

**NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
January 8, 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 **January 8, 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:

<u>REGULAR MEETING</u>	<u>TAB</u>	<u>PAGE</u>	<u>ORIGINATOR</u>	<u>STATUS</u>
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ANNOUNCEMENTS

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Presentations:
 - A. Character Education – Bastrop student
 - B. Mayor to administer Oath of Office to Patrol Officer John Dubose
 - C. Wayfinding Project – Curtis Roberts, fd2s
4. Proclamations:
 - A. Martin Luther King, Jr. & Coretta Scott King Day
5. Announcements

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

- A. Meetings and Events Attended:
 1. Lost Pines Groundwater Conservation District monthly meeting on December 19, 2012.
- B. Update on City Projects:
 1. Chestnut Street Sidewalk Project.
 2. Bastrop Power & Light Administrative/Training Building.
 3. Bob Bryant Park Water Facilities Improvements Project.
 4. State Highway 71 Wastewater Pipe Bursting Project.
 5. Fayette Street Wastewater Improvements Project.
 6. Discussion and review and update of the Calendar regarding scheduled meetings and planning for 2013 for the City Council.
 7. Farm Street Project.
 8. Parks Board Public Hearing on proposed Skate Park to be held January 10, 2013.
- 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.

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|---|-----|----|---------------|
| A.1 Approval of meeting minutes of December 11, 2012. | A.1 | 12 | Teresa Valdez |
| A.2 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses. | A.2 | 23 | Karla Stovall |
| A.3 Approval of waiver of fee for hanging banner on banner plaza for annual Empty Bowl Fundraiser as requested by Bastrop County Emergency Food Pantry. | A.3 | 26 | Teresa Valdez |

A.4 Adoption of a Resolution of the City of Bastrop City Council requesting the members of the 83 rd Legislative Session of the State of Texas support legislation that increases funding for the Texas Recreation & Parks Account and Large County and Municipality Recreation and Parks Account Local Park Grant Programs, and the Texas State Park System.	A.4 28 Dock Jackson
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B. PUBLIC HEARINGS:

B.1 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:

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

D.1 Consideration, discussion and possible action of approval of signs For the Bastrop County Historical Society Museum and Visitor Center, Located at 904 Main Street, in accordance with Lease Agreement Section 4.11, signed April 29, 2009.	D.1 31 Melissa McCollum
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D.2 Consideration, discussion and possible action authorizing the City Manager to execute a change order with Mercer Construction for the Fayette Street Wastewater Improvements Project, increasing the linear footage of the wastewater main to be replaced.	D.2 51 Mike Talbot
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D.3 Consideration, discussion and possible action regarding a request from the Bastrop County Historical Society that the City of Bastrop abandon "all that certain tract or parcel of land containing 0.213 acre, being an unopened 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 un-platted 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".	D.3 54 Mike Talbot
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D.4 Consideration, discussion and possible action directing the City Manager to initiate a Zoning District Boundary Amendment for property legally described as "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" or "702 Main Street" from its current zoning district being Office and Park Land Zoning District to Office District.	D.4 62 Mike Talbot
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D.5 Consideration, discussion and possible action directing the City Manager to initiate a Zoning District Boundary Amendment for property legally described "as 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 un-platted 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 zoned Office District.

D.5 68 Mike Talbot

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.

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 4th day of January 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: January 4, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **City Manager informational update report: Items for update, discussion and possible action:**

A. Meetings and Events Attended:

1. **Lost Pines Groundwater Conservation District monthly meeting on December 19, 2012.**

B. Update on City Projects:

1. **Chestnut Street Sidewalk Project.**
2. **Bastrop Power & Light Administrative/Training Building.**
3. **Bob Bryant Park Water Facilities Improvements Project.**
4. **State Highway 71 Wastewater Pipe Bursting Project.**
5. **Fayette Street Wastewater Improvements Project.**
6. **Discussion and review and update of the Calendar regarding scheduled meetings and planning for 2013 for the City Council.**
7. **Farm Street Project.**
8. **Parks Board Public Hearing on proposed Skate Park to be held January 10, 2013.**

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

December-12

Part 1

Number of Calls, by type

Structure *	6	Wildland **	8
Vehicles	1	EMS Assist	4
Mutual Aid	4	False Alarms	25
Control Burns	27	Haz-Mat	17
Rescue/Extrication	2	Other	1

Total Calls 95

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

90%	75%	40%
0%	0%	0%

	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Other
Fires By District	6	13	17	19	4
CTY	22	4			

** Total Number of Acres Burned four

Part 2

PERSONNEL HOURS*

Total Personnel Hours at Calls (Part 1)	1050.5
Total Personnel Hours at Training	176
Total Personnel Hours at other Events	150

Total Personnel Hours This Month 1376.5

1. Number of Accidents/Injuries this Month. 2

Part 3

Average Response Time 7.86 Minutes

Top 5 Responders	Amount of Calls
1 c.laird / c lively	73/72
2 j.gill	56
3 d. laird	54
4 b.laird	52
5 r. stradling	50

Bastrop Public Library Librarian's Report January 7, 2013

1. Library Statistics for the month of November. Circulation statistics are down 1% compared to November 2011; gate count is down 6% compared to November 2011; programming is up 7% compared to November 2011; Internet usage down 16% as compared to November 2011 and reference requests are up 30% compared to November 2011.
2. In the month of December 88 children and adults attended Story time.
3. In the month of December 120 children were read to by staff of local day care centers using materials from Storytime boxes provided by the Bastrop Public Library.
4. On Monday, December 3 Bonnie Ueckert hosted ten students from the Calvary Episcopal School after school program.
5. On Tuesday, December 4 Bonnie Ueckert hosted the Brown Bag Movie, "Muppets Christmas." Seven children and adults attended the movie.
6. On Thursday, December 6 Bonnie Ueckert taught library skills to 12 homeschooled children.
7. On Friday, December 7 Bonnie Ueckert and Melissa Bullara attended the "Performer's Showcase" held at the Georgetown Public Library.
8. On Saturday, December 8, Bonnie Ueckert and Sheilah Kosco hosted a "Gingerbread House" craft event during the Library's annual Open House. 330 children and adults decorated graham cracker houses and/or sugar cookies.
9. On Saturday, December 8 the library held its annual Library Board Open House. An estimated 800 children and adults shared food and drink with Library Board members, library staff, members of Friends of the Bastrop Public Library and members of the Bastrop Genealogical Society while listening to entertainment provided by the Bell Choir and Bastrop Orchestra. Santa and Mrs. Klaus visited and provided families the opportunities for picture taking.
10. On Saturday, December 8 Sheilah Kosco and a group of 22 Teens decorated the library float and rode the float in Bastrop's lighted Christmas parade.
11. On Saturday, December 8 Jean Zurow, with other Bastrop Genealogical Society members, provided eats and drinks in the Nell Herndon Local History Room. Society members assisted an estimated 48 patrons with their family history research.
12. On Monday, December 10 Bonnie Ueckert hosted ten students from the Calvary Episcopal School after school program.
13. On Tuesday, December 11 Mickey DuVall and Sheilah Kosco participated in a webinar on Texas State Library Grant Funding Opportunities for Fiscal Year 2014.
14. On Thursday, December 13 library staff hosted the second semi-annual volunteer luncheon in the Lina S. Pressley Meeting Room. Thirty staff members and volunteers attended the luncheon.
15. On Thursday, December 13 Sheilah Kosco hosted a Teen Anime Club meeting. Club members discussed and reversed a previous decision not to buy movie licenses to the movies they want to watch. In addition, the teens worked on a mural, discussed having an art contest in March and creating a manga series. Twenty-two teens attended the meeting.
16. On Monday, December 17 Bonnie Ueckert hosted twelve students from the Calvary Episcopal School after school program.

17. On Tuesday, December 18 Mickey DuVall and other library staff attended a City-wide organizational meeting at city hall.
18. On Tuesday, December 18 Mickey DuVall and Sheilah Kosco interviewed two candidates for the NEG grant positions. One candidate was chosen, Laura Lee Green.
19. On Wednesday, December 19 Mickey DuVall and Sheilah Kosco interviewed two candidates for the NEG grant positions.
20. On Thursday, December 20 Mickey DuVall and Linda Jenkins attended the Warden's quarterly luncheon at the Federal Prison.
21. On Thursday, December 20 Sheilah Kosco hosted a teen open video game night. Due to the holidays, only twelve teens participated.
22. The library was closed December 24 and 25 for the Christmas holidays.

Respectfully submitted: Mickey DuVall, Library Director

Bastrop Public Library Patron Behavior Policy

Library Mission: The mission of the Bastrop Public Library is to provide free and unrestricted access to informational, educational, cultural and recreational library materials and services in a clean, comfortable, secure environment for people of all ages.

To enable the library to fulfill its mission, library patrons are asked to respect and follow the policies listed below. Patrons who violate the Behavior Policy will receive notice they are in violation and may be asked to leave the library.

- I. Disruptive behavior is generally defined as any patron behavior that interferes with the normal operation of the library or which unreasonably interferes with another patron's ability to use the library. Disruptive behavior will not be tolerated. The following list of disruptive behaviors is used for illustrative purposes and is not comprehensive:
 1. Illegal acts
 2. Sexual harassment or misconduct
 3. Stealing or vandalizing library property
 4. Loitering
 5. Running, shouting, loud talking, pushing, threatening or harassing behavior
 6. Playing audio equipment loud enough to disturb others
 7. Loud Cell telephone ringing and/or conversations
 8. Possession or use of illegal drugs or alcohol
 9. No smoking or use of any tobacco product on library property
 10. Use of skateboards, roller blades/skates/scooters on library property
 11. Soliciting of any kind and/or asking for signatures on petitions
 12. Blocking of aisles or entrances
 13. Possession of weapons
 14. Monopolizing library resources or staff time
 15. Eating or drinking within the library unless at authorized library events
 16. Discourtesy to other library Patrons or the Library Staff
 17. Adults sitting in either the children's or teen's room without assisting their children or selecting material
 18. Truancy—Please refer to Bastrop, Texas, Municipal Code § 8.8.03 (2012).
- II. While visiting the library, Patrons are required to:
 1. Respect other library users and their privacy at all times
 2. Wear appropriate attire, including shoes and shirts (no wet clothes or bathing suits)
 3. Not present an odor nuisance
 4. Not bring animals into the library, other than service animals—nor leave animals outside unattended
 5. Ask permission to use library telephones, calls are limited to emergencies and requests for transportation
 6. Use library furniture, materials, equipment and facilities for their intended purposes
 7. Take care of their own possessions, the library will not be responsible for patron's items
 8. Follow the library's policies
- III. Parents, Guardians, and Caregivers* responsibilities:
 1. Persons 17 years old or younger are defined as 'children' for the purposes of this Policy.

2. Parents or legal guardians, whether present in the library or not, are responsible for their children's behavior at all time.
3. Parents or legal guardians are responsible for any damages to library property caused, in whole or in part, by their children, regardless of the children's age.
4. Children under the age of eight years **must** be accompanied by a parent, a guardian, or a Caregiver*, at all times
5. Parents, guardians or Caregivers* are responsible for maintaining control over their children's behavior in the library, at all times
6. Parents, guardians or Caregivers accompanying children eight years or younger must stay within a reasonable distance (within eyesight) of their children, at all times

*(If a parent designates a 'Caregiver' to accompany a child eight years or younger to the library in the parent's absence, the Caregiver must be at least 14 years of age and must demonstrate maturity and competence to care for and control the children left in their care, while in the library.)

***The library retains the right to search all personal bags or backpacks.

***Patron library privileges may be limited at the discretion of the Library Director

Revised: 1/2/2013MB

Library Board Approved:

Bastrop City Council Approved:

Planning and Development Department

Monthly Report – December 1, 2012 – December 31, 2012

<u>Building Permit Type</u>	<u>Month</u>	<u>YTD</u>	<u>2011 YTD</u>
Single Family Residences	2	38	49
Commercial Starts	0	9	13
Miscellaneous (electrical, plumbing, HVAC, pools, sprinklers, storage buildings, patio covers, signs)	26	463	469
Residential Remodels	0	41	37
Commercial Remodels	3	40	25
Total Permits Issued	31	591	593
Commercial and Residential Inspections	166	1756	1636

Business Information requests:

-
-

Projects in Process:

Commercial Construction

- LaHacienda Restaurant, Meat Market and Tortilla Factory
- Sierra Classic Homes-Model
- Capps Medical Office
- Popeye's Chicken
- Riverwood Commons Phase 1 Senior Apartments

Commercial Const Remodels

Land Development Plans

- Covert Chevrolet-Remodel
- Bethlehem Baptist Church
- Tiger Tote
- H2O Ice House
- Pine Forest Drainage Master Drainage Study

Site Work

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

Subdivisions

- Hunters Crossing, Section 9C Final
- Final Plat for Bear Hunter Drive in Hunters Crossing
- XS Ranch Prelim Phase 1A
- Tahitian Unit 2 Amended Plat

Other Projects/Activities in Process:

Regulatory/Policy Documents:

Official Meetings:

- 1 City Council Meetings
- 0 Planning and Zoning Commission Meeting
- 0 Board of Adjustment Meeting
- 1 Historic Landmark Commission Meeting
- 2 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

11/1/2012 – 11/30/2012

Last update: 1/3/2013

Planning and Development Monthly Report

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: December 13, 2012

MEETING DATE: January 8, 2013

1. Agenda Item: **Approval of meeting minutes of December 11, 2012.**
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: _____

December 11, 2012

The Bastrop City Council met in regular session on December 11, 2012 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

Police Chief Michael Blake led the pledges of allegiance to the U.S. and Texas flags. Reverend Bob Long led the invocation.

3. PRESENTATIONS

A. CHARACTER EDUCATION – BASTROP STUDENT

Kristen Ballard a Senior at Bastrop High School presented the Character Education character trait “Perseverance” for the month of December.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

City Manager, Mike Talbot stated that a few months ago he advised the Council that there had been a short period in which the City could submit applications to the Federal Emergency Management Association (FEMA) for grants. Mr. Talbot stated the City had submitted 10 to 12 applications for various types of projects. Mr. Talbot stated Mayor Orr received a letter this week stating the City had been approved by FEMA and the State of Texas for the generator project for the Willow Street Plant, project number DR-4029-007. Mr. Talbot stated the total project cost is \$315,789 with the federal share awarded being \$236,841 and the non-federal share being \$78,948. Mr. Talbot stated Mayor Orr received another letter this week stating the City had been approved by FEMA and the State of Texas for another generator for Loop 150 elevated storage facility & pumps, project number DR-1999-044. Mr. Talbot stated the total project cost is \$315, 789 with the federal share awarded being \$236,842 and the non-federal share being \$78,947. Mr. Talbot stated the City does have up until July 2016 to utilize the funding but the City should try and complete the projects within a year’s time and keep in good standing with FEMA. Mr. Talbot stated the City now has to come up with the matching funds. Mr. Talbot stated he will have a Plan of Action for the Council to consider at the second meeting in January.

Mayor Orr stated the City Secretary would be sending Council information on vacancies on the

various City Boards and Commissions. Mayor Orr stated he would appreciate any Council recommendations for filling these vacancies.

City Secretary, Teresa Valdez stated she had distributed to the Council tonight the lists of the various Boards and Commissions which held vacancies.

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

- A. MEETINGS AND EVENTS ATTENDED:
 - 1. REGULAR & SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION ON NOVEMBER 29, 2012.
 - 2. LIBRARY BOARD MEETING ON DECEMBER 3, 2012.
 - 3. PARKS BOARD MEETING ON DECEMBER 8, 2012.
- B. UPDATE ON CITY PROJECTS:
 - 1. CHESTNUT STREET SIDEWALK PROJECT.
 - 2. BASTROP POWER & LIGHT ADMINISTRATIVE TRAINING BUILDING.
 - 3. BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PROJECT.
 - 4. STATE HIGHWAY 71 WASTEWATER PIPE BURSTING PROJECT.
 - 5. FAYETTE STREET WASTEWATER IMPROVEMENTS PROJECT.
 - 6. LONG TERM WATER SUPPLY STUDY.
 - 7. REVIEW OF SCHEDULED MEETINGS FOR 2013.
 - 8. FARM STREET PROJECT.
 - 9. PARKS BOARD MEETING ON DECEMBER 6, 2012.
 - 10. BASTROP ECONOMIC DEVELOPMENT CORPORATION – CLEAN-UP OF BUSINESS PARK.
 - 11. HOLIDAY SCHEDULE FOR CITY OPERATIONS.
 - 12. LOST PINES MOVIE THEATER EXPANSION.
 - 13. BASTROP MARKETING REPORT.
 - 14. CITY’S WEB SITE – CITIZEN’S INQUIRY.
 - 15. ANNUAL CHRISTMAS BANQUET – DECEMBER 14, 2012.
- 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 his written City Manager Report was sent to the Council on Monday.

Mr. Talbot addressed Item A.1. Mr. Talbot stated the Planning and Zoning Commission had held a Special Meeting on Form Based Code. Mr. Talbot stated that between now and January 11, 2013 he plans on having a meeting with the chair persons of the Planning and Zoning

Commission, the Main Street Advisory Board, the Historic Landmark Commission and the Board of Adjustment, Melissa McCollum and Nancy Wood to try and formulate a recommendation to Council on where the City goes from here regarding Form Based Code.

Mayor Orr asked if there is a monetary cost associated with the Form Based Code.

Mr. Talbot stated there is a monetary cost associated with the Form Based Code. Mr. Talbot stated that as learned from the presentation on Form Based Code, that it is not applied to the entire City; that you can concentrate on a certain area. Mr. Talbot stated staff wants some feedback, the Planning and Zoning Commission has asked for this for the last three years. Mr. Talbot stated the Zoning Ordinance also needs to be updated but the City cannot afford to do both the Form Based Code and the update of the Zoning Ordinance.

Mr. Talbot addressed Item B.7. Mr. Talbot stated Council Member Ken Kesselus had made a good suggestion that it would be helpful for Council Members to know the proposed meeting schedule for 2013 before it is placed on the Agenda for confirmation or ratification. Mr. Talbot stated rather than simply listing the dates of the meetings he had distributed to Council this week a month by month color coded calendar showing all the regular Council meetings, the potential utility workshops, which would be addressed later tonight at this meeting, the budget workshops and other meetings of interest to the Council. Mr. Talbot stated he is recommending that the Council have a Retreat on a given Saturday in the months of either March or April or on the first Saturday in May, being May 4, 2013. Mr. Talbot asked the Council to review the schedule and between now and the first meeting in January, if the Council would like to make revisions, please email them to him and then he will bring the revised schedule back to Council at the January 8, 2013 meeting for confirmation or ratification.

Brief discussion was held among Council and Mr. Talbot regarding the proposed meeting schedule and the budget workshops scheduled.

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 NOVEMBER 27, 2012.

A.2 ADOPTION OF AN ORDINANCE MODIFYING THE CONTRACTUAL RATES PAID TO ALLIED WASTE SERVICES FOR RESIDENTIAL AND COMMERCIAL GARBAGE COLLECTION SERVICE BY ALLIED WASTE SERVICES, AMENDING THE RATE OF RESIDENTIAL SERVICE BY ALLIED WASTE SERVICES; AMENDING THE RATE OF RESIDENTIAL AND COMMERCIAL GARBAGE SERVICE CHARGED TO THE CITIZENS OF BASTROP FOR ADMINISTRATIVE AND SERVICE RATES; AND PROVIDING AN EFFECTIVE DATE.

A.3 APPROVAL OF THE PROPOSED TAX REBATES FOR HISTORIC LANDMARKS.

A.4 APPROVAL OF A STATUTORY DENIAL EXTENSION, FOR A PERIOD OF 180 DAYS COMMENCING ON DECEMBER 22, 2012 FOR XS RANCH PHASE 1-A PRELIMINARY PLAT WITHIN THE CITY OF BASTROP, TEXAS EXTRA TERRITORIAL JURISDICTION (ETJ).

A.5 APPROVAL OF REQUEST TO ACCEPT THE PUBLIC IMPROVEMENTS, NOT AFFILIATED WITH THE TEXAS CAPITAL FUND GRANT, FOR BUC-EE'S STORE #28 SUBDIVISION LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.6 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.

Willie DeLaRosa asked that Consent Agenda Item A.2 be pulled for separate discussion.

Joe Beal moved to approve the Consent Agenda minus Item A.2. Motion was seconded by Willie DeLaRosa and carried unanimously.

Mayor Orr read the caption of the Ordinance listed as Consent Agenda Item A.2, in compliance with the City's Home Rule Charter.

City Manager, Mike Talbot stated the first reading of this Ordinance had been conducted at the last Council meeting. Mr. Talbot stated staff did confirm that the rate increase request is in line with the Contract.

Willie DeLaRosa stated there was a nineteen cents increase for residents from this year to last year, and he wanted to know what were some of the issues Allied raised for this increase since fuel costs have gone down.

Mayor Orr stated over the last few years the Contract has worked both ways, when the Consumer Price Index had gone down, Allied had lowered the rates, and when the Consumer Price Index had gone up, Allied had requested an increase in rates from the City.

Willie DeLaRosa stated there was a typographical error in the third "Whereas" in the Ordinance, instead of "2012", it should state "2011".

Dock Jackson moved to adopt the Ordinance with the correction to the typographical error noted by Mr. DeLaRosa. Motion was seconded by Ken Kesselus and carried unanimously.

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: TO RECEIVE PUBLIC INPUT ON A REQUEST FROM DELI DEPOT, LOCATED AT 1006 MAIN STREET, BASTROP, TEXAS, FOR A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.004 SALE OF ALCOHOLIC BEVERAGES, DISTANCE OF PREMISES FROM CHURCH, SCHOOL OR HOSPITAL.

City Manager, Mike Talbot stated notice of the Public Hearing was provided to all property owners as stated in the Code and was published in the Bastrop Advertiser on Saturday, November 24, 2012. Mr. Talbot stated over 50% of the Notices of Public Hearing for the November 27, 2012 Council Meeting were returned to the City as “undeliverable”. Mr. Talbot stated it was the recommendation of staff to City Council that the Public Hearing and action item be pulled from the November 27, 2012 Council Agenda in order to reschedule the Public Hearing for December 11, 2012 and ensure that all property owners be notified of the Public Hearing. Mr. Talbot stated notices were re-mailed and Notice of the Public Hearing was published in the Bastrop Advertiser on Saturday, December 8, 2012.

City Manager, Mike Talbot stated a letter dated November 19, 2012 was received from Joey Chapman on behalf of Deli Depot Restaurant requesting a variance to Bastrop Code of Ordinances Article 4.01, Section 4.02.004. Mr. Talbot stated according to the Bastrop Code of Ordinances Article 4.01, Section 4.02.004 the City Council may provide variances to the 300-foot limitation if the city Council determines that the enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, or is not effective or necessary, or for any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation determines is in the best interest of the community. Mr. Talbot stated according to the City’s Code the Council is required to conduct a Public Hearing to receive public input on the requested variance. Mr. Talbot stated 13 responses were received in favor of the request for the variance and 1 response against the request for variance.

There were no public comments.

B.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM DELI DEPOT, LOCATED AT 1006 MAIN STREET, BASTROP, FOR A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.004 SALE OF ALCOHOLIC BEVERAGES, DISTANCE OF PREMISES FROM CHURCH, SCHOOL OR HOSPITAL.

Joe Beal moved to grant the variance. Motion was seconded by Willie DeLaRosa and carried unanimously.

B.3 CITIZEN COMMENTS.

There were no citizen comments.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

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

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM BASTROP ART IN PUBLIC PLACES TASK FORCE THAT THE CITY COUNCIL PROVIDE FUNDING FOR 2013.

City Manager, Mike Talbot stated at the last Council meeting it was requested that he contact Ms. Karol Rice of the Bastrop Art in Public Places Task Force to see if Ms. Rice was expecting Arts in Public Places to be on the December 11, 2012 Council meeting agenda based upon her presentation to the Council on October 23, 2012. Mr. Talbot stated he contacted Ms. Rice and she advised him that the Bastrop Arts In Public Places Task Force would like very much to be on the December 11, 2012 Council meeting agenda. Mr. Talbot stated the nature of the Bastrop Arts in Public Places Task Force request is to discuss with the member of the Council some level of funding for 2013. Mr. Talbot stated Ms. Rice has included a letter which more clearly lays out the nature of their funding request. Mr. Talbot stated he had City Attorney, J.C. Brown review this letter and Ms. Brown advised him that the nature of their request is eligible for Hotel Occupancy Tax (HOT) funding based upon the findings of the City Council. Mr. Talbot stated the biggest issue of Ms. Rice is that they would like to move forward with the development of their first major public call to artists. Mr. Talbot stated Ms. Rice states in her letter that they are looking at either a mosaic stairway or a public mural (perhaps on the back of the new museum).

Kay Garcia McAnally stated the Bastrop Art in Public Places Task Force cannot put out a call to artists until they have a budget.

Mr. Talbot stated in Ms. Rice's letter she states they have two estimates from mosaic artists in order to get an idea of the cost of such a project and that was between \$40,000 and \$60,000. Mr. Talbot stated the Council has three funds that could be used: General Fund, Community Services Fund and the Hotel Occupancy Tax (HOT) Revenue Fund. Mr. Talbot stated he chose to do his analysis on the HOT Fund because the General Fund is pretty tight this year because the Council had chosen not to raise taxes and budgets were cut. Mr. Talbot stated the estimated revenues for the HOT Fund is 2.3 million at this point and he feels confident that the City is going to meet that. Mr. Talbot stated he attending a meeting today with hotel owners and the weekend of the Formula One race had been good. Mr. Talbot stated the City has kept the expenditures in line with the projected 2.3 million revenue, and this does include an expenditure of \$26,400 for the Formula One race and it is his understanding that the City will be receiving a check from the Chamber of Commerce for \$8,000, so that leaves the City with a \$14,000 expenditure out of the HOT Fund. Mr. Talbot stated that if the City funds \$50,000 that would keep the Fund Balance at the same level as the City started with in Fiscal Year 2011. Mr. Talbot stated to him it was extremely important not to drop that Fund Balance below 1.8 million and the reason for this is because the City had issued a large bond package and the rating agencies look at the City ability to pay it back and the 1.8 million fund balance provides a comfort level that the City is able to pay back money borrowed. Mr. Talbot stated that if the City starts pulling that fund balance down that could impact the City's bond rating. Mr. Talbot stated if the City does not spend any more money, they could allocate \$50,000 to the Bastrop Art in Public Places Task Force and that is his recommendation.

Willie DeLaRosa stated he thought the Council had developed a process for requesting funds from the HOT fund and now there is an organization coming in and asking for money outside of this process. Mr. DeLaRosa asked what that tells other organizations. Mr. DeLaRosa asked if the City was going to be consistent with other organizations.

Ken Kesselus stated he thought Mr. DeLaRosa had a good point, but this is a committee appointed by Council and not an outside organization. Mr. Kesselus stated he did not think this was a kind of organization that would apply for HOT funding and they would not be included in that process developed by the Council.

Discussion was held among Council and Mr. Talbot.

Dock Jackson moved to award the Bastrop Art in Public Places Task Force \$50,000, to be taken from the Hotel Occupancy Tax Revenue Fund, to be utilized for the first major public call to artists for either a mosaic stairway or public mural. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE BASTROP CITY CODE OF ORDINANCES, APPENDIX A FEE SCHEDULE, ARTICLE A.13.02 “WATER AND WASTEWATER RATES AND CHARGES” REPEALING CONFLICTING PROVISIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

City Manager, Mike Talbot stated following the direction set forth by the Council last year this time this is the second year of implementation of the Capital Improvement Program. Mr. Talbot stated in order to remain consistent with Rimrock Consulting Company’s recommendation of a rate increase of 9.9% and to properly provide water and wastewater service within the City, it is necessary to amend the current water and wastewater rates and charges. Mr. Talbot stated in the Council does not approve this rate increase the City will not be able to address the water supply issues.

Brief discussion was held among Council and Mr. Talbot.

Ken Kesselus moved to approve the Ordinance. Motion was seconded by Willie DeLaRosa and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON AWARDING THE BID TO ANDREW’S & FOSTER DRILLING COMPANY AS RECOMMENDED BY R.W. HARDEN & ASSOCIATES FOR DRILLING A TEST HOLE FOR WATER SUPPLY AT MAYFEST PARK.

City Manager, Mike Talbot called the Council’s attention to a Memo from Mr. James Bene of R.W. Hardin & Associates, included in the Agenda packet. Mr. Talbot stated Mr. Bene is recommending award of the bid for drilling one test hole at Mayfest Park to Andrews & Foster Company. Mr. Talbot stated the major purpose of drilling the test hole is to identify aquifer zones in the Wilcox which may be suitable for municipal water supply. Mr. Talbot stated he is in agreement with Mr. Bene that the Council award the bid for Items No. 1 and No. 2 to Andrews & Foster Company in the amount of \$51,000 for drilling one test hole. Mr. Talbot stated he would recommend that prior to awarding bid Items No. 3 and No. 4, as suggested in Mr. Bene’s

memo, Mr. Bene report to the Council that work done in bid items No. 1 and No. 2 has provided the necessary information that supports spending an additional \$65,000.

Discussion was held among Council and Mr. Talbot.

Joe Beal moved award the bid in the amount of \$51,000 for Items No. 1 and No. 2 to Andrews & Foster Company and prior to awarding bid items No. 3 and No. 4, Mr. Bene report to the Council on work done in bid items No. 1 and No. 2. Motion was seconded by Willie DeLaRosa and carried unanimously.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BASTROP.

City Manager, Mike Talbot stated that based upon previous action of the City, in which the Council approved a five-year Capital Improvements Program for the water and wastewater system improvements and expansion of certain facilities, in Fiscal Year 2013 the City will be moving into the second year of the five-year Capital Improvements Program. Mr. Talbot stated the second year includes several water and wastewater projects. Mr. Talbot stated one of those projects was on the agenda tonight and approved by Council, that being the development of additional water supply. Mr. Talbot stated at the present time he is planning on issuing bonds for these projects in the February-March time frame. Mr. Talbot stated the City may incur some expenditures on these projects, such as water supply project, prior to issuing bonds. Mr. Talbot stated the purpose of this Resolution is to provide the City a mechanism to reimburse the water and wastewater fund any expenditures prior to issuing bonds from the bond proceeds.

Willie DeLaRosa moved to adopt the Resolution. Motion was seconded by Dock Jackson and carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVING THE CITY OF BASTROP POLICIES AND PROCEDURES FOR CONDUCTING THE CITY MANAGER'S ANNUAL PERFORMANCE REVIEW BY THE CITY COUNCIL.

Mayor Orr stated the Council started this because there was basically no process in place for evaluating the performance of the City Manager. Mayor Orr stated Council Member Joe Beal had started the process and it had evolved into what he believed as a more formalized evaluation process.

Joe Beal stated he thinks this is a very good step. Mr. Beal stated the Council has a schedule they can follow and it is workable. Mr. Beal stated the evaluation will feed from what Council wants and decisions can be made in time for the budget process. Mr. Beal stated page C-6 should actually be page D-2.

Mayor Orr asked that Mr. Beal be the primary person that deals with Mr. Talbot on the evaluation process.

Joe Beal moved to approve the City of Bastrop Policies and Procedures for Conducting the City Manager's Annual Performance Review by the City Council with the correct placement of the

page incorrectly placed as noted by Mr. Beal. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.6 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDING OF OCTOBER 31, 2012.

City Manager, Mike Talbot stated he is filling in for Finance Director, Karla Stovall tonight. Mr. Talbot distributed to the Council a corrected copy of the unaudited monthly Financial Reports for the period ending of October 31, 2012. Mr. Talbot reviewed the report. Mr. Talbot explained why the Hotel/Motel Fund revenues only showed revenue of \$.01%. Mr. Talbot stated last year when the auditor reviewed the City financials, the auditor recommended that the Finance Department implement that they would book the revenue earned from HOT collections in the fiscal year it was applicable to. Mr. Talbot stated in September the City will recognize two months of revenue, therefore showing 12 months of revenue for a fiscal year.

Willie DeLaRosa moved to accept the unaudited monthly Financial Reports for the period ending October 31, 2012. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.7 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS AUTHORIZING THE CITY COUNCIL TO MEET EVERY OTHER MONTH TO DISCUSS ISSUES SOLELY RELATED TO WATER/WASTEWATER AND ELECTRIC UTILITY SERVICE IN THE CITY OF BASTROP, TEXAS.

Mayor Orr stated Council Member Kesselus was responsible for the genesis of this idea.

Mr. Kesselus stated this item was self-explanatory and he was looking for a way for the Council to get a handle on the City's utilities.

Mayor Orr stated he would like more flexibility by having the word "sole" removed from No. 2 in the Resolution, because there are times when the issues, other than utility issues, arise that the Council may need to address at one of these meetings.

Discussion was held among Council, the City Manager and the City Attorney.

Ken Kesselus moved to adopt the Resolution with the word "solely" removed and an amendment of new language, to be crafted by the City Attorney, being an additional "Whereas" allowing for discussion and consideration of certain topics, other than utility topics, if the Mayor has determined that the topic is of immediate need or emergency. Motion was seconded by Kay Garcia McAnally and carried unanimously.

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 551.087 – DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS – PROJECT ZEBRA I.

At 8:15 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:

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 551.087 – Deliberation regarding economic development negotiations – Project Zebra I.

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 9:35 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.

Kay Garcia McAnally moved to direct the City Manager to provide the current FMV appraisal to Cox Enterprises, in Atlanta, Georgia, offering to purchase the property currently occupied by the Bastrop Advertiser for the price noted in the appraisal; seeking a reply to the City's offer from Cox Enterprises within 90 days; and, in the interim, to assist the Council with planning and holding an informational update meeting, in January 2013, for the public to hear and respond to the City's plans and efforts to provide additional parking in the downtown area, as those efforts relate to the letter mentioned herein. Motion was seconded by Willie DeLaRosa and carried unanimously.

F. ADJOURNMENT

At 10:35 p.m., Kay Garcia McAnally moved to adjourn. Motion was seconded by Dock Jackson and carried unanimously.

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: Dec. 31, 2012

MEETING DATE: Jan. 8, 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
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a) _____

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: December 31, 2012
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 November 2012. 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 \$80,795.39 for November 2012 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: December 27, 2012

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	\$ 1,063,294.00	\$ 1,146,278.00	\$ 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)	-	-	-	-	-	-	-	-	-	-		
Taxable Room Revenues	2,210,533.80	2,227,094.63	2,590,841.57	1,063,294.00	1,146,278.00	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	\$ 74,430.58	\$ 80,239.46	\$ 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	\$ 74,430.58	\$ 80,239.46	\$ 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)	(744.31)	(802.39)	(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	73,686.27	79,437.07	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%	45%	45%	45%		
Funds Available to BMC		68,935.50	69,451.94	80,795.39	33,158.82	35,746.68	46,900.80	75,796.76	77,735.32	73,625.07	97,283.73	109,488.23	75,117.21		
Total Budget	<u>\$844,035.45</u>	Allocated:	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.29	70,336.26		
Payment of Funds by City to BMC		\$ 68,935.50	\$ 69,451.94	\$ 80,795.39	\$ 33,158.82	\$ 35,746.68	\$ 46,900.80	\$ 75,796.76	\$ 77,735.32	\$ 73,625.07	\$ 97,283.73	\$ 109,488.23	\$ 75,117.21		
		Paid	Paid	Currently due											

check: \$ -

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: December 14, 2012

MEETING DATE: January 8, 2013

1. Agenda Item: **Approval of waiver of fee for hanging banner on banner plaza for annual Empty Bowl Fundraiser as requested by the Bastrop County Emergency Food Pantry.**

2. Party Making Request: **Bastrop County Emergency Food Pantry**

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

See attached letter from the Bastrop County Emergency Food Pantry requesting the Council waive the fee for hanging of a banner.

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: _____



December 14, 2012

City Of Bastrop
Mayor Terry Orr
Secretary Theresa Valdez
1311 Chestnut Street
P.O. Box 427
Bastrop, TX 78602

Dear Mayor Orr and Ms. Valdez,

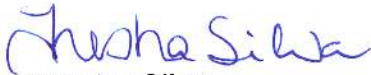
Re: Sign hanging fee

"The mission of the Bastrop County Emergency Food Pantry & Support Center is to serve Bastrop County residents going through periods of transition by providing emergency food assistance, education and support."

The Bastrop County Emergency Food Pantry is holding our annual Empty Bowl Fundraiser on Saturday, February 23, 2012. This fundraiser is instrumental in supporting the mission of our organization.

We are requesting that you waive the \$50 fee normally charged in hanging our sign on the bridge. We appreciate all you do in helping us reach those needing help in Bastrop County.

Sincerely,


Tresha Silva
Executive Director

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF BASTROP CITY COUNCIL
REQUESTING THE MEMBERS OF THE 83rd LEGISLATIVE SESSION
OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT
INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS
ACCOUNT AND LARGE COUNTY AND MUNICIPALITY RECREATION
AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND
THE TEXAS STATE PARK SYSTEM**

WHEREAS, the Texas Parks & Wildlife Department (“TPWD”) administers the Texas Recreation & Parks Account Local Park Grant Program (“TRPA”) and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 94 State parks and historical sites in Texas; and

WHEREAS, TPWD has a separate accounts in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

WHEREAS, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

WHEREAS, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1629 projects of the 3,470 submitted over 30 years delivering over \$800 million to the local Texas economy; and

WHEREAS, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

WHEREAS, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

WHEREAS, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State’s expanding population and extensive tourism industry; and

WHEREAS, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

WHEREAS, funds are needed for major repairs at state parks and for the acquisition and development of parks and facilities; and

WHEREAS, it is the desire of this City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 83rd Texas Legislature.

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

1. That members of the 83rd Legislature of Texas seek passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreation programs for both Local and State parks and that all TRPA and Urban Account funded park projects be subject to the established TPWD competitive scoring system.
2. That members of the 83rd Legislature of Texas restore funding to the TRPA and Urban accounts in the amount of at least \$15.5 million per year.

PASSED AND APPROVED by the Bastrop City Council on this the 8th day of January 2013.

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 3, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **Consideration, discussion and possible action of approval of signs for the Bastrop County Historical Society Museum and Visitor Center, located at 904 Main Street in accordance with Lease Agreement Section 4.11, signed April 29, 2009.**

2. Party Making Request: **Bastrop County Historical Society**

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

The lease agreement for the Bastrop County Historical Society way executed on April 29, 2009. In this lease agreement, in accordance with Section 4.11, proposed signage must be approved by the City Council.

4.11 Signage. All signage related to the Museum and Center shall be in conformance with the City Code and cost for the same shall be borne by the Lessee. The design of the signage shall be presented to and approved by the City Council prior to manufacture and installation.

A sign application was submitted to the Planning and Development offices on November 14, 2012 and some of the signage was approved on November 26, 2012 in accordance with our sign code. However, a portion of the proposed signage did not meet the current sign code and was not approved.

The Bastrop County Historical Society Museum would like the Council to review and approve the proposed signage, primarily the signage that does not meet code, specifically Location B. Location B is the side of the Museum (from Pine Street) being the portion of Alley B that connects Main Street to the alley. This proposed Signage on Location B, is prohibited (Section 3.20.009, Signs), because it is an "Off-premises sign."

Off-premises sign. A sign that directs attention to a business commodity, service or establishment conducted, sold, or offered at a location other than the premises on which the sign is erected.

Original sign application and new additional information related to the proposed Location B, sign is attached.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

- a) _____
b) _____

8. Staff Recommendation:

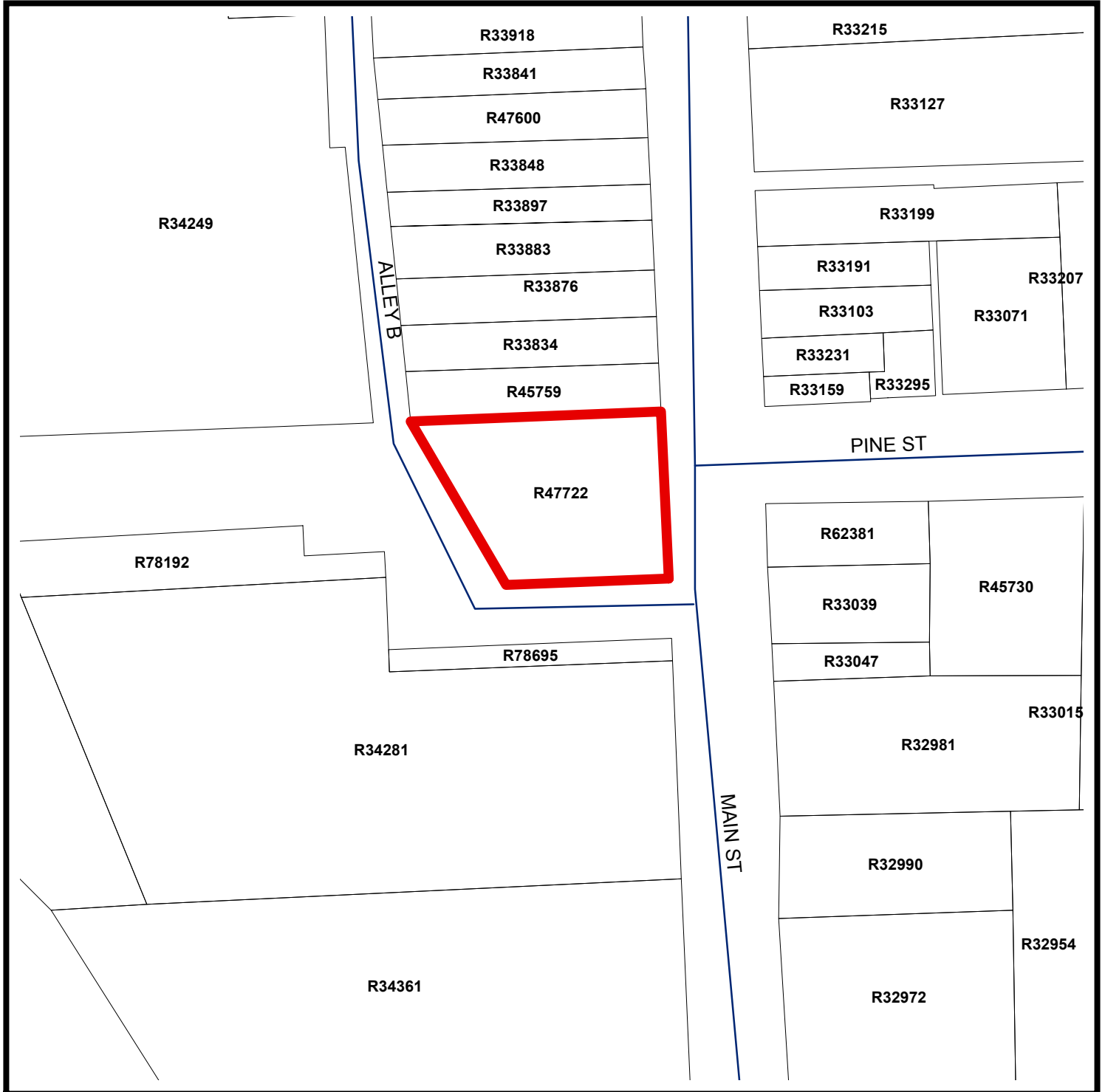
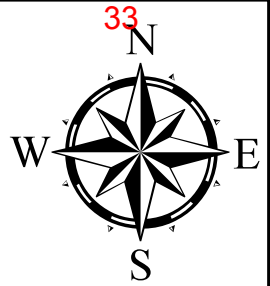
9. Advisory Board: _____Approved _____Disapproved XXNone

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____



Property Location Map for 904 Main Street



BASTROP COUNTY HISTORICAL SOCIETY

702 MAIN STREET
BASTROP, TEXAS 78602
(512) 303-0057

Bastrop Board of Adjustment
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

RE: Variance request from Sign Ordinance Sec. 3.20.009 (2)

Dear Members of the Board;

The Bastrop County Historical Society, a not for profit organization responsible for the support, preservation and education of our County heritage, respectfully request your support through granting a variance to **relocate our existing Sponsorship Plaques** to our new location. These plaques will continue to be changed monthly in recognition of our sponsors who aid in that support.

We truly feel that by granting this variance the intent of the ordinance will be preserved through the appropriateness of our signs to enhance the aesthetic appearance and attractiveness of the city for its citizens and visitors through the identification of the special character and economic advantages of the city; as well as to protect property values, the local economy, and quality of life by preserving, enhancing, and complimenting the existing appearance of the streetscape which affects the image of the city. We feel by encouraging the support of local citizens and businesses we help to convey the city's ambience to our citizens, tourists and visitors.

It is our view that to deny this request would deprive the Historical Society of the ability to continue in its charge to support the preservation and education of our County's heritage and would thus place an undue hardship upon us. We can find no facts that would support that your granting of this variance will adversely affect our surrounding property owners or be detrimental to the public health, safety or welfare, but would only compliment the City of Bastrop's newly installed Main Street Light pole banners and Public benches with their recognition of sponsorship tags and plaques.

As always, we thank you for your consideration and your support as we continue in our endeavors to restore and repurpose the old City Hall and Fire Station for use as our Museum and Visitor Center.

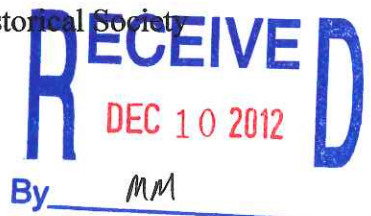
Sincerely,

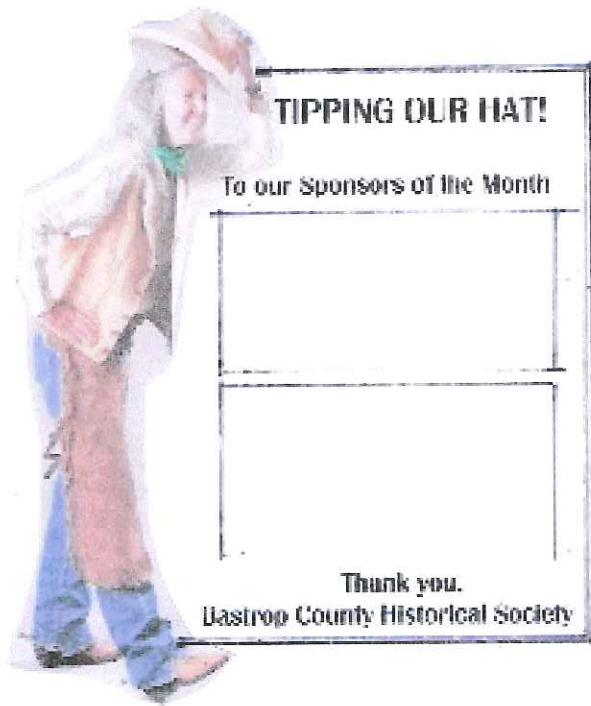


Robbie Sanders
President, Bastrop County Historical Society

Our Mission:

To preserve and promote the history of Bastrop County

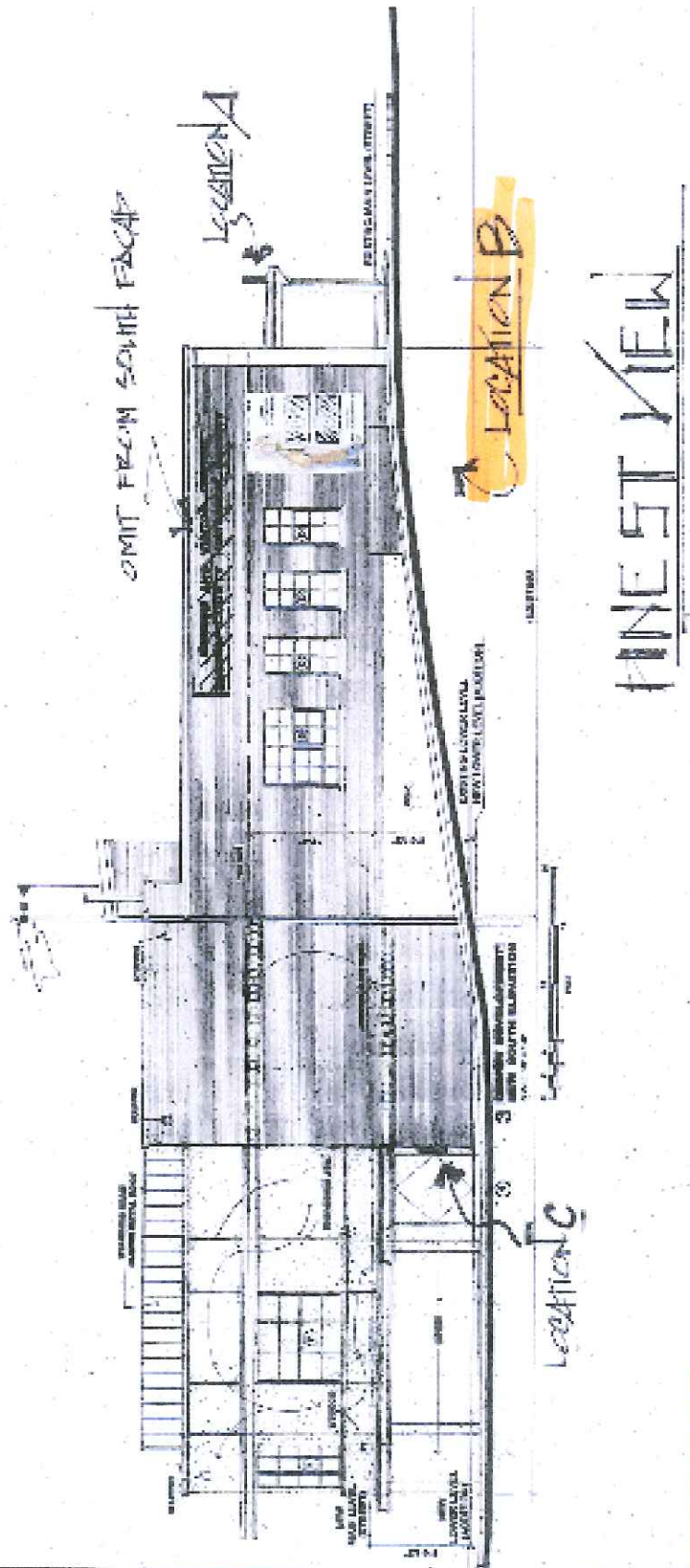




Bastrop County Historical Society
New Location of Museum and Visitor Center
Proposed new signage at LOCATION "B" with relocation of existing
interchangeable Sponsorship Plaques that are
In monthly Recognition of our sponsors who aid in the support,
preservation and education of our County Heritage
with featured photography by local artist Tonya Kibby

Art and sign together measuring 80" x 96" max
Each existing Sponsorship Plaque measuring 24" x 48"

RECEIVED
DEC 10 2012
By MM



RECEIVED
DEC 10 2012

By mm

By mm



Bastrop County Historical Society
Existing Sponsorship Plaques at previous location since 2006
In monthly Recognition of our sponsors who support in the preservation
and education of our County Heritage

RECEIVED
DEC 10 2012
By mm



RECEIVED
DEC 10 2012

By MM



City of Bastrop, Texas Sign Permit Application

One (1) Sign per Application

0504244

Applicant:

BASTROP COUNTY HISTORICAL SOCIETY
name

address

phone

fax

email

Address of property where sign is to be located:

904 MAIN STREET
address number street name

Address of business:

904 MAIN STREET
address number street name

Sign Type per Summary of Permitted Signs Table 10.01 (check one):Temporary Signs:

☐ Banner**

☐ ****Duration:** 2 weeks, 4 weeks, 6 weeks (*Banner Only – max. 8 weeks annually per building or tenant space)

☐ Construction Site

☐ Development Information

☐ Light Pole-Mounted

☐ Model home

Permanent Signs:

☐ Awning/Canopy

☒ Building Wall

☐ Directional

☐ Directory

☐ Kiosk Directional

☐ Marquee

☐ Projecting

☐ Pylon

☐ Monument Sign (single tenant)

☐ Monument Sign (multi-tenant)

☐ Monument Sign w/ electronic message

☐ Subdivision Entry

☐ Suspended

Please attach all of the following:

☐ \$50 application fee

☐ Site plan of property showing accurate location of proposed sign including:

- o drawn to an engineer's scale,
- o north arrow,

- o distances between proposed and existing freestanding signs, onsite and offsite,
- o names of adjacent streets,

- property lines,
 - dimensions of property
 - dimensions of building or lease space frontage where the primary entrance is located,
 - and utility connections if applicable.
- ☐ Drawing(s) showing dimensions of proposed sign including:
- sign area,
 - sign height,
 - construction materials including colors,
 - illumination source (if applicable, otherwise indicate 'none'),
 - method of attachment,
 - and foundation and electrical wiring, if applicable.
- ☐ Elevations of buildings depicting the following proposed sign types: building wall, awning/canopy, directory, marquee, projecting, suspended and window.
- drawn to scale,
 - dimensions of sign location on building, clearance underneath, and distance from surface of the building, and
 - each elevation of the building labeled to correspond with the site plan.
- ☐ Any additional information necessary to illustrate compliance with City regulations.

Approval of the property owner is required, if not the applicant:

property owner name

signature

address

phone

fax

email

Sign Contractor:

sign contractor firm name

Estimated Value of Sign

contact name

address

phone

fax

email

applicant signature:

date

NOTE: The Sign Regulations require that the applicant make a request for final inspection of the sign within 60 days from the time the permit has been issued, otherwise the permit application shall be considered void.

Accepted for Construction by and date:

MUSEUM AND VISITOR CENTER
OF THE
BASTROP COUNTY HISTORICAL SOCIETY

Location: 904 Main Street

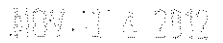
Primary Façade: 101.3 lf - Alley Side

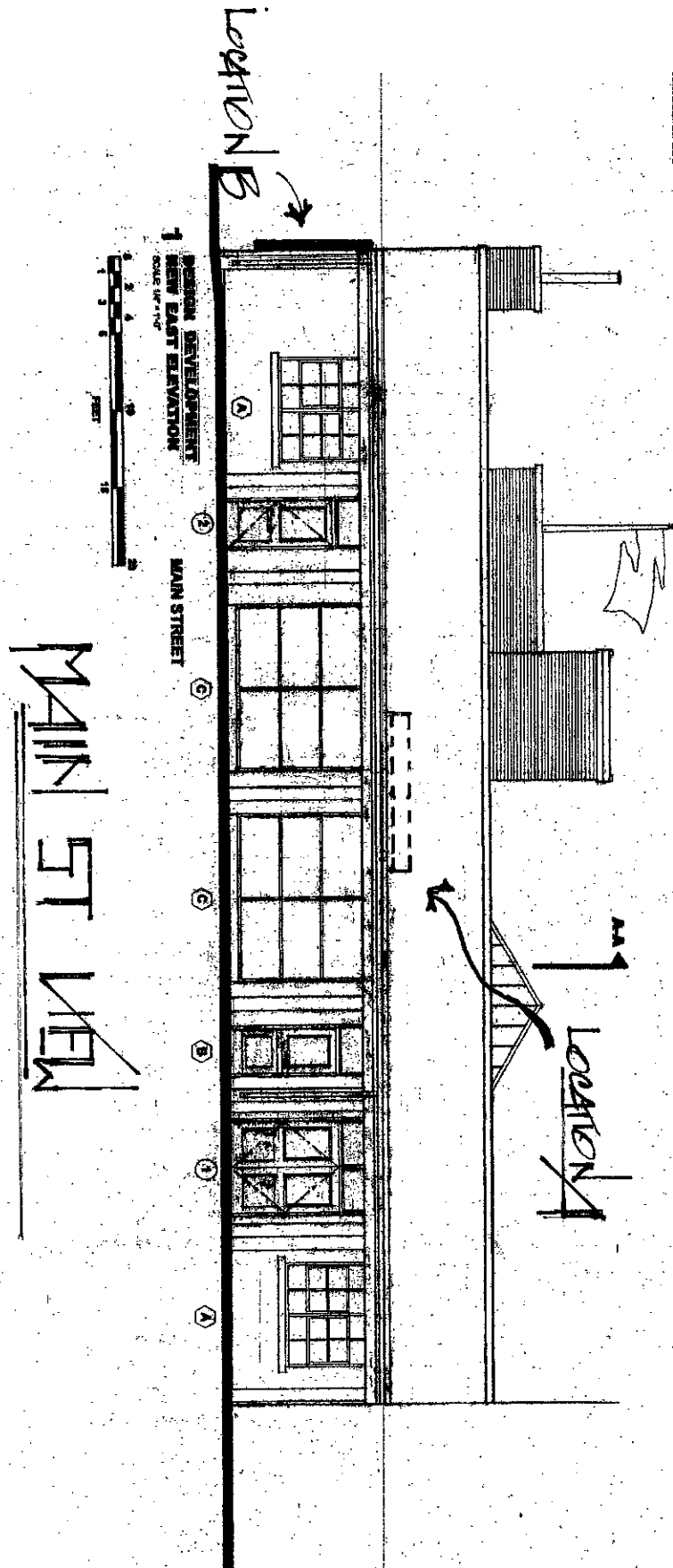
Ratio: $101.3 \times 1 = 101.3 + (101.3 \times .25) = 126.6$ sqft
split between at least two signs located on different wall exposures
visible to vehicular traffic.

Total Requested: 51.48 sqft.

Main Street – 18.48 sqft
Pine Street – 16.0 sqft
Alley – 11.0 sqft
Chestnut Street – 6.0 sqft

NOV 14 2012





NOV 1, 2012



LOCATION B

NOV 14 2012

FINEST VIEW

Location C

3 NEW SOUTH ELEVATION
SCALE 1/4" = 1'-0"

EXISTING LOWER LEVEL
NEW LOWER LEVEL (ADDITION)

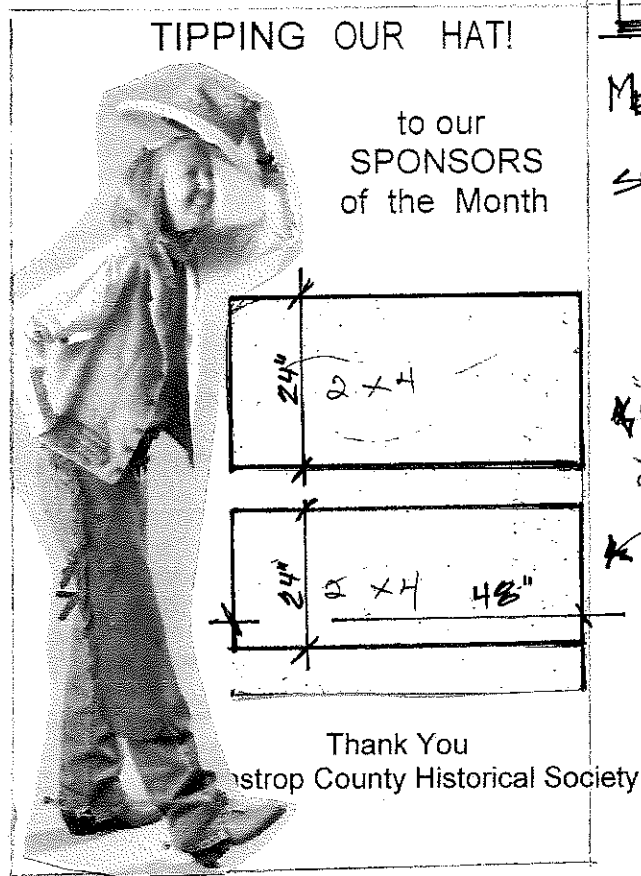
Location B

OMIT FROM SOUTH ELEVATION

Location A

EXISTING MAIN LEVEL (STREET)

NOV 24 2012



PERMANENT WALL MOUNT
MEDIA: PRINTED ALUMINUM
SUBJECT: LOCAL ARTIST
 TONYA KERRY PHOTOGRAPH
 HISTORICALLY PROMINENT
 BASTROP COUNTY RESIDENT

SPONSORSHIP RECOGNITION
SPACE EXCHANGEABLE
 2 @ 24" x 48"

18 ft

6'-6"

SIGN @ LOCATION B

Bastrop County Historical Society

904 Main St. - Proposed Art and Sign

South Wall of the Building

Art and Sign together measure 6'-6" X 8'

Two Individual signs - each measuring 2' X 4'

NOV 14 2012



VIEW FROM SHESTNITT

Nov 14, 2019

Client: Robbie Sander

Phone: 303-3389

Email: ABarranch@aol.com

DESIGN/LAYOUT PROOF

240"

14" MUSEUM AND VISITOR CENTER

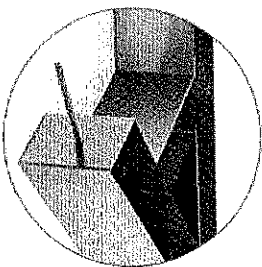
12" 8" 10" 8" 8" 12" 10" 10" 10" 10" 1" 10" 1" 8" 12" 10" 10" 8" 8" 10" 8" 10"

NOV 16 2012

5141 @ Location 1

18.48 1/4

1" deep metal fabricated letters with bottom mount fastened to 2" square tubing
Tubing to be mounted to vertical corrugations on roof.
14" tall letters - font choice Roffe
Color is Sherwin Williams SW 6244 Naval



Bottom Mount

12885 Research Blvd., Suite 101-A

Austin, Texas 78750

512-401-6500

Fax: 512-401-6502

www.texascustomsigns.com

Texas Custom

SIGNS

Sales Contact: Brian Leslie

Date: 10-9-12 File Name: Batrop_Museum.ai

PLEASE CAREFULLY PROOF READ! CHECK ALL SPELLING, PUNCTUATION,
PHONE NUMBERS, SIZES, AND COLORS BEFORE APPROVING. ANY CHANGES
MADE AFTER APPROVAL WILL INCUR ADDITIONAL CHARGES!

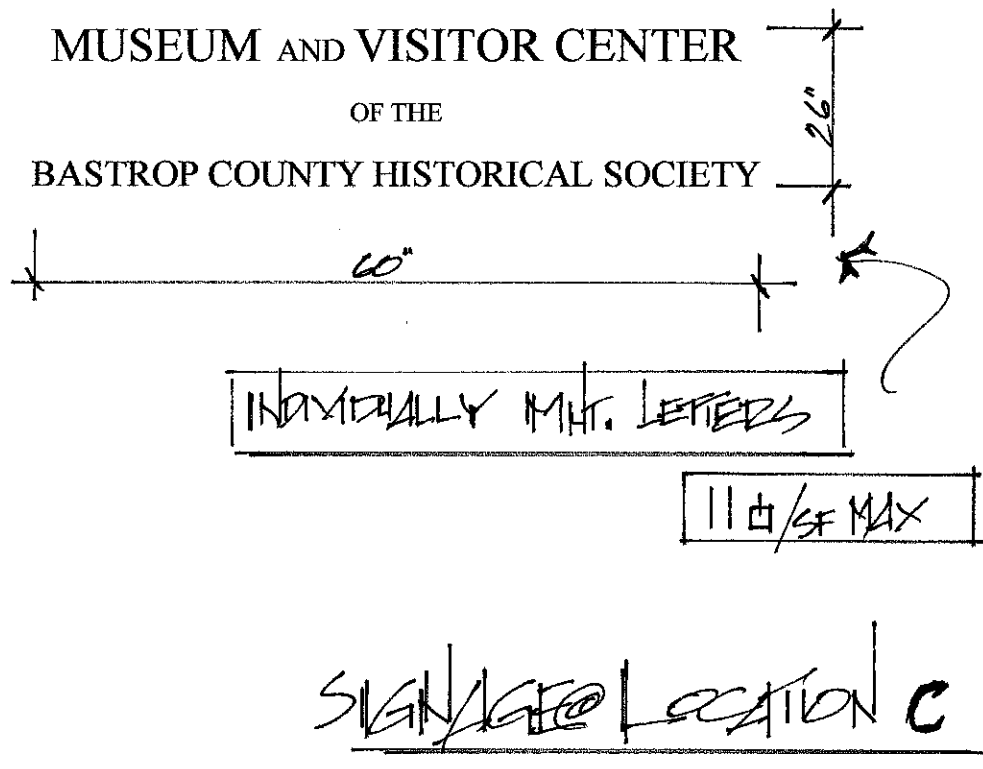
PRINT THIS PROOF, SIGN & FAX TO 512-401-6502

☐ APPROVED ☐ APPROVED WITH CHANGES ☐ SEND NEW PROOF WITH CHANGES

THE DESIGN DEPICTED HEREIN IS THE EXCLUSIVE PROPERTY OF TEXAS CUSTOM
SIGNS AND CANNOT BE REPRODUCED, COPIED OR EXHIBITED WITHOUT WRITTEN
CONSENT. IN THE EVENT THAT SUCH EVENTS OCCURS, TEXAS CUSTOM SIGNS
EXPECTS TO BE REIMBURSED AT A RATE OF \$75.00 PER HOUR IN COMPENSATION
FOR THE TIME AND EFFORT ENTAILED IN CREATING THIS DESIGN.

SIGNATURE: _____

DATE: _____



NOV 14 2012

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 4, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **Consideration, discussion and possible action authorizing the City Manager to execute a change order with Mercer Construction for the Fayette Street Wastewater Improvements Project, increasing the linear footage of the wastewater main to be replaced**

2. Party Making Request: **Michael H. Talbot**

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

The City Council awarded the Fayette Street Wastewater Improvements Project to Mercer Construction in the amount of \$340,917.75. As the Council may recall a major portion of this project is being funded by a Community Development Block Grant from the Texas Department of Agricultural (TDA). TDA rules and regulations allow a project scope of work to be increased by 25% of the bid amount for a given project. Mercer Construction has been performing exceptionally well on the Fayette Street Project and their bid for the Fayette Street Project was very competitive. The State Highway 71 Pipe Bursting Project came in under the budgeted amount by \$334,912.00. Additional funds are available to execute a change order with Mercer Construction to do additional work associated with replacing additional wastewater main for the Fayette Street Project. Based upon the Mercer bid for this Fayette Street Wastewater Project a change order for increasing the replacement of wastewater mains by 25% would cost the City \$85,229.44. This would allow the City to replace an additional 960 linear feet of wastewater main along Fayette Street. Given that the condition of the wastewater main replaced to date on Fayette Street was in advanced stage of deterioration, I would recommend that since the City has additional funds remaining from the State Highway 71 Pipe Bursting Project, that this would be a prudent expenditure of some of these additional funds and the City execute a change order with Mercer Construction.

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

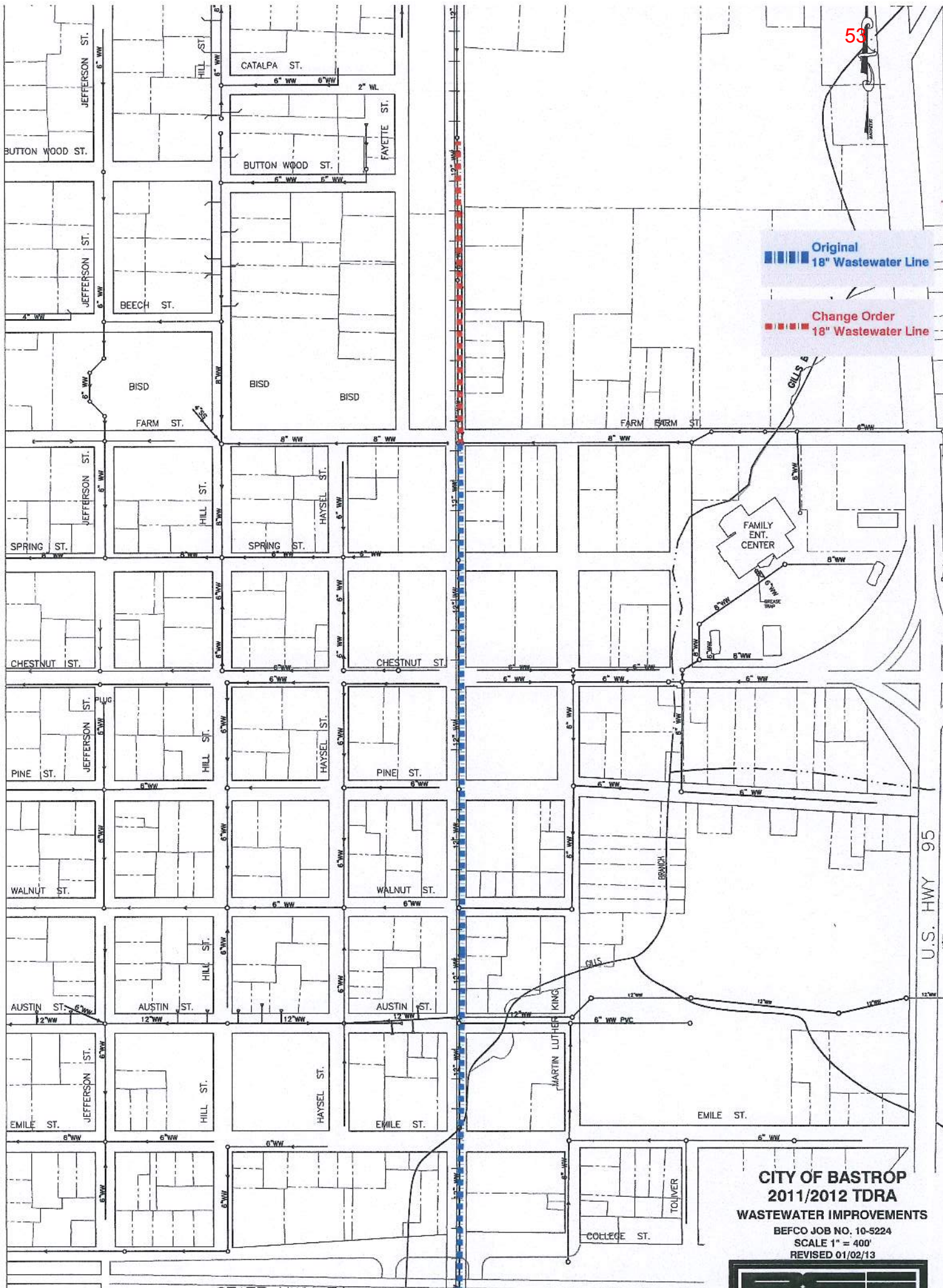
10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

53

Original
18" Wastewater Line

Change Order
18" Wastewater Line



CITY OF BASTROP
2011/2012 TDRA
WASTEWATER IMPROVEMENTS
 BEFCO JOB NO. 10-5224
 SCALE 1" = 400'
 REVISED 01/02/13

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: January 4, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **Consideration, discussion and possible action regarding a request from the Bastrop County Historical Society that the City of Bastrop abandon all that certain tract or parcel of land containing 0.213 acre, being an unopened 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 un-platted 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.**

2. Party Making Request: **Bastrop County Historical Society/Michael H. Talbot**

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

The Bastrop County Historical Society (the ‘Society’) submitted a letter, dated December 19, 2012, [Exhibit “A”] to my office requesting that Council abandon a portion of Austin Street right-of-way, that is currently unopened [Exhibit “B”], so that the Society can then negotiate the purchase a portion of the abandoned Austin Street right-of-way [Exhibit “C”], over which the Society’s existing museum facility encroaches. If the Council agrees to abandon this unopened portion of Austin Street, as per the request of the Society, the Council must: 1) Hold a “Public Hearing” on abandoning a portion of the Austin Street right-of-way; 2) After holding the Public Hearing and receiving public input, determine that it is in the general public’s best interest to pass an ordinance abandoning that portion of unopened Austin Street right-of-way; and 3) Negotiate the sale of the portion of the abandoned right of way to the Society, which cost to the Society may not, by law, be less than the “fair market value” {an independent appraisal will have to be done} for the portion of the Austin Street right-of-way sought to be acquired by the Society. Notification of the Public Hearing regarding the abandonment must, at a minimum, be placed in the ‘Legal Section’ of the *Bastrop Advertiser*. If the Council is in agreement with the Society’s request, I would recommend that this item be placed for Council consideration and/or action on the February 12, 2013 City Council Agenda, which will allow staff and me the necessary time to prepare all the required documentation (notices, hearing packet information, surveys and appraisal, etc.) that is associated with the Society’s request.

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: _____

BASTROP COUNTY HISTORICAL SOCIETY

702 MAIN STREET
BASTROP, TEXAS 78602
(512) 303-0057

December 19, 2012

EXHIBIT A

Mike Talbot, City Manager, City of Bastrop
1311 Chestnut Street
Bastrop, Texas 78602

RE: Abandonment of the unopened area of Austin Street (See attached Plat)

Dear Mr. Talbot,

As we discussed in our meeting on Monday, the Bastrop County Historical Society would like to request that the unopened portion of Austin Street ~~between Water and Main~~ be vacated and abandoned as a public street and that the portion where there is a long-standing encroachment of the existing building known as The Bastrop Historical Museum be conveyed to the Bastrop County Historical Society. The plat is attached for your convenience. *South of B&H's property New*

The Society is willing to pay and/or trade the area needed to satisfy the problems with the encroachment so that the property can be rezoned as "Office" and that it can be sold with a clearly defined and zoned usage.

We would like this issue to be added to the next Council agenda and that this request be processed as quickly as legally possible.

You stated that we could start this process by sending a letter requesting the abandonment. Any additional documentation or forms needed are available through our real estate broker, Kay C. Wesson.

Thank you in advance for your prompt consideration of this abandonment.

Libby Sartain

Libby Sartain
Vice President and Trustee

cc: Mayor Terry Orr

*Our Mission:
To preserve and promote the history of Bastrop County*

STATE OF TEXAS
COUNTY OF BASTROP

AUSTIN STREET - WEST OF MAIN
0.213 ACRE

EXHIBIT B

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;

EXHIBIT B

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

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

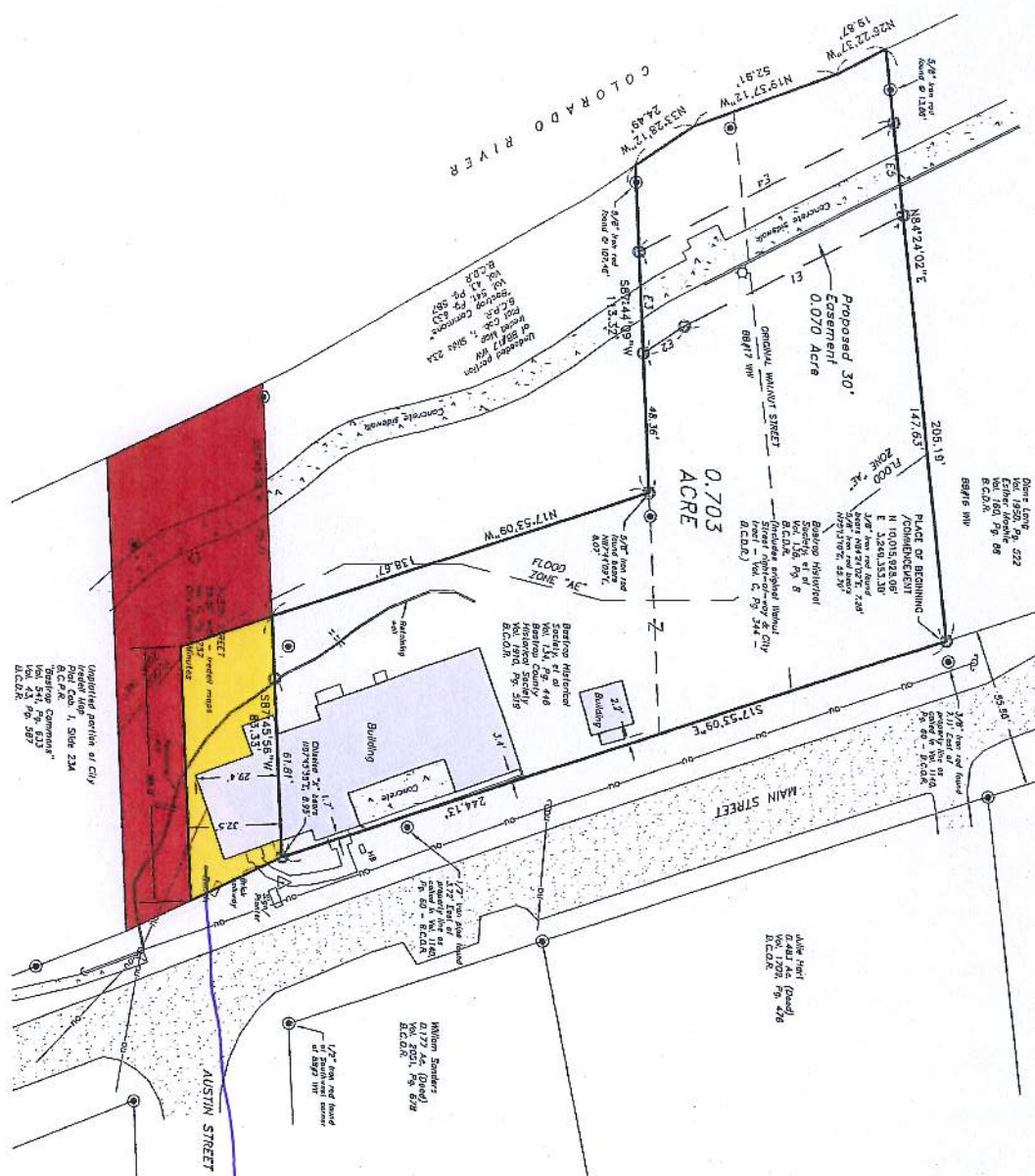
Registration No. 4438

January 3, 2013

BEFCO Job No. 12-5695 (aust st)



EXHIBIT C



The portion in yellow
is what the Society would
like to purchase

SCALE 1" = 30'



BEFCO ENGINEERING, INC.

P. O. Box 515
Logansport, Texas 78945
(979) 968-6474

F-2011

CITY OF BASTROP

AGENDA ITEM: **D.4****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: January 4, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **Consideration, discussion and possible action directing the City Manager to initiate a Zoning District Boundary Amendment for property legally described as “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” or “702 Main Street” from its current zoning district being Office and Park Land Zoning District to Office District.**

2. Party Making Request: **Michael H. Talbot**

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

The property legally described above is owned by the Bastrop County Historical Society at 702 Main Street. This parcel of property is unusual in that the property is split almost equally “in half” by different zoning designations, one half being zoned “Office District” and one half being zoned “Park Land District”. This appears to have been an oversight during the original zoning done by the City on this property. For example, the City of Bastrop’s Zoning Ordinance does not even address the zoning standards for a “Park Land District” so this designation is meaningless for this property’s future use. [The Society has operated a museum on the property, legally, over the years as a grandfathered non-compliant use.] As a result of this situation, the Bastrop County Historical Society is being blocked from selling this property because it is uncertain and confusing in which zoning designation applies or prevails. As things stand, the only allowable use for the property is as a “museum” because that is the “grandfathered use,” which may continue. There is no record of how this situation developed years ago, but to address this problem, I recommend the City’s Zoning Boundary District Map be corrected to reflect “Office District” for the entire Society Tract and that the Council so order the initiation of the zoning correction, as per the City’s Code.

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: _____

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.

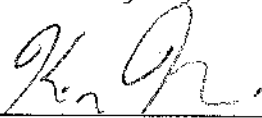
STATE OF TEXAS

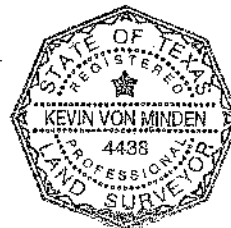
COUNTY OF BASTROP

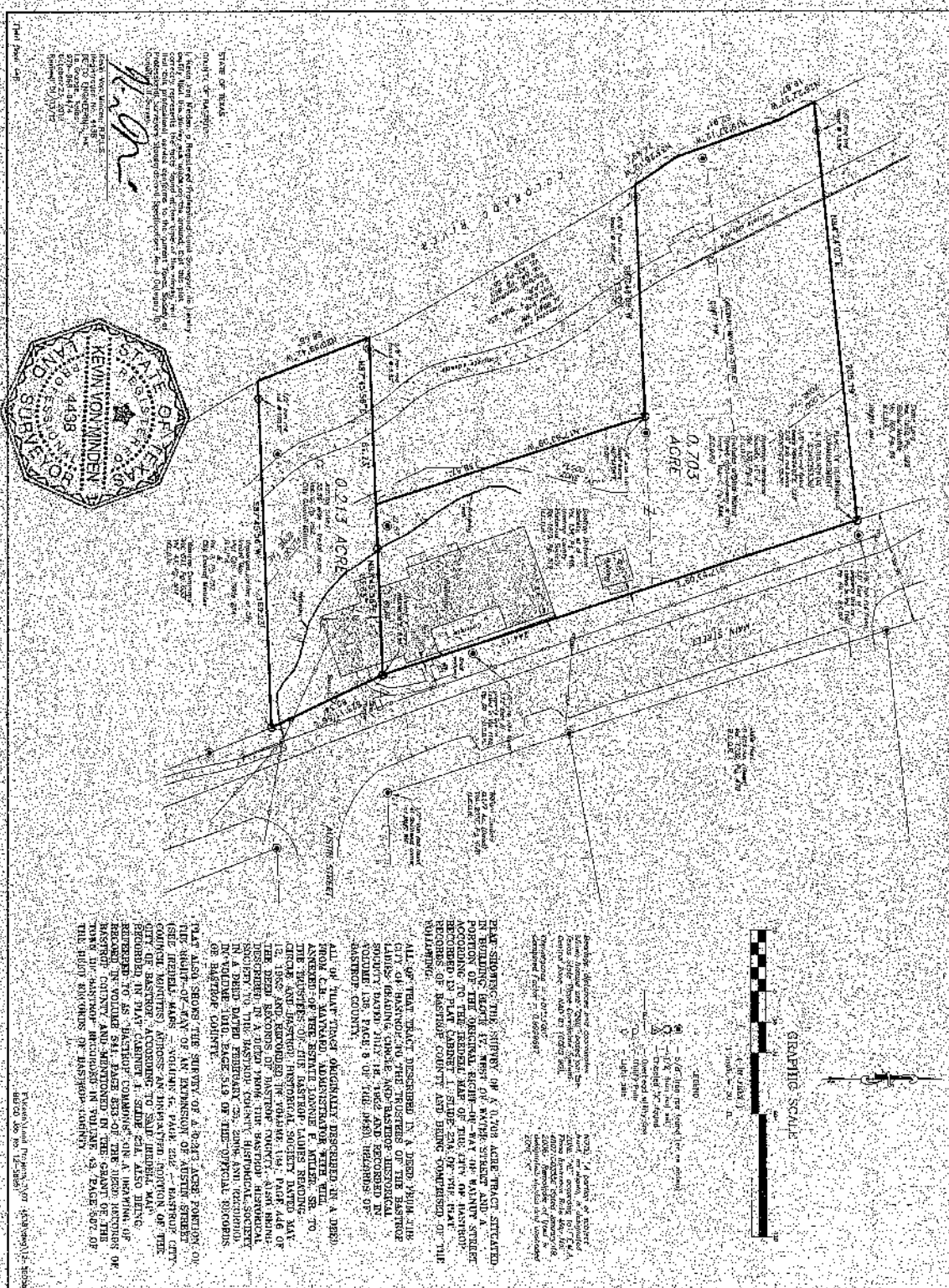
I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

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





CITY OF BASTROP

AGENDA ITEM: **D.5****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: January 4, 2013

MEETING DATE: January 8, 2013

1. Agenda Item: **Consideration, discussion and possible action directing the City Manager to initiate a Zoning District Boundary Amendment for property legally described as “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 un-platted 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 Zoned Office District.**

2. Party Making Request: **Michael H. Talbot**

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

The property legally described above is part of the unopened Austin Street right-of-way. This is the property in which the Bastrop County Historical Society’s currently existing museum structure encroaches into City owned and controlled property identified as an unopened portion of Austin Street right-of-way, located west of Main Street. Due to this encroachment, the Bastrop County Historical Society has requested that the Council consider abandoning unopened Austin Street right-of-way running from Main Street westward to the Colorado River. The Society also desires to purchase a portion of the unopened Austin Street right-of-way, to resolve the encroachment issue. If the Council is desirous of abandoning this unopened portion of the Austin Street right-of-way and then, to selling a portion of that abandoned street right-of-way to the Society, the portion of abandoned Austin Street that is to be sold to the Society will also need to be ‘zoned’ by the City, since road rights-of-way have no zoning district, *per se*, in the City of Bastrop. The logical zoning district would be the Office District since this would be consistent with the rest of the Society’s property and in keeping with the uses envisioned. If the City abandons and conveys a portion of Austin Street, then the Society will be required to re-plat their property to incorporate this portion of the unopened street right-of-way into their overall property tract. (As a separate item on tonight’s agenda, the Council will be considering rezoning the Society’s tract of land.to “office” zoned property.)

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: _____

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

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

Registration No. 4438

January 3, 2013

BEFCO Job No. 12-5695 (aust st tr



