of Main Street and the East line of the Bastrop Historical Society tracts (Vol. 136, Pg. 8 and Vol. 134, Pg. 446 B.C.D.R.), at 198.82 feet passing 3.72 feet West of a crimped 1/2" iron pipe found called for witness (Volume 1140, Page 60 - B.C.O.R.), and continuing for a total distance of 244.13 feet to a 1/2" iron rod set for the Northeast corner of said extension of Austin Street, the Southeast corner of said original Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), the Southeast corner of Building Block 17 WW, the Northeast corner of the tract herein described and the **PLACE OF BEGINNING**, from which an "X" found chipped in concrete bears North 87 degrees 45 minutes 56 seconds East, 8.95 feet;

AUSTIN STREET - CITY TO BASTROP HISTORICAL SOCIETY
2,784 SQUARE FEET
PAGE 2 OF 3

Thence **South 25 degrees 11 minutes 56 seconds East, 35.30 feet** along the West margin of Main Street to a 1/2" iron rod set for the most Easterly Northeast corner of a 6,489 square foot portion of Austin Street also surveyed this date and the Southeast corner of the tract herein described;

Thence **South 87 degrees 45 minutes 56 seconds West**, departing said Main Street, at 46.11 feet passing a 1/2" iron rod set near the base of a retaining wall for witness, and continuing for a total distance of **88.00 feet** to a 1/2" iron rod set for an inside corner of said 6,489 square foot tract also surveyed this date and the Southwest corner of the tract herein described;

Thence **North 17 degrees 53 minutes 09 seconds West, 33.75 feet** to a point in the South line of Building Block 17 WW and the North line of Austin Street for the Southwest corner of said Bastrop Historical Society tract (Vol. 134, Pg. 446 B.C.D.R.), from which a 1/2" iron rod set for witness at the base of a retaining wall bears North 87 degrees 45 minutes 56 seconds East, 21.52 feet;

Thence **North 87 degrees 45 minutes 56 seconds East, 83.33 feet** along the South line of said Bastrop Historical Society tract and the North line of Austin Street to the **PLACE OF BEGINNING** and containing 2,784 square feet.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(HARN). Convergence = +01 degree 33 minutes 08 seconds. Combined factor = 0.9999897.

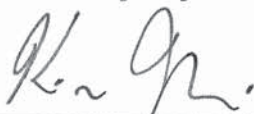
STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.

Consulting Engineering & Land Surveying



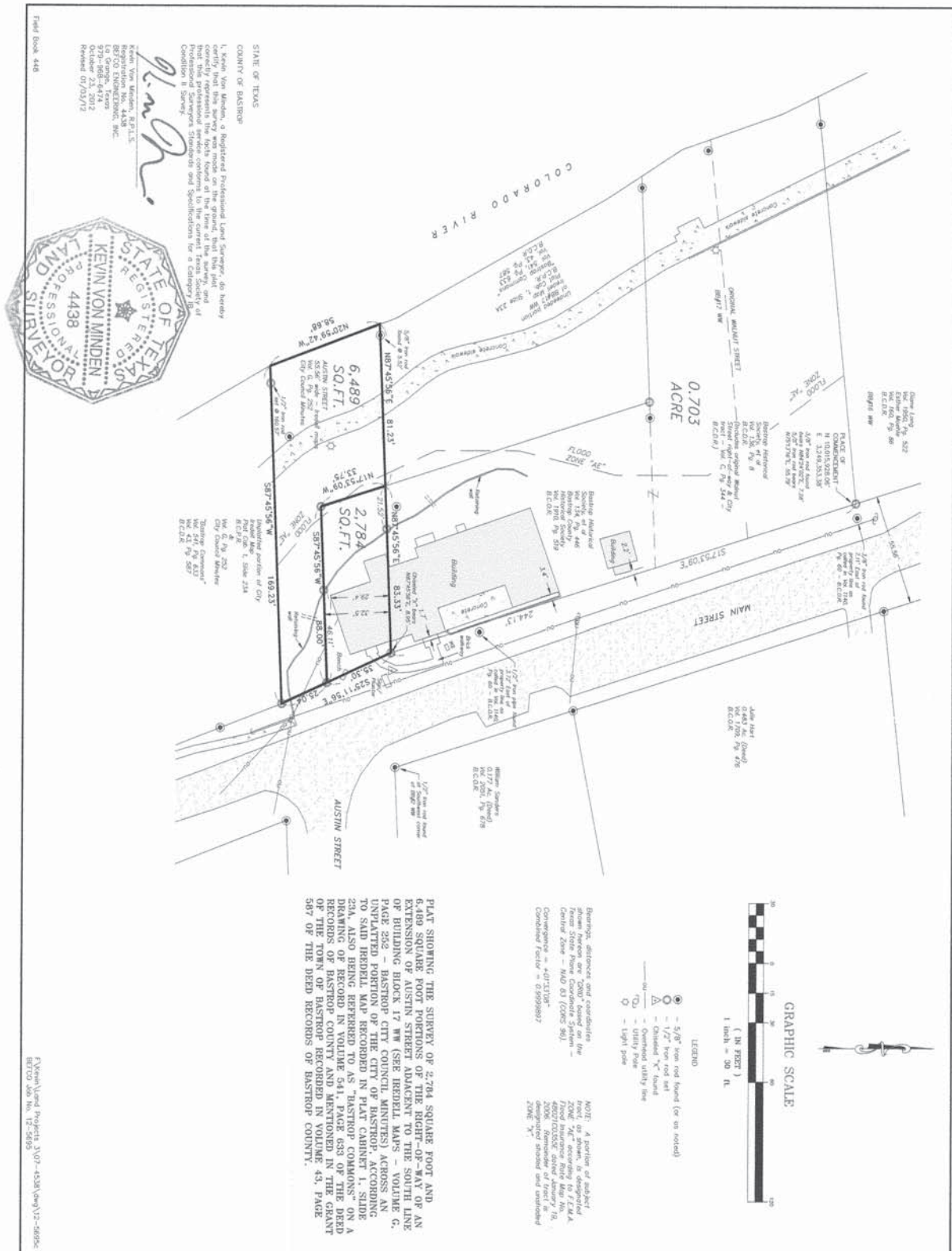
Kevin Von Minden, R.P.L.S.

Registration No. 4438

January 3, 2013

BEFCO Job No. 12-5695 (aust st tr





City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

March 12, 2013

Public Notice Description:

Public Hearing, consideration, discussion and possible action on a request for a zoning change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.

Item Summary:

Owner: DM Pecan Park Associates, LTD, Duke McDowell
Applicant: Lynn Alderson, Alderson Group
Location: Between Perkins Street and Childers Drive
Utilities: City water, sewer, and Bluebonnet electric
Zoning: AOS, Agriculture Open Space
Land Use Plan: Agricultural/Rural

Background/Request:

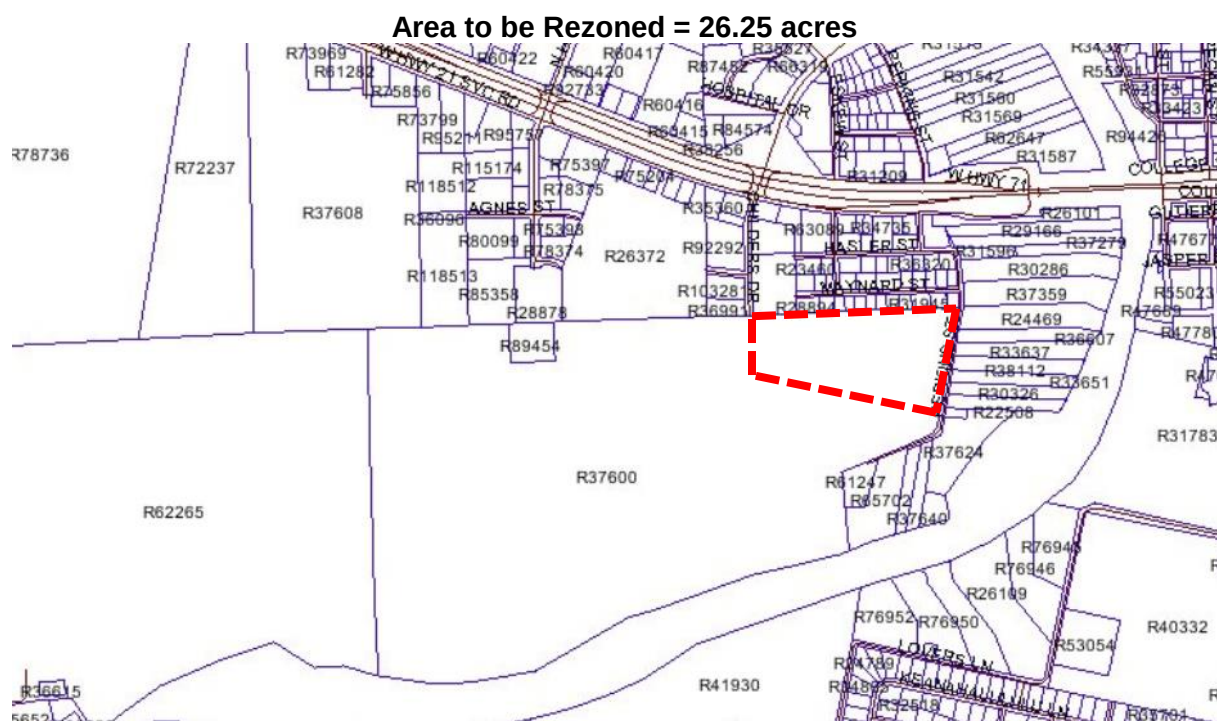
The 26.25 acres, located between Perkins Street and the east end of the terminus of Childers Drive. The property is currently vacant and is used agriculturally. The property is located adjacent to residentially zoned property. The tract currently has frontage on Perkins Street. Future access will be gained from the extension of Childers Drive, but is not currently constructed.

The Pecan Park Final Plat was approved by City Council in November 2005, but has never been recorded. The property owner is currently working with Staff to finalize a Concept Plan and Development Agreement for his entire property.

This property was previously part of a 37.54 acre rezoning request in September 2008 for MF-2 that was denied by City Council. The owners/applicants have come back with a proposed layout and design for a PD, Planned Development District. This PD would apply to Section 5 of the overall proposed Pecan Park Development. The owner would like to modify the current SF-7, Single Family Residential-7, Zoning district front and interior side yard setbacks. The remaining provisions of the zoning district would remain unchanged or exceed the minimums of SF-7.

The following chart depicts general lot size and zoning minimums for SF-7 and the proposed PD, Pecan Park district requirements.

District	Min. Lot Area	Min. Dwelling Unit Size	Min. Lot Width	Min. Lot Depth	Min. Front Yard	Min. Interi or Side Yard	Min. Side when two-story & adj. SF Zone	Min. Ext. Yard (See Sec.43.3)	Min. Rear Yard	Min. Rear when two-story & Adj. SF Zone	Max. Height of Build	Max. Lot Cover age by Build
SF-7	7,000 sq. ft.	1000 sq. ft.	60'	110'	25'	10'		15'	15'		2.5 stories	50%
PD	7,800 sq. ft.	1000 sq. ft.	65'	120'	20' - 25'	7.5'		15'	15'		2.5 stories	50%



Proposal:

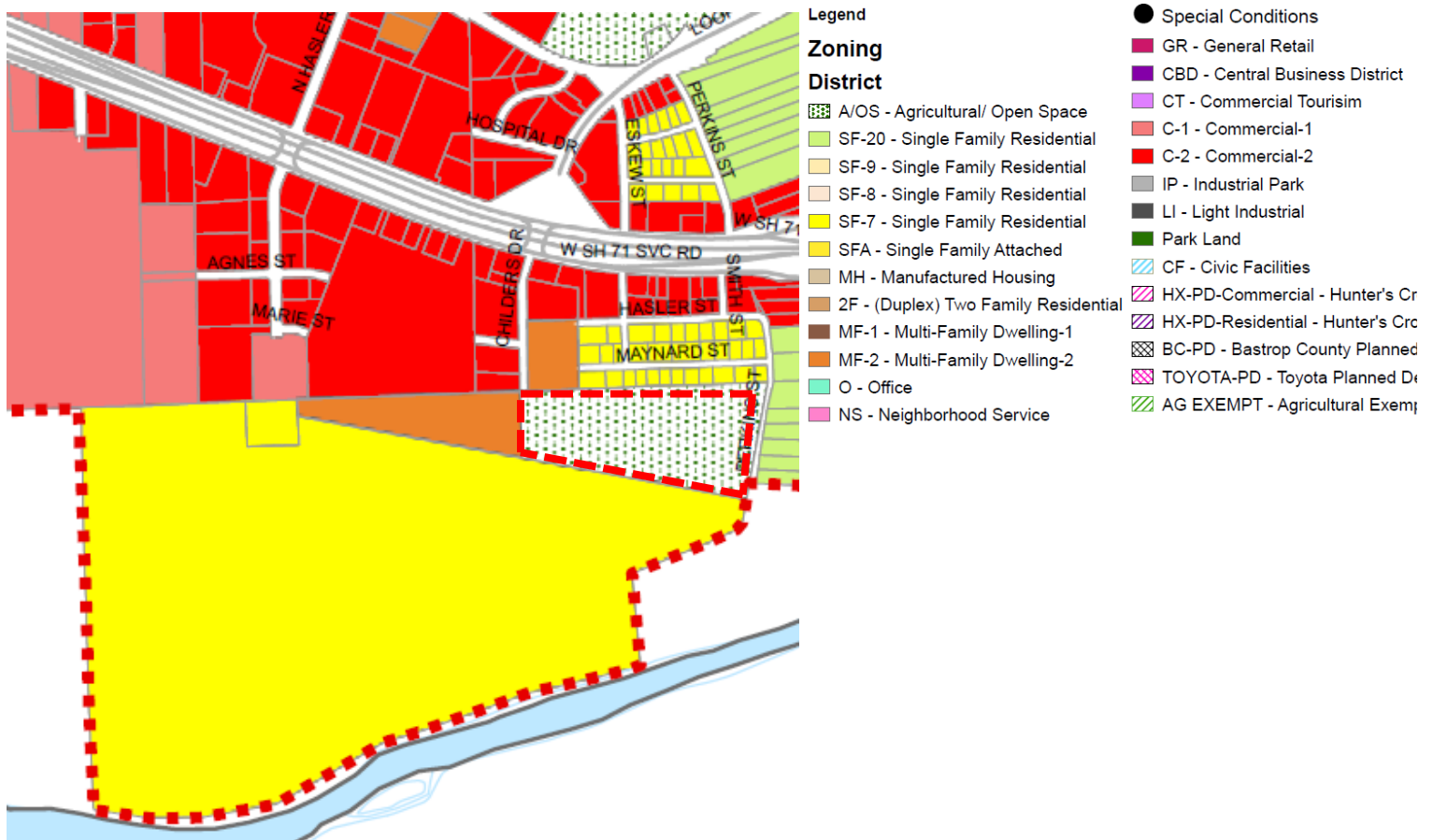
The owner/applicant is requesting a zoning change to PD, Planned Development District. With the proposed modified SF-7 district regulations, the owner has proposed to reduce/stagger some of the front setbacks for some lots to be 20 feet and others to be 25 feet and reduce the side yard setbacks to 7.5 feet instead of the 10 feet. See attached diagrams.

Staff is still working with the owner to finalize the Concept Plan and Development Agreement for the entire Pecan Park Development. This area will need to be platted. A proposed layout is attached.

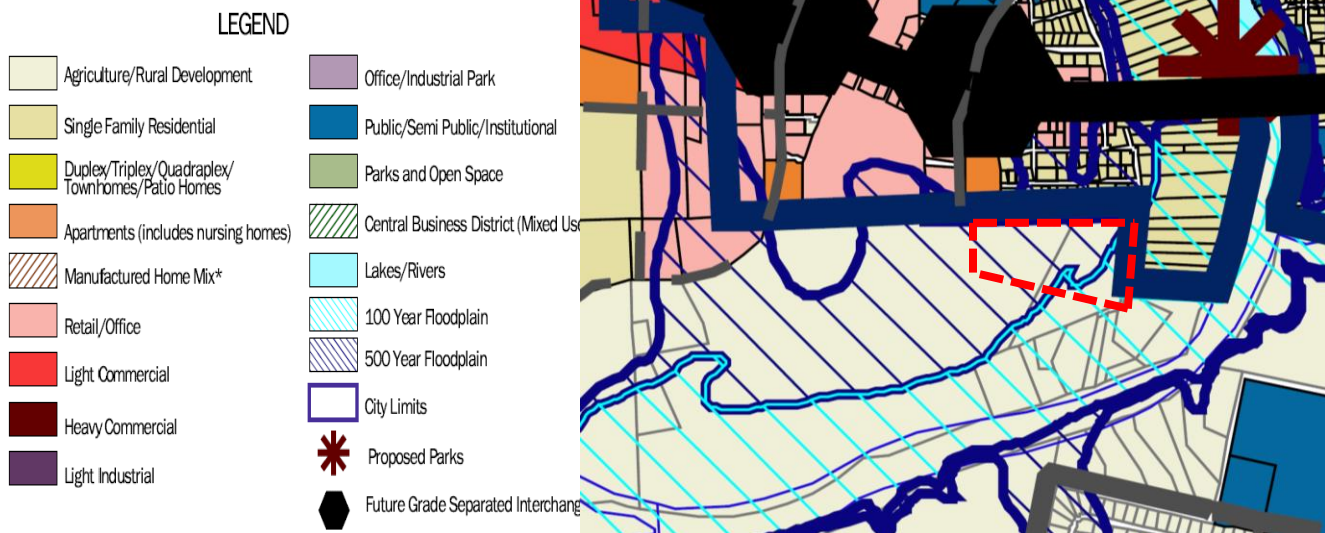
If this PD is approved these standards would be applied to the entire Section 5 of Pecan Park Subdivision. This would be similar to additional standards placed in Hunters Crossing Subdivision.

Surrounding Zoning and Land Uses:

Location	Zoning	Future Land Use Plan
North (Residential)	SF-7, Residential	Residential
South (Vacant, same owner)	SF-7, Residential	Agricultural/Rural
East (Residential)	SF-20, Residential	Residential
West (Vacant, same owner)	AOS, Agricultural Open Space (applying for MF-2)	Agricultural/Rural

Existing Zoning Map

Future Land Use Map



Comprehensive Plan Conformance:

The City's Comprehensive Plan, adopted by Bastrop City Council on May 8, 2001, serves as a guide for land use policy decisions to be made by the City. State law requires that zoning regulations are in conformance with the City's Comprehensive Plan. The Land Use chapter of the Comprehensive Plan

establishes land use policy priorities and goals for the City's future development. In establishing these policies, the Comprehensive Plan divides the community into various land use categories.

The Subject Tract is designated on the future Land Use Plan map as Agricultural/Rural Development.

Agriculture and Rural Development (Beige)

Cultivated cropland, orchards/vineyards, pasture and sparsely populated areas that are still distinct from more urbanized areas

Comments: Thirty-Eight (38) adjacent property owner notifications were mailed 2/14/13. Six (6) public comments have been received two (2) in favor of the request and four (4) in opposition. Primary opposition relates to the possible connection of an interior street to connect to Perkins Street. Connection of streets will be discussed and analyzed during the platting process. All responses received are attached.

Staff Basis of Approval:

Generally staff supports the idea of alternating front setbacks and reduced side setbacks. The fire department is supportive of the 15 feet (7.5 feet of side-yard setback) between structures. This Section 5 of Pecan Park is proposing to preserve open space and provide needed connection between Perkins and Childers Streets.

Staff Recommendation: Staff recommends the approval of the requested zoning change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.

Planning and Zoning Recommendation:

The Planning and Zoning Commission conducted their regular meeting February 28, 2013 and voted unanimously 8-0 to recommend approval of the requested zoning change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.

City Contact:

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

Attachments:

Letter from property owner request, detailed exhibits, and surrounding property owner responses.



February 5, 2013

Ms. Melissa McCollum, AICP, LEED AP
Director of Planning & Development
1311 Chestnut
Bastrop, Texas 78602

Re: River's Bend at Pecan Park, Section 5 – Zoning Request

Ms. McCollum,

We appreciate the opportunity to present this Section 5 of our proposed residential development in Pecan Park for the City's Zoning Approval. The residential areas of our development are currently being marketed as *River's Bend at Pecan Park*.

Section 5 is approximately 26.25 acres located southeast of the terminus of Childers Street and along the rear of the existing homes along Maynard Street and adjacent to Perkins Street. The property is currently zoned "A/OS- Agricultural/Open Space" and we are requesting the City's PD, Planned Development District Zoning for individually platted residential lots.

We appreciate that your ordinance recognizes innovation in design and flexibility that would facilitate an attractive development with park areas and trails and variable setback provisions. The use that we propose is for conventional single-family home development. We agree with your ordinance that variable setbacks enhance the look of the area and we hope to "stagger" building front setbacks to accomplish that goal. At minimum, there must be a front building setback change (between the allowed 20'-25') on every fourth lot. I have provided a Lot Standards exhibit which may help one to visualize that look; reflecting how 20-25' front setbacks might look. That same exhibit shows our intent to vary home elevation repetition to further insure the desired look of the development. All plans and exterior selections, home elevations and landscaping plans will need to be pre-approved by the Subdivision's Architectural Design Committee. A Property Owners Association will be established to further control the development and to help insure the overall look and maintenance of the area. As noted on the attached Conceptual Lotting Plan, 2.29 acres of Section 5 will be landscape/open space. There will also be trailheads leading to the Development's greenbelts and internal trail system.

Our proposed 65' width lots and 7.5' side setbacks will enable construction of 50' wide home product. Those factors will allow design flexibility for home interiors, home elevations and roof designs. We feel that flexibility with building front setbacks between 20'-25' will enhance the overall street appeal. Our Architectural Committee will control, dependent upon the unit type and elevations of the homes proposed to help insure the desired streetscape look for the development. Photographs and the Lot Standards exhibit are provided to help clarify what we have proposed. The "House Elevation Repetition" key provided will establish the minimum of what will be acceptable; however, the Developer and Architectural Control Committee will evaluate each house plan, elevation, masonry & color selection as they are presented for approval.



To better facilitate an understanding of our request, a conceptual plan for the entire residential development and a detailed site plan for Section 5 is provided. Section 5 is located outside of any flood prone area as on our property surveys and FEMA maps. Section 5 will consist of approximately 91 individual single-family platted lots, which may likely be developed in two phases. As requested by the City, our roadway connections have been designed to connect with Childers and Perkins Street. Internal streets will be constructed to current City roadway and street lighting requirements. City public water and wastewater will service the property with connection points adjacent to the Hampton Inn. The decision to extend gas lines to the area has not been finalized.

A summary of the development standards requested for Section 5 are provided as well as the standards for the City's "SF-7" zoning code as per your request.

Permitted Use:

Single Family detached dwelling "SF-7" Code; same

Minimum Dwelling

Unit Area: 1,200 square feet "SF-7" Code; 1,000 square feet

Maximum Height:

2 ½ stories for the main structure; "SF-7" Code; same
1-story for accessory buildings.
Overall height limitation -35'.

Parking –

A minimum of a two (2) enclosed "SF-7" Code; a minimum of two (2)
car garage within building covered spaces behind the front
setback lines building line on the same lot as the
main structure.

Size of Lots:

Minimum Lot Area – 7,800 square feet "SF-7" Code; 7,000 square
feet

Minimum Lot Width – 65 feet "SF-7" Code; 60 feet

Minimum Lot Depth – 120 feet "SF-7" Code; 110 feet

Size of Lots:

Minimum Front Yard –20 feet* "SF-7" Code; 25 feet

Minimum Interior Side Yard –7.5 feet "SF-7" Code; 10 feet

Minimum Exterior Side Yard –15 feet "SF-7" Code; 15 feet

Minimum Rear Yard –15 feet "SF-7" Code; 15 feet

* At minimum, there must be a front building
setback change (between the allowed 20'-25')
on every fourth lot. There will be some
flexibility as may be necessary for
cul-de-sac or corner lots.

Maximum Lot Coverage:

50% by main buildings and accessory "SF-7" Code; same
buildings, including swimming pool

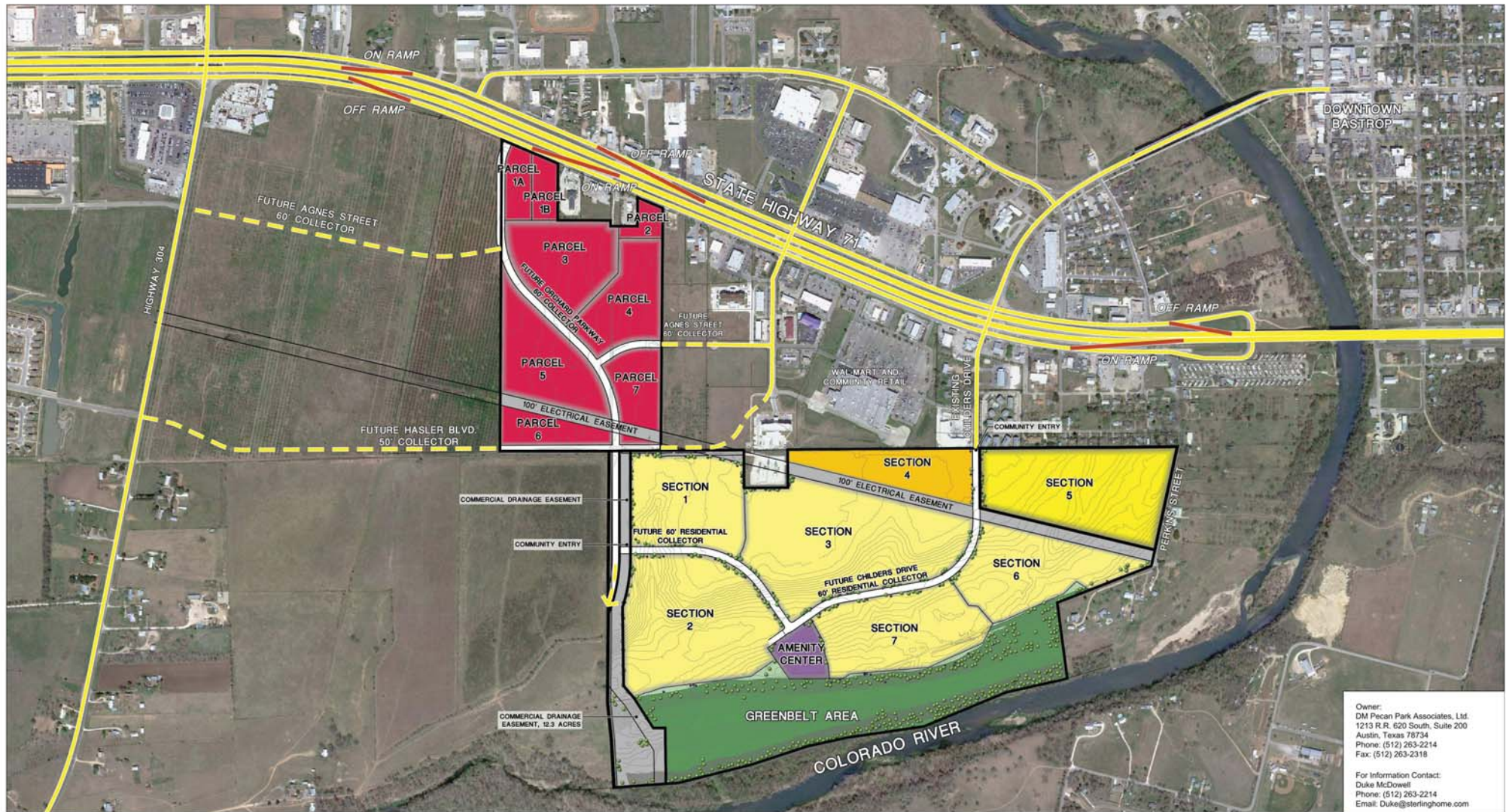
I sincerely appreciate your assistance with this zoning request. Please let me know if you have any questions or if there is any additional information that may be required. Once you have reviewed our exhibits, I would be glad to provide an electronic file for your use.

Thank you again,

Duke McDowell
Owner/Manager
duke@pecanparkbastrop.com
cell (512) 845-3552

Attachments

Zoning Application Fee
Zoning Application
Pecan Park Conceptual Plan
Section 5 Lotting Plan
Section 5 Lot Standards
Photographs (*for visual comparisons*)



SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS
(512) 246-7000 • (512) 246-7700
www.secplanning.com • info@secplanning.com

CONCEPTUAL PLAN

PECAN PARK
BASTROP, TEXAS



North

0 400 800 1600

Scale: 1" = 800'

Date: January 24, 2013

SHEET FILE: C:\090025-FIVE\Cadfiles\PLANNING\2013-01-17 Updates\City\Overall Concept Plan 2013-01-18.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



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SECTION 5 LOTTING PLAN

RIVER'S BEND at PECAN PARK

BASTROP, TEXAS



0 75 150 300

Scale: 1" = 150'

Date: January 24, 2013

SHEET FILE: M:\090025-FIVE\Cadfiles\PLANNING\2013-01-17 Update\CitySection 5 Exhibit 1 2013-02-08.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

Section 5 Lot Standards

Minimum Lot Size: 7,800 sq. ft.
Typical Lot Dimensions: 65' x 120'

Setbacks

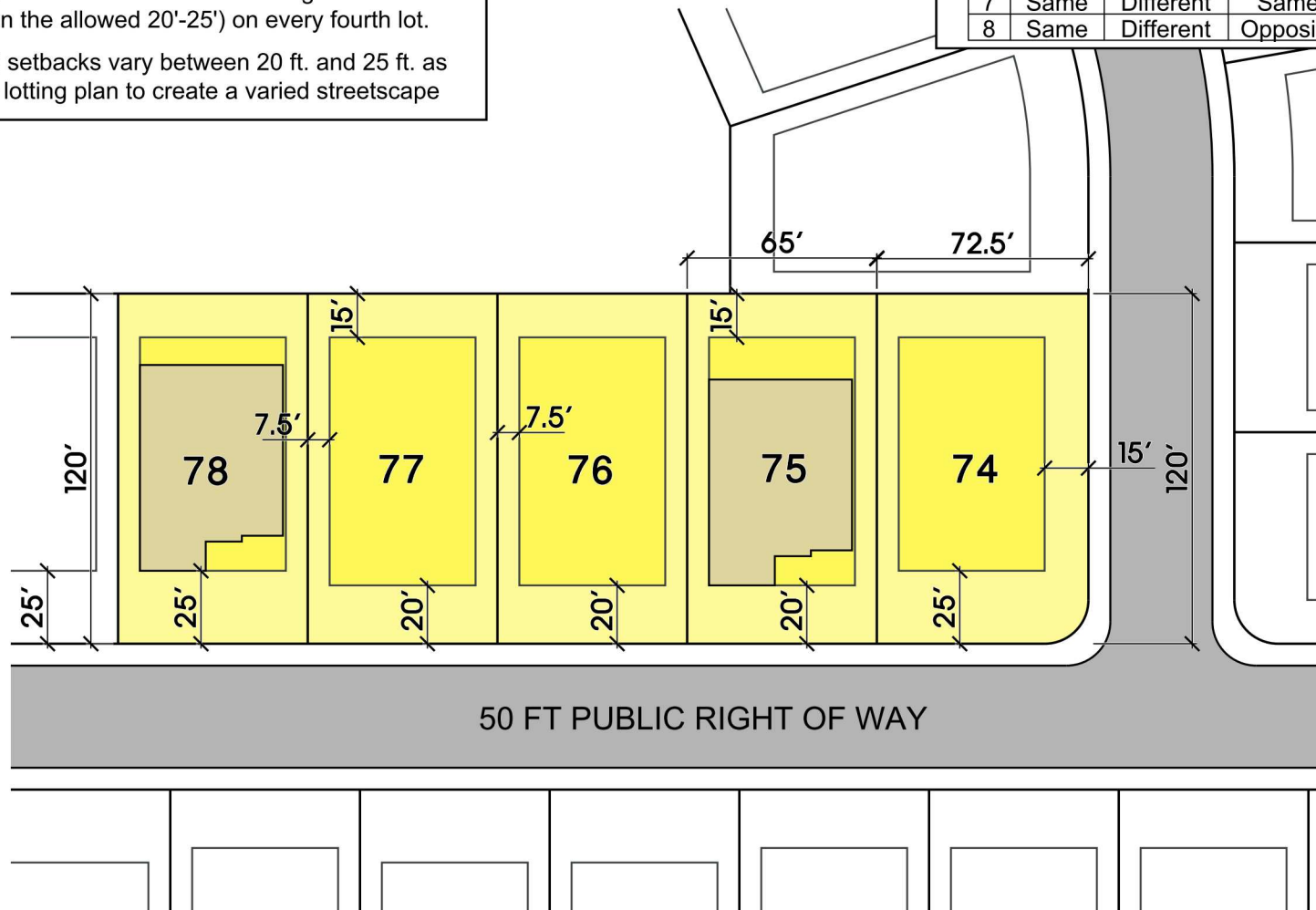
Front Yard: 20'/25' varied*
Rear Yard: 15'
Interior Side Yard: 7.5'
Corner Side Yard: 15'

* At a minimum, there must be a front building setback change (between the allowed 20'-25') on every fourth lot.

Note: Front yard setbacks vary between 20 ft. and 25 ft. as identified on the lotting plan to create a varied streetscape

House Elevation Repetition: 145

	House Plan	Elevation	Side of Street	Masonry Material & Color	Number of Lots Separation
1	Same	Same	Same	Same	2
2	Same	Same	Opposite	Same	2
3	Same	Same	Same	Different	2
4	Same	Same	Opposite	Different	2
5	Same	Different	Same	Same	2
6	Same	Different	Opposite	Same	2
7	Same	Different	Same	Different	2
8	Same	Different	Opposite	Different	2



0 30 60 120

Scale: 1" = 60'

Date: January 24, 2013



SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

t 512.246.7003 + f 512.246.7703

www.secplanning.com + info@secplanning.com

SECTION 5 LOT STANDARDS

RIVER'S BEND at PECAN PARK

BASTROP, TEXAS

SHEET FILE: M:\090025-FIVE\Caddies\PLANNING\2013-01-17 Updates\City\Section 5 Exhibit 2 Lot Standards 2013-02-08.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



50' Product



50' Product



50' Product



50' Product

RECEIVED
FEB 08 2013
ey



40' Product
10' Side Setbacks

3/8/2013

151

RECEIVED
FEB 08 2013
By



40' Product
10' Side Setbacks



40' Product

10' Side Setbacks



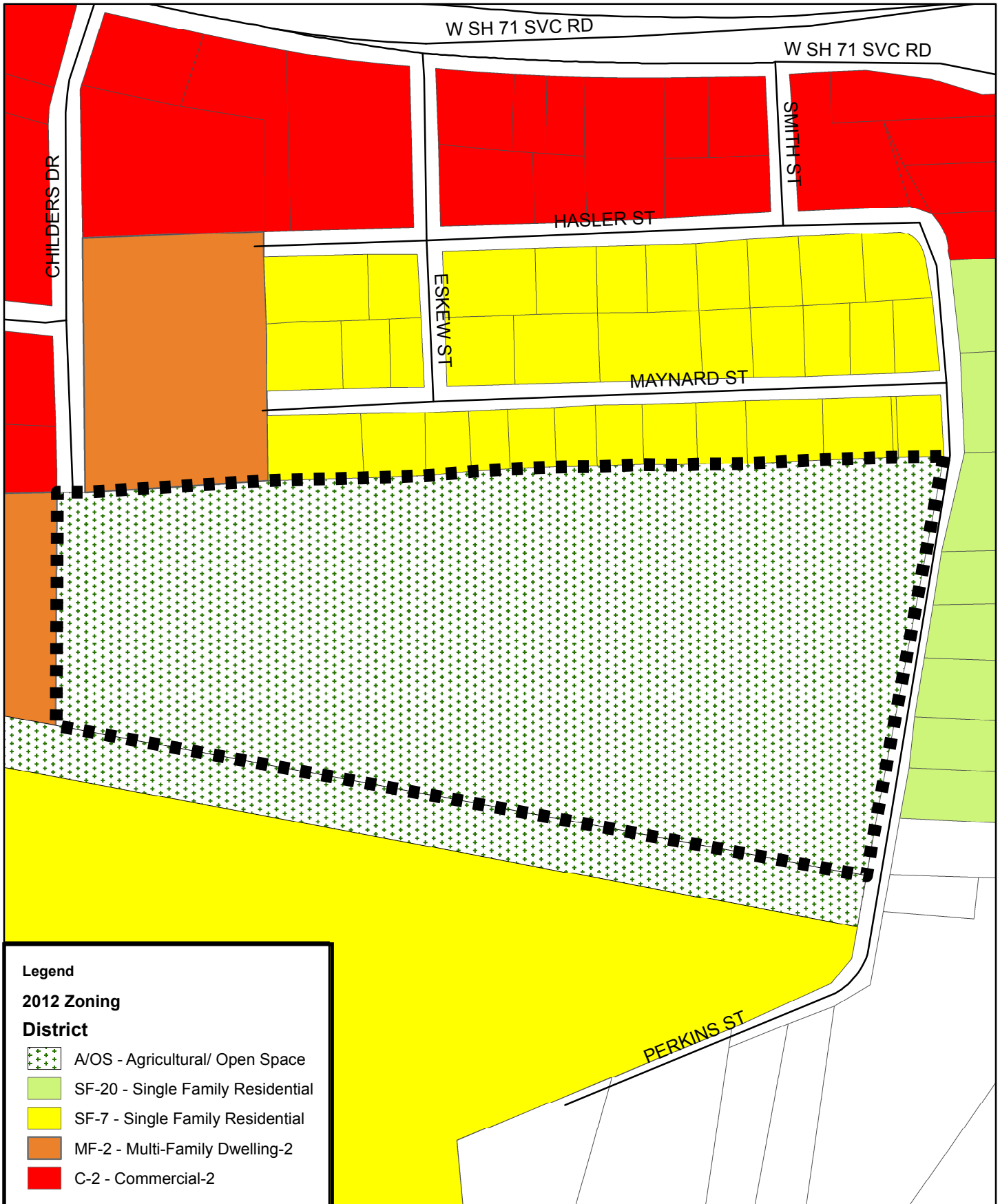
40' Product
10' Side Setbacks

Property Location Map

Zone Change from AOS to PD for +/-26.25 acres
to be located within Section 5 of Pecan Park

Legend 154

26.25 Acres



**PROPERTY OWNER'S RESPONSE**

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

☒ I am in favor to the request.

☐ I am opposed to the request.

Property Owner Name: Michele Tagliabue

Property Address: 503 Perkins

Phone (optional): _____

Mailing Address: 503 Perkins, Bastrop, Tx

Email (optional): _____

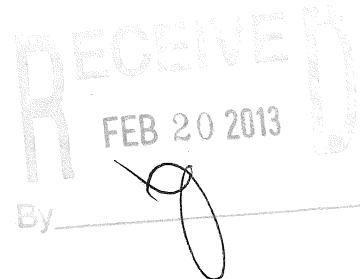
Property Owner's Signature: Michele Tagliabue

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.



NOTICE OF PUBLIC HEARINGS PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will conduct a public hearing **Thursday, February 28, 2013** at 6:00 p.m., and the **Bastrop City Council** will conduct a public hearing (first reading) at 6:15 p.m. on **Tuesday, March 12, 2013** and have a second reading (not a public hearing) on **Tuesday, March 26, 2013** at 6:15 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider a zone change from AOS, Agricultural Open Space to PD, Planned Development for approximately 26.25 acres out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the city limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision. **A site location map is included with this notice and letter of request for zoning.**

Applicant: DM Pecan Park Associates, LTD

The property being considered is described as follows:

Legal Description: +/-26.25 acres out of the Mozea Rousseau Survey, Abstract No. 56.

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department prior to the scheduled public hearings or call (512) 332-8840.

X
X

PROPERTY OWNER'S RESPONSE

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

- ☒ I am in favor to the request.
☐ I am opposed to the request.

Property Owner Name: David Shulder

Property Address: 113 W. Raymond

Mailing Address: 1727 Gorge St. Austin TX 78751

Phone (optional): 512-286-8552

Email (optional): _____

Property Owner's Signature: David Shulder
Comments: (Optional) _____

Please provide reply to: The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.

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FEB 15 2013
By [Signature]

3/8/2013

157

**NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

Dear Property Owner:

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X
X

PROPERTY OWNER'S RESPONSE

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

☐ I am in favor of the request.

☒ I am opposed to the request.

Property Owner Name: Donald & AnnaMarie Littrell

Property Address: 702 Perkins St, Bastrop

Mailing Address: 702 Perkins St, Bastrop

Phone (optional): _____

Email (optional): amlittrell@austin.rr.com

Property Owner's Signature: AnnaMarie Littrell

Comments: (Optional)

See attached

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.

1 of 2

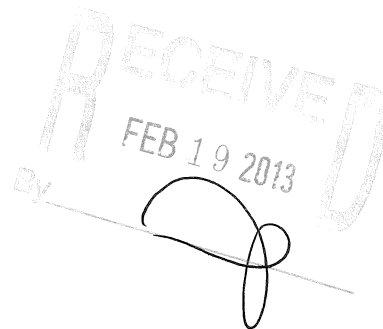
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FEB 19 2013
By [Signature]

We live directly across from the proposed development and are not opposed to the development in general. However, we are adamantly opposed to the entrance into the development on Perkins St. We moved from Florida in 2012 and purchased the home at 702 Perkins St because of the quietness and quaintness of the area; specifically the street. In our opinion, the developer can access the proposed area from another entrance.

Also, as discussed with City Planning staff on February 19th, we did not receive notice of the proposed zoning change. Please add our contact information to your mailing list for future correspondence.

Thanks!

Don & AnnaMarie Littrell
702 Perkins St
Bastrop, TX 78602



**NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

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Applicant: DM Pecan Park Associates, LTD

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✂
✂

PROPERTY OWNER'S RESPONSE

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

☐ I am in favor to the request.

☒ I am opposed to the request.

Property Owner Name: Robert Miller

Property Address: 120 MAYNARD ST

Phone (optional): _____

Mailing Address: 101 Hwy 71 West

Email (optional): _____

BASTROP TX 78602

Property Owner's Signature: Robert Miller

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.

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FEB 21 2013
By MM

-----X

X-----

PROPERTY OWNER'S RESPONSE

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

- ☐ I am in favor to the request.
☒ I am opposed to the request.

Property Owner Name: John Shirley
Property Address: 706 Perkins Bastrop, TX 78602 Phone (optional): _____
Mailing Address: PO Box 1965 Bastrop, TX 78612 Email (optional): _____

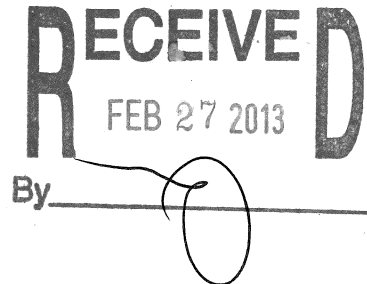
Property Owner's Signature: [Signature]
Comments: (Optional)

Perkins street is not wide enough for this type of traffic flow.
Putting an addnl 300 vehicles at Perkins/ 71 would create too
much congestion.

code compliance
issue??

Please provide reply to: The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.



**NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

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Applicant: DM Pecan Park Associates, LTD

The property being considered is described as follows:

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As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Responses and letters, either in support or opposition to this request, must be received at the Planning and Development Department prior to the scheduled public hearings or call (512) 332-8840.

X
X

PROPERTY OWNER'S RESPONSE

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

☐ I am in favor of the request.

☒ I am opposed to the request.

Property Owner Name: Becca Davis

Property Address: 708 Perkins

Mailing Address: Bastrop TX 78602

Phone (optional): _____

Email (optional): _____

Property Owner's Signature: Becca Davis

Comments: (Optional)

Please provide reply to:

The Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Zoning Change: AOS to PD, +/-26.25 acres, notices mailed out February 14, 2013.

RECEIVED
FEB 28 2013

By [Signature]

@ 5:35

3/8/2013

162

February 28, 2013

Bastrop Planning & Zoning Commission
1311 Chestnut Street,
P.O.Box 427
Bastrop, Texas 78602

Re: Recommended passing of Pecan Park zoning proposal – Section 5, with the **EXCEPTION** (removal) of the street entrance onto Perkins St.

Dear Commission,

The purpose of this letter is to request passing of Pecan's Parks zoning request with the exception of the street entrance onto Perkins St. Reasons for my opposition to the Perkins St. entrance, are as follows:

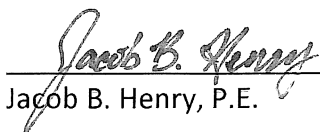
- Majority of existing landowners on Perkins St. approve of the zoning proposal, but object to the proposed street entrance onto Perkins St.
- Additional traffic on Perkins St. that was not originally intended, or designed for.
- Devaluing existing riverfront properties
- Increase access/potential of illegal access to the river (through our private Perkins St. properties)
- All traffic would have to "double-back" 180 degrees to access any part of Hwy 71
- **ALL** traffic entering and exiting the development would still have to go through the Childers/Hwy 71 intersection regardless
- **Safety** – Why increase the opportunity for more people to enter and exit from an uncontrolled (unsignalled) intersection?

With this recommendation, I would like offer the following alternative. I propose the entrance to Perkins St. be removed, and lots #43 and #44 to be converted to cul-de-sac lots. This alternative has the following benefits for both parties:

- Does not reduce the overall number of lots in the developers plan
- The modifications would actually create larger, and therefore more valuable lots for the developer
- Modifications can be made quickly before item goes to the City Council
- Satisfies the majority of existing landowners along Perkins St.

I sincerely appreciate your time in evaluating this alternative proposal.

Very Truly Yours,



Jacob B. Henry, P.E.

ncvd jeb
@ 6:15 pm 2/28/13

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas granting a zoning district change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56, located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision; establishing an effective date.**

2. Party Making Request: **DM Pecan Park Associates, LTD, Duke McDowell**

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 the approval of the requested zoning change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.**

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

The Planning and Zoning Commission conducted their regular meeting February 28, 2013 and voted unanimously 8-0 to recommend approval of the requested zoning change from AOS, 'Agricultural Open Space' to PD, 'Planned Development' for +/-26.25 acres, out of the Mozea Rousseau Survey, Abstract No. 56. The property is located south of Childers Drive within the corporate limits of Bastrop, Texas to be known as Section 5 of Pecan Park Subdivision.

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM AOS, AGRICULTURAL OPEN SPACE TO PD, PLANNED DEVELOPMENT FOR APPROXIMATELY 26.25 ACRES, COMMONLY KNOWN AS PECAN PARK SUBDIVISION, SECTION 5, IN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop has determined that it is in the best interest of the public to change the existing zoning designation of a .26.25 acre tract commonly known as Pecan Park Subdivision, Section 5, situated in the Mozea Rousseau Survey, Abstract 56, located south of Childers Drive described on a location map attached hereto as Exhibit “A” (the “Property; 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 February 28, 2013; and

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

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the zoning 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 March 12, 2013 to consider the City’s intent to establish a zoning designation of PD, Planned Development and to consider the Commission’s recommendation to zone all of the Property PD, Planned Development; and

WHEREAS, after consideration of public input received at the hearing, the information provided by the City of Bastrop Planning Department, and all other information presented, City Council finds that it is in the public interest to approve the zone of the Property, which is currently identified as AOS, Agricultural Open Space, to a new designation of PD, 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 south of Childers Drive commonly known Pecan Park Subdivision, Section 5, as more particularly shown and described on attached Exhibit “A”, shall be and is hereby rezoned from its prior designation of AOS, Agricultural Open Space to a new zoning designation of PD, Planned Development.

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

Part 3: Section 17, SF-7- Single Family Residential-7 District of 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. Interi or 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 Cover age by Build</u>
SF-7	7,000 sq. ft.	1000 sq. ft.	60'	110'	25'	10'		15'	15'		2.5 stories	50%
PD (Pecan Park)	7,800 sq. ft.	1000 sq. ft.	65'	120'	20' - 25'	7.5'		15'	15'		2.5 stories	50%

- To allow seven and a half (7.5') feet side setback where ten (10') feet is normally required, as shown in Exhibit “B”
- To allow a reduction of front yard setbacks from twenty-five (25') feet to twenty (20') feet for homes construction to be no more than three homes aligned in a row, as shown in Exhibit “B”

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 APPROVED on First Reading on the 13th day of March 2013.

READ and ADOPTED on the Second Reading on the ____day of March 2013.

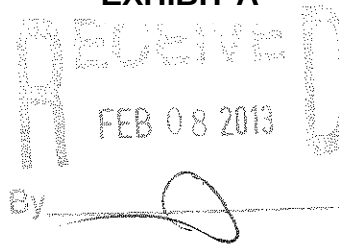
APPROVED:

ATTEST:

Terry Orr
Mayor

Teresa Valdez
City Secretary

STATE OF TEXAS
COUNTY OF BASTROP



26.25 ACRES – PARCEL H
MOZEA ROUSSEAU
SURVEY, A-56

DESCRIPTION

DESCRIPTION OF A 26.25 ACRE TRACT OF LAND OUT OF THE MOZEA ROUSSEAU SURVEY, A-56, BASTROP COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND CALLED TO BE 189.952 ACRES, CALLED TRACT A-1, AND A TRACT OF LAND CALLED TO BE 20.019 ACRES, CALLED TRACT B-1, BOTH 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 26.25 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/8 inch iron rod found in the westerly line of Perkins Street, at the southeast corner of a tract of land described in a deed to Edward M. and Generosa B. Lowden, of record in Volume 160, Page 148, of the Deed Records of Bastrop County, Texas, said iron rod being the northeast corner of said 20.019 acre tract, and the northeast corner of the herein described tract;

THENCE, S 10° 31' 45" W, with the westerly line of said Perkins Street, 903.75 feet to a point in the northerly line of a one hundred foot (100') wide Electric Easement of record in Volume C, Page 417, of the Court Minutes of Bastrop County, Texas, said point being the southeast corner of the herein described tract;

THENCE, N 78° 16' 36" W, across said 20.019 acre tract and said 189.952 acre tract, with the northerly line of said 100 foot wide Electric Easement, 1579.57 feet to a point for the southwest corner of the herein described tract;

THENCE, N 00° 53' 43" W, across said 189.952 acre tract, 501.05 feet to a point in the south line of Childers Drive, same being the north line of said 189.952 acre tract, for the northwest corner of the herein described tract;

THENCE, with the north line of said 189.952 acre tract, the following six (6) courses:

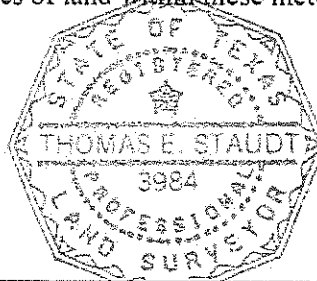
- 1) N 87° 30' 46" E, 25.13 feet to a 5/8 inch iron rod found at the southeast corner of said Childers Drive, same being the southwest corner of a tract of land called to be 4.097 acres, described in a deed to 202 Childers Lane, LLC, of record in Volume 2066, Page 142, of the Official Public Records of Bastrop County, Texas;
- 2) N 87° 47' 49" E, at 360.24 feet, passing a 1/2 inch iron rod found at the southeast corner of said 4.097 acre tract, same being the southwest corner of a tract of land called to be 0.512 acres, described in a deed to Olen R. and Mary Jo Jenkins, of record in Volume 275, Page 839, of the Deed Records of Bastrop County, Texas, at approximately 186 feet, passing the southeast corner of said Jenkins tract, same being the southwest corner of a tract of land described in a deed to Victor Juarez Jr., and Mary A. Juarez, of record in Volume 257, Page 737, of the Deed Records of Bastrop County, Texas, and continuing for a total distance of 677.22 feet to a 1/2 inch iron rod found at the southeast corner of said Juarez tract, same being the southwest corner of a tract of land described in a deed to John P. and Rosa Calhoun, of record in Volume 277, Page 769, of the Deed Records of Bastrop County, Texas;
- 3) N 88° 05' 27" E, at approximately 80 feet, passing the southeast corner of said Calhoun tract, same being the southwest corner of a tract of land described in a deed to Robert L.

Miller, of record in Volume 306, Page 593, of the Deed Records of Bastrop County, Texas, at approximately 160 feet, passing the southeast corner of said Miller tract same being the southwest corner of a tract of land called to be 0.26 acres, described in a Quit Claim deed to Theresia Brenner Roberts, of record in Volume 289, Page 550, of the Deed Records of Bastrop County, Texas, at approximately 254 feet, passing the southeast corner of said Roberts tract, same being the southwest corner of a tract of land called to be 0.26 acres, described in a deed to June M. Evans, of record in Volume 289, Page 535, of the Deed Records of Bastrop County, Texas, at approximately 349 feet, passing the southeast corner of said Evans tract, same being the southwest corner of a tract of land described in a deed to Terry and Kay Jackson, of record in Volume 346, Page 774, of the Deed Records of Bastrop County, Texas, at 428.71 feet, passing a 3/8 inch iron rod found at the southeast corner of said Jackson tract, same being the southwest corner of a tract of land called to be 0.304 acres, described in a deed to Patsy Mikeska, of record in Volume 1864, Page 541, of the Official Public Records of Bastrop County, Texas, and continuing for a total distance of 478.69 feet to a 1/2 inch iron rod found for the northeast corner of said 189.952 acre tract, same being the northwest corner of said 20.019a acre tract;

- 4) N 87° 21' 38" E, at approximately 60 feet, passing the southeast corner of said Mileska tract, same being the southwest corner of a tract of land described in a deed to Khalil Younes, of record in Volume 1628, Page 350, of the Official Public Records of Bastrop County, Texas, at 159.70 feet passing a 1/2 inch iron rod found at the southeast corner of said Younes tract, same being the southwest corner of a tract of land described in a deed to Ed Lowden, of record in Volume 164, Page 209, of the Deed Records of Bastrop County, Texas, for a total distance of 306.85 feet, to a 3/4 inch iron pipe found at the southwest corner of a tract of land called to be 0.3731 acres, described in a deed to David L. Potter, Jr., of record in Volume 1940, Page 189, of the Official Public Records of Bastrop County, Texas;
- 5) N 87° 39' 32" E, at approximately 136 feet, passing the southeast corner of said Potter tract, same being the southwest corner of a tract of land described in a deed to Edward M. and Generosa Lowden, of record in Volume 1935, Page 607, of the Official Public Records of Bastrop County, Texas, passing a 3/8 inch iron rod found at the southwest said Lowden tract (160/348), and continuing for a total distance of 233.04 feet to the POINT OF BEGINNING containing 26.25 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



Th E Staudt

Thomas E. Staudt

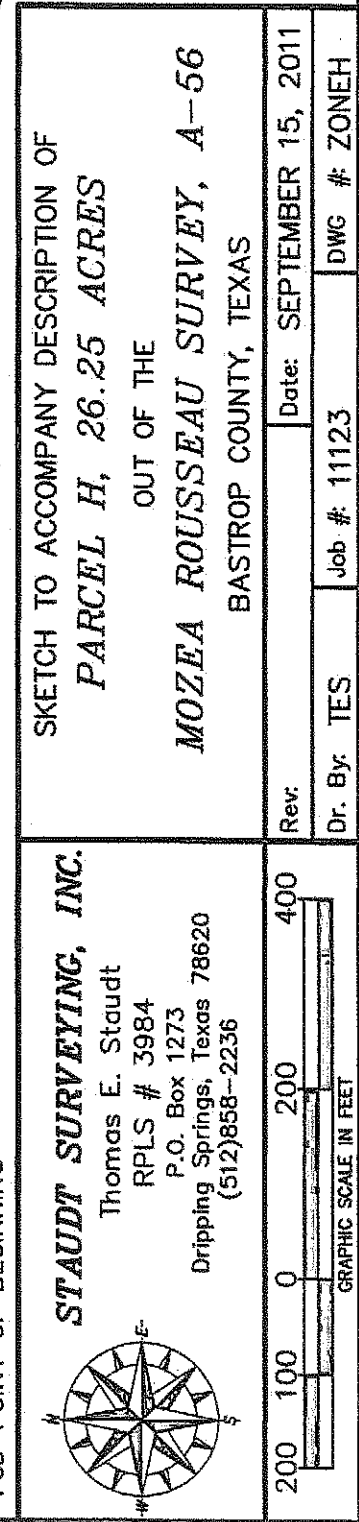
Registered Professional Land Surveyor No. 3984

9/15/11

Date

169

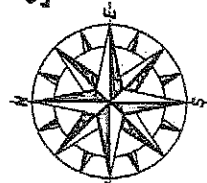
PERKINS STREET
S 10°31'45" W 1044.00'
903.75'



This sketch does not show improvements and all easements that affect this property. Robert

NORTH

① 1/2" IRON ROD FOUND--UNLESS NOTED
② IRON PIPE FOUND--SIZE NOTED
③ IRON ROD W/CAP FOUND--NOTED
POC POINT OF COMMENCING
POB POINT OF BEGINNING



Thomas E. Staudt
RPLS # 3984
P.O. Box 1273
Dripping Springs, Texas 78620
(512)858-2236

Section 5 Lot Standards

Minimum Lot Size: 7,800 sq. ft.
Typical Lot Dimensions: 65' x 120'

Setbacks

Front Yard: 20'/25' varied*
Rear Yard: 15'
Interior Side Yard: 7.5'
Corner Side Yard: 15'

* At a minimum, there must be a front building setback change (between the allowed 20'-25') on every fourth lot.

Note: Front yard setbacks vary between 20 ft. and 25 ft. as identified on the lotting plan to create a varied streetscape

House Elevation Repetition:

House Plan	Elevation	Side of Street	Masonry Material & Color	Number of Lots Separation
1 Same	Same	Same	Same	2
2 Same	Same	Opposite	Same	2
3 Same	Same	Same	Different	2
4 Same	Same	Opposite	Different	2
5 Same	Different	Same	Same	2
6 Same	Different	Opposite	Same	2
7 Same	Different	Same	Different	2
8 Same	Different	Opposite	Different	2

EXHIBIT B



3/8/2013



SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding
AUSTIN, TEXAS
t 512.246.7003 + f 512.246.7703
www.secpplanning.com + info@secpplanning.com

SECTION 5 LOT STANDARDS

RIVER'S BEND at PECAN PARK

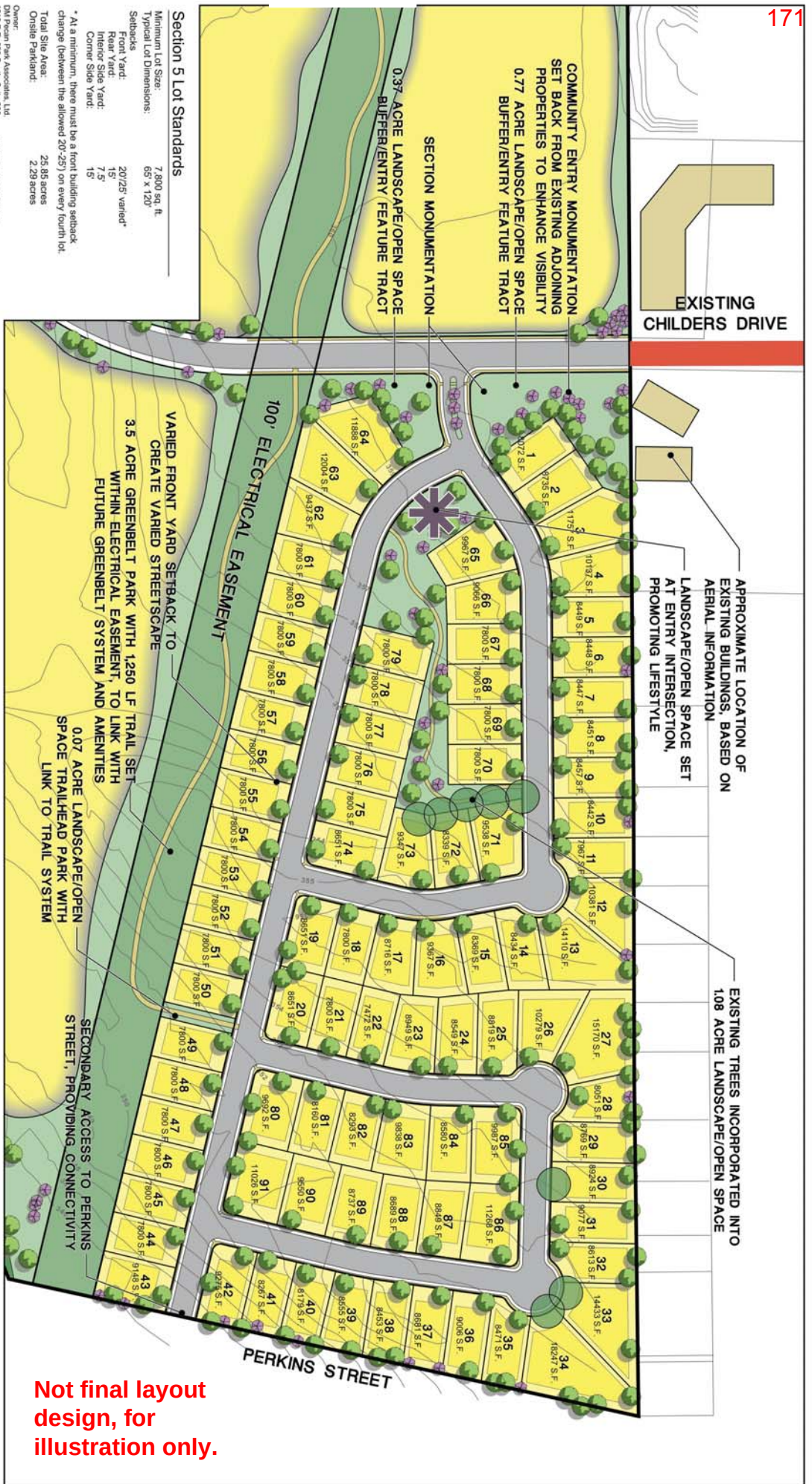
BASTROP, TEXAS

SHEET FILE: M:\000025-RIVER'S BEND\Drawings\Section 5 Exhibit B Lot Standards 2013-02-08.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



Date: January 24, 2013



Not final layout design, for illustration only.

Owner: **SEC Planning, LLC**
 1213 R.R. 400 South, Suite 200
 Austin, Texas 78734
 Phone: (512) 265-2214
 Fax: (512) 265-2318
 Email: Data@secplanning.com

For Information Contact:
 Data McDowell
 Phone: (512) 265-2214
 Email: Data@secplanning.com

SEC Planning, LLC
 Land Planning + Landscape Architecture + Community Branding
 ALSTIN, TEXAS
 11112Avenue + 11112Avenue
 www.secplanning.com + website@secplanning.com

SECTION 5 LOTTING PLAN
 RIVER'S BEND at PECAN PARK
 BASTROP, TEXAS

SHEET FILE: M:\090205-FIVE-CAD\PLAN\ANN2013\6-17 Update\City\Section 5 Exhibit 1 20131010.dwg
 Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 5, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop Texas, amending the budget for the Fiscal Year 2013 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior Ordinances and actions in conflict herewith; and providing for an effective date.**

2. Party Making Request: **Karla Stovall, Chief Financial Officer**

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

4. Policy Implication:

These budget amendments increase the budget appropriations for Fiscal Year 2013. See attached memo.

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 Budget Amendments**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2013 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2013; and,

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

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

That the proposed budget amendments for the fiscal year 2013, as submitted to the City Council by the City Manager and which budget amendments are attached hereto as Exhibit "A" is hereby adopted and approved as the amended budget of said city for Fiscal Year 2013; and

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

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

READ and APPROVED on First Reading on the 12th day of March 2013.

READ and ADOPTED on Second Reading on the _____ day of March 2013.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

**City of Bastrop
Memorandum**

TO: Mayor & City Council Members

FROM: Karla Stovall, Chief Financial Officer

SUBJECT: Ordinance Amending FY 2013 Budget

DATE: March 5, 2013

Recommendation:

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

Background:

The city charter requires that when the budget is amended that the amendment be by ordinance. The budget amendments include an increase to the budget appropriations for Fiscal Year 2013. Funds included in these amendments include: General Fund, Designated Fund, Water Wastewater Fund, Bastrop Power and Light Fund, Hotel Motel Fund, Main Street Fund, Library Board Fund, and Grant Fund.

- General Fund includes:
 - Donations from the Chamber of Commerce for Trail of Lights
 - Donations for City Christmas party
 - Insurance reimbursement for Public Works Department
 - Offset Public Works maintenance expenses with proceeds from auction.
 - Reclassify Salary Adjustment Plan expense to each department as approved during the FY 2013 budget process.
- Designated Fund includes:
 - Library revenue and expenses associated with grant funding.
 - Appropriation of available funds designated for specific use.
- Debt Service Fund
 - Establish debt service budget for Governmental funds.
- W- WW Impact Fund
 - Water Impact professional expenses at Bob Bryant.
- Sanitation Fund
 - Revenue and expenditures attributed to sanitation.
- Bastrop Power and Light Fund
 - Community Support Funding for MLK committee for MLK day in Bastrop.
- Hotel Motel Funds
 - Income and expenditures for F1 buses
 - Budget funding for Art In Public Places
- Main Street Fund
 - Carry forward funds from FY2012 for payment of Way-finding sign project.

Carry forward funds from FY2012 for payment of benches.

- Library Board Fund
Increase funding to purchase flags. Library Board approved.
- Grant Fund
Revenues and expenditures associated with City grant funds.

3/8/2013

FY 2013
BUDGET AMENDMENTS
GENERAL FUND

176

Fund Balance as of 9-30-12	2,865,894
FY 2013 Budgeted Revenues	8,331,528
FY 2013 Budgeted Appropriations	(8,510,595)
2/2013 Budget Amendments (net)	0
Ending Fund Balance	<u>2,686,827</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Public Works	Neutral	2,000	Donations received for Trail of Lights	101-00-00-4509
Human Resources	Neutral	944.50	Donations received for Christmas Party	101-00-00-4509
Public Works	Neutral	408	Insurance reimbursement	101-00-00-4537
Public Works	Neutral	6,870	Sale of Fixed Assets	101-00-00-4512
	Total Revenues	10,222.5		
Matching Expenditures to Revenues:				
Public Works	Neutral	(2,000)	Donations received for Trail of Lights	101-18-19-5371
Human Resources	Neutral	(944.50)	Donations received for Christmas Party	101-06-00-5653
Public Works	Neutral	(408)	Insurance reimbursement	101-18-10-5376
Public Works	Neutral	(6,870)	Maintenance Budget	101-18-10-5320
Reclassification of Expenditures:				
General Organizational	Neutral	148,010	Salary Adjustment Plan	101-02-00-5901
City Manager Department	Neutral	(2,459)	City Manager - Salaries	101-03-00-5101
City Manager Department	Neutral	(188)	City Manager- Social Security	101-03-00-5150
City Manager Department	Neutral	(234)	City Manager - Retirement	101-03-00-5151
City Manager Department	Neutral	(11)	City Manager - Workers Comp	101-03-00-5156
City Secretary Department	Neutral	(2,205)	City Secretary - Salaries	101-04-00-5101
City Secretary Department	Neutral	(169)	City Secretary - Social Security	101-04-00-5150
City Secretary Department	Neutral	(209)	City Secretary - Retirement	101-04-00-5151
City Secretary Department	Neutral	(10)	City Secretary - Workers Comp	101-04-00-5156
Finance Department	Neutral	(10,889)	Finance - Salaries	101-05-00-5101
Finance Department	Neutral	(837)	Finance - Social Security	101-05-00-5150
Finance Department	Neutral	(1,052)	Finance - Retirement	101-05-00-5151
Finance Department	Neutral	(337)	Finance - Workers Comp	101-05-00-5156
Finance Department	Neutral	(6,694)	Finance, Meter Services - Salaries	101-05-15-5101
Finance Department	Neutral	(512)	Finance, Meter Services, Social Security	101-05-15-5150
Finance Department	Neutral	(636)	Finance, Meter Services - Retirement	101-05-15-5151
Finance Department	Neutral	(173)	Finance, Meter Services, Workers comp	101-05-15-5156
Human Resources Department	Neutral	(2,715)	Human Resources - Salaries	101-06-00-5101
Human Resources Department	Neutral	(207)	Human Resources - Social Security	101-06-00-5150
Human Resources Department	Neutral	(255)	Human Resources - Retirement	101-06-00-5151
Human Resources Department	Neutral	(12)	Human Resource - Workers Comp	101-06-00-5156
IT DEPARTMENT	Neutral	(2,901)	IT - Salaries	101-07-00-5101
IT DEPARTMENT	Neutral	(190)	IT - Longevity	101-07-00-5116
IT DEPARTMENT	Neutral	(237)	IT - Social Security	101-07-00-5150
IT DEPARTMENT	Neutral	(294)	IT - Retirement	101-07-00-5151
IT DEPARTMENT	Neutral	(14)	IT - Workers Comp	101-07-00-5156
Police Department	Neutral	(8,792)	Police, Adm. - Salaries	101-09-10-5101
Police Department	Neutral	(673)	Police, Adm. - Social Security	101-09-10-5150
Police Department	Neutral	(836)	Police, Adm. - Retirement	101-09-10-5151
Police Department	Neutral	(273)	Police, Adm. - Workers Comp	101-09-10-5156
Police Department	Neutral	(1,012)	Police, Code Enf. - Salaries	101-09-12-5101
Police Department	Neutral	(77)	Police, Code Enf. - Social Security	101-09-12-5150
Police Department	Neutral	(96)	Police, Code Enf. - Retirement	101-09-12-5151
Police Department	Neutral	(5)	Police, Code Enf. - Workers Comp.	101-09-12-5156
Police Department	Neutral	(6,812)	Police, CID - Salaries	101-09-21-5101
Police Department	Neutral	(521)	Police, CID - Social Security	101-09-21-5150
Police Department	Neutral	(648)	Police, CID - Retirement	101-09-21-5151
Police Department	Neutral	(292)	Police, CID - wc	101-09-21-5156
Police Department	Neutral	(24,314)	Police, Patrol - Salaries	101-09-22-5101
Police Department	Neutral	(1,860)	Police, Patrol - Social Security	101-09-22-5150

3/8/2013

FY 2013
BUDGET AMENDMENTS
GENERAL FUND

177

Police Department	Neutral	(2,310)	Police, Patrol - Retirement	101-09-22-5151
Police Department	Neutral	(1,042)	Police, Patrol - Workers Comp	101-09-22-5156
Police Department	Neutral	(1,037)	Police, Animal Services - Salaries	101-09-25-5101
Police Department	Neutral	(79)	Police, Animal Services - Social Security	101-09-25-5150
Police Department	Neutral	(99)	Police, Animal Services - Retirement	101-09-25-5151
Police Department	Neutral	(42)	Police, Animal Services - Workers Comp	101-09-25-5156
Municipal Court Department	Neutral	(6,237)	Court - Salaries	101-12-00-5101
Municipal Court Department	Neutral	(478)	Court - Social Security	101-12-00-5150
Municipal Court Department	Neutral	(567)	Court - Retirement	101-12-00-5151
Municipal Court Department	Neutral	(28)	Court - Workers Comp	101-12-00-5156
Planning Department	Neutral	(7,450)	Planning - Salaries	101-15-00-5101
Planning Department	Neutral	(569)	Planning - Social Security	101-15-00-5150
Planning Department	Neutral	(707)	Planning - Retirement	101-15-00-5151
Planning Department	Neutral	(44)	Planning - wc	101-15-00-5156
Public Works Department	Neutral	(1,255)	Public Works - Workers Comp.	101-18-10-5156
Public Works Department	Neutral	(12,812)	Public Works - Salaries	101-18-10-5101
Public Works Department	Neutral	(127)	Public Works - Longevity	101-18-10-5116
Public Works Department	Neutral	(980)	Public Works - Social Security	101-18-10-5155
Public Works Department	Neutral	(1,217)	Public Works- Retirement	101-18-10-5151
Public Works Department	Neutral	(11,003)	Parks - Salaries	101-18-19-5101
Public Works Department	Neutral	(112)	Parks - Longevity	101-18-19-5116
Public Works Department	Neutral	(842)	Parks - Social Security	101-18-19-5150
Public Works Department	Neutral	(1,037)	Parks - Retirement	101-18-19-5151
Public Works Department	Neutral	(455)	Parks - workers comp	101-18-19-5155
Public Works Department	Neutral	(2,721)	Custodian - Salaries	101-18-20-5100
Public Works Department	Neutral	(208)	Custodian - Social Security	101-18-20-5150
Public Works Department	Neutral	(258)	Custodial - Retirement	101-18-20-5151
Public Works Department	Neutral	(139)	Custodian - Workers Comp	101-18-20-5156
Library Department	Neutral	(12,392)	Library - Salaries	101-21-00-5101
Library Department	Neutral	(945)	Library - Social Security	101-21-00-5150
Library Department	Neutral	(1,112)	Library - Retirement	101-21-00-5151
Library Department	Neutral	(55)	Library - Workers Comp	101-21-00-5156

Total Expenditures	(10,222.5)
Net Change	0

3/8/2013

FY 2013
BUDGET AMENDMENTS
DESIGNATED FUND

178

Fund Balance as of 9-30-12	269,722
FY 2013 Budgeted Revenues	812,018
FY 2013 Budgeted Appropriations	(673,360)
2/2013 Budget Amendments (net)	(83,417)
Ending Fund Balance	<u>324,963</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Library Department	Neutral	5,000	Library Grant's received as of 1/31/2013	102-00-00-4501
Total Revenues		<u>5,000</u>		

Matching Expenditures to Revenues:

Library Department	Neutral	(5,000)	Library Grant	102-00-00-5242
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New Expenditures:

Municipal Court	Increase	(8,098)	Technology Funds	102-00-00-5668
Police Department	Increase	(2,992)	PD LEOSE Expense	102-00-00-5645
Municipal Court	Increase	(48,427)	Building Security	102-00-00-6010
Municipal Court	Increase	(7,845)	Administrative Justice	102-00-00-5666
Police Department	Increase	(4,776)	PD Special Expense	102-00-00-5667
Police Department	Increase	(9,209)	Law Enforcement Expense	102-00-00-5672
Parks Department	Increase	(1,526)	Park Donations	102-00-00-5504
Library Department	Increase	(543)	Library Grant	102-00-00-5242

Total Expense (88,417)

Net Change (83,417)

3/8/2013

FY 2013
BUDGET AMENDMENTS
DEBT SERVICE FUND

179

Fund Balance as of 9-30-12	731,793
FY 2013 Budgeted Revenues	1,596,057
FY 2013 Budgeted Appropriations	(1,665,587)

2/2013 Budget Amendments (net)	0
Ending Fund Balance	<u>662,263</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Transfer in	Neutral	548,360	Transfer in - Offset	120-00-00-4734
Transfer in	Neutral	115,556	Transfer in - Offset	120-00-00-4735
	Total Revenues	<u>663,916</u>		

Matching Expenditures to Revenues:

Debt Service	neutral	(88,035)	CO Series 2008A, Principle	120-00-00-7127
Debt Service	neutral	(101,924)	CO Series 2008A, Interest	120-00-00-7128
Debt Service	neutral	(190,740)	CO Series 2010, Principle	120-00-00-7137
Debt Service	neutral	(190,195)	CO Series 2010, Interest	120-00-00-7138
Debt Service	neutral	(50,000)	CO Series 2008, Principle	120-00-00-7501
Debt Service	neutral	(41,022)	CO Series 2008, Interest	120-00-00-7502
Debt Service	neutral	(2,000)	Fiscal Agent Fees	120-00-00-7999
	Total Expense	<u>(663,916)</u>		
	Net Change	0		

3/8/2013

FY 2013
BUDGET AMENDMENTS
WATER WASTEWATER IMPACT FUND

180

Water Impact

Fund Balance as of 9-30-12	322,852
FY 2013 Budgeted Revenues	25,000
FY 2013 Budgeted Appropriations	(10,000)
2/2013 Budget Amendments (net)	(10,000)
Ending Fund Balance	<u>327,852</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
	Neutral			
	Total Revenues	<u>0</u>		
Matching Expenditures to Revenues:				
	Neutral	(10,000)	Water Impact Professional Fees	202-35-10-5501
	Total Expenditures	<u>(10,000)</u>		
	Net Change	(10,000)		

3/8/2013

FY 2013
BUDGET AMENDMENTS
SANITATION FUND

181

Fund Balance as of 9-30-12	0
FY 2013 Budgeted Revenues	0
FY 2013 Budgeted Appropriations	0
2/2013 Budget Amendments (net)	<u>0</u>
Ending Fund Balance	<u>0</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
	Neutral	435,000	Move Sanitation from GF to Proprietary Fund	310-00-00-4505
	Total Revenues	<u>435,000</u>		
Matching Expenditures to Revenues:				
	Neutral	(435,000)	Move Sanitation from GF to Proprietary Fund	310-00-0-5501
	Total Expenditures	<u>(435,000)</u>		
	Net Change	0		

3/8/2013

FY 2013
BUDGET AMENDMENTS
BASTROP POWER & LIGHT FUND

182

Fund Balance as of 9-30-12	4,189,227
FY 2013 Budgeted Revenues	7,148,000
FY 2013 Budgeted Appropriations	(7,049,488)
2/2013 Budget Amendments (net)	(2,054)
Ending Fund Balance	<u>4,285,685</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Total Revenues	<u>0</u>
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New Expenditures:

Bastrop Power & Light Fund	Increase	(2,054)	Community Support for MLK Committee	404-60-00-5690
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Total Expenditures	<u>(2,054)</u>
Net Change	(2,054)

3/8/2013

FY 2013
BUDGET AMENDMENTS
HOTEL/MOTEL TAX FUND

183

Fund Balance as of 9-30-12	2,029,631
FY 2013 Budgeted Revenues	2,315,000
FY 2013 Budgeted Appropriations	(2,315,000)
2/2013 Budget Amendments (net)	(72,734)
Ending Fund Balance	<u>1,956,897</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
New Revenues:				
	Increase	5,232	Miscellaneous Income, F1	
	Total Revenues	<u>5,232</u>		

New Expenditures:

	(27,966)	F1 Expense approved by Council	501-80-00-5505
	(50,000)	Art in Public Places approved by Council	501-80-00-5541
Total Expense	<u>(77,966)</u>		
Net Change	(72,734)		

3/8/2013

FY 2013
BUDGET AMENDMENTS
MAIN STREET FUND

184

Fund Balance as of 9-30-12	123,633
FY 2013 Budgeted Revenues	125,800
FY 2013 Budgeted Appropriations	(142,680)
2/2013 Budget Amendments (net)	(64,425)
Ending Fund Balance	<u>42,328</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
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Total Revenues	<u>0</u>
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New Expenditures:

(54,100)	Final Wayfinding Sign Project	503-00-00-5601
(10,325)	Benches - Donations rec'd FY12	503-00-00-5206

Total Expense	<u>(64,425)</u>
Net Change	(64,425)

3/8/2013

FY 2013
BUDGET AMENDMENTS
LIBRARY BOARD FUND

185

Fund Balance as of 9-30-12	6,662
FY 2013 Budgeted Revenues	2,540
FY 2013 Budgeted Appropriations	(5,150)
2/2013 Budget Amendments (net)	(453)
Ending Fund Balance	<u>3,599</u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
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Total Revenues	<u>0</u>
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New Expenditures:

(453)	Purchase Flags. Board approved	505-81-00-5201
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Total Expense	<u>(453)</u>
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Net Change	<u>(453)</u>
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3/8/2013

FY 2013
BUDGET AMENDMENTS
GRANT FUND

186

Fund Balance as of 9-30-12	38,697
FY 2013 Budgeted Revenues	0
FY 2013 Budgeted Appropriations	0
2/2013 Budget Amendments (net)	<u>(38,697)</u>
Ending Fund Balance	<u>0</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Library Department	Neutral	10,000	Library Federal Impact Grant	801-00-00-4445
Water Wastewater	Neutral	247,000	Fayette St. WW Improv - CDBG Grant	801-00-00-4447
Public Works	Neutral	139,303	Chestnut St. Sidewalk Improv. CDBG Grant	801-00-00-4448
		<u>Total Revenues</u>	<u>396,303</u>	

Matching Expenditures to Revenues:

Library Department	Neutral	(10,000)	Library Federal Impact Grant	801-00-00-5510
Water Wastewater	Neutral	(275,000)	Fayette St. WW Improv - CDBG Grant	801-00-00-6132
Public Works	Neutral	(150,000)	Chestnut St. Sidewalk Improv. CDBG Grant	801-00-00-6131
		<u>Total Expense</u>	<u>(435,000)</u>	
		Net Change	(38,697)	

CITY OF BASTROP

AGENDA ITEM

D.2

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 4, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending of January 31, 2013.**

2. Party Making Request: **Karla Stovall**

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: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

TO: MAYOR & CITY COUNCIL MEMBERS

FROM: KARLA STOVALL, CHIEF FINANCIAL OFFICER

DATE: FEBRUARY 20, 2013

MONTHLY FINANCIAL REPORTS FOR PERIOD ENDING JANUARY 31, 2013

CITY OF BASTROP
3/8/2013
SUMMARY OF REVENUES AND EXPENDITURES
AS OF JANUARY 31, 2013

189

Fiscal year 2013 is 4 month or 33.3% completed as of January 31, 2013.

- General Fund revenues reflect 48.03% collected or \$4,001,251. Expenditures represent 29.35% spent or \$2,498,284.
- Water/ Wastewater Fund revenues reflect 31.76% collected or \$1,249,732. Expenditures represent 29.82% spent or \$1,016,934.
- The Electric Fund revenues reflect 29.47% collected or \$2,106,185. Expenditures represent 30.42% spent or \$2,144,225.
- The Hotel /Motel Fund revenues reflect 32.28% collected or \$747,395. Expenditures represent 43.5% spent or \$1,006,989.

Revenues

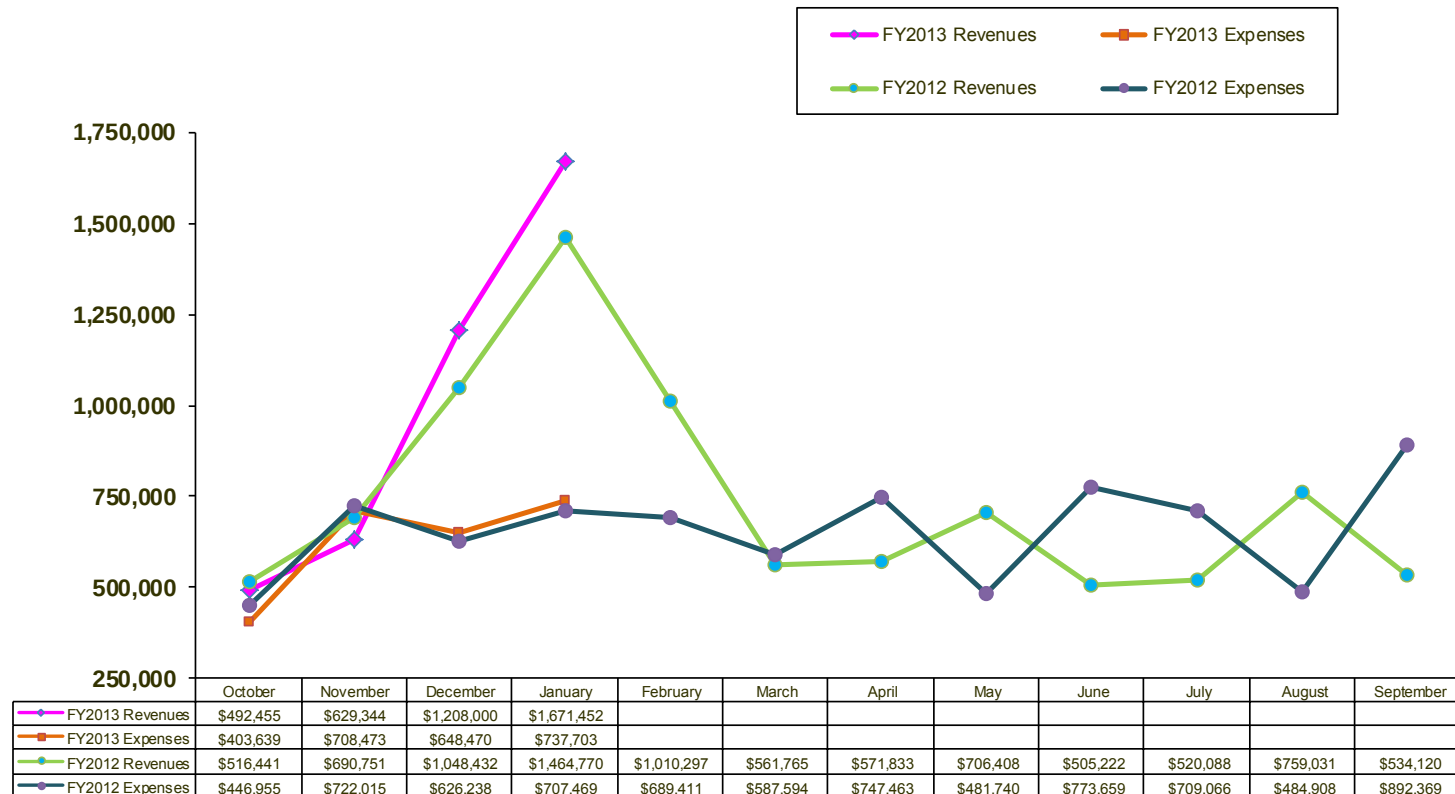
Expenditures

	FY 2013 Budget	FY 2013 Actual	% of FY2013 Budget	FY 2013 Budget	FY 2013 Actual	% of FY2013 Budget
General Fund	\$ 8,331,528	\$ 4,001,251	48.03%	\$ 8,510,595	\$ 2,498,284	29.35%
W/WW Fund	\$ 3,934,970	\$ 1,249,732	31.76%	\$ 3,409,840	\$ 1,016,934	29.82%
Electric Fund	\$ 7,148,000	\$ 2,106,185	29.47%	\$ 7,049,488	\$ 2,144,225	30.42%
Hotel Motel Fund	\$ 2,315,000	\$ 747,395	32.28%	\$ 2,315,000	\$ 1,006,989	43.50%

GENERAL FUND REVENUE & EXPENDITURES

JANUARY 31, 2013

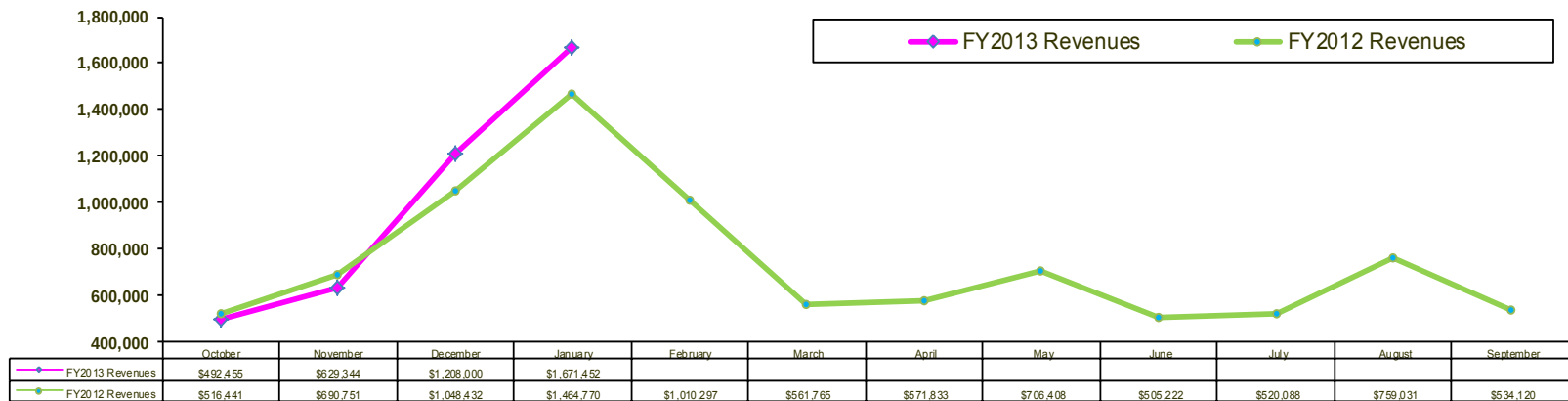
- Revenues will increase in December, January, and February due to collection of the Ad Valorem Taxes.
- Expenditures recognized an increase due to the timing of expenses processed through accounts payable.



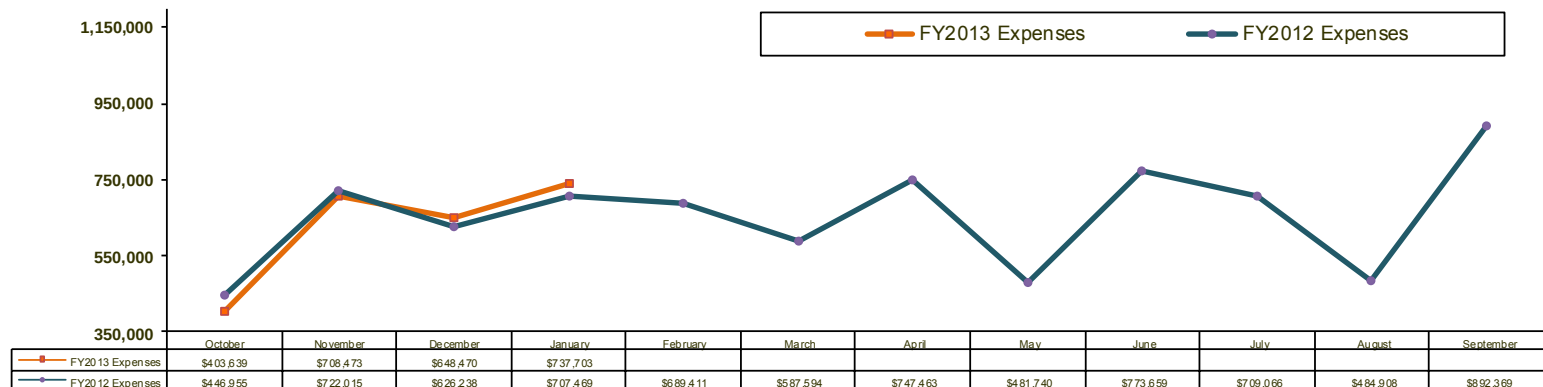
GENERAL FUND REVENUE & EXPENDITURES

JANUARY 31, 2013

FY 2012 & 2013 Revenues



FY 2012 & 2013 Expenditures



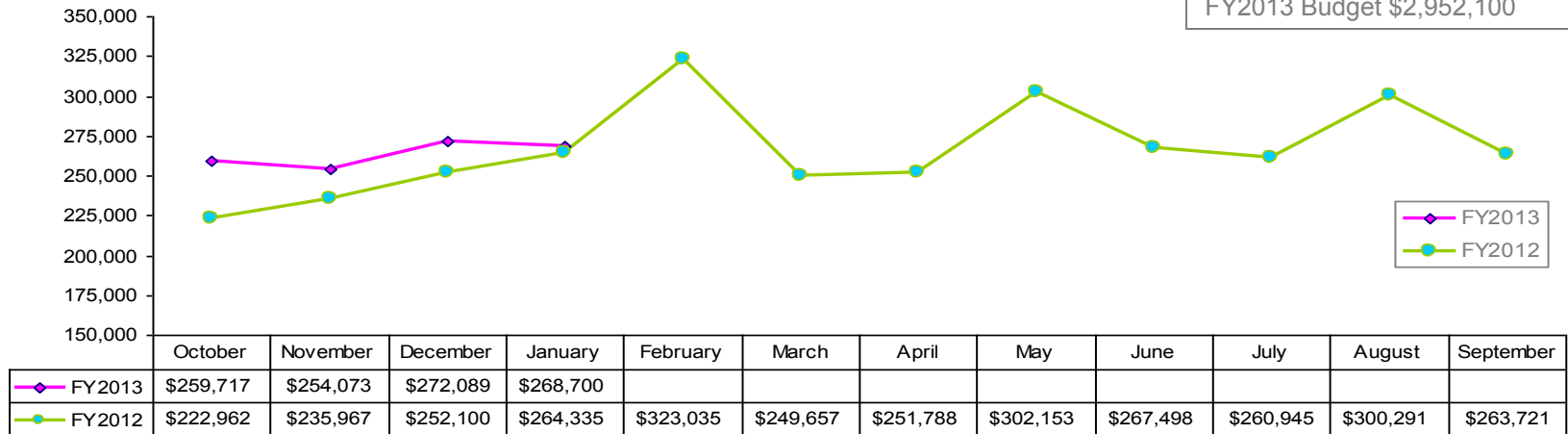
GENERAL FUND REVENUE

JANUARY 31, 2013

Sales Tax

FY2013 January YTD \$1,054,579

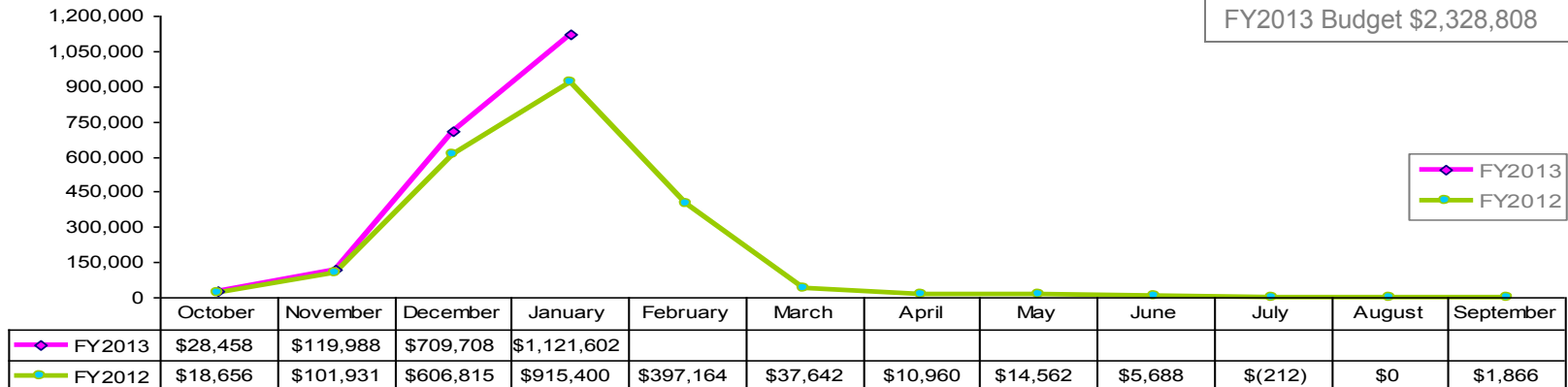
FY2013 Budget \$2,952,100



Ad Valorem Taxes

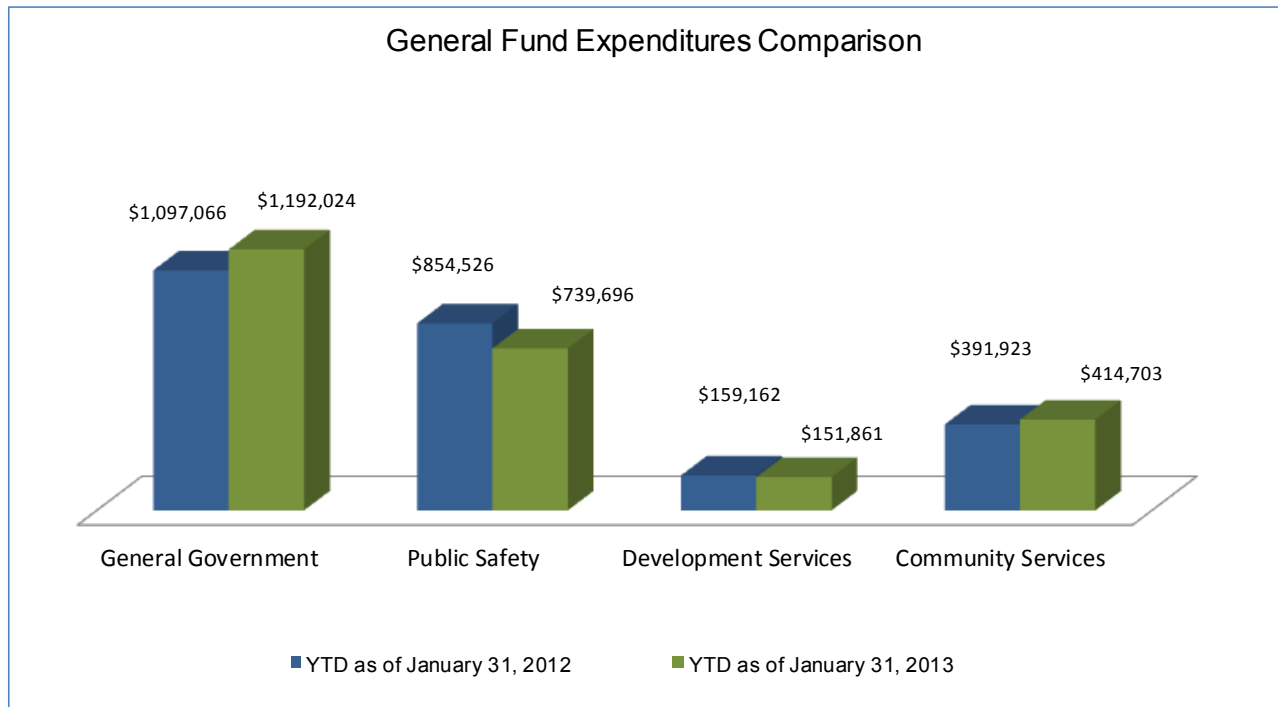
FY2013 January YTD \$1,979,755

FY2013 Budget \$2,328,808



GENERAL FUND EXPENDITURES

JANUARY 31, 2013

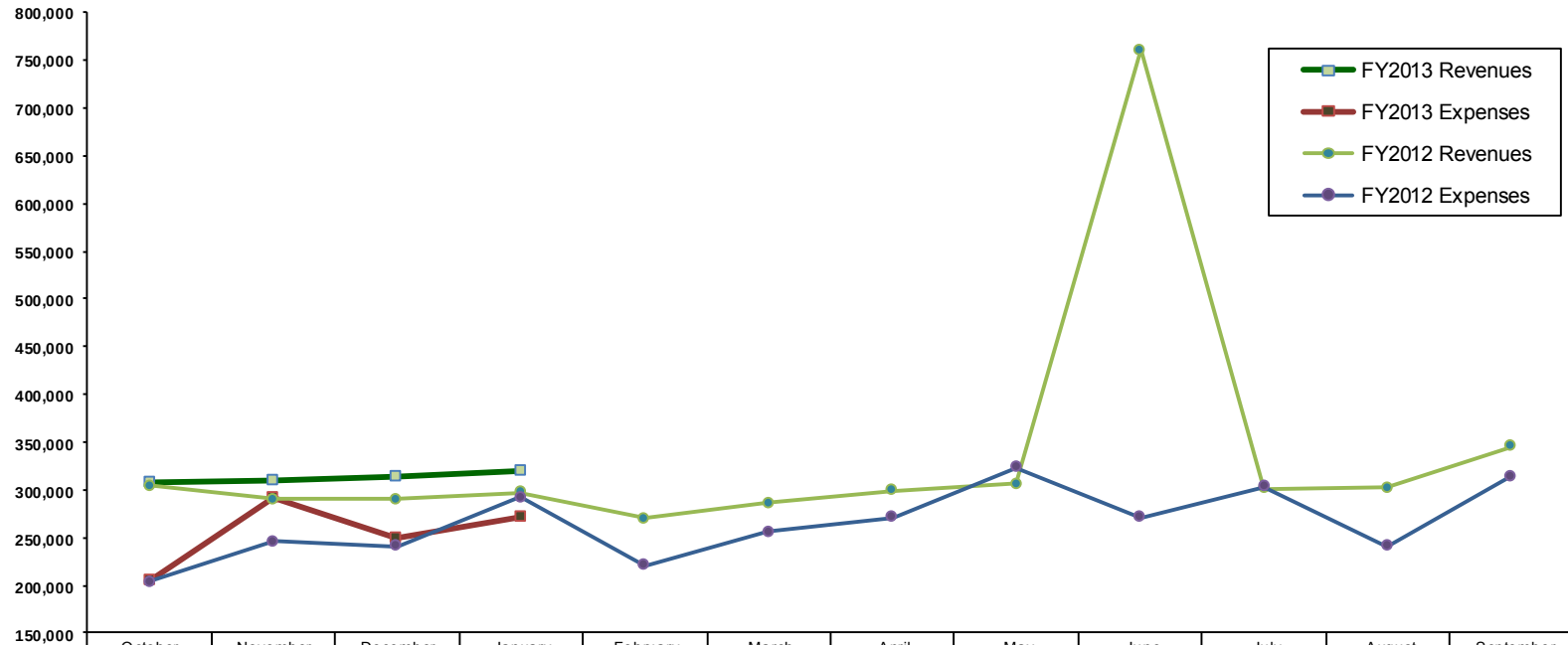


- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, Construction Manager, and Building Maintenance.
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes Planning and Building Inspections
- Community Services includes Recreation, Parks, and Library

WATER/WASTEWATER FUND REVENUE & EXPENDITURES

JANUARY 31, 2013

- ☐ Water/ Wastewater Fund Revenues Year-to-date (YTD) as of January 31, 2012 are \$1,249,732 or 31.76% of the year.
- ☐ Expenses in November appear increased due to the increased debt service costs and the purchase of the trenching equipment.

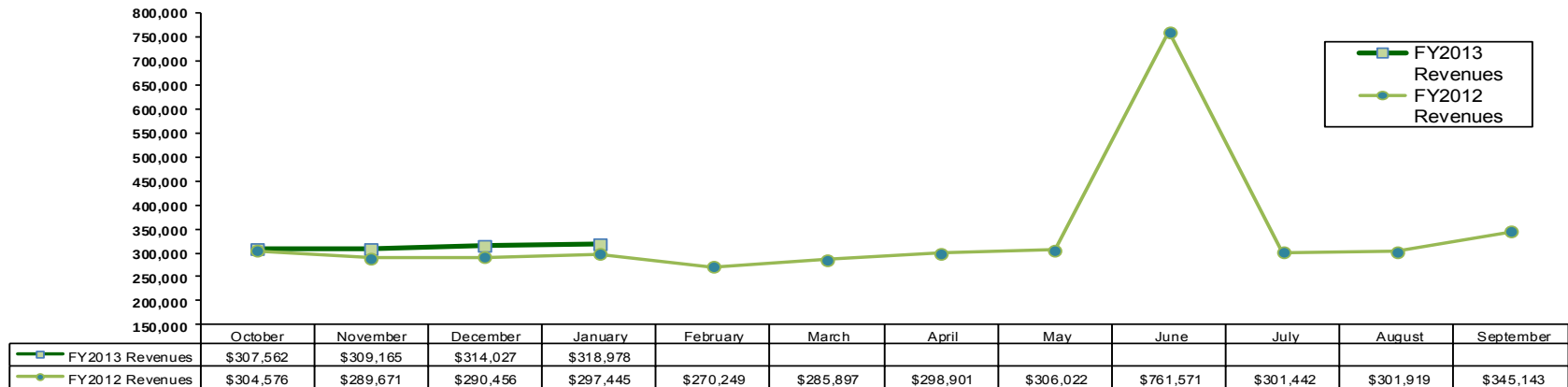


	October	November	December	January	February	March	April	May	June	July	August	September
FY2013 Revenues	\$307,562	\$309,165	314,027	\$318,978								
FY2013 Expenses	\$205,795	\$290,724	\$249,461	\$270,953								
FY2012 Revenues	\$304,576	\$289,671	\$290,456	\$297,445	\$270,249	\$285,897	\$298,901	\$306,022	\$761,571	\$301,442	\$301,918	\$345,143
FY2012 Expenses	\$203,278	\$245,976	\$240,847	\$291,695	\$220,789	\$256,095	\$270,785	\$323,118	\$271,224	\$303,665	\$240,490	\$313,965

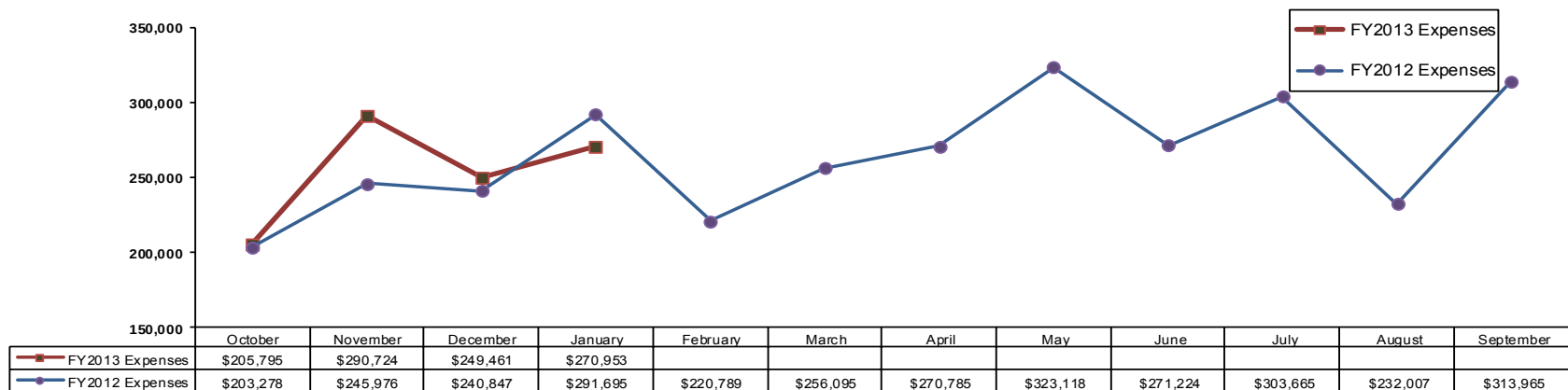
WATER WASTEWATER FUND REVENUE & EXPENDITURES

JANUARY 31, 2013

FY 2012 & 2013 Revenues



FY 2012 & 2013 Expenditures

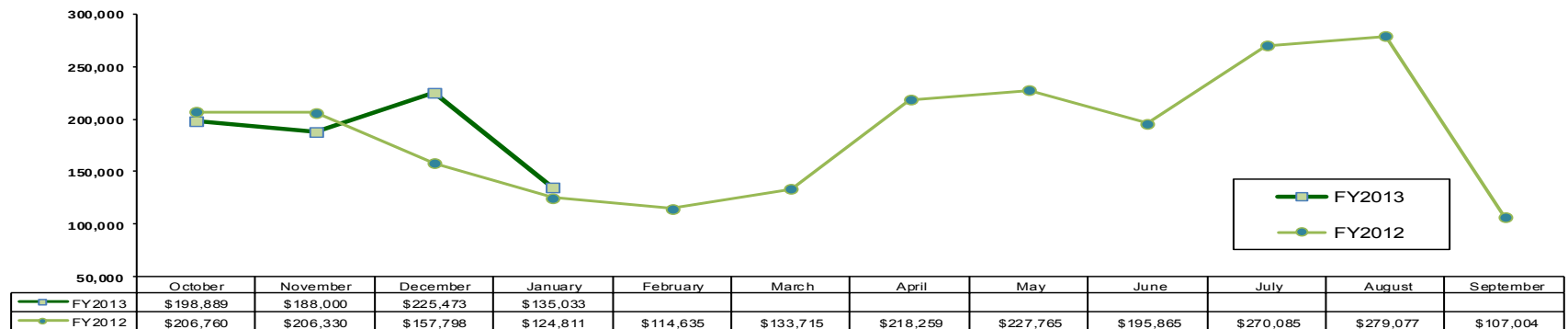


HOTEL MOTEL TAX FUND

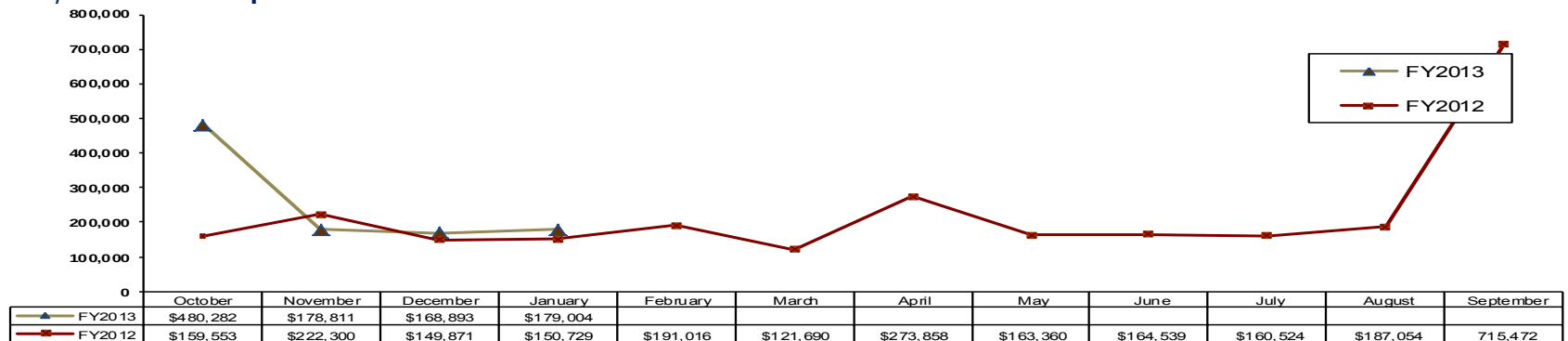
JANUARY 31, 2013

- Revenues as of January 31, 2013 represent YTD earned revenue of \$747,395. Due to an audit adjustment that accrues our revenue into the period it was earned, the revenue earned in October is an estimate.
- Expenses in FY2013 are increased in October due to the one-time disbursement of funds to HOT organizations consequently in FY2012 organizations received their funding in quarterly payments.

Hotel / Motel Fund Revenue



Hotel / Motel Fund Expenses



FINANCIAL STATEMENT REPORTS ARE ATTACHED FOR THE FOUR MAJOR FUNDS.

- GENERAL FUND
- WATER/ WASTEWATER UTILITY FUND
- ELECTRIC FUND
- HOTEL MOTEL FUND

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TAXES & PENALTIES</u>						
00-00-4000 BEGINNING FUND BALANCE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4001 CURRENT TAXES M&O	1,642,802.04	2,328,808.00	1,121,601.99	1,979,755.24	349,052.76	85.01
00-00-4002 DELINQUENT TAXES M&O	40,122.33	36,000.00	3,306.17	6,461.78	29,538.22	17.95
00-00-4003 PENALTIES & INTEREST M&O	24,493.38	26,400.00	2,509.83	7,374.53	19,025.47	27.93
00-00-4004 FRANCHISE TAX	109,555.31	385,000.00	22,544.72	68,263.30	316,736.70	17.73
00-00-4006 CITY SALES TAX	975,364.23	2,952,100.00	268,699.66	1,054,578.99	1,897,521.01	35.72
00-00-4008 OCCUPATION TAX	6,830.00	7,500.00	385.00	1,218.00	6,282.00	16.24
00-00-4009 MIXED BEVERAGE TAX	9,953.12	20,000.00	5,704.69	5,704.69	14,295.31	28.52
TOTAL TAXES & PENALTIES	2,809,120.41	5,755,808.00	1,424,752.06	3,123,356.53	2,632,451.47	54.26
<u>LICENSES & PERMITS</u>						
00-00-4020 BUILDING PERMITS	50,974.60	91,000.00	10,916.70	27,652.16	63,347.84	30.39
00-00-4021 ZONING FEES	1,720.00	3,000.00	0.00	620.00	2,380.00	20.67
00-00-4022 PLATTING FEES	4,568.58	6,000.00	0.00	1,370.00	4,630.00	22.83
00-00-4023 SPECIAL EVENT PERMIT FEE	1,025.00	2,000.00	200.00	300.00	1,700.00	15.00
00-00-4024 ELECTRICAL PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4025 PLUMBING PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4026 MECHANICAL PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4027 OTHER PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4030 LICENSE FEES	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL LICENSES & PERMITS	58,288.18	102,000.00	11,116.70	29,942.16	72,057.84	29.36
<u>CHARGES FOR SERVICES</u>						
00-00-4040 ANIMAL SERVICE RECEIPTS	140.00	200.00	10.00	45.00	155.00	22.50
00-00-4043 PARKS RECEIPTS	325.00	1,600.00	150.00	200.00	1,400.00	12.50
00-00-4044 PD ACCIDENT REPORTS	592.00	1,800.00	239.00	909.00	891.00	50.50
00-00-4045 DRUG DOG VISITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4046 SPECIAL EVENTS HOT REIMB	14,139.03	40,800.00	0.00	0.00	40,800.00	0.00
00-00-4049 TRANSFER STATION RECEIPTS	430.00	4,000.00	250.00	3,637.25	362.75	90.93
TOTAL CHARGES FOR SERVICES	15,626.03	48,400.00	649.00	4,791.25	43,608.75	9.90
<u>FINES & FORFEITURES</u>						
00-00-4070 MUNICIPAL COURT FINES	61,938.87	225,000.00	17,152.29	67,800.00	157,200.00	30.13
00-00-4071 BOND FORFEITURE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4072 SANITATION PENALTIES/RECONNEC	2,834.59	8,000.00	1,293.96	3,266.93	4,733.07	40.84
00-00-4073 ADMINISTRATION OF JUSTICE (MC	178.22	0.00	0.00	0.00	0.00	0.00
00-00-4074 MUNICIPAL COURT BLDG SECURITY	801.17	0.00	0.00	0.00	0.00	0.00
00-00-4075 TECHNOLOGY ACCOUNT - (MC)	1,013.84	0.00	0.00	0.00	0.00	0.00
00-00-4076 LIBRARY RECEIPTS	4,731.50	16,000.00	1,438.12	5,034.59	10,965.41	31.47
00-00-4077 SANITATION PROCEEDS	10,294.91	40,000.00	7,077.34	14,166.83	25,833.17	35.42
00-00-4078 JUVENILE CASE MANAGER-M/C	1,199.78	5,100.00	535.88	2,044.83	3,055.17	40.09
00-00-4080 TEEN COURT (MC)	0.00	1,000.00	120.00	620.00	380.00	62.00
TOTAL FINES & FORFEITURES	82,992.88	295,100.00	27,617.59	92,933.18	202,166.82	31.49

FINANCIAL STATEMENT

AS OF: JANUARY 31ST, 2013

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>OTHER REVENUE</u>						
00-00-4381 GTG SETTLEMENT TRUST FUNDS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4391 STREET/ROW VACATIONS	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	1,758.16	6,000.00	607.03	2,599.35	3,400.65	43.32
TOTAL INTEREST INCOME	1,758.16	6,000.00	607.03	2,599.35	3,400.65	43.32
<u>INTERGOVERNMENTAL</u>						
00-00-4411 BASTROP CO/LIBRARY	8,500.00	0.00	0.00	0.00	0.00	0.00
00-00-4412 BASTROP CO/WC FIREMEN	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4413 BIRD PROJECT RECEIPTS	24,402.63	72,420.00	13,153.11	13,153.11	59,266.89	18.16
00-00-4414 DEPT OF JUSTICE GRANT REIMB.	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4415 EMERGENCY MANAGEMENT	0.00	26,800.00	6,906.42	27,625.68	(825.68)	103.08
00-00-4419 PROPERTY LIEN PAYMENTS	3,945.29	0.00	0.00	468.35	(468.35)	0.00
00-00-4424 PADDLE TRAIL GRANT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4435 FIRE DEPT/INSURANCE REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4490 ELECTRIC IN-KIND	172,093.32	516,280.00	43,023.33	172,093.32	344,186.68	33.33
00-00-4491 WATER/WASTEWATER IN-KIND	177,006.64	531,020.00	44,251.66	177,006.64	354,013.36	33.33
00-00-4492 WASTEWATER IN-KIND	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4493 BEDC IN-KIND	12,916.64	169,080.00	16,589.99	66,359.96	102,720.04	39.25
00-00-4495 CONVENTION CENTER IN-KIND	58,040.00	174,120.00	14,510.00	58,040.00	116,080.00	33.33
00-00-4496 DONATION IN-KIND	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL	456,904.52	1,489,720.00	138,434.51	514,747.06	974,972.94	34.55
<u>MISCELLANEOUS</u>						
00-00-4501 LIBRARY GRANT'S	5,285.00	0.00	0.00	0.00	0.00	0.00
00-00-4503 FIRE DEPT GRANTS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4507 175TH ANNIVERSARY DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4508 MEMORIAL DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4509 GENERAL DONATIONS	0.00	0.00	2,000.00	2,944.50	(2,944.50)	0.00
00-00-4511 BANNER FEES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4512 SALE OF FIXED ASSETS	0.00	0.00	11,625.50	11,625.50	(11,625.50)	0.00
00-00-4515 GRANTS - MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4519 SNOW PLAYDAY	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4521 LCRA-FISHERMAN PARK FLAGS	0.93	0.00	0.00	0.00	0.00	0.00
00-00-4522 WORKERS COMP. REIMBURSE	0.00	1,000.00	0.00	0.00	1,000.00	0.00
00-00-4523 TML REGION X MEETING	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4524 SPLASHPARK DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4525 SUMMER REC/FILM DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4526 DOG BARK PARK DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4527 CLEAN SWEEP	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4535 PLANNING DEPT MISC RECEIPTS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4536 MISCELLANEOUS	22,480.43	20,000.00	(127.37)	6,099.03	13,900.97	30.50
00-00-4537 INSURANCE PROCEEDS	24,302.87	0.00	3,652.25	7,712.50	(7,712.50)	0.00
00-00-4538 BEVERAGE PROCEEDS	0.00	0.00	0.00	0.00	0.00	0.00

FINANCIAL STATEMENT

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101-GENERAL FUND

REVENUES	PRICR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
00-00-4540 HUNTERS CROSSING REIMB	941.80	0.00	0.00	0.00	0.00	0.00
00-00-4543 PINEY CREEK SUBDIVISION REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4544 PERSONAL PROPERTY ACQ DEBT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4553 FIRE DEPT CALLS - REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4554 KERR PARK PROJECT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4557 FEMA DISASTER RELIEF REIMBURS	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	53,011.03	21,000.00	17,150.38	28,381.53	(7,381.53)	135.15
TRANSFERS-IN						
00-00-4702 TRANSFERS IN - W/WW #202	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4703 TRANSFERS IN - ELECTRIC FUND	204,500.00	613,500.00	51,125.00	204,500.00	409,000.00	33.33
00-00-4706 TRANSFERS IN - BEDC	38,193.28	0.00	0.00	0.00	0.00	0.00
00-00-4708 TRANS IN - GRANT FUND	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4710 TRANS IN - GENERAL CIP #150	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4717 TRANS IN-HOTEL TAX-CIVIC CENT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4718 TRANSFER-IN SPECIAL PROJECT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4725 TRANS IN - TAX NOTE #714	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4726 TRANS IN-C OF O'S 2006 #713	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4731 TRANS IN-LIMITED TAX NOTE #71	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4732 TRANSFER IN - BOND #709	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4736 TRANSFER IN -LIBRARY BOARD 50	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	242,693.28	613,500.00	51,125.00	204,500.00	409,000.00	33.33
** TOTAL REVENUE **						
	3,720,394.49	8,331,528.00	1,671,452.27	4,001,251.06	4,330,276.94	48.03

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00

LEGISLATIVE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	1,371.48	5,074.00	454.74	1,665.84	3,408.16	32.83
SUPPLIES & MATERIALS	1,059.81	5,300.00	625.23	1,250.66	4,049.34	23.60
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	2,421.92	8,030.00	371.86	2,024.72	6,005.28	25.21
CONTRACTUAL SERVICES	1,692.00	3,090.00	150.00	764.00	2,326.00	24.72
OTHER CHARGES	3,429.23	17,245.00	299.91	2,608.13	14,636.87	15.12
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	9,974.44	38,739.00	1,901.74	8,313.35	30,425.65	21.46
TOTAL LEGISLATIVE	9,974.44	38,739.00	1,901.74	8,313.35	30,425.65	21.46

ORGANIZATIONAL

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	26,518.16	94,430.00	7,996.68	32,143.83	62,286.17	34.04
SUPPLIES & MATERIALS	1,508.79	16,133.00	556.90	4,426.25	11,706.75	27.44
MAINTENANCE & REPAIRS	0.00	5,750.00	560.00	1,955.13	3,794.87	34.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	142,629.85	451,130.00	81,888.38	194,675.09	256,454.91	43.15
OTHER CHARGES	10,671.98	353,520.00	6,900.92	65,814.00	287,706.00	18.62
CONTINGENCY	0.00	211,160.00	0.00	0.00	211,160.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	181,328.78	1,132,123.00	97,902.88	299,014.30	833,108.70	26.41
TOTAL ORGANIZATIONAL	181,328.78	1,132,123.00	97,902.88	299,014.30	833,108.70	26.41

CITY MANAGER

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	83,316.19	281,452.00	22,921.11	87,257.83	194,194.17	31.00
SUPPLIES & MATERIALS	2,918.79	5,340.00	50.00	2,119.65	3,220.35	39.69
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	2,441.75	8,200.00	481.70	2,173.74	6,026.26	26.51
CONTRACTUAL SERVICES	113.28	350.00	0.00	113.79	236.21	32.51
OTHER CHARGES	7,669.03	8,640.00	1,086.50	4,857.52	3,782.48	56.22
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	96,459.04	303,982.00	23,639.31	96,522.53	207,459.47	31.75
TOTAL CITY MANAGER	96,459.04	303,982.00	23,639.31	96,522.53	207,459.47	31.75

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CITY SECRETARY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	21,683.37	69,049.00	5,506.93	22,305.43	46,743.57	32.30
SUPPLIES & MATERIALS	177.42	1,640.00	380.33	422.20	1,217.80	25.74
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	383.99	1,950.00	58.73	322.50	1,627.50	16.54
CONTRACTUAL SERVICES	895.00	6,450.00	555.00	581.45	5,868.55	9.01
OTHER CHARGES	10,380.64	26,495.00	1,718.20	6,233.17	20,261.83	23.53
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	33,520.42	105,584.00	8,219.19	29,864.75	75,719.25	28.29
TOTAL CITY SECRETARY	33,520.42	105,584.00	8,219.19	29,864.75	75,719.25	28.29

FINANCE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	94,348.68	296,000.00	23,084.40	92,215.78	203,784.22	31.15
SUPPLIES & MATERIALS	552.99	10,320.00	391.64	1,362.38	8,957.62	13.20
MAINTENANCE & REPAIRS	13,804.60	38,980.00	15,270.47	17,570.47	21,409.53	45.08
OCCUPANCY	1,835.24	7,680.00	324.95	1,663.53	6,016.47	21.66
CONTRACTUAL SERVICES	12,969.56	36,840.00	0.00	17,242.56	19,597.44	46.80
OTHER CHARGES	1,762.58	9,640.00	148.92	2,549.24	7,090.76	26.44
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	125,273.65	399,460.00	39,220.38	132,603.96	266,856.04	33.20

METER SERVICE

PERSONNEL SERVICES	103,748.20	330,287.00	24,872.59	99,802.02	230,484.98	30.22
SUPPLIES & MATERIALS	7,977.05	31,835.00	3,057.10	7,676.31	24,158.69	24.11
MAINTENANCE & REPAIRS	728.58	10,500.00	0.99	123.46	10,376.54	1.18
OCCUPANCY	3,074.13	11,640.00	545.92	2,718.88	8,921.12	23.36
CONTRACTUAL SERVICES	2,369.62	10,440.00	820.44	2,958.84	7,481.16	28.34
OTHER CHARGES	405.06	4,740.00	45.76	311.38	4,428.62	6.57
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL METER SERVICE	118,302.64	399,442.00	29,342.80	113,590.89	285,851.11	28.44
TOTAL FINANCE	243,576.29	798,902.00	68,563.18	246,194.85	552,707.15	30.82

HUMAN RESOURCE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	27,833.06	90,655.00	6,948.15	28,274.32	62,380.68	31.19
SUPPLIES & MATERIALS	321.41	1,675.00	0.00	183.20	1,491.80	10.94
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	875.07	3,320.00	66.72	778.13	2,541.87	23.44
CONTRACTUAL SERVICES	11.55	325.00	0.00	39.58	285.42	12.18
OTHER CHARGES	4,437.07	11,685.00	1,157.81	7,099.60	4,585.40	60.76
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	33,478.16	107,660.00	8,172.68	36,374.83	71,285.17	33.79

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
TOTAL HUMAN RESOURCE	33,478.16	107,660.00	8,172.68	36,374.83	71,285.17	33.79
<u>INFORMATION TECHNOLOGY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	28,246.55	85,578.00	6,789.94	26,961.41	58,616.59	31.51
SUPPLIES & MATERIALS	2,580.66	3,150.00	215.86	1,654.27	1,495.73	52.52
MAINTENANCE & REPAIRS	1,952.13	20,670.00	4,459.16	7,896.31	12,773.69	38.20
OCCUPANCY	2,488.19	7,600.00	331.53	1,623.42	5,976.58	21.36
CONTRACTUAL SERVICES	11,901.85	20,250.00	0.00	5,622.41	14,627.59	27.76
OTHER CHARGES	121.70	3,960.00	180.86	1,084.91	2,875.09	27.40
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	47,291.08	141,208.00	11,977.35	44,842.73	96,365.27	31.76
TOTAL INFORMATION TECHNOLOGY	47,291.08	141,208.00	11,977.35	44,842.73	96,365.27	31.76
<u>POLICE</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	109,130.90	343,942.00	27,261.99	104,720.00	239,222.00	30.45
SUPPLIES & MATERIALS	7,788.53	28,495.00	2,126.11	11,947.01	16,547.99	41.93
MAINTENANCE & REPAIRS	2,300.37	30,367.00	55.49	1,689.04	28,677.96	5.56
OCCUPANCY	11,527.33	46,964.00	12,960.09	21,335.94	25,628.06	45.43
CONTRACTUAL SERVICES	95,439.26	192,517.00	48,099.75	48,233.95	144,283.05	25.05
OTHER CHARGES	10,923.93	31,285.00	2,512.57	10,251.45	21,033.55	32.77
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	237,110.32	673,570.00	93,016.00	198,177.39	475,392.61	29.42
<u>CODE ENFORCEMENT</u>						
PERSONNEL SERVICES	14,396.32	46,884.00	3,753.24	14,922.52	31,961.48	31.83
SUPPLIES & MATERIALS	657.24	2,600.00	149.34	135.49	2,464.51	5.21
MAINTENANCE & REPAIRS	0.00	300.00	0.00	0.00	300.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	1,000.00	0.00	380.00	620.00	38.00
OTHER CHARGES	660.78	5,650.00	0.00	32.34	5,617.66	0.57
TOTAL CODE ENFORCEMENT	15,714.34	56,434.00	3,902.58	15,470.35	40,963.65	27.41
<u>EMERGENCY MANAGEMENT</u>						
SUPPLIES & MATERIALS	8.66	800.00	0.00	0.00	800.00	0.00
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	0.00	2,000.00	0.00	0.00	2,000.00	0.00
CAPITAL OUTLAY	6,802.16	0.00	0.00	0.00	0.00	0.00
TOTAL EMERGENCY MANAGEMENT	6,810.82	2,800.00	0.00	0.00	2,800.00	0.00

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>POLICE-CID</u>						
PERSONNEL SERVICES	87,351.39	220,434.00	11,901.07	50,636.61	169,797.39	22.97
SUPPLIES & MATERIALS	622.98	9,150.00	732.97	1,076.44	8,073.56	11.76
MAINTENANCE & REPAIRS	139.19	1,950.00	0.00	0.00	1,950.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	373.72	3,000.00	0.00	815.27	2,184.73	27.18
OTHER CHARGES	0.00	6,120.00	0.00	210.00	5,910.00	3.43
CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL POLICE-CID	88,487.28	240,654.00	12,634.04	52,738.32	187,915.68	21.91
<u>POLICE-PATROL</u>						
PERSONNEL SERVICES	330,413.07	1,100,810.00	81,800.01	329,219.91	771,590.09	29.91
SUPPLIES & MATERIALS	22,978.82	70,733.00	8,952.75	16,483.60	54,249.40	23.30
MAINTENANCE & REPAIRS	9,872.77	23,600.00	2,089.24	10,113.22	13,486.78	42.85
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	1,910.83	9,917.00	1,041.97	3,710.48	6,206.52	37.42
OTHER CHARGES	3,904.85	10,200.00	294.00	5,036.07	5,163.93	49.37
CAPITAL OUTLAY	<u>0.00</u>	<u>32,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>32,000.00</u>	<u>0.00</u>
TOTAL POLICE-PATROL	369,080.34	1,247,260.00	94,177.97	364,563.28	882,696.72	29.23
<u>ANIMAL SERVICES</u>						
PERSONNEL SERVICES	12,687.14	41,046.00	150.91	9,944.16	31,101.84	24.23
SUPPLIES & MATERIALS	1,264.25	4,950.00	247.22	372.43	4,577.57	7.52
MAINTENANCE & REPAIRS	0.00	1,200.00	0.00	38.99	1,161.01	3.25
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	1,425.00	0.00	0.00	1,425.00	0.00
OTHER CHARGES	0.00	12,720.00	0.00	0.00	12,720.00	0.00
CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL ANIMAL SERVICES	<u>13,951.39</u>	<u>61,341.00</u>	<u>398.13</u>	<u>10,355.58</u>	<u>50,985.42</u>	<u>16.88</u>
TOTAL POLICE	731,154.49	2,282,059.00	204,128.72	641,304.92	1,640,754.08	28.10
<u>FIRE-VOLUNTEER</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	9,718.71	15,000.00	3,099.52	3,099.52	11,900.48	20.66
SUPPLIES & MATERIALS	20,292.67	57,075.00	3,361.74	12,122.49	44,952.51	21.24
MAINTENANCE & REPAIRS	20,675.45	40,500.00	6,005.06	13,574.63	26,925.37	33.52
OCCUPANCY	15,791.02	34,445.00	13,050.55	17,943.48	16,301.52	52.09
CONTRACTUAL SERVICES	22,118.90	24,000.00	996.26	23,084.52	915.48	96.19
OTHER CHARGES	11,098.78	19,425.00	1,261.47	10,810.22	8,614.78	55.65
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL 00-NON-PROGRAM	<u>99,695.53</u>	<u>190,445.00</u>	<u>27,774.60</u>	<u>80,634.86</u>	<u>109,810.14</u>	<u>42.34</u>
TOTAL FIRE-VOLUNTEER	99,695.53	190,445.00	27,774.60	80,634.86	109,810.14	42.34

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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>MUNICIPAL COURT</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	86,721.23	281,602.00	21,544.90	87,047.47	194,554.53	30.91
SUPPLIES & MATERIALS	2,107.57	10,950.00	1,181.74	3,730.72	7,219.28	34.07
MAINTENANCE & REPAIRS	11,768.40	13,600.00	97.89	12,028.79	1,571.21	88.45
OCCUPANCY	3,330.59	9,700.00	493.04	2,753.90	6,946.10	28.39
CONTRACTUAL SERVICES	7,997.55	22,550.00	2,912.92	6,696.06	15,853.94	29.69
OTHER CHARGES	6,948.98	8,261.00	(1,550.49)	3,018.63	5,242.37	36.54
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	118,874.32	346,663.00	24,680.00	115,275.57	231,387.43	33.25
TOTAL MUNICIPAL COURT	118,874.32	346,663.00	24,680.00	115,275.57	231,387.43	33.25
<u>PLANNING & DEVELOPMENT</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	101,677.90	427,953.00	25,730.20	103,242.72	324,710.28	24.12
SUPPLIES & MATERIALS	2,316.28	14,570.00	632.97	1,307.49	13,262.51	8.97
MAINTENANCE & REPAIRS	12.00	1,500.00	40.04	62.04	1,437.96	4.14
OCCUPANCY	2,481.96	10,200.00	283.40	2,070.27	8,129.73	20.30
CONTRACTUAL SERVICES	31,253.39	41,200.00	6,882.86	19,551.98	21,648.02	47.46
OTHER CHARGES	21,420.79	42,675.00	20,363.00	25,627.00	17,048.00	60.05
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	159,162.32	538,098.00	53,932.47	151,861.50	386,236.50	28.22
TOTAL PLANNING & DEVELOPMENT	159,162.32	538,098.00	53,932.47	151,861.50	386,236.50	28.22
<u>HEALTH</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	23,675.32	71,050.00	17,756.49	17,756.49	53,293.51	24.99
TOTAL 00-NON-PROGRAM	23,675.32	71,050.00	17,756.49	17,756.49	53,293.51	24.99
TOTAL HEALTH	23,675.32	71,050.00	17,756.49	17,756.49	53,293.51	24.99
<u>PUBLIC WORKS</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	173,214.20	580,973.00	49,684.93	186,157.93	394,815.07	32.04
SUPPLIES & MATERIALS	15,167.54	84,000.00	17,141.55	24,656.68	59,343.32	29.35
MAINTENANCE & REPAIRS	13,318.79	45,500.00	105.88	17,159.62	28,340.38	37.71
OCCUPANCY	4,903.47	15,600.00	1,013.27	4,374.42	11,225.58	28.04
CONTRACTUAL SERVICES	17,780.14	41,550.00	4,373.69	12,438.09	29,111.91	29.94
OTHER CHARGES	22,546.81	67,900.00	4,661.54	19,201.69	48,698.31	28.28
CAPITAL OUTLAY	0.00	117,390.00	0.00	0.00	117,390.00	0.00
TOTAL ADMINISTRATION	246,930.95	952,913.00	76,980.86	263,988.43	688,924.57	27.70

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CONSTRUCTION MANAGER</u>						
PERSONNEL SERVICES	31,947.37	0.00	(5.84)	0.00	0.00	0.00
SUPPLIES & MATERIALS	1,007.25	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	463.71	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	820.85	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	194.48	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	40.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL CONSTRUCTION MANAGER	34,473.66	0.00	(5.84)	0.00	0.00	0.00
<u>RECREATION</u>						
PERSONNEL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	250.85	39,500.00	0.00	0.00	39,500.00	0.00
OTHER CHARGES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL RECREATION	250.85	39,500.00	0.00	0.00	39,500.00	0.00
<u>PARKS</u>						
PERSONNEL SERVICES	149,375.83	505,327.00	39,856.36	159,249.65	346,077.35	31.51
SUPPLIES & MATERIALS	10,475.03	40,770.00	5,300.92	12,804.44	27,965.56	31.41
MAINTENANCE & REPAIRS	14,364.49	41,550.00	1,992.65	17,488.96	24,061.04	42.09
OCCUPANCY	16,473.63	65,800.00	4,659.29	21,278.15	44,521.85	32.34
CONTRACTUAL SERVICES	3,317.44	9,880.00	437.80	3,472.57	6,407.43	35.15
OTHER CHARGES	744.18	6,550.00	782.63	2,155.88	4,394.12	32.91
CAPITAL OUTLAY	<u>6,279.15</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL PARKS	201,029.75	669,877.00	53,029.65	216,449.65	453,427.35	32.31
<u>BUILDING MAINTENANCE</u>						
PERSONNEL SERVICES	47,382.31	152,880.00	12,254.91	49,020.87	103,859.13	32.06
SUPPLIES & MATERIALS	2,442.43	9,100.00	482.46	1,586.05	7,513.95	17.43
MAINTENANCE & REPAIRS	613.56	3,600.00	0.00	28.85	3,571.15	0.80
OCCUPANCY	129.59	472.00	21.41	98.73	373.27	20.92
CONTRACTUAL SERVICES	591.49	1,690.00	108.35	897.56	792.44	53.11
OTHER CHARGES	0.00	110.00	0.00	0.00	110.00	0.00
CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL BUILDING MAINTENANCE	<u>51,159.38</u>	<u>167,852.00</u>	<u>12,867.13</u>	<u>51,632.06</u>	<u>116,219.94</u>	<u>30.76</u>
TOTAL PUBLIC WORKS	533,844.59	1,830,142.00	142,871.80	532,070.14	1,298,071.86	29.07

LIBRARY

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
00-NON-PROGRAM						
PERSONNEL SERVICES	149,134.35	494,330.00	37,491.43	152,605.07	341,724.93	30.87
SUPPLIES & MATERIALS	16,258.72	52,420.00	3,692.71	19,666.33	32,753.67	37.52
MAINTENANCE & REPAIRS	2,628.29	11,150.00	610.76	3,594.42	7,555.58	32.24
OCCUPANCY	10,102.58	35,020.00	2,034.36	9,143.30	25,876.70	26.11
CONTRACTUAL SERVICES	10,247.80	19,650.00	1,360.00	10,248.80	9,401.20	52.16
OTHER CHARGES	2,270.16	11,370.00	992.85	2,995.51	8,374.49	26.35
CAPITAL OUTLAY	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL 00-NON-PROGRAM	<u>190,641.90</u>	<u>623,940.00</u>	<u>46,182.11</u>	<u>198,253.43</u>	<u>425,686.57</u>	<u>31.77</u>
TOTAL LIBRARY	190,641.90	623,940.00	46,182.11	198,253.43	425,686.57	31.77
*** TOTAL EXPENSES ***	2,502,676.68	8,510,595.00	737,702.52	2,498,284.25	6,012,310.75	29.35
REVENUES OVER/(UNDER) EXPENDITURES	1,217,717.81	(179,067.00)	933,749.75	1,502,966.81	(1,682,033.81)	839.33-

*** END OF REPORT ***

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CHARGES FOR SERVICES</u>						
00-00-4046 SPECIAL EVENTS HOT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CHARGES FOR SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
<u>WATER REVENUES</u>						
00-00-4101 WATER SALES-RESIDENTIAL	361,059.02	1,231,950.00	90,947.11	368,024.28	863,925.72	29.87
00-00-4102 WATER SALES-COMMERCIAL	306,705.20	1,007,970.00	81,874.07	330,608.47	677,361.53	32.80
00-00-4103 WATER SALES-PUBLIC AUTH	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4150 PENALTIES	12,256.05	30,000.00	2,721.13	10,414.63	19,585.37	34.72
00-00-4152 WATER TAPPING FEES	600.00	1,000.00	0.00	3,925.00	2,925.00	392.50
00-00-4154 WATER SERVICE FEES	10,045.00	26,000.00	1,375.00	4,120.15	21,879.85	15.85
00-00-4155 SANITATION REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4156 OTHER	0.00	100.00	0.00	0.00	100.00	0.00
00-00-4161 SPECIAL PROJECT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WATER REVENUES	690,665.27	2,297,020.00	176,917.31	717,092.53	1,579,927.47	31.22
<u>WASTEWATER REVENUES</u>						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	236,040.64	815,330.00	67,012.68	260,195.53	555,134.47	31.91
00-00-4202 WASTEWATER SALES-COMMERCIAL	181,645.96	618,220.00	52,744.27	203,165.99	415,054.01	32.86
00-00-4203 WASTEWATER SALES-PUBLIC AUTHO	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4250 PENALTIES	7,312.61	19,000.00	2,044.56	7,107.91	11,892.09	37.41
00-00-4252 SEWER TAPPING FEES	0.00	1,000.00	0.00	375.00	625.00	37.50
00-00-4253 SEPTIC TANK DUMP FEES	32,739.04	100,000.00	10,607.27	31,406.90	68,593.10	31.41
00-00-4256 OTHER	0.00	100.00	0.00	0.00	100.00	0.00
TOTAL WASTEWATER REVENUES	457,738.25	1,553,650.00	132,408.78	502,251.33	1,051,398.67	32.33
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	547.50	1,600.00	300.00	1,513.85	86.15	94.62
00-00-4401 INTEREST RECEIPTS	547.49	1,600.00	0.00	0.00	1,600.00	0.00
TOTAL INTEREST INCOME	1,094.99	3,200.00	300.00	1,513.85	1,686.15	47.31
<u>MISCELLANEOUS</u>						
00-00-4501 GRANT PROCEEDS	12,701.68	0.00	0.00	0.00	0.00	0.00
00-00-4505 SANITATION REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4506 SANITATION PENALTIES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4512 SALE OF FIXED ASSETS	0.00	500.00	0.00	0.00	500.00	0.00
00-00-4519 BACKFLOW TESTING COST	47.50	3,000.00	50.00	2,100.00	900.00	70.00
00-00-4522 WORKER'S COMPENSATION REIMB	0.00	500.00	0.00	0.00	500.00	0.00
00-00-4528 CONSERVATION PROGRAM	750.00	100.00	0.00	10.00	90.00	10.00
00-00-4544 PERSONAL PROPERTY ACQ DEBT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4545 REGULATORY FEES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4546 SPECIAL PROJECT REIMBURSEMENT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4547 BY THE WAY CAMPGROUND	4,700.23	11,000.00	3,653.92	6,713.25	4,286.75	61.03
00-00-4548 LCRA/WCID	14,449.77	66,000.00	5,648.05	20,050.62	45,949.38	30.38
00-00-4549 DON STEWART/VICTORIA BANK REI	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	32,649.18	81,100.00	9,351.97	28,873.87	52,226.13	35.60

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TRANSFERS-IN</u>						
00-00-4702 TRANS IN-DEBT SRV FUND	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4707 TRANSERS IN - W/WW CIP 250	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4731 TRANS IN-LIMITED TAX NOTE #71	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4733 TRANSFERS IN - DEBT SERV 120	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4734 TRANS IN - ACCELERATION #304	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4735 TRANS IN FUND #722	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	0.00	0.00	0.00	0.00	0.00	0.00
** TOTAL REVENUE **	1,182,147.69	3,934,970.00	318,978.06	1,249,731.58	2,685,238.42	31.76

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
<u>WATER/WASTEWATER DEPT.</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	238,534.77	851,195.00	64,506.95	242,586.65	608,608.35	28.50
SUPPLIES & MATERIALS	14,757.38	55,115.00	5,403.59	14,730.47	40,384.53	26.73
MAINTENANCE & REPAIRS	4,358.69	20,610.00	457.39	5,876.75	14,733.25	28.51
OCCUPANCY	6,505.92	19,200.00	1,226.38	6,374.95	12,825.05	33.20
CONTRACTUAL SERVICES	224,082.51	796,820.00	59,142.34	214,210.88	582,609.12	26.88
OTHER CHARGES	10,281.53	31,750.00	2,007.58	10,327.04	21,422.96	32.53
CONTINGENCY	0.00	10,000.00	0.00	0.00	10,000.00	0.00
CAPITAL OUTLAY	35,567.48	65,000.00	19,880.00	19,880.00	45,120.00	30.58
TRANSFERS OUT	203,333.28	755,000.00	62,916.66	251,666.64	503,333.36	33.33
TOTAL ADMINISTRATION	737,421.56	2,604,690.00	215,540.89	765,653.38	1,839,036.62	29.40
<u>W/WW DISTRIBUTE/COLLECT</u>						
SUPPLIES & MATERIALS	1,258.60	10,600.00	797.89	943.67	9,656.33	8.90
MAINTENANCE & REPAIRS	53,421.11	166,600.00	10,175.54	55,369.33	111,230.67	33.23
OCCUPANCY	13,565.36	40,000.00	3,555.90	12,712.65	27,287.35	31.78
CONTRACTUAL SERVICES	1,250.70	33,181.00	297.50	2,533.35	30,647.65	7.63
OTHER CHARGES	0.00	1,500.00	0.00	0.00	1,500.00	0.00
CAPITAL OUTLAY	4,500.00	2,569.00	0.00	2,569.00	0.00	100.00
TOTAL W/WW DISTRIBUTE/COLLECT	73,995.77	254,450.00	14,826.83	74,128.00	180,322.00	29.13
<u>WATER PRODUCTION/TREAT</u>						
SUPPLIES & MATERIALS	4,830.23	23,500.00	1,250.95	6,173.87	17,326.13	26.27
MAINTENANCE & REPAIRS	16,606.41	86,000.00	6,829.21	28,439.33	57,560.67	33.07
OCCUPANCY	28,133.16	80,000.00	6,477.70	29,262.53	50,737.47	36.58
CONTRACTUAL SERVICES	26,552.56	102,300.00	9,401.24	28,496.74	73,803.26	27.86
CAPITAL OUTLAY	17,182.35	0.00	0.00	0.00	0.00	0.00
TOTAL WATER PRODUCTION/TREAT	93,304.71	291,800.00	23,959.10	92,372.47	199,427.53	31.66
<u>WW TREATMENT PLANT</u>						
SUPPLIES & MATERIALS	8,114.51	29,800.00	2,737.65	6,776.72	23,023.28	22.74
MAINTENANCE & REPAIRS	20,190.49	97,100.00	5,480.13	30,760.49	66,339.51	31.68
OCCUPANCY	22,706.36	70,000.00	5,960.42	28,028.10	41,971.90	40.04
CONTRACTUAL SERVICES	29,366.50	62,000.00	2,448.00	19,214.60	42,785.40	30.99
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WW TREATMENT PLANT	80,377.86	258,900.00	16,626.20	84,779.91	174,120.09	32.75
TOTAL WATER/WASTEWATER DEPT.	985,099.90	3,409,840.00	270,953.02	1,016,933.76	2,392,906.24	29.82
<u>*** TOTAL EXPENSES ***</u>						
*** TOTAL EXPENSES ***	985,099.90	3,409,840.00	270,953.02	1,016,933.76	2,392,906.24	29.82

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	197,047.79	525,130.00	48,025.04	232,797.82	292,332.18	44.33

*** END OF REPORT ***

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

501-HOTEL/MOTEL TAX FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TAXES & PENALTIES</u>						
00-00-4007 MOTEL/HOTEL TAX RECEIPTS	<u>694,482.22</u>	<u>2,312,000.00</u>	<u>129,590.00</u>	<u>741,066.90</u>	<u>1,570,933.10</u>	<u>32.05</u>
TOTAL TAXES & PENALTIES	694,482.22	2,312,000.00	129,590.00	741,066.90	1,570,933.10	32.05
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST EARNED	<u>1,217.09</u>	<u>3,000.00</u>	<u>211.36</u>	<u>1,096.06</u>	<u>1,903.94</u>	<u>36.54</u>
TOTAL INTEREST INCOME	1,217.09	3,000.00	211.36	1,096.06	1,903.94	36.54
<u>INTERGOVERNMENTAL</u>						
00-00-4418 TEXAS YES GRANT	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00
<u>MISCELLANEOUS</u>						
00-00-4514 MISCELLANEOUS INCOME	0.00	0.00	5,231.96	5,231.96	(5,231.96)	0.00
00-00-4529 LCRA HISTORICAL VIDEO GRANT	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL MISCELLANEOUS	0.00	0.00	5,231.96	5,231.96	(5,231.96)	0.00
<u>** TOTAL REVENUE **</u>						
	<u>695,699.31</u>	<u>2,315,000.00</u>	<u>135,033.32</u>	<u>747,394.92</u>	<u>1,567,605.08</u>	<u>32.28</u>

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: JANUARY 31ST, 2013

501-HOTEL/MOTEL TAX FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
<u>HOTEL/MOTEL TAX FUND</u>						
<u>00-NON-PROGRAM</u>						
CONTRACTUAL SERVICES	326,130.97	1,095,500.00	81,128.89	615,489.03	480,010.97	56.18
OTHER CHARGES	15,096.20	45,000.00	0.00	0.00	45,000.00	0.00
CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	341,226.64	1,174,500.00	97,875.00	391,500.00	783,000.00	33.33
TOTAL 00-NON-PROGRAM	682,453.81	2,315,000.00	179,003.89	1,006,989.03	1,308,010.97	43.50
TOTAL HOTEL/MOTEL TAX FUND	682,453.81	2,315,000.00	179,003.89	1,006,989.03	1,308,010.97	43.50
*** TOTAL EXPENSES ***	682,453.81	2,315,000.00	179,003.89	1,006,989.03	1,308,010.97	43.50
REVENUES OVER/(UNDER) EXPENDITURES	13,245.50	0.00	(43,970.57)	(259,594.11)	259,594.11	0.00

*** END OF REPORT ***

CITY OF BASTROP

AGENDA ITEM: **D.3****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: March 6, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on a presentation by the Bastrop Police Department to implement the Military Service Flag Program for the City of Bastrop to honor active-duty members and their families.**

2. Party Making Request: **Police Chief Michael Blake**

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

Please see attached Memorandum from the Michael Blake, Chief of Police.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No

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: **Staff recommends that Council consider immediate implementation of the Military Service Flag Program for the City of Bastrop to honor our active-duty service members and their families.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

3/8/2013

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Bastrop Police Department

Memorandum

Date: March 5, 2013

To: Mr. Michael Talbot
City Manager

From: Michael Blake
Chief of Police

Re: **Council Presentation:** Proposal of City of Bastrop Military Service Flag Program

Background:

The City of Bastrop and its residents possess a rich heritage of shared community values of service to country. These values are demonstrated publicly throughout any given year wherein the community and city leaders alike take pause and come to together to honor and recognize past and current members of the United States Armed Forces that unselfishly serve and protect our freedoms and American way of life.

Purpose:

The purpose of this presentation is to propose that City of Bastrop establish a Military Service Flag Program.

The Service Flag is an official banner authorized by the Department of Defense for display by immediate family members of Armed Forces personnel serving on active-duty during any period of war, hostilities or peacekeeping missions on behalf of the United States.

A Blue Star Service Flag is displayed in the front window of a home as an American tradition. The Flag signifies that someone in this home is serving in the U.S. Armed Forces and was actually showcased during a scene in the Steven Spielberg hit movie "Saving Private Ryan".

Today's service men and women protect us in a very complicated and uncertain world. Unlike past wars that had clear beginnings and clear endings, today's "War on Terrorism" continues on from the shadows to the forefront on a daily basis. For the City of Bastrop, continuing the tradition of Blue Star Service Banner reminds us of this ongoing war and the daily sacrifices made by our Armed Services personnel in keeping America safe.

History of the Service Banner:

The tradition of the Service Flag banner dates back to World War I. Mothers of young soldiers hand stitched red, white, and blue banners to hang in their windows as a sign that a loved one had gone to fight in the war. The banner design was simple, a white flag with a red border and a single blue star for each family member in Service. One, two and three stars were common, but each flag could hold up to six stars. This tradition was later extended to the spouses and families of servicemen and women serving during the war. This tradition encountered a resurgence in World War II and again during the Korean War. Even later during Operation Desert Storm, it was reported that some of the U.S. ships sent service flags back home to the families of everyone abroad.

The Service Banner, also called the Blue Star Flag, was designed and patented by WWI Army Captain Robert L. Queisser of the 5th Ohio Infantry in 1917. The copyright passed to the US Department of Defense, which regulates its manufacture.

The flag is to be displayed in a front window of the residence of the immediate family of an active-duty member of the Armed Forces.



Conceptual Design of City of Bastrop Service Banner Program:

Applying the referenced criteria, the City Council may design its own version of the program to honor our local service members and their families. In management of this initiative, Council would direct staff to develop operational guidelines of the program and establish a jurisdictional-based boundary of eligibility for the City of Bastrop sponsored program.

A reasonably manageable and affordable suggestion could be to make this program available to family residents of the city with active-duty service personnel, or those who graduated from the Bastrop Independent School District.

Upon receipt of a completed application (offered via website or at City Hall), the presentation of Service Flag would be placed on a City Council agenda and be presented to the family by the Mayor. A personalized certificate issued by the City of Bastrop would also be provided at the presentation.

Military Service Banners are available for purchase from a number of sources. The recommended vendor for the City of Bastrop Program provides for the presentation of a complete kit for the immediate family of active-duty service members. This complete kit is very well conceived and includes the flag banner, a lapel pin banner, a vehicle decal and a brief overview of the Service Flag.

Using an annual projection of twenty (20) presentations per year, the annual cost of the kits would be a very affordable budget item of approximately \$500.00.

Recommendation:

Staff recommends that Council consider immediate implementation of the Military Service Flag Program for the City of Bastrop to honor our active-duty service members and their families.

CITY OF BASTROP

AGENDA ITEM: **D.4****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: March 4, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on speed limit on Blakey Lane, street extending from Edward Burleson Lane to Farm to Market Road 969.**

2. Party Making Request: **Willie DeLaRosa, Council Member**

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: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

Teresa Valdez

From: Trey Job
Sent: Wednesday, March 06, 2013 2:47 PM
To: Teresa Valdez
Subject: Re: Speed limit behind Lowes

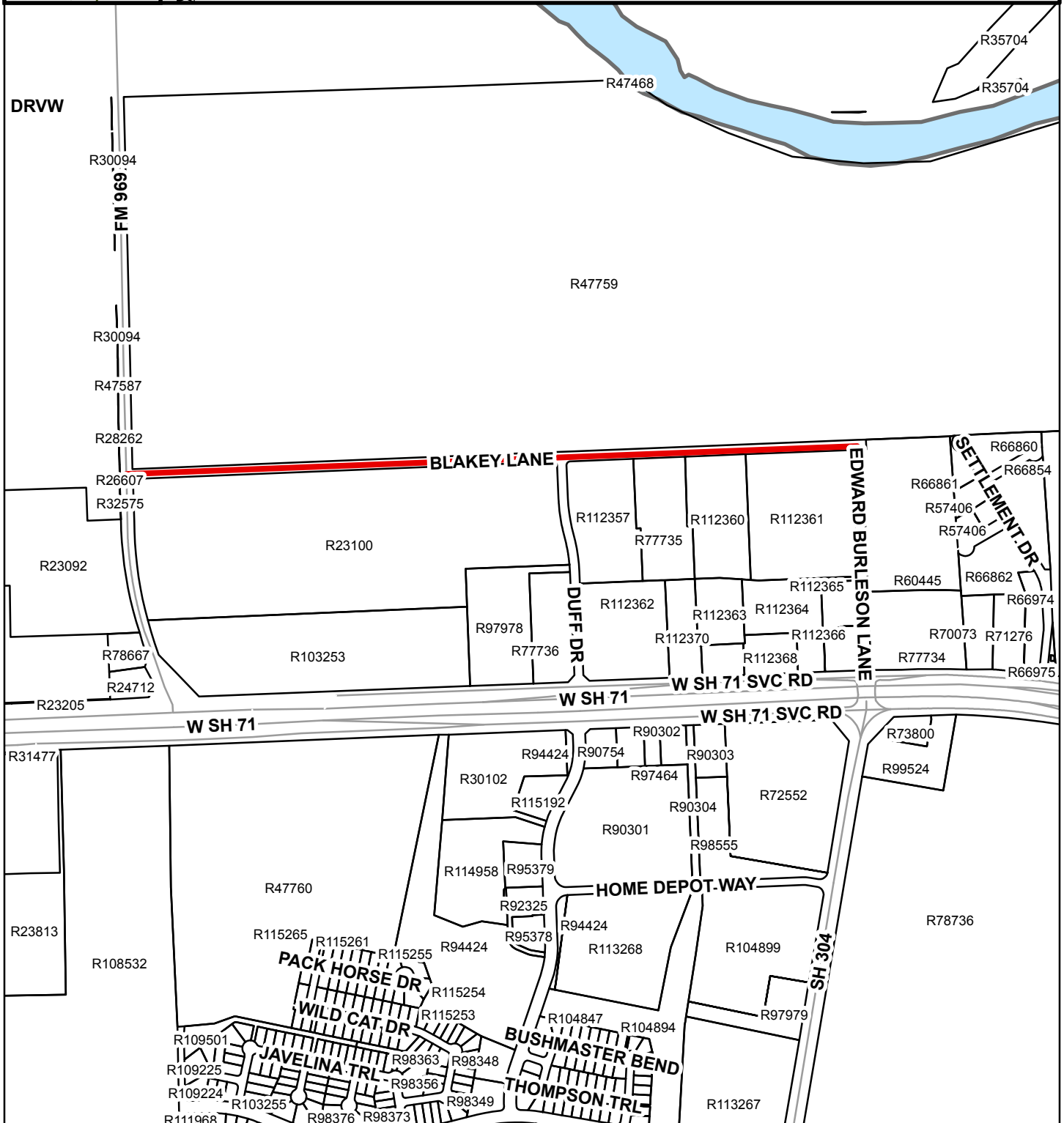
The speed limit was 30 mph and I believe there was 3 signs showing the speed limit 2 west bound and 1 east bound

Trey Job
Director
Public Works, Parks, & Recreation
tjob@cityofbastrop.org
7am-12pm & 1pm-4pm
512/332-8932 direct
512/848-5716 cell
512/321-1313 fax



Legend

———— Arterial Roads



CITY OF BASTROP

AGENDA ITEM: **D.5****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: March 5, 2013

MEETING DATE: March 12, 2013

1. Agenda Item: **Consideration, discussion and possible action on adoption of a Resolution nominating an individual as Member of the Bastrop Central Appraisal District Board of Directors.**

2. Party Making Request: **Teresa Valdez, City Secretary**

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

The City received a letter dated February 22, 2013 from the Bastrop Central Appraisal District (letter attached) notifying the City of a vacancy on the Bastrop Central Appraisal District Board of Directors. Under the Texas Property Code, election of the Bastrop County Appraisal District's Board of Directors is the responsibility of the governing bodies of the taxing entities of Bastrop County.

The vacancy is due to the resignation of Mr. Gene Sampson of Smithville. (See letter attached) In his letter of resignation Mr. Sampson recommends Roderick Emanuel to complete his current term on the Board.

The Bastrop Central Appraisal District is requesting each entity submit their nominee, to fill the vacancy, by Resolution.

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: _____



3/8/2013

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BASTROP CENTRAL APPRAISAL DISTRICT

P.O. DRAWER 578 • BASTROP, TEXAS 78602-0578
PHONE (512) 303-1930 • FAX (512) 303-4805

BOARD OF DIRECTORS

ELAINE SEIDEL
Chairman

BECKY BUNTE
Secretary

BRYAN BRACEWELL

DAVID REDD

GENE SAMPSON

LINDA HARMON

Chief Appraiser
MARK BOEHNKE
RPA/RTA

February 22, 2013

Mr. Mike Talbot, City Manager
City of Bastrop
P. O. Box 427
Bastrop TX 78602

Re: Bastrop CAD Board of Directors Vacancy

Dear Mr. Talbot:

I am writing to notify you of another vacancy on our Board of Directors. On Tuesday, January 29, 2013, Mr. Gene Sampson of Smithville submitted his resignation as a member of the Bastrop Central Appraisal District Board of Directors. Please see enclosed letter.

Please find enclosed the procedures for filling a Board vacancy. In accordance with the code, each eligible entity has 45 days from the date of this notice to submit a nominee for the vacancy. Please submit your nominee by resolution adopted by your governing body by April 8, 2013.

I will deliver the list of nominees to our Board by April 13, 2013. The Board will then elect one of the nominees by majority vote. The new Board member will serve the remaining term until December 31, 2013.

Please let me know if you have any questions. You can contact me at 512-303-1930 or via email at markb@bastropcad.org.

Sincerely,

Mark Boehnke
Chief Appraiser

Enclosure

CERTIFIED MAIL# 7012 1640 000 0957 0330

PROCEDURES TO FILL BOARD VACANCY

Excerpt from Texas Property Tax Code re Board Vacancy:

§ 6.03. Board of Directors

(f) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy.

The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees.

The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

~~~~~  
BCAD Entities entitled to vote:

- Bastrop County
  - Bastrop ISD
  - Bastrop City
  - Elgin ISD
  - Elgin City
  - Lexington ISD
  - McDade ISD
  - Smithville ISD
  - Smithville City
- ~~~~~

**02/22/2013** Send notice of vacancy to above entities

**04/08/2013** Deadline to submit nominees to chief appraiser by resolution

**04/13/2013** Deadline for chief appraiser to deliver nominees to Board of Directors



3/8/2013

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RECEIVED  
MAIL

JAN 29 2013

BASTROP CENTRAL  
APPRAISAL DISTRICT

From: Gene Sampson Sr.  
P.O. Box 243  
Smithville, Texas 78957

To: Bastrop Central Appraisal District  
P.O. Drawer 578  
Bastrop, Texas 78602

Dear Board Members,

With great regret I am submitting my resignation due to health reasons. I have enjoyed working with this board and wish them continued success.

I would like to recommend Roderick Emanuel to complete my current term on this board. I would greatly appreciate your consideration on this matter.

Sincerely,



Gene Sampson Sr.

**RESOLUTION NO. R-2013-**

**WHEREAS**, under the Texas Property Tax Code, Section 6.03, Board of Directors if a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy.

The City of Bastrop does hereby **RESOLVE** to nominate the following individual as Member of the Bastrop Central Appraisal District Board of Directors.

**Candidate(s):**

\_\_\_\_\_

**PASSED AND APPROVED** the 12<sup>th</sup> day of March 2013.

\_\_\_\_\_  
Terry Orr, Mayor

Attest:

\_\_\_\_\_  
Teresa Valdez, City Secretary