

**NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
November 27, 2012 6:15 P.M.**

Pursuant to the Texas Government Code, Chapter 551, the City Council of Bastrop, Texas will hold a regular meeting on **November 27, 2012 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. International Society of Arboriculture Certified Arborist – Jason Alfaro
4. Proclamations:
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 meeting on November 14, 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 Project.
 5. Review of revised Park Ordinance.
 6. Fayette Street Wastewater Improvements Project.
 7. Grand opening of Buc-ee's.
 8. Pine Forest Unit #6.
 9. New City web-site.
 10. Annual City Hall Open House.
 11. City Manager's evaluation.
 12. Pecan Park Subdivision.
- 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 November 13, 2012. | A.1 | 8 | Teresa Valdez |
| A.2 Approval of an extension, for a period of 180 days commencing on December 7, 2012 for the Preliminary Plat for Bear Hunter Drive located within Hunters Crossing Subdivision south of State Highway 71 and west of Hunters Crossing Boulevard within the city limits of Bastrop, Texas. | A.2 | 18 | Melissa McCollum |

A.3 Approval of an extension, for a period of 180 days commencing on December 7, 2012 for the Preliminary Plat for Hunters Crossing, Section 9C located west of State Highway 304 and south of Home Depot Way within the city limits of Bastrop, Texas.	A.3	22	Melissa McCollum
A.4 Approval of the Special Event Permit submitted in the Application received from the Downtown Business Alliance (DBA) to host "Christmas Parade & Salebrations" on Saturday, December 8, 2012, in downtown Bastrop.	A.4	26	Trey Job
A.5 Approval of the Special Event Permit submitted in the Application received from the Bluebonnet Elementary PTA to host "Run for the Bluebonnets" on Saturday, February 23, 2013, in Fisherman's Park and downtown Bastrop.	A.5	41	Trey Job
A.6 Approval of Notice of Activity submitted by the Main Street Manager to host "Lost Pines Christmas Swirl and Food Tasting Event" on Thursday, December 6, 2012, in privately-owned establishments in downtown Bastrop, two of which are located within 300 feet of Calvary Episcopal Church.	A.6	56	Trey Job
A.7 Adoption of an Ordinance of the City Council of the City of Bastrop, Texas to grant a zone change from GR, General Retail to C-2, Commercial-2(Heavy), for +/-1.646 acres out of the Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 and 2, Block A, Walnut Street Subdivision Phase 1) within the city limits of Bastrop, Texas; and providing an effective date	A.7	60	Melissa McCollum
A.8 Adoption of an Ordinance of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2012 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.	A.8	64	Karla Stovall

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.	B.1	73	Mike Talbot
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.	B.2	83	Mike Talbot
B.3 PUBLIC HEARING: To receive public input on a request from Linda's V., Incorporated for a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital, for property located at 1800 Walnut Street, Bastrop, Texas, to be known as La Hacienda Shopping Plaza.	B.3	87	Mike Talbot
B.4 Consideration, discussion and possible action on request from Linda's V., Incorporated for a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital, for property located at 1800 Walnut Street, Bastrop, Texas, to be known as La Hacienda Shopping Plaza.	B.4	96	Mike Talbot
B.5 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

C.1 Consideration, discussion and possible action on adoption of an Ordinance of the City Council of the City of Bastrop ratifying the terms of two prior resolutions, expanding the public rights-of-way abandonments and conveyances noted therein, clarifying property boundaries in the Riverview Heights Addition, and other related formal actions, adopted by the City with the intent to abandon, vacate and convey portions of Lincoln Drive to adjacent property owners in the City of Bastrop, Texas; and providing an effective date.	C.1	101	Melissa McCollum
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D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 Consideration, discussion and possible action on the FIRST READING 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 and commercial garbage service charged to the citizens of Bastrop, Texas for administrative and service rates; and providing an effective date.	D.1	105	Mike Talbot
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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 A13.02 "Water and Wastewater Rates and Charges" repealing conflicting provisions; providing severability; and providing an effective date.	D.2	120	Mike Talbot
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ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.3 Consideration, discussion and possible action on a request from the Bastrop County Historical Society to remove the two (2) antique lamp posts located on the sidewalk in front of the old city hall.	D.3	128	Mike Talbot
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D.4 Consideration, discussion and possible action on a request from the Bastrop County Martin Luther King Holiday Commission to waive the fees for using the City of Bastrop Convention Center for the annual Martin Luther King Holiday event on January 21, 2013.	D.4	130	Mike Talbot
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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: CCN expansion by adjacent municipalities.
2. Section 551.072 – Deliberation regarding real property: Regarding the purchase, exchange, lease, or value of real property: a) Museum and b) Acquisition of property for public purpose.
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.

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 21st day of November 2012 at 11:00 a.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: November 22, 2012

MEETING DATE: November 27, 2012

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 meeting on November 14, 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 Project.**
5. **Review of revised Park Ordinance.**
6. **Fayette Street Wastewater Improvements Project.**
7. **Grand opening of Buc-ee's.**
8. **Pine Forest Unit #6.**
9. **New City web-site.**
10. **Annual City Hall Open House.**
11. **City Manager's evaluation.**
12. **Pecan Park Subdivision.**

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:

	<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 FIRE DEPARTMENT MONTHLY FIRE DEPARTMENT REPORT

October-12

Part 1

Number of Calls, by type

Structure *	2	Wildland **	1
Vehicles	2	EMS Assist	5
Mutual Aid	3	False Alarms	32
Control Burns	16	Haz-Mat	14
Rescue/Extrication	0	Other	15

Total Calls 90

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

50%	50%	

	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Other
Fires By District	4	14	10	16	3
CTY	43	1			

** Total Number of Acres Burned quarter

Part 2

PERSONNEL HOURS*

Total Personnel Hours at Calls (Part 1)	753.8
Total Personnel Hours at Training	92
Total Personnel Hours at other Events	300

Total Personnel Hours This Month 1145.8

1. Number of Accidents/Injuries this Month. 1

Part 3

Average Response Time 7.16 Minutes

Top 5 Responders	Amount of Calls
1 carolyn laird	74
2 devan laird	66
3 chris lively	59
4 mike norman	46
5 josh gill	43

CITY OF BASTROP

AGENDA ITEM: A.1

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 14, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Approval of meeting minutes of November 13, 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: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____
8. Staff Recommendation: _____
9. Advisory Board: Approved Disapproved None
10. Manager's Recommendation: Approved Disapproved None
11. Action Taken: _____

November 13, 2012

The Bastrop City Council met in regular session on November 13, 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 and Willie DeLaRosa.

ANNOUNCEMENTS**1. CALL TO ORDER**

At 6:15 p.m. Mayor Terry Orr called the meeting to order with all members present, with the exception of Joe Beal who was out of town and Dock Jackson who was attending the annual Texas Municipal League Conference.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

City Attorney, J.C. Brown led the pledges of allegiance to the U.S. and Texas flags. Mayor Terry Orr led the invocation.

3. PRESENTATIONS**A. TEXAS DOWNTOWN ASSOCIATION AWARDS**

City Manager, Mike Talbot asked Main Street Manager Nancy Wood and Convention Center Director Kathy Danielson to join him at the podium. Mr. Talbot stated the City of Bastrop Convention Center recently received the Best New Construction 2012 award from the Texas Downtown Association.

B. CHARACTER EDUCATION – BASTROP STUDENT

Avery Baker a Sixth Grade student at Cedar Creek Intermediate School presented the Character Education character trait “Compassion” for the month of November.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

Mayor Orr stated the sales tax for the City of Bastrop is 7% above what it was last year this time.

Mayor Orr shared a story in which Council Member Kay Garcia McAnally displayed the Character Education trait “Compassion”.

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

- A. MEETINGS AND EVENTS ATTENDED:
 - 1. PARKS BOARD MONTHLY MEETING ON NOVEMBER 1, 2012.
 - 2. BOARD OF ADJUSTMENT MONTHLY MEETING ON OCTOBER 18, 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 PROJECT.
 - 5. REVIEW OF REVISED PARK ORDINANCE.
 - 6. FAYETTE STREET WASTEWATER IMPROVEMENTS PROJECT.
 - 7. UPDATE ON PROVIDING SHUTTLE SERVICE FOR THE FORMULA 1 RACE.
 - 8. FALL CLEAN-UP PROGRAM NOVEMBER 2-9, 2012.
 - 9. BUC-EE'S GRAND OPENING.
 - 10. PINE FOREST UNIT #6.
 - 11. PARKS BOARD REQUEST TO HOST THE STATEWIDE ARBOR DAY EVENT IN BASTROP DURING THE MONTH OF APRIL 2013.
 - 12. ANNUAL CITY HALL OPEN HOUSE ON DECEMBER 6, 2012.
 - 13. REPORT CARD FEEDBACK TO CITY HALL.
 - 14. CITY MANAGER EVALUATION – COUNCIL COMMENTS.
 - 15. YMCA INVITATION TO CITY COUNCIL TO TOUR NEW NORTH AUSTIN YMCA ON DECEMBER 6, 2012 BETWEEN 10:30 A.M. AND NOON.
- 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 this morning.

Mr. Talbot addressed Item B.8. Mr. Talbot stated the Fall clean-up went well and approximately five (5) roll-off trash bins were filled.

Mr. Talbot addressed Item B.9. Mr. Talbot stated Buc-ee's is scheduled to open tomorrow, November 14, 2012.

Mr. Talbot addressed Item B.11. Mr. Talbot stated Parks Board Member Todd McClanahan advised that the State of Texas is considering recommending and approving the City to hold the annual statewide Arbor Day event in the City of Bastrop. Mr. Talbot stated the Parks Board is requesting the City Council's blessing to pursue this wonderful opportunity. Mr. Talbot stated he will be confirming that there is little cost to the City for this event.

Mr. Talbot addressed Item B.13. Mr. Talbot distributed to the Council a handout showing the City's new web-site and the page for "City of Bastrop Service Feedback". Mr. Talbot stated this is just one step of many to get feedback from citizens. Mr. Talbot stated he will be creating a focus group also. Mr. Talbot stated he has received three (3) report cards in the last couple of weeks.

Mr. Talbot addressed Item B.14. Mr. Talbot stated he had provided each Council Member with a draft of an evaluation process for the City Manager. Mr. Talbot stated he needs the Council Members comments back to him by next week in order to stay on track with the timeline for the evaluation process to become effective January 1, 2013.

Ken Kesselus asked for an update on the Skate Park.

Mr. Talbot stated he had a conversation with Henry Gideon of Bastrop Independent School District and the school may have a potential site, but that has not yet been confirmed.

Ken Kesselus asked how the City was doing on Board and Commission vacancies.

Mr. Talbot stated the City is doing well and only has a couple of vacancies on the Boards and Commissions.

Ken Kesselus stated he had a neighbor ask him about street closures during a recent "run". Mr. Kesselus asked if we notify citizens when we close streets. Mr. Kesselus asked if it was possible to only block off half of the street.

Mr. Talbot stated on the recurring events the City does try to get everyone notified of street closures. Mr. Talbot stated there was a particular instance that was the result of a film being filmed this week. Mr. Talbot stated the problem that is being encountered is that the Film Applications are very vague on time and dates for street closures and City staff has to work around that. Mr. Talbot stated when "run" events are reviewed by City staff they will make sure and cover the issue of street closures.

Mayor Orr stated one of the Board vacancies is on the Planning and Zoning Commission the place for the Impact Fee Committee Member. Mayor Orr stated this Member must reside in the City's Extra Territorial Jurisdiction.

Mayor Orr stated that is any Council Members know of someone they think would be good to serve on a Board to please call the City Secretary and she can tell you where there are vacancies.

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 OCTOBER 23, 2012.

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

A.3 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF WOHL SUBDIVISION AT HILL STREET AND WALNUT STREET WITHIN THE CITY LIMITS OF THE CITY OF ABSTROP, TEXAS.

A.4 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF DARNELL ACRES BEING +/-2.676 ACRES WITHIN THE NANCY BLAKEY SURVEY, ABSTRACT NO. 98, LOCATED WITHIN THE CITY OF BASTROP, TEXAS EXTRATERRITORIAL JURISDICTION (ETJ).

A.5 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE TAHITIAN VILLAGE UNIT 2, AMENDED PLAT OF LOTS 2-763, 2-764 AND 2-765, BLOCK 8 LOCATED WITHIN THE CITY OF BASTROP, TEXAS EXTRATERRITORIAL JURISDICTION (ETJ).

A.6 APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, APPROVING A PROJECT (GRANT TO THE BASTROP COUNTY HISTORICAL SOCIETY IN THE AMOUNT OF \$25,000 FOR THE BUILDING AT 904 MAIN STREET), USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING \$10,000.

A.7 ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF BASTROP RATIFYING THE TERMS OF TWO PRIOR RESOLUTIONS, AND OTHER RELATED FORMAL ACTIONS, ADOPTED BY THE CITY WITH THE INTENT TO ABANDON, VACATE AND CONVEY PORTIONS OF LINCOLN DRIVE TO ADJACENT PROPERTY OWNERS IN THE CITY OF BASTROP, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

A.8 ADOPTION OF A RESOLUTION CONCERNING HIGH STAKES, STANDARDIZED TESTING OF TEXAS PUBLIC SCHOOL STUDENTS.

A.9 ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CERTIFYING LOCAL SUPPORT AND ASSOCIATED FUNDING BY THE CITY FOR A TWO-PHASE SIDEWALK ENHANCEMENT PROJECT, AS A PART OF THE STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM, AND IN PREPARATION FOR COMPETING FOR FUNDING DURING THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2012 "CALL FOR NOMINATIONS" FOR POTENTIAL PROJECTS.

Mayor Orr stated staff is recommending that Item A.7 be pulled from the Consent Agenda and placed on the table until the survey has been received by the City. Mayor Orr stated after the vote on the Consent Agenda he will entertain a motion from Council to Place Consent Agenda Item A.7 on the table until the survey has been received by the City.

Willie DeLaRosa moved to approve the Consent Agenda minus Item A.7. Motion was seconded by Kay Garcia McAnally and carried unanimously.

City Manager Mike Talbot addressed Agenda Item A.7. Mr. Talbot stated the problem is over 60 years old and a lot of documents are being reviewed in order to correct the problem.

Brief discussion was held among Council, Mr. Talbot and City Attorney J.C. Brown.

Ken Kesselus moved to place Consent Agenda Item A.7 on the next City Council Meeting Agenda which would be November 27, 2012. Motion was seconded by Willie DeLaRosa and carried unanimously.

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: TO RECEIVE PUBLIC INPUT/COMMENTS ON A REQUEST FOR A RE-SUBDIVISION OF LOTS 7 AND 8, BLOCK A, BURLESON CROSSING FINAL PLAT AND LOT 11-A, BLOCK A, AMENDED PLAT OF LOTS 11 AND 12, BLOCK A, BURLESON CROSSING FINAL PLAT.

City Planning and Development Director, Melissa McCollum addressed the Council. Ms. McCollum stated Danny Miller, LJA Engineering, representing the property owner, Bastrop Retail Partners, is requesting approval of a re-subdivision of two portions of Burleson Crossing Final Plats being Lots 7 and 8 and the Amended Plat of Lot 11-A to create room for a Chick-Fil-A restaurant. Ms. McCollum stated the Planning and Zoning Commission conducted a public hearing on October 25, 2012 and voted unanimously 5-0 to recommend approval of the re-subdivision.

Dan Miller, LJA Engineering, addressed the Council. Mr. Miller stated the request is to reconfigure lots to accommodate the Chick-Fil-A.

Ken Kesselus addressed questions to Mr. Miller regarding the memorial area and plaque which has not been completed.

Brief discussion was held among Mr. Kesselus and Mr. Miller regarding the memorial area and plaque.

There were no other public comments.

B.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR RE-SUBDIVISION OF LOTS 7 AND 8, BLOCK A, BURLESON CROSSING FINAL PLAT AND LOT 11-A, BLOCK A, AMENDED PLAT OF LOTS 11 AND 12, BLOCK A, BURLESON CROSSING FINAL PLAT.

Willie DeLaRosa moved to approve the re-subdivision of Lots 7 and 8, Block A, Burleson Crossing Final Plat and Lot 11-A, Block A, Amended Plat of Lots 11 and 12, Block A, Burleson Crossing Final Plat. Motion was seconded by Kay Garcia McAnally and carried unanimously.

B.3 PUBLIC HEARING: TO RECEIVE PUBLIC INPUT/COMMENTS ON A REQUEST FOR A ZONE CHANGE FROM GR, GENERAL RETAIL TO C-2, COMMERCIAL-2 (HEAVY), FOR A +/-1.646 ACRES OUT OF THE WALNUT STREET SUBDIVISION, BEING BLOCK A, LOT 1 (AMENDED PLAT OF LOTS 1 AND 2, BLOCK A, WALNUT STREET SUBDIVISION PHASE 1) WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

Planning and Development Director, Melissa McCollum addressed the Council. Ms. McCollum stated the 1.64 acres is currently under construction for a restaurant, meat market and taqueria. Ms. McCollum stated the applicant would like a zoning change to support the proposed use to sell beer and wine for off-site consumption. Ms. McCollum stated the applicant would also need to apply for a variance for distance requirements from a school which they have previously received for the proposed restaurant. Mr. McCollum stated the owner/applicant is requesting a zoning change to C-2, Commercial-2(heavy because the property is located between C-2 zoning districts. Ms. McCollum stated the Planning and Zoning Commission conducted a public hearing on October 25, 2012 and voted unanimously 5-0, to recommend approval of C-2, Commercial-2(Heavy) zoning for the 1.64acres.

Discussion was held among Council, Ms. McCollum and Mr. Talbot regarding the difference between C-2 zoning and C-1 zoning and how it could be applied to this property.

There were no public comments.

B.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS TO GRANT A ZONE CHANGE FROM GR, GENERAL RETAIL TO C-2 COMMERCIAL-2(HEAVY), FOR A +/-1.646 ACRES OUT OF THE WALNUT STREET SUBDIVISION, BEING BLOCK A, LOT 1 (AMENDE PLAT OF LOTS 1 AND 2, BLOCK A, WALNUT STREET SUBDIVISION PHASE 1) WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Ken Kesselus moved to approve the Ordinance and place it on the Consent Agenda of the next regular Council meetings for the second reading and adoption. Motion was seconded by Kay Garcia McAnally and carried unanimously.

B.5 CITIZEN COMMENTS.

Kay Garcia McAnally stated the three (3) report cards which were received all stated "excellent" service. The excellent service report cards were received regarding Yvonne Pritchard & Marie Murman, Melissa McCollum in the Planning Department and Tracey Moffett in the Utility Department.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2012 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS, APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Chief Financial Officer, Karla Stovall addressed the Council. Ms. Stovall reviewed her Memorandum regarding the amendments.

Brief discussion was held between Mayor Orr and Ms. Stovall.

Willie DeLaRosa moved to approve the Ordinance and place it on the Consent Agenda of the next regular Council meeting for the second reading and adoption. Motion was seconded by Kay Garcia McAnally and carried unanimously.

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

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON PRESENTATION AND UPDATE FROM BASTROP ART IN PUBLIC PLACES TASK FORCE.

City Manager, Mike Talbot stated Ms. Karol Rice had contacted his office and request to be placed on the October 23, 2012 Council Agenda, but she was ill and could not attend the October 23, 2012 Council Meeting so she had asked to be placed on the November 13, 2012 City Council Meeting Agenda. Mr. Talbot stated the nature of Ms. Rice's request is that on behalf of Art in Public Places Task Force she would like to present to the Council a brief presentation.

Ms. Karol Rice addressed the Council. Ms. Rice stated the Art in Public Places Task Force has been reviewing several projects and they would like to present a couple of these proposed projects for consideration by the Council. Ms. Rice distributed a hand-out to Council listing recommended projects for 2013. Ms. Rice gave a PowerPoint presentation on the projects. Ms. Rice stated this is just a preliminary presentation and the Art in Public Places Task Force is not seeking final approval at this time. Ms. Rice stated they just want some feedback from the Council on these proposed projects. Mr. Rice stated once the issues have been flushed out a final budget will be developed and the proposed projects will be re-presented back to the Council.

Discussion was held among Council and Ms. Rice regarding the presentation and projects.

Mayor Orr challenged the Council to give serious consideration to setting aside \$50,000 funding to be released in conjunction with the project recommendations.

Willie DeLaRosa requested the City Manager to bring back to Council a report on where the \$50,000 funding could come from.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORTS AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING OF SEPTEMBER 30, 2012.

Finance Director, Karla Stovall presented the unaudited monthly Financial Reports and Quarterly Investment Report for the period ending September 30, 2012. Ms. Stovall reviewed the report.

City Manager, Mike Talbot stated then Ms. Stovall gave the last monthly financial report Council had expressed concerns regarding revenues in the Bastrop Power & Light fund. Mr. Talbot stated the Bastrop Power & Light budget has exceeded proposed revenues for 2012.

Ken Kesselus moved to accept the unaudited monthly Financial Reports and Quarterly Investment Report for the period ending September 30, 2012. Motion was seconded by Willie DeLaRosa and carried unanimously.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING AWARDING THE BID FOR THE STATE HIGHWAY 71 WASTEWATER IMPROVEMENTS.

City Manager, Mike Talbot stated in February 2012 the City Council authorized issuing bonds in the amount of \$852,000.00 for this project. Mr. Talbot stated the bids were opened by the City on October 19, 2012. Mr. Talbot stated the City received five (5) bids for this project and the bid tabulation sheet was included in the Agenda packet. Mr. Talbot stated the base bid included pipe bursting and installing a 16" wastewater line from Taco Bell to Covert at Farm to Market Road 304. Mr. Talbot stated in addition the base bid included an alternate bid calling for a larger manhole at the end near Covert. Mr. Talbot stated the low bidder on the project including the alternate bid is Horseshoe Construction out of La Porte, Texas. Mr. Talbot stated he is in agreement with the City's consulting engineer that the bid should be awarded to Horseshoe Construction. Mr. Talbot stated the bid received is a little over \$300,000.00 under budget and the remaining bond money can be diverted to another project.

Willie DeLaRosa moved to award the bid to Horseshoe Construction of La Porte, Texas, in the amount of \$517,088.00 for the State Highway Wastewater Improvements Project. Motion was seconded by Ken Kesselus 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: WILEY CLAIM.
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: Wiley Claim.
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 9:43 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 for the City to enter into a Licenses Agreement with the Bastrop County Historical Society to license their building's encroachment into Austin and Main Streets for a term of 50 years, and indicate in the license that the owner may make repairs and future improvements to the encroaching structures with the prior permission of the City, in exchange for written documentation, in the form of a recorded easement, demonstrating City rights to the public river trail that crosses the Bastrop County Historical Society property. Motion was seconded by Willie DeLaRosa and carried unanimously.

Willie DeLaRosa moved to deny the Wiley's claim against the City for damages to their property. Motion was Seconded by Ken Kesselus and carried unanimously.

F. ADJOURNMENT

At 9:45 p.m., Willie DeLaRosa moved to adjourn. Motion was seconded by Ken Kesselus and carried unanimously.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 16, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Approval of an extension, for a period of 180 days commencing on December 7, 2012 for the Preliminary Plat for Bear Hunter Drive located within Hunters Crossing Subdivision south of State Highway 71 and west of Hunters Crossing Boulevard within the city limits of Bastrop, Texas.**

2. Party Making Request: **Carlson, Brigrance & Doering, Inc. for Forestar Real Estate Group Inc.**

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

City Council approved Bear Hunter Drive Preliminary Plat June 12, 2012. Section 4.10.6 – Expiration of Preliminary Plat Approval in the City of Bastrop Subdivision Ordinance states that a preliminary plat expires at the end of 6 months/180 days from the date of City Council action unless a final plat has been submitted to the City Council. The preliminary plat for Bear Hunter Drive will expire December 8, 2012. The City Council may, if written request from the subdivider is received prior to the end of the 180 day period, grant an extension for up to 180 additional days. Only one such extension shall be granted.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: **Staff recommends approval of the extension request as staff continues to work with the engineer, CBD, representing Forestar Real Estate Group Inc.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

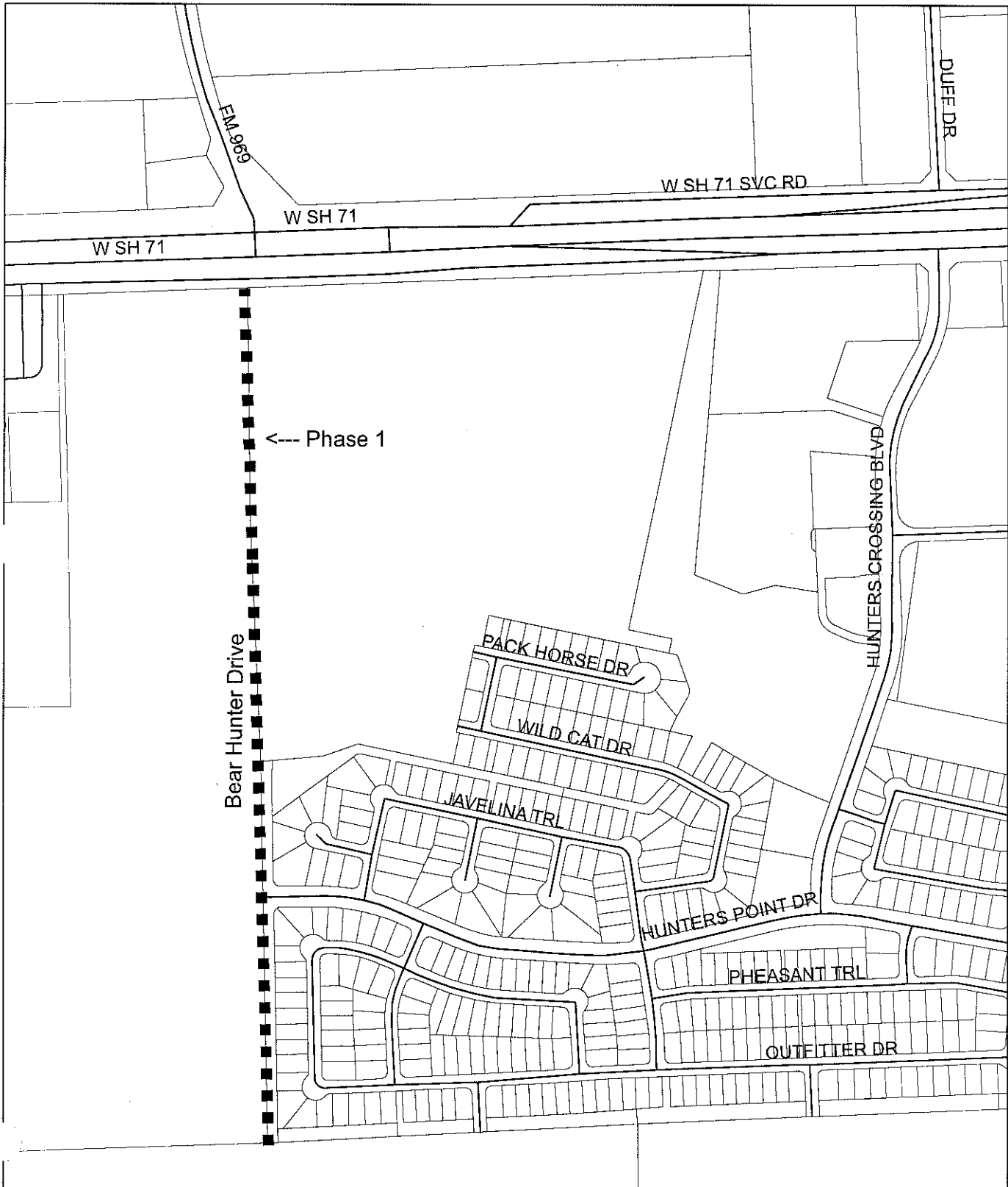


Property Location Map

Preliminary Plat for Bear Hunter Drive, Phase 1
In Hunter's Crossing Subdivision

Legend

- roads
- Parcels



11/21/2012

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Carlson, Brigance & Doering, Inc.

Civil Engineering ♦ Surveying

November 16, 2012

Mayor Terry Orr
City of Bastrop City Council
1311 Chestnut Street
Bastrop, TX 78602

**RE: Hunters Crossing - Bear Hunter Drive – Preliminary Application
CBD Job # 4522**

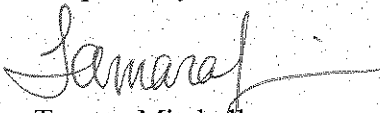
180-Day Extension Request

Honorable Mayor Orr,

On behalf of our client, Forestar (USA) Real Estate Group Inc., Carlson, Brigance & Doering, Inc. formally requests a 180-day extension for the preliminary application of Hunters Crossing- Bear Hunter Drive. We are working with adjoining landowners and the City to gain the necessary easements required for road improvements.

Please let me know if you need any additional information.

Respectfully,



Tamara Mitchell

Carlson, Brigance & Doering, Inc.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 16, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Approval of an extension, for a period of 180 days commencing on December 7, 2012 for the Preliminary Plat for Hunters Crossing, Section 9C located west of State Highway 304 and south of Home Depot Way within the city limits of Bastrop, Texas.**

2. Party Making Request: **Carlson, Brigrance & Doering, Inc. for Forestar Real Estate Group Inc.**

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

City Council approved Hunters Crossing, Section 9C Preliminary Plat June 12, 2012. Section 4.10.6 – Expiration of Preliminary Plat Approval in the City of Bastrop Subdivision Ordinance states that a preliminary plat expires at the end of 6 months/180 days from the date of City Council action unless a final plat has been submitted to the City Council. The preliminary plat for Hunters Crossing, Section 9C will expire December 8, 2012. The City Council may, if written request from the subdivider is received prior to the end of the 180 day period, grant an extension for up to 180 additional days. Only one such extension shall be granted.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: **Staff recommends approval of the extension request as staff continues to work with the engineer, CBD, representing Forestar Real Estate Group Inc.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

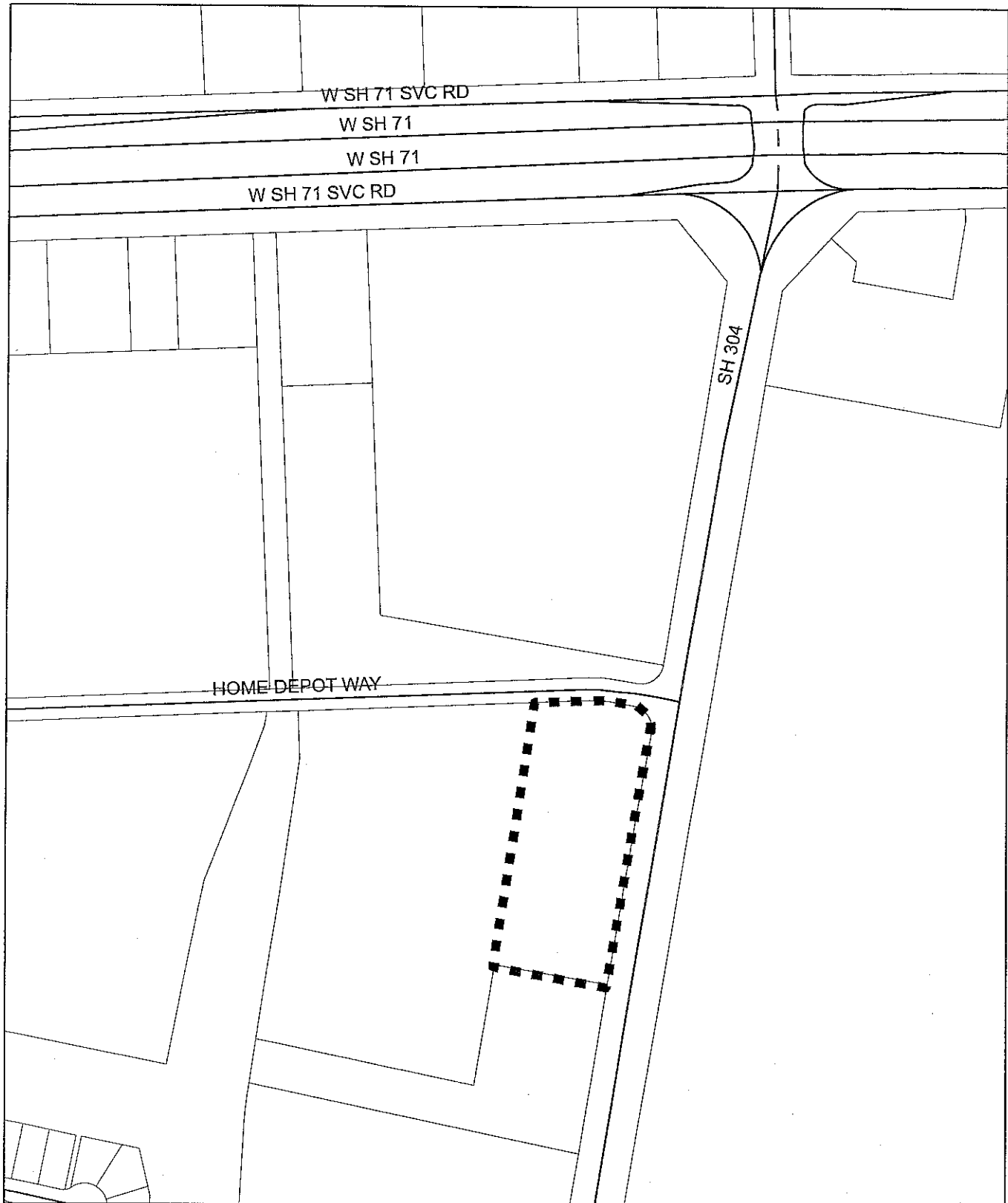


Property Location Map

Preliminary Plat for Hunter's Crossing
Section 9C

Legend

— roads

 Parcels



Carlson, Brigrance & Doering, Inc.
Civil Engineering ♦ Surveying

November 16, 2012

Mayor Terry Orr
City of Bastrop City Council
1311 Chestnut Street
Bastrop, TX 78602

**RE: Hunters Crossing 9C – Preliminary Plat Application
CBD Job # 4533**

180-Day Extension Request

Honorable Mayor Orr,

On behalf of our client, Forestar (USA) Real Estate Group Inc., Carlson, Brigrance & Doering, Inc. formally requests a 180-day extension for the preliminary plat application of Hunters Crossing 9C. Due to the persisting economic situation, we find it necessary to postpone the recording of the plat at this time.

Please let me know if you need any additional information.

Respectfully,



Tamara Mitchell

Carlson, Brigrance & Doering, Inc.

CITY OF BASTROP

AGENDA ITEM

A.4**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Approval of the Special Event Permit submitted in the Application received from the Downtown Business Alliance (DBA) to host "Christmas Parade & Salebrations" on Saturday, December 08, 2012, in downtown Bastrop.**
2. Party Making Request: **Trey Job, Director of Public Works, Parks, & Rec**
3. Nature of Request: (Brief Overview) Attachments: Yes X No
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No X 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: _____

11/21/2012



Bastrop Public Works, Parks, and Recreation
1209 Linden Street • P. O. Box 427 • Bastrop, TX 78602 • (512) 332-8920
Revised 10/3/2012 3:23 PM

27

SEP 26 2012

Checklist for Special Event Permit Application

Name of Event:

Christmas Parade & Celebrations

Date(s) and Day(s) of Event:

12/08/12 Saturday

This application must be submitted in person and by appointment only at least two (2) months but no more than six (6) months prior to the date of event: (512) 332-8920. The City's special event coordinator will go over the submitted app with you to confirm that all questions are answered and all required fees, permits, etc are submitted, as well.

- ☒ Processing fee \$100.00 (cashier's check or post office-issued money order only) for nonprofit organizations with proof of nonprofit status.
 - Fee cannot be waived.
 - If same organization hosts multiple events, processing fee required for each event.
- ☐ Processing fee \$300.00 (cashier's check or post office-issued money order only) for all other organizations.
 - Fee cannot be waived.
 - If same organization hosts multiple events, processing fee required for each event.
- ☒ Security deposit \$500 (cashier's check or post office-issued money order only).
 - Cannot be waived.
 - Refunded within 30 days after date of event (minus any incurred damage expenses).
 - Organization hosting multiple events may pay a one-time security deposit fee to be refunded within 30 days following the conclusion of final event.
 - If security deposit is revoked or reduced, another security deposit fee must be submitted with next application.
- ☒ Nonprofit status letter or certificate, if applicable and not on file with us already.
- ☒ Insurance certificate (one million dollar general liability) naming City as additional insured, or letter of intent to insure from insurance carrier. Actual certificate due one (1) week prior to event.
- ☒ Map showing site locations of vendors, registration, parade routes, etc.
- ☒ Sound Permit, if amplified sound is used.
- ☒ Banner permit, if applicable.
- ☒ Fireworks permit and safety plan, if applicable.
- ☒ TABC Certificate and City letter, if applicable and as soon as available.

There must be enough time to process the paperwork through the appropriate channels:

Special Event Review Committee meeting: Thurs 10/18/12 @ 9:30 AM

City Manager meeting, if required: _____

Parks Board meeting, if required (1st Thursday of month): N/A

City Council meeting (2nd and 4th Tuesdays of month): 11/13/12 11/27/12

Final walk-through review meeting, if required: _____

11/21/2012

Event:

CHRISTMAS

Date(s):

Dec 8th

Date Submitted:

9-25-12



2012

Bastrop Public Works, Parks, and Recreation

1209 Linden Street • P. O. Box 427 • Bastrop, TX 78602 • (512) 332-8920

Revised 8/31/2012 8:05 AM

SEP 26 2012

Special Event Permit Application

Revised 8/31/2012

Name of event:

Christmas Lighted Parade & Sale abstractions

Location of event:

Main street Downtown

Purpose of event:

Vendor Sales During the Day Parade that night

Date(s):

Dec 8, 2012

Day(s):

Saturday

Times:

6am - 10pm

Setup:

Main street SALE

Date

Dec 8th

Time

6am

Cleanup:

Parade

Date

Dec 8th

Start 6pm

end

Time 10pm

Name of organization:

Bastrop Downtown Alliance

Address of organization:

906 MAIN ST. #123 BASTROP TX 78602

Event coordinator #1:

Dariusla Rogers

Daytime:

512-321-3777

Fax:

—

Cell:

512-565-5848

Area Code/Number

Area Code/Number

Area Code/Number

E-mail address:

~~debi@bastrop-tx.com~~ Fun@sugarshackBastrop.com

Event coordinator #2:

Debra Vielsel

Daytime:

Area Code/Number

Fax:

Area Code/Number

Cell:

715-1438

Area Code/Number

E-mail address:

debvielsel@yahoo.com

Please describe event activities (may continue on separate sheet of paper, if necessary):

Streets close 6am - Main street From Pine to Farm
 Street Sales 9am - 4:pm Clean up 4-5:30.

Parade will start at Hill + Cedar @ 6:15 pm it will
 continue down Cedar to Main street. Left on Main street
 and down past Austin street Before floats can separate.

11/21/2012

Event:

Christmas 2012

Date(s):

Dec 8, 2012

Date Submitted:

9-25-12²⁹**Processing Fee** (cannot be waived and must accompany application – NO PERSONAL OR BUSINESS CHECKS):

SEP 26 2012

- \$100.00 with proof of non-profit status
- \$300 for all others
- Cashier's Check # _____ OR Post Office-issued Money Order # _____ payable to City of Bastrop

Security Deposit Fee (cannot be waived and must accompany application – NO PERSONAL OR BUSINESS CHECKS):

- \$500.00
- Refunded if City property is clean and free of litter and damage after the event
- Cashier's Check # _____ OR Post Office-issued Money Order # _____ payable to City of Bastrop
- ☐ On file from prior event(s)

Insurance (general liability policy in the amount of one million dollars with City named as additional insured):

- ☐ Submitted with app
- ☐ To be submitted _____
- ☐ On file from prior event(s)

Please describe/explain/list the following (may continue on separate sheet). Mark "N/A" if not applicable.

Admission Fees: N/AAlcohol (TABC & City permits): N/AAnimals (waste control): Horses in paradeAttendance (anticipated *): Day Sales 4-5,000 Parade at Night 5-6,000Banner Permit (location[s]): BANNER PLAZAElectrical (hot check, mats): Bands Play From Box on old city Hall Bands play From Spring 1stEmergency Services (First Aid Station, ambulance standby): EMS will be notifiedFireworks Permit & Safety Plan (State Fire Marshal 512/305-7932): N/AInspections (tents, stages, electrical, etc): NO stages

Litter Control: _____

Map (location of activities, vendors, parking, etc): AttachedParking Plan (remote, shuttle): N/APortacans (Jackpot 512/303-1467, American PortaCan 512/775-3175): Spring & Behind 921 main.Rodeo Arena (Rhonda Lock 512/ 563-8816): N/A

Security Plan (off-duty police 512/332-8600): _____

Show Barn (Allen Stewart 512/413-8512): N/A

Event: Christmas 2012 Date(s): Dec 8, 2012 Date Submitted: SEP 26 2012 9-25-12

Signage (remove within 24 hours after event): event parking signs will go up 3
Days Before event

Sound Permit (for amplified sound): _____

Street Closures: 6am Main Street From Pine to Farm till 5pm
Parade Route Cedar Hill Down main to Austin St.

Temporary Structures (tents, stages, etc): N/A

Vehicles, Equipment, etc: Whatever is in parade

Vendors (Valid Tax ID #: food? other?): sale-a-brations
• Bastrop County Health and Sanitation Department permit, 806 Water Street, (512) 332-7276

Volunteers (how many & how identified): 15

Water/Wastewater: _____

I, the undersigned Applicant, hereby agree to indemnify and hold harmless the City of Bastrop, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the Special Event.

[Signature]
Applicant - Please print or write legibly

9-20-12
Date

This application must be submitted in person and by appointment only: (512) 332-8920. The City's special event coordinator will go over the submitted app with you to confirm that all questions are answered and all required fees, permits, etc are submitted, as well.

11/24/2012

Event:

Christmas 2012

Date(s):

Dec 8, 2012

Date Submitted:

SEP 26 2012

Special Event Review Committee Signatures

The City's Special Event Coordinator will obtain the following applicable signatures.
In order to expedite the process, a designee may sign for any of the following in his or her absence

☒ Police Department

Date

10.18.12

☒ City Manager

Date

10.22.12

☒ Public Works, Parks, & Recreation Department

Date

10/18/12

☒ Bastrop Power & Light Department

Date

10/18/2012

☐ Water/Wastewater Department

Date

☐ Main Street Manager

Date

☐ Other

Date

City of Bastrop
Public Works, Parks, & Recreation
1209 Linden Street physical address
P. O. Box 427 mailing address
Bastrop, TX 78602
(512) 332-8920 main ~ Marty DuVall
(512) 321-1313 fax



Trey Job, Director, Public Works, Parks, & Rec	512/848-5716
"RC" Robert Campion, Interim Public Works Foreman	512/848-6916
Jason Alfaro, Parks Superintendent	512/718-3766
Curtis Ervin, Director, Power & Light	512/848-6934
Michael Blake, Police Chief	512/332-8601
Matt Wagner, Asst Police Chief	512/848-6930
Clint Nagy, Sgt/Event Coordinator for PD	512/848-7740
Ted Bowers, City Inspector	512/629-5033
Nancy Wood, Main Street Manager	512/297-5382

This application must be submitted in person and by appointment only: (512) 332-8920. The City's special event coordinator will go over the submitted app with you to confirm that all questions are answered and all required fees, permits, etc are submitted, as well.

11/21/2012

Christmas Parade & Salebrations

Saturday 12/08/12

32

SEP 26 2012

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

FIRST NATIONAL BANK BASTROP COUNTY'S BANK SINCE 1887 Bastrop, MO AGENT FOR MONEYGRAM	PERSONAL MONEY ORDER	173583 9-7-12
PAY TO THE ORDER OF <u>City of Bastrop</u>	\$100.00	\$100.00
REMITTER <u>DBA Christmas Parade Permit</u>		
DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC. P.O. BOX 1746 MINNEAPOLIS, MN 55468	NOT VALID OVER \$1,000.00	PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE
DRAWEE: FIRST INTERSTATE BANK BILLINGS, MT		PURCHASER SIGNER FOR DRAWER

⑈ 173583 ⑈ ⑆092005411⑆0170710860023⑈

11/21/2012

Christmas Parade & Salebrations

33

Saturday 12/08/12

THIS DOCUMENT HAS A COLORED BACKGROUND AND MICROPRINTING. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.



DBA
Bastrop Downtown Business Alliance
908 Main Street
Bastrop, TX 78002
512-303-3735

First National Bank
1028 Main St
Bastrop, TX 78002-3217
512-321-2581

4563

DATE 2/2/2010

887-406 / 1148

PAY TO THE
ORDER OF

City of Bastrop

\$ ****500.00**

Five Hundred and 00/100*****

DOLLARS

City of Bastrop

MEMO

Event Deposit for 2010

⑆114904953⑆ ⑈4563⑈ ⑈0316000⑈

DBA

4563

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
2/2/2010	Bill	Event Deposit 2010	500.00	500.00		500.00
				Check Amount		500.00

First National Bank Event Deposit for 2010

500.00

11/21/2012

34

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date **APR 07 2008**

~~BASTROP DOWNTOWN~~ BUSINESS ALLIANCE
908 MAIN ST
BASTROP, TX 78602-3810

Christmas Parade & Salebrations

Saturday 12/08/12

Employer Identification Number:
20-5587587

DLN:

408071030

Contact Person:

KAREN T HOOD

ID# 75069

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Form 990 Required:

Yes

Effective Date of Exemption:

September 21, 2006

Contribution Deductibility:

No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax-exempt status we have determined that you are exempt from Federal income tax under section 501(c)(6) of the Internal Revenue Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Please see enclosed Information for Organizations Exempt Under Sections Other Than 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Information for Organizations Exempt Under Sections Other Than 501(c)(3)

11/21/2012

RECEIVED AUG 30 2012

35



DOWNTOWN

OP ID: MZ

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/29/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION. IT DOES NOT AFFIRMATIVELY OR NEGATIVELY REPRESENT OR PRODUCER, AND THE CERTIFICATE HOLDER.

Christmas Parade & Salebrations

Saturday 12/08/12

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy, the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

ED, subject to

the policies

AUTHORIZED

PRODUCER
TX Assoc-Smithville
P O Box 29
Smithville, TX 78957
Texas Asso Insurers-Smithville

512-360-2565

512-237-3294

CONTACT

NAME:

PHONE

(A/C, No, Ext):

FAX

(A/C, No):

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Scottsdale Insurance

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED **Downtown Business Alliance**
Alliance
906 Main St. #123
Bastrop, TX 78602

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	TYPE OF INSURANCE	ADDL SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
TR		INSR / WVD		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC		CPS1636111	08/23/12	08/23/13	EACH OCCURRENCE \$ 500,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 500,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COM/PROP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALLOWED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CANCELLATION

CITYBAS

CITY OF BASTROP
904 Main Street
P.O. BOX 427
BASTROP, TX 78602

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

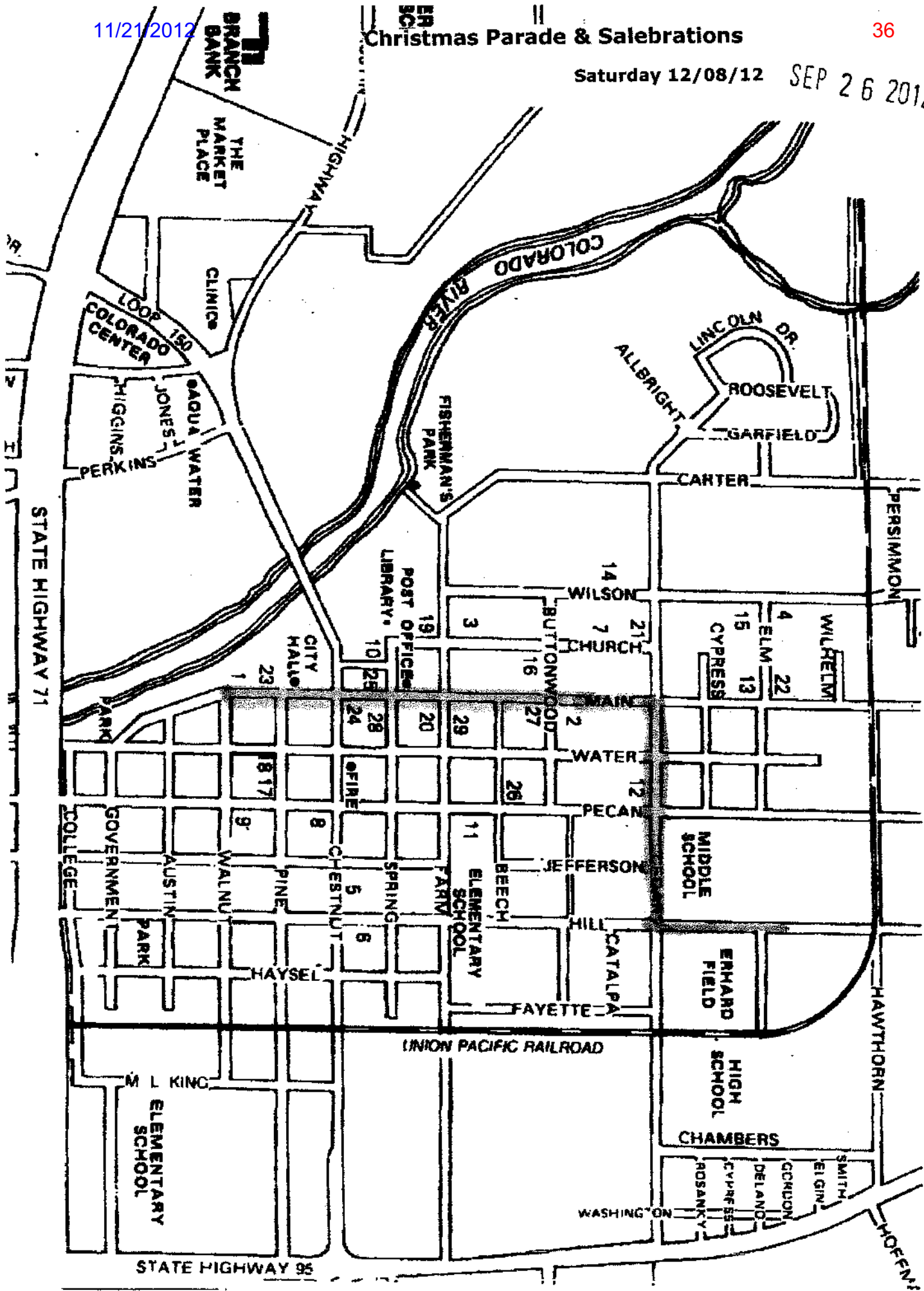
W. R. [Signature]

11/21/2012

Christmas Parade & Salebrations

36

Saturday 12/08/12 SEP 26 2012



Parade Route

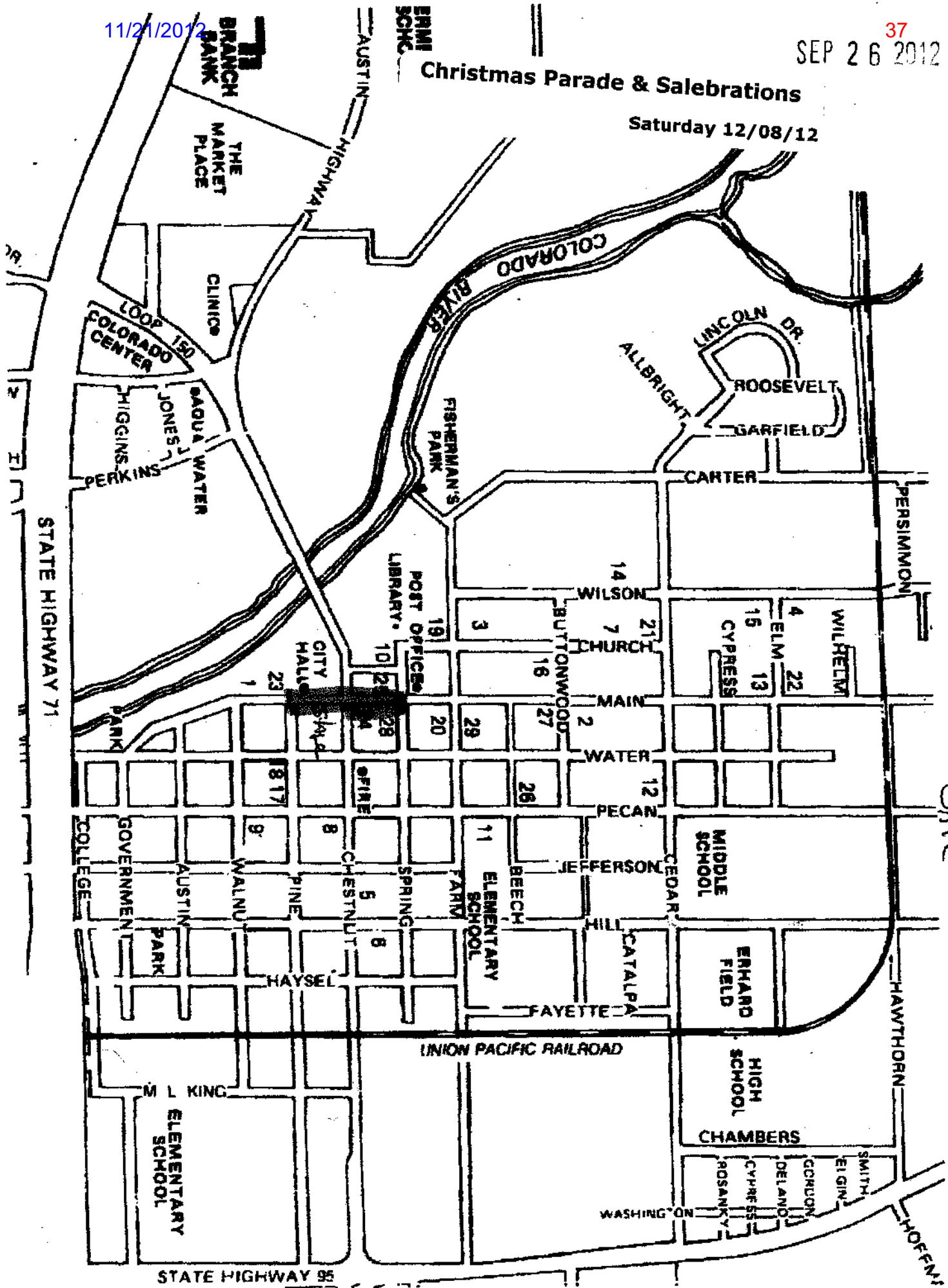
11/21/2012

SEP 26 2012

37

Christmas Parade & Salebrations

Saturday 12/08/12



Street closing During Day
Sale

11/21/2012

Event:

Christmas 2012

Date(s):

Dec 8 2012

Date Submitted:

SEP 26 2012
38
9-25-12

Sound Permit Application

Revised 8/31/2012 8:02 AM

City of Bastrop - Public Works, Parks, & Recreation
1209 Linden Street; Bastrop, Texas 78602
Tel: (512) 332-8920 • Fax: (512) 321-1313

Office Hours: 7:00 a.m. to 11:30 a.m. and 1:00 p.m. to 3:30 p.m.

Special Event on City Property ☒

Special Event on Private (not City) Property ☐

Park Pavilion Rental ☐

Activity on City Property ☒

Activity on Private (not City) Property ☐

Permits are required for use of any and all amplified sound within the city limits by other than normal household portable stereo equipment, occurring on private (not City) and public residential and non-residential property. Permits are valid only for the duration of the event named in this application.

A permit for events held in residential areas is valid between the hours of **8:00 a.m. and 10:00 p.m.**

A permit for events held in non-residential areas is valid between the hours of **8:00 a.m. and midnight (12:00 a.m.)**.

The volume of the sound amplified shall not exceed **85 dB(A) (daytime)** or **80 dB(A) (night time)** when measured from the nearest receiving property. The Police Department can request the permit holder to turn down or turn off the amplified sound if there are complaints.

YOU MUST HAVE THIS PERMIT IN YOUR POSSESSION AT THE TIME OF THE EVENT!

Responsible party:

Bastrop DBA

Address:

906 MAIN ST #123 BASTROP

Phone No:

512-565-5848

Fax No:

-

E-mail address:

FUN @ SUGARSHACKBASTROP.COM

Date(s) of event, rental, or activity:

12-8-12

Name of event or activity:

CHRISTMAS SALE & PARADE

Location(s) of event, rental, or activity:

MAIN STREET

Location(s) of amplified sound equipment:

2 Locations on street 1 amp 2 speakers

Start time (AM or PM):

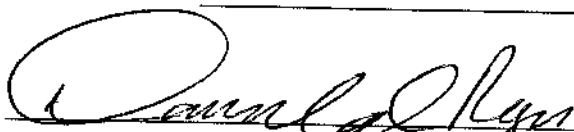
10 AM

End time (AM or PM):

4 PM

Comments:

No bands or stages


Signature of Applicant

9-20-12

Date

SEP 26 2012



City of Bastrop, Texas

Special Event Banner Permit Application for Banners Hung on Banner Plaza

Revised 05/23/2012 4:10 PM

Cost included in Processing Fee if processed through Public Works, Parks, & Recreation Department

Special Event: Christmas Sale & Parade

Date(s) of Event: Dec 8th 2012

Contact person: Dawilla Rogers

Address: 906 Main St #123

E-Mail: Fun@Sugar Shack Bastrop. com

Phone: (512) 321-3777

Fax: ()

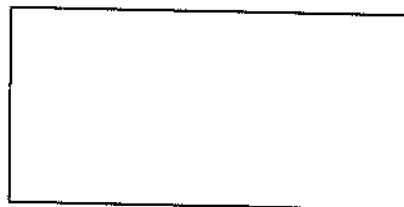
Cell Phone: 512-565-5848
~~512-321-~~

Banners will no longer be hung on the Old Iron Bridge per Ordinance No 2011-23a.

ONLY NON-PROFIT organization banners will be hung on Banner Plaza, which is at the intersection of Perkins and Loop 150 (a/k/a Chestnut).

- Banner Plaza will accommodate 3 banners at a time.
- Banners will hang for **no more than 3 weeks** prior to date of the event. If there are more than 3 banners submitted to hang for the same time period, the timeframe for hanging each banner may be shortened at the discretion of the City staff.
- Banners must measure 18 feet in width and 3 feet in height.

↓
3'
↑



→ 18' ←

- Banners must be made of mesh to prevent wind tears.
- A banner must have grommets/eyelets (metal reinforced holes) on each corner and at least one in the middle of both sides, as well as grommets/eyelets spaced equally across the top and bottom of the banner.

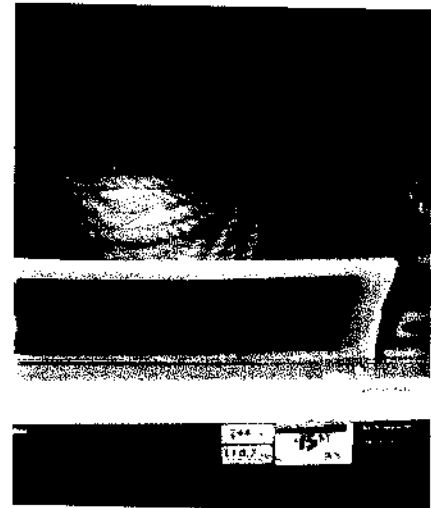
11/21/2012

SEP 26 2012 40

Special Event Banner Permit Application
Page 2 of 2 pages

Name of Event: Christmas 2012
Date(s) of Event: Dec 8, 2012

- f. Applicant must provide City crew with as many spring link, stainless steel clips as there are grommets/eyelets on the top and bottom of the banner. Clip size is 3/8" x 4" or 3". These clips can be found at Home Depot, Lowe's, and similar stores.
- g. Applicant must provide City crew with twisted poly or cotton poly rope, measuring 3/8" x 50' or 100'. These ropes can be found at Home Depot, Lowe's, and similar stores.
- h. Banners must be delivered to Public Works in a plastic storage bin labeled with event name and a contact name and number.
- i. Please contact Public Works at (512) 332-8920 **within 1 week** after completion of the event to arrange to pickup banner(s). Unclaimed banners will be disposed of due to lack of storage space.



CITY OF BASTROP

AGENDA ITEM **A.5****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Approval of the Special Event Permit submitted in the Application received from the Bluebonnet Elementary PTA to host "Run for the Bluebonnets" on Saturday, February 23, 2013, in Fisherman's Park and downtown Bastrop.**
2. Party Making Request: **Trey Job, Director of Public Works, Parks, & Recreation.**
3. Nature of Request: (Brief Overview) Attachments: Yes X No
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No X 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 Public Works, Parks, and Recreation
1209 Linden Street • P. O. Box 427 • Bastrop, TX 78602 • (512) 332-8920
Revised 10/4/2012 2:34 PM

Checklist for Special Event Permit Application

Name of Event:

Run for the Bluebonnets

Date(s) and Day(s) of Event:

2/23/12 Saturday

This application must be submitted in person and by appointment only at least two (2) months but no more than six (6) months prior to the date of event: (512) 332-8920. The City's special event coordinator will go over the submitted app with you to confirm that all questions are answered and all required fees, permits, etc are submitted, as well.

☒ Processing fee \$100.00 (cashier's check or post office-issued money order only) for nonprofit organizations with proof of nonprofit status.

- Fee cannot be waived.
- If same organization hosts multiple events, processing fee required for each event.

☐ Processing fee \$300.00 (cashier's check or post office-issued money order only) for all other organizations.

- Fee cannot be waived.
- If same organization hosts multiple events, processing fee required for each event.

☒ Security deposit \$500 (cashier's check or post office-issued money order only).

- Can be waived.
- within 30 days after date of event (minus any incurred damage expenses).
- If same organization hosting multiple events may pay a one-time security deposit fee to be refunded within 30 days following the conclusion of final event.
- If security deposit is revoked or reduced, another security deposit fee must be submitted with next application.

☒ Nonprofit status letter or certificate, if applicable and not on file with us already.

☐ Insurance certificate (one million dollar general liability) naming City as additional insured, or letter of intent to insurance carrier. Actual certificate due one (1) week prior to event.

☒ Map showing locations of vendors, registration, parade routes, etc.

☒ Sound Permit, if amplified sound is used.

☒ Banner permit, if applicable.

☐ Fireworks permit and safety plan, if applicable.

☐ TABC Certificate and City letter, if applicable and as soon as available.

*Need current date
Renewal 1/13/13*

There must be enough time to process the paperwork through the appropriate channels:

Special Event Review Committee meeting: Thurs 10/18/12 @ 10AM

City Manager meeting, if required: _____

Parks Board meeting, if required (1st Thursday of month): 11/01/12

City Council meeting (2nd and 4th Tuesdays of month): 11/27/12

Final walk-through review meeting, if required: _____

11/21/2012

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Event: Run for the Bluebonnets Date(s): February 23rd, 2013 Date Submitted: SEP 26 2012

5K / Kids Run



Bastrop Public Works, Parks, and Recreation
 1209 Linden Street • P. O. Box 427 • Bastrop, TX 78602 • (512) 332-8920
 Revised 8/31/2012 8:05 AM

Special Event Permit Application

Revised 8/31/2012

Name of event: Run for the Bluebonnets 5K and Kids Run
 Location of event: Fisherman's Park - Downtown Bastrop
 Purpose of event: Fundraiser for Bluebonnet Elementary PTA
 Date(s): Feb. 23, 2013 Day(s): Saturday Times: Kids Run 8:30; 5K 9 a.m.
 Setup: Feb 23, 2013, 5:00 am Cleanup: Feb 23, 11:00 am
Date Time Date Time
 Name of organization: Bluebonnet Elementary PTA
 Address of organization: 4116 FM 1209; Bastrop TX 78602
 Event coordinator #1: Debby Jones
 Daytime: 512-914-7375 Fax: 512-308-1306 Cell: 512-914-7375
Area Code/Number Area Code/Number (school) Area Code/Number
 E-mail address: debbyjones@austin.rr.com
 Event coordinator #2: Kathy Sharp and Lina Conrad
 Daytime: _____ Fax: _____ Cell: _____
Area Code/Number Area Code/Number Area Code/Number
 E-mail address: _____

Please describe event activities (may continue on separate sheet of paper, if necessary):

Bluebonnet Elementary PTA will have our 7th annual 'Run for the Bluebonnets' 5K and Kids Run. This fundraiser begins at 8:00 am with a pre-race warm-up in Fisherman's Park. The Kids Run begins at 8:30 am. The 5K race begins at 9:00 am and runs through downtown Bastrop. The finish line and post-run awards ceremony will be in Fisherman's Park.

Processing Fee (cannot be waived and must accompany application – NO PERSONAL OR BUSINESS CHECKS):

- \$100.00 with proof of non-profit status
- \$300 for all others
- Cashier's Check # 810833 OR Post Office-issued Money Order # _____ payable to City of Bastrop

Security Deposit Fee (cannot be waived and must accompany application – NO PERSONAL OR BUSINESS CHECKS):

- \$500.00
- Refunded if City property is clean and free of litter and damage after the event
- Cashier's Check # 810834 OR Post Office-issued Money Order # _____ payable to City of Bastrop
- ☐ On file from prior event(s)

Insurance (general liability policy in the amount of one million dollars with City named as additional insured):

- ☐ Submitted with app
- ☒ To be submitted Renewal due 1/12/13
- ☐ On file from prior event(s)

Please describe/explain/list the following (may continue on separate sheet). Mark "N/A" if not applicable.

Admission Fees: \$10/15 Kids Run \$25/30 SK Run

Alcohol (TABC & City permits): N/A

Animals (waste control): N/A

Attendance (anticipated *): 750

Banner Permit (location(s)): baner plaza

Electrical (hot check, mats): amplifier, speakers, + need outlets on posts

Emergency Services (First Aid Station, ambulance standby): yes

Fireworks Permit & Safety Plan (State Fire Marshal 512/305-7932): N/A

Inspections (tents, stages, electrical, etc): N/A

Litter Control: trash cans in park

Map (location of activities, vendors, parking, etc): attached

Parking Plan (remote, shuttle): Library lot and grass lot on Farm above park

Portacans (Jackpot 512/303-1467, American PortaCan 512/775-3175): N/A

Rodeo Arena (Rhonda Lock 512/ 563-8816): N/A

Security Plan (off-duty police 512/332-8600): City staff

Show Barn (Allen Stewart 512/413-8512): N/A

Event: Run to Bluebonnets Date(s): Feb. 23, 2013 Date Submitted: SEP 26 2012

Signage (remove within 24 hours after event): public notice and direction sign along route

Sound Permit (for amplified sound): Submitted

Street Closures: see map

Temporary Structures (tents, stages, etc): Tables and chairs

Vehicles, Equipment, etc: Trailers

Vendors (Valid Tax ID #: food? other?): N/A

- Bastrop County Health and Sanitation Department permit, 806 Water Street, (512) 332-7276

Volunteers (how many & how identified): 50 - colored shirts

Water/Wastewater: N/A

I, the undersigned Applicant, hereby agree to indemnify and hold harmless the City of Bastrop, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the Special Event.

Debby S Jones
Applicant - Please print or write legibly

9-24-12
Date

This application must be submitted in person and by appointment only: (512) 332-8920. The City's special event coordinator will go over the submitted app with you to confirm that all questions are answered and all required fees, permits, etc are submitted, as well.

11/21/2012

Event:

Plan for Bluebonnets

Date(s):

Feb 23, 2013

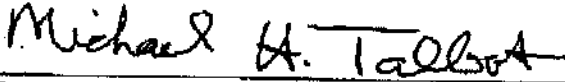
Date Submitted:

SEP 26 2012

Special Event Review Committee Signatures

The City's Special Event Coordinator will obtain the following applicable signatures.
In order to expedite the process, a designee may sign for any of the following in his or her absence

☒ Police Department



Date

☒ City Manager

Date

☒ Public Works, Parks, & Recreation Department

Date

☐ Bastrop Power & Light Department

Date

☐ Water/Wastewater Department

Date

☐ Main Street Manager

Date

☐ Other

Date

City of Bastrop
Public Works, Parks, & Recreation
1209 Linden Street physical address
P. O. Box 427 mailing address
Bastrop, TX 78602
(512) 332-8920 main - Marty DuVall
(512) 321-1313 fax



Trey Job, Director, Public Works, Parks, & Rec
"RC" Robert Campion, Interim Public Works Foreman
Jason Alfaro, Parks Superintendent
Curtis Ervin, Director, Power & Light
Michael Blake, Police Chief
Matt Wagner, Asst Police Chief
Clint Nagy, Sgt/Event Coordinator for PD
Ted Bowers, City Inspector
Nancy Wood, Main Street Manager

512/848-5716
512/848-6916
512/718-3766
512/848-6934
512/332-8601
512/848-6930
512/848-7740
512/629-5033
512/297-5382

This application must be submitted in person and by appointment only: (512) 332-8920.
The City's special event coordinator will go over the submitted app with you to confirm that
all questions are answered and all required fees, permits, etc are submitted, as well.

11/21/2012

Run for the Bluebonnets

SEP 26 2012 ⁴⁷

Saturday 02/23/13

THIS CHECK IS VOID WITHOUT A GREEN & BLUE BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

FIRST NATIONAL BANK
Bastrop County's Bank... Since 1889
Member FDIC

Purchase: BLUEBONNET ELEMENTARY PTA
Deposit For: Processing Fee

One Hundred Dollars And 00/100*****

PAY TO THE ORDER OF City of Bastrop

Notice to Customer
If this check is lost, destroyed, or stolen, the bank will not accept a replacement request on the check until 90 days after the issue date and then only with the issuance of a "Declaration of Loss" certification.

KNP September 25, 2012

CASHIER'S CHECK
810833
\$100.00

K. Powell
Authorized Signature

⑈810833⑈ ⑆114904953⑆

⑈187898⑈

THIS CHECK IS VOID WITHOUT A GREEN & BLUE BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

FIRST NATIONAL BANK
Bastrop County's Bank... Since 1889
Member FDIC

Purchase: BLUEBONNET ELEMENTARY PTA
Deposit For: The Run

Five Hundred Dollars And 00/100*****

PAY TO THE ORDER OF City of Bastrop

Notice to Customer
If this check is lost, destroyed, or stolen, the bank will not accept a replacement request on the check until 90 days after the issue date and then only with the issuance of a "Declaration of Loss" certification.

KNP September 25, 2012

CASHIER'S CHECK
810834
\$500.00

K. Powell
Authorized Signature

⑈810834⑈ ⑆114904953⑆

⑈187898⑈

11/21/2012

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Run for the Bluebonnets

SEP 26 2012

Internal Revenue Service

Saturday 02/23/13

Date: September 26, 2007

**Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201**

**PTA TEXAS CONGRESS
PTA-TX
408 W 11TH ST
AUSTIN TX 78701-2113**

Person to Contact:
Ms. Winkler 17-56985
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
74-1054403
Group Exemption Number:
1889

Dear Sir or Madam:

This is in response to your request of September 26, 2007, regarding your organization's tax-exempt status.

In September 1967 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

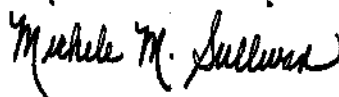
Our records indicate that your organization is also classified as a public charity under section 509(a)(2) of the Internal Revenue Code.

Based on the information supplied, we recognized the subordinates named on the list your organization submitted as exempt from federal income tax under section 501(c)(3) of the Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations 1

Non-profit status

11/21/2012



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SEP 26 2012

Run for the Bluebonnets**Saturday 02/23/13****MEMBER CERTIFICATE OF INSURANCE**

1/9/12

Thank you for purchasing your insurance from AIM. This is your Member Certificate and should be kept with your permanent records.

Insured #: TX513930

NAMED INSURED MEMBER:

Bluebonnet Elementary PTA
Attn: Joell Pausewang or Current Officer
416 FM 1209
Bastrop, TX 78602

Named Insured & Mailing Address

Education Support Purchasing Group
c/o AIM
P.O. Box 742946
Dallas TX, 75374-2946

PRODUCER NAME

Elgin B Allen
PO Box 742946
Dallas TX, 75374-2946

AA Need coverage for 2/23/13 AA

Company / Coverage	Policy #	Effective Dates	Deductible	Limits of Insurance	
Homeland Ins Co of New York / BW36062 Commercial General Liability		1/12/12 - 1/12/13	NONE	Each Occurrence	\$1,000,000
				General Aggregate	\$2,000,000
				Products - COMP/OPS Aggregate	\$2,000,000
				Personal & Advertising Injury	\$1,000,000
				Fire Damage (any one fire)	\$50,000
Homeland Ins Co of New York / BW36062 Medical (Accident Medical)		1/12/12 - 1/12/13	NONE	Any One Person	\$5,000
Homeland Ins Co of New York / BV27969 Comm'l Crime & Fidelity (Bond)		1/12/12 - 1/12/13	\$ 250	Aggregate	\$5,000
Homeland Ins Co of New York / BV27969 Property (Bus. Personal Prop/Comp Sys)		1/12/12 - 1/12/13	\$ 250	Each Occurrence	\$50,000
Homeland Ins Co of New York / BX27423 Non-profit Prof Liability (Officers Liability)*		1/12/12 - 1/12/13	\$ 1,500	Each Occurrence	\$10,000
				Aggregate	\$1,000,000
				*Annual Aggregate applies to all member certificate holders combined.	\$20,000,000

Retro-active Effective Date: 1/12/10

The City of Bastrop is added as additional insured for the general liability policy only.

Certificate Holder:

City of Bastrop
1209 Linden St
Bastrop, TX 78602

Date: 2/25/12 from 6:30 AM to 11:00 AM

This member certificate, together with the common policy conditions, coverage part(s), coverage form(s), and endorsements, if any, complete the above numbered policy. Copies of the Master Policies are available upon request or may be printed at www.aim-companies.com

AUTHORIZED REPRESENTATIVE

11/21/2012



50

SEP 26 2012

Run for the Bluebonnets

POLICY NUMBER: BW00001-2011

Saturday 02/23/13

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)

The City of Bastrop is added as additional insured for the general liability policy only.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.
--

Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented by you.

Saturday 02/23/13

SEP 26 2012



Scheduled Athletic Coverage

AIM is pleased to offer a Accident Medical Coverage that will now cover your athletic teams, organizations, dance teams, cheerleading squads, or any related sporting team.

Eligibility

- CLASS 1:
 - All active, registered team/league/association members of the Policyholder
 - All active, registered campers/clinic attendees of the Policyholder
- CLASS 2:
 - All coaches, officials/umpires, counselors', trainers and volunteers working on behalf of the Policyholder

AN INDIVIDUAL MAY ONLY BE COVERED UNDER ONE CLASS

Coverage

- Amateur Sports/Recreation Team/League/Association Sponsored Activities Accident Coverage
- Day Camp/Clinic Sponsored Activities Accident Coverage
- Overnight Camp/Clinic Sponsored Activities Accident Coverage

Covered Activities:

- Scheduled Competition and Exhibition Games organized, supervised and sponsored by the Policyholder
- Practices and Training sessions organized, supervised and sponsored by the Policyholder
- Relevant sports/athletic/recreation events organized, supervised and sponsored by the policy holder

Association Insurance Management

PO Box 742946 · Dallas, TX 75374-2946

1-800-876-4044

www.aim-companies.com



Sound Permit Application

Revised 9/24/2012 9:02 AM

City of Bastrop - Public Works, Parks, & Recreation
1209 Linden Street; Bastrop, Texas 78602
Tel: (512) 332-8920 • Fax: (512) 321-1313

Office Hours: 7:00 a.m. to 11:30 a.m. and 1:00 p.m. to 3:30 p.m.

Special Event on City Property ☒

Special Event on Private (not City) Property ☐

Park Pavilion Rental ☐

Activity on City Property ☐

Activity on Private (not City) Property ☐

Permits are required for use of any and all amplified sound within the city limits by other than normal household portable stereo equipment, occurring on private (not City) and public residential and non-residential property. Permits are valid only for the duration of the event named in this application.

A permit for events held in residential areas is valid between the hours of **8:00 a.m. and 10:00 p.m.**

A permit for events held in non-residential areas is valid between the hours of **8:00 a.m. and midnight (12:00 a.m.).**

The volume of the sound amplified shall not exceed **85 dB(A) (daytime)** or **80 dB(A) (night time)** when measured from the nearest receiving property. The Police Department can request the permit holder to turn down or turn off the amplified sound if there are complaints.

YOU MUST HAVE THIS PERMIT IN YOUR POSSESSION AT THE TIME OF THE EVENT!

Responsible party: Bluebonnet Elementary PTA
Address: 4116 FM 1209 Bastrop, TX 78602
Phone No: 512 914-7375 (Debby) Fax No: 512-308-1306 (School)
E-mail address: debbyjones@austin.cc.com
Date(s) of event, rental, or activity: February 23rd, 2013
Name of event or activity: Run for the Bluebonnets
Location(s) of event, rental, or activity: Fishermans Park / Downtown Bastrop
Location(s) of amplified sound equipment: Willow & Farm St.

Start time (AM or PM): Set Up 6:00 / Warm Up End time (AM or PM): 12:00 pm
8:00 am

Comments: _____

[Signature]
Signature of Applicant

9-24-12
Date



City of Bastrop, Texas

SEP 26 2012

Special Event Banner Permit Application for Banners Hung on Banner Plaza

Revised 05/23/2012 4:10 PM

Cost included in Processing Fee if processed through Public Works, Parks, & Recreation Department

Special Event: Run for the Bluebonnets

Date(s) of Event: Feb. 23, 2013

Contact person: Debby Jones

Address: 4116 FM 1204 Bastrop TX 78602

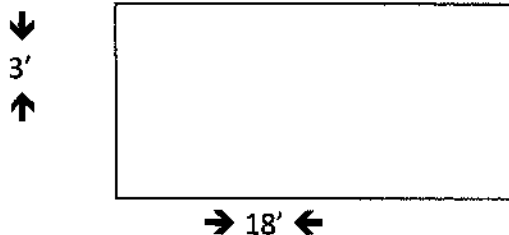
E-Mail: debbyjones@austin.rr.com

Phone: (512) 914-7375 Fax: (512) 308-1306 Cell Phone: 512-414-7375

Banners will no longer be hung on the Old Iron Bridge per Ordinance No 2011-23a.

ONLY NON-PROFIT organization banners will be hung on Banner Plaza, which is at the intersection of Perkins and Loop 150 (a/k/a Chestnut).

- Banner Plaza will accommodate 3 banners at a time.
- Banners will hang for **no more than 3 weeks** prior to date of the event. If there are more than 3 banners submitted to hang for the same time period, the timeframe for hanging each banner may be shortened at the discretion of the City staff.
- Banners must measure 18 feet in width and 3 feet in height.



- Banners must be made of mesh to prevent wind tears.
- A banner must have grommets/eyelets (metal reinforced holes) on each corner and at least one in the middle of both sides, as well as grommets/eyelets spaced equally across the top and bottom of the banner.

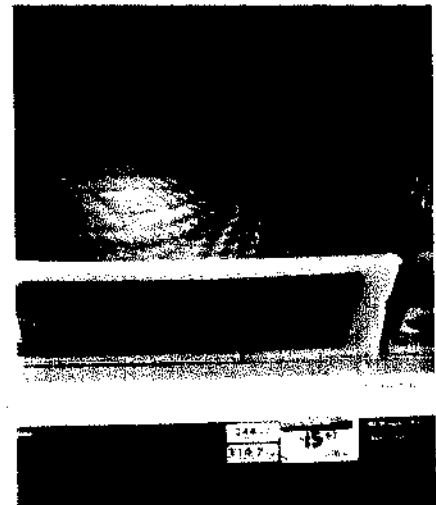
11/21/2012

Special Event Banner Permit Application
Page 2 of 2 pages

SEP 26 2012 55

Name of Event: Beg for the Blue Banner
Date(s) of Event: Feb 23, 2013

- f. Applicant must provide City crew with as many spring link, stainless steel clips as there are grommets/eyelets on the top and bottom of the banner. Clip size is 3/8" x 4" or 3". These clips can be found at Home Depot, Lowe's, and similar stores.
- g. Applicant must provide City crew with twisted poly or cotton poly rope, measuring 3/8" x 50' or 100'. These ropes can be found at Home Depot, Lowe's, and similar stores.
- h. Banners must be delivered to Public Works in a plastic storage bin labeled with event name and a contact name and number.
- i. Please contact Public Works at (512) 332-8920 **within 1 week** after completion of the event to arrange to pickup banner(s). Unclaimed banners will be disposed of due to lack of storage space.





on _____
Day Date

Notice of Activity **Bastrop Public Works and Parks** Revised 11/9/2012 1:42 PM

Office Reservation Hours: 7:00 a.m. to 11:30 a.m. & 1:00 p.m. to 3:30 p.m.
 Office: (512) 332-8920 • Fax: (512) 321-1313 • Park Hours: 6:00 a.m. to 10:00 p.m.
 Marty DuVall, Administrative Assistant • mduvall@cityofbastrop.org

City Property: No
 Private Property: See attached list
 Activity: Lost Pines Christmas Swirl Wine and Food Tasting Event
 Activity Date(s): December 6, 2012
 Activity Day(s): Thursday
 Activity Time(s): 6:00 pm to 9:00 pm
 Anticipated Number of Participants: ≈200
 Responsible Person: Nancy Wood
 Name of Organization/Business (if applicable): Bastrop Main Street Program
 Address: 1311 Chestnut Street Bastrop, TX 78602
Street or P.O. City, State Zip Code
 E-Mail Address: mainstreet@cityofbastrop.org
 Phone: (512) 332-8996 Cell: (512) 297-5382
 Insurance Carrier: _____

I acknowledge receipt of a copy of this Notice of Activity form. I agree to accept responsibility for all damages that may occur as a result of my activity use and agree to comply with City Ordinances governing said property.

Nancy Wood 11/6/2012
Signature Today's Date

Describe activity and any assistance required from City staff: No assistance required from City staff. Small event to get participants into downtown shops for the holiday season. Event will kick-off Lost Pines Christmas weekend. Six shops will host one winery and one restaurant each for a wine and food tasting event. This event will showcase downtown businesses and the six invited wineries. A map will guide participants to each spot and to shops featuring specials for shoppers. Event is three hours long only. Two locations on North Main are within 300 feet of Calvary Episcopal Church.

- ***Personal BBQ pits must be set up away from pavilion and other structures and must be monitored at all times. Do not dump coals in trash or on ground—bring appropriate container.***
- ***No piñatas, alcohol, or glass containers allowed inside City parks without Special Event Permit.***
- ***Must submit a copy of liability insurance coverage (one million dollars) naming the City as an additional insured prior to use of inflatable "bouncy" houses, pools, Slip-N-Slides, sprinklers, or similar items inside City parks.***
- ***For assistance after-hours call: Public Works & Parks @ (512) 848-0128 or Police @ (512) 332-8600***

Lost Pines Christmas Swirl – December 6, 2012

Winery	Rec'd Form	Restaurant	Rec'd Form	Shop Name/Address	Rec'd Form	Contact and Phone	Notes
Georgetown Winery Dan texaswinery@yahoo.com	✓			High Cotton 922 Main Street		Pam and Frank Ferguson 512-321-4152	
Dry Comal Creek Winery Page pagehouser@drycomalcreek.com	✓			Bastrop Bling Company 705 Pine St.		Tracy Stamper 512-308-1109	
Chisholm Trail Winery Albert or Paula albertlain@gmail.com	✓			Rock N Threads 1010 Main St.		Jennifer McCormick 979-716-9655	
Pleasant Hill Winery Bob texaswines@yahoo.com	✓			RA Green Mercantile 1022 Main St		Jane Hunt 512-581-2712	
Saledo Creek Winery Jon jonmoore.41@gmail.com	✓			The Book Basket 913 Main St		Carol Pennell 512-332-0777	
PerdarnalesCellars Shannon Brown sbrown@perdarnalescellars.com	✓			Cripple Creek & Co. 928 Main St		Dee Dee Peddy 512-632-7522	

November 15, 2012

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

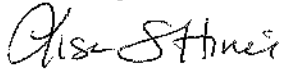
Dear Mike,

Calvary Episcopal Church and School understands there will be a wine tasting event in downtown Bastrop on December 6 from 6-9 p.m. and that one of the venues will be the R.A. Green Mercantile shops. We know that the shops will benefit from this short holiday event and are looking forward to it.

With this letter we give approval for the event, which includes alcoholic beverages within 300 feet of the school, for the date and time specified. This approval applies to the R.A. Green Mercantile at 1022 Main Street and Rock N Threads at 1010 Main Street, both of which are within 300 feet of Calvary Episcopal Church and School.

Thank you and we hope the event meets all expectations for creating a shopping crowd downtown for the holidays.

Sincerely,



~~The Right Reverend Lisa Hinds~~
Rector, Calvary Episcopal Church
The Rev. Lisa Hines

CITY OF BASTROP

AGENDA ITEM A.7

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 6, 2012

MEETING DATE: November 27, 2012

- 1. Agenda Item: Adoption of an Ordinance of the City Council of the City of Bastrop, Texas to grant a zone change from GR, General Retail, to C-2, Commercial-2 (Heavy), for +/-1.646 acres out of the Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 &2, Block A, Walnut Street Subdivision Phase 1) within the City limits of Bastrop, Texas; setting out conditions; and providing an effective date.**

2. Party Making Request: **Raul Vazquez, La Hacienda & Jalisco Market**

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

- #### 4. Policy Implication:

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

6. Alternate Option/Costs:

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
a) _____			
b) _____			

- ### 8. Staff Recommendation:

9. Advisory Board Recommendation: XXXX Recommended Approval Denial None

The Planning and Zoning Commission conducted a public hearing on October 25, 2012 and voted unanimously 5-0, to recommend approval of the zone change from GR, General Retail, to C-2, Commercial-2(Heavy) , for +/-1.646 acres out of the Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 & 2, Block A, Walnut Street Subdivision Phase 1) within the City limits of Bastrop, Texas.

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

11. Action Taken:

ORDINANCE NO. _____

AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM GR, GENERAL RETAIL TO C-2, COMMERCIAL-2 (HEAVY) FOR +/- 1.646 ACRES OUT OF THE WALNUT STREET SUBDIVISION, BEING BLOCK A, LOT 1 (AMENDED PLAT OF LOTS 1 AND 2, BLOCK A, WALNUT STREET SUBDIVISION, PHASE 1) IN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Raul Vazquez, La Hacienda and Jalisco Market (hereinafter referred to as “Applicant”) submitted a request for a zone change from GR, General Retail to C2-Commercial 2 (Heavy) for +/- 1.646 acres out of the Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 & 2, Block A, Walnut Street Subdivision Phase 1) in the city limits of Bastrop, Bastrop County, Texas, hereinafter referred to as “the Property”; and

WHEREAS, A copy of plat, showing Lot 1, Block A of the Amended Plat of Lots 1 & 2, Block A Walnut Street Subdivision Phase 1, is included as Exhibit A; and

WHEREAS, the Property is currently zoned as GR, General Retail; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given to all property owners located within two hundred feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the Applicant’s rezoning request October 25, 2012; and

WHEREAS, after notice and hearing, the Planning and Zoning Commission has recommended a C2, Commercial 2 (Heavy) zoning designation for the Property; and

WHEREAS, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on November 13, 2012 to consider the Applicant’s request to rezone the Property to C2, Commercial 2 (Heavy); and

WHEREAS, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property currently zoned as GR, General Retail to C2-Commercial 2 (Heavy).

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

Part 1: The Property, being more particularly described as +/- 1.646 acres out of the Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 & 2, Block A, Walnut Street Subdivision Phase 1) in the city limits of Bastrop, Bastrop County, Texas, as shown on Exhibit "A", shall and is hereby rezoned from its prior designation GR, General Retail to C2-Commercial 2 (Heavy).

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

READ and APPROVED on First Reading on the 13th day of November 2012.

READ and ADOPTED on the Second Reading on the 27th day of November 2012.

APPROVED:

ATTEST:

Terry Orr
Mayor

Teresa Valdez
City Secretary

Y No. 96

N 0°03'12"00" (N) 87.3703'

174.5' ± = 374'
(Calc'd from 174')

LOT 1
2
TOTAL

**STATE OF TEXAS
COUNTY OF BASTROP**

subject to easements and
witness my hand this 1st day of
Richard Bows, President
Apartment Advisors Inc.
6614 Rolia
Houston, Texas 77056
(713) 290-0933

422 Higgins Street
Beaufort, Texas 79003
(512) 303-2200

STATE OF TEXAS
COUNTY OF BASTROP

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CLAUDE J. CLAYTON

Printed Name of Notary (To be filled in by Notary)

CITY OF BASTROP

AGENDA ITEM

A.8

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 6, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Adoption of an Ordinance of the City Council of the City of Bastrop Texas, amending the budget for the Fiscal Year 2012 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior Ordinances and actions in conflict herewith; and providing for an effective date.**

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

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

4. Policy Implication:

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

- a) _____
 b) _____
 c) _____

8. Staff Recommendation: **Staff recommends approval of the Budget Amendments.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2012 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2012; and,

WHEREAS, the Mayor and Council have now provided for and conducted a public hearing on the budget as provided by law. Now, Therefore:

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

That the proposed budget amendments for the fiscal year 2012, as submitted to the City Council by the City Manager and which budget amendments are attached hereto as Exhibit "A" is hereby adopted and approved as the amended budget of said city for Fiscal Year 2012; and

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

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

READ and APPROVED on First Reading on the 13th day of November 2012.

READ and ADOPTED on Second Reading on the 27th day of November 2012.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

**FY 2012
BUDGET AMENDMENTS
GENERAL FUND #101**

Fund Balance as of 9-30-11	2,059,480
FY 2012 Projected Revenues	8,429,685
FY 2012 Projected Appropriations	(8,180,828)
Budget Amendments (net)	0
Ending Fund Balance	<u>2,308,337</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Revenues

Taxes and Penalties	Neutral	28,120	Taxes and Penalties	101-00-00-4001
Planning Department	Neutral	2,500	Building Permit Collections	101-00-00-4020

Expenditures

Organizational	Neutral	(12,520)	Professional Service expenses	101-02-00-5505
Organizational	Neutral	(2,500)	Engineering Consulting expenses	101-02-00-5530
Organizational	Neutral	(13,100)	380 Agreement Reimbursement	101-02-00-5644
Planning Department	Neutral	(2,500)	Professional Service expenses	101-15-00-5505

Total Expenditures (30,620)

**FY 2012
BUDGET AMENDMENTS
DESIGNATED FUND #102**

Designated Balance	90,013
FY 2012 Projected Revenues	520,080
FY 2012 Projected Appropriations	(344,220)
Budget Amendments (net)	(1,735)
Ending Fund Balance	264,138

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Revenues				
		11,885	Library Grant Revenue	102-00-00-4501
		180,100	Red Light Camera Reciepts	102-00-00-4079
Total Revenues		191,985		
		(13,620)	Library Grants	102-00-00-5242
		(13,000)	Red Light Camera Program	102-00-00-5587
		(167,100)	Red Light Camera - State Reimbursement	102-00-00-5589
Total Expenditures		(193,720)		
Net Change		(1,735)		

**FY 2012
BUDGET AMENDMENTS
DESIGNATED FUND #102**

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Designated Balance	90,013			
FY 2012 Projected Revenues	520,080			
FY 2012 Projected Appropriations	(344,220)			
Budget Amendments (net)	(1,735)			
Ending Fund Balance	264,138			
Revenues				
		11,885	Library Grant Revenue	102-00-00-4501
		180,100	Red Light Camera Reciepts	102-00-00-4079
Total Revenues		191,985		
		(13,620)	Library Grants	102-00-00-5242
		(13,000)	Red Light Camera Program	102-00-00-5587
		(167,100)	Red Light Camera - State Reimbursement	102-00-00-5589
Total Expenditures		(193,720)		
Net Change		(1,735)		

**FY 2012
BUDGET AMENDMENTS
ACCELERATED RECOVERY FEE FUND #304**

Fund Balance as of 9-30-11	120,188
FY 2012 Projected Revenues	864,900
FY 2012 Projected Appropriations	(288,710)
Budget Amendments (net)	0
Ending Fund Balance	<u>696,378</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Revenues				
		3,600	Accelerated Recovery Fees	304-00-00-4199
Total Revenues		<u>3,600</u>		
		(3,600)	Developer Reimbursement	304-00-00-5629
Total Expenditures		<u>(3,600)</u>		
Net Change		0		

**FY 2012
BUDGET AMENDMENTS
HOTEL MOTEL FUND #501**

Fund Balance as of 9-30-11	1,812,314
FY 2012 Projected Revenues	2,242,100
FY 2012 Budgeted Appropriations	(2,160,341)

Budget Amendments (net)	0
Ending Fund Balance	<u>1,894,073</u>
	1,956,234.00

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Revenues				
		64,740	Increase in Hotel Motel Receipts	501-00-00-4007
		500,000	Visitor Center Escrow - Fund Balance already adjusted	
Total Revenues		<u>564,740</u>		
Pre- Audit Entry		(64,740)	Bastrop Marketing Corporation	501-80-00-5576
		(500,000)	City Hall Building - Escrow Disbursement	501-80-00-6040
Total Expenditures		<u>(564,740)</u>		
Net Change		0		

**FY 2012
BUDGET AMENDMENTS
FAIRVIEW CEMETERY FUND #525**

Fund Balance as of 9-30-11	237,609
FY 2012 Projected Revenues	37,904
FY 2012 Budgeted Appropriations	(58,720)
Budget Amendments (net)	(9,740)
Ending Fund Balance	<u>207,053</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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New Revenues:

Total Revenues	<u>0</u>			
Library Board	Increase	(1,420)	Professional Services	525-00-00-5505
		(8,320)	Mowing Services	525-00-00-5561
Total Expenditures	<u>(9,740)</u>			
Net Change	(9,740)			

**FY 2012
BUDGET AMENDMENTS
GRANT FUND #801**

Fund Balance as of 9-30-11 0
 FY 2012 Budgeted Revenues 0
 FY 2012 Budgeted Appropriations 0
 Budget Amendments (net) 0
 Ending Fund Balance 0

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
New Revenues:				
		569,200	Buccees Grant Receipts - HUD	801-00-00-4441
		200,000	Visitor Center Grant -HUD	801-00-00-4442
		32,500	CAPCOG - Chipper Grant	801-00-00-4446
		115,000	Splash Pad Grant Receipts TPWD, HUD	801-00-00-4443
		22,970	SECO Grant	801-00-00-22968
Total Revenues		939,670		

New Expenditures:

(569,200)	Buccees Grant	801-00-00-5650
(200,000)	Visitor Center Grant	801-00-00-6041
(32,500)	CAPCOG - Chipper Grant	801-00-00-6042
(115,000)	Splash Pad Grant	801-00-00-6715
(1,956)	General Fund Transfer - SECO	801-00-00-8002
(21,014)	BPL Transfer - SECO	801-00-00-8712
(939,670)		
Total Expenditures		
Net Change		0

CITY OF BASTROP

AGENDA ITEM

B.1**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **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.**

2. Party Making Request: **Joey Chapman, Deli Depot**

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

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 4.02.004.

According to the Bastrop Code of Ordinances Article 4.02.004 the City Council may provide variances to the 300-foot limitation (see attached copy of Code) 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.

According to the Bastrop Code of Ordinances the Council is required to conduct a Public Hearing to receive public input on the requested variance. Notice of the required Public Hearing was provided to all property owners are stated in the Code and was published in the Bastrop Advertiser on Saturday, November 24, 2012.

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: _____

business of such person is located in a use district of the city, as established by the city and present or future zoning regulations of the city, in which the sale, storage or otherwise handling for the purpose of sale of such alcoholic beverage is permitted. (1995 Code, sec. 4.103)

Sec. 4.02.004 Distance of premises from church, school or hospital

(a) No person shall sell or engage in the business of selling any alcoholic beverage where the place of business of such person is located within three hundred (300) feet of any church, public or private school, or public hospital; provided, however, that 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. For purposes of this section, the measurements of the distance between such businesses and the affected churches, schools, and hospitals shall be done in accordance with state law. This section does not apply to a holder of a license or permit who also holds a food and beverage certificate covering premises that are located within three hundred feet (300') of a private school, as the term "private school" is defined by the Texas Alcoholic Beverage Code. Additionally, this section shall not apply to any place of business that is legally selling alcoholic beverages at the same location for a continuous period of one (1) year next preceding the establishment, construction or purchase of property for the establishment or construction of a church, public or private school, or public hospital, nor shall it apply to businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership.

(b) Whether the grant of a variance from the rule prohibiting a person from selling or engaging in the business of selling any alcoholic beverage within three hundred (300) feet of any church, public or private school or hospital is in the best interest of the community shall be determined by the council following a public hearing held by the council to receive public input on the requested variance.

(c) Notice of the required public hearing, set forth in subsection (b) above, shall be provided to all property owners who are located adjacent to the site to which the variance would apply, if granted, including but not limited to notices to all churches, public or private schools, and hospitals in the area that may be potentially affected by the requested variance.

(d) Any variance awarded pursuant to this section shall be by resolution, approved by the city council for such purpose.

(Ordinance 2009-15, part 1, adopted 7/14/09)

Sec. 4.02.005 Permit and license fees; issuance of city permit

(a) There is hereby levied an annual permit fee and an annual license fee in the amount of one-half (1/2) the state fee for each permit or license issued, except as prohibited by Texas Alcoholic Beverage Code.

(b) Such fee shall be paid in advance for one (1) year to the city secretary within thirty (30) days from the date payment was due to be paid to the county tax assessor/collector or alcoholic beverage commission for said state permit fee or state license fee.

NOV 14 2012

**NOTICE OF PUBLIC HEARING FOR
BASTROP CITY COUNCIL**

The Bastrop City Council will conduct a public hearing on Tuesday, November 27, 2012 at 6:15 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas on the following request:

The applicant is requesting a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital on property located at 1006 Main Street, Bastrop, Texas, known as Deli Depot.

Interested persons are invited to provide comments at the public hearing. Written comments must be received at the office of the City Secretary by November 27, 2012, P.O. Box 427, or 1311 Chestnut Street, Bastrop, Texas 78602 (512) 332-8011.

**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

The Bastrop City Council will conduct a public hearing on Tuesday, November 27, 2012 at 6:15 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas on the following request:

The applicant is requesting a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital on property located at 1006 Main Street, Bastrop, Texas, also known as Deli Depot.

The Applicant is: Virginia Piper and Chapman & Sanchez Inc.

Property Location: 1006 Main Street – Deli Depot Restaurant

Legal Description: Building Block 8, West of Water Street, for +/-0.1101 acres.

(PLEASE SEE ATTACHED MAP AND APPLICANT'S REQUEST)

As a property owner within 300' of the above referenced property, you are being notified of the public hearing and invited to attend to express your opinion at the meeting or in writing by completing the form below. Written comments, either in support or opposition to this request, must be submitted to the City Secretary by November 27, 2012, at 1311 Chestnut Street, P.O. Box 427, Bastrop, Texas 78602 Fax (512) 332-8819 or call the City Secretary at (512) 332-8811.



PROPERTY OWNER'S RESPONSE



As a property owner within 300':

(please check ☒ one)

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

Property Owner Name: _____

Property Address: _____

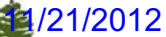
Mailing Address: _____

Property Owner's Signature: _____

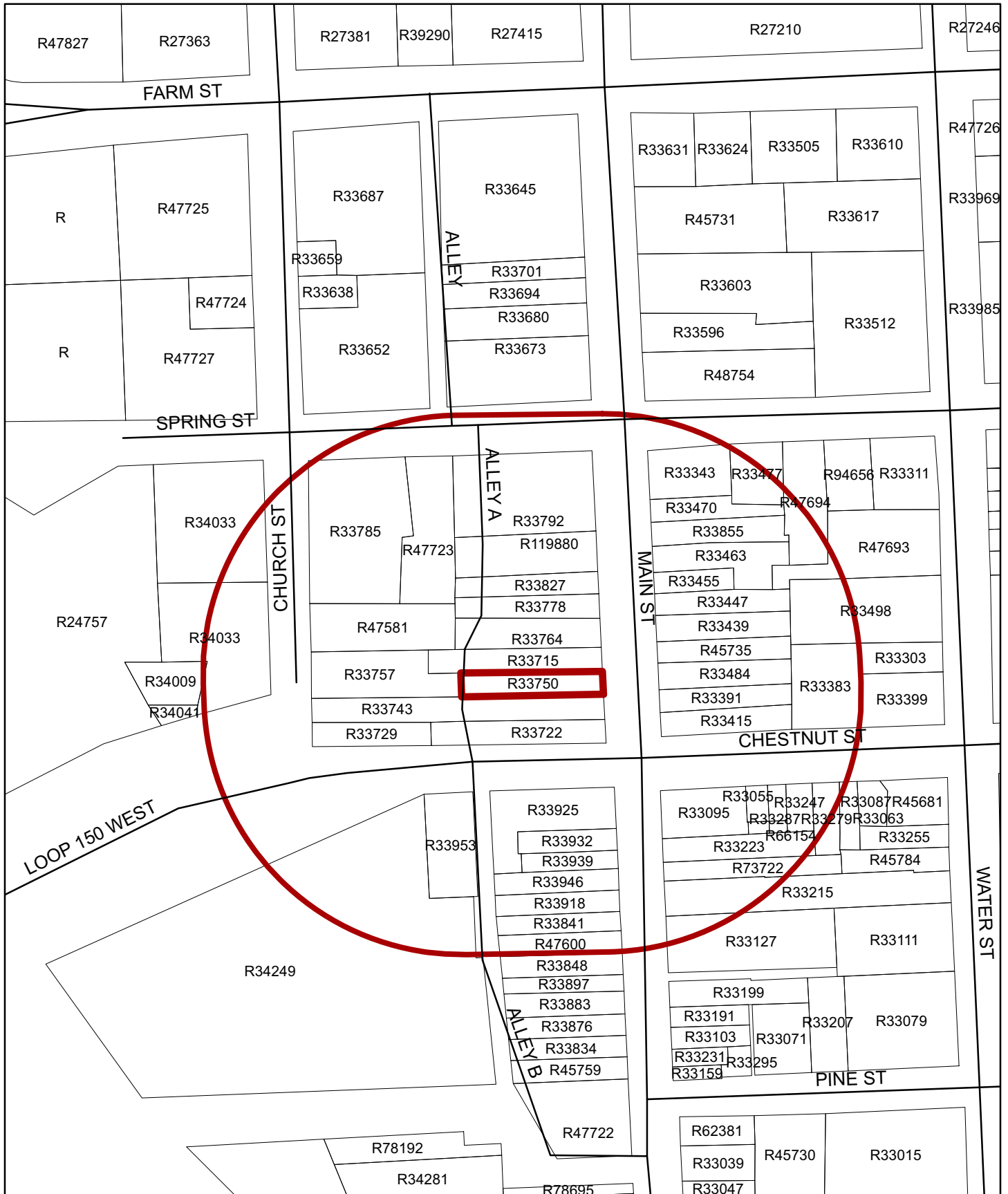
Comments: (Optional)

Please reply to: **City Secretary**, City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Re: Variance to serve alcohol, Deli Depot, mailed 11/20/2012



1006 Main Street
300' Buffer



Deli Depot

1006 Main Street
Bastrop TX 78602
512-321-0808

November 19, 2012

Request for Variance

Terry Orr
Mayor, City of Bastrop

Willie DeLaRosa
c/o Bastrop City Hall

Ken Kesselus
c/o Bastrop City Hall

Joe Beal
c/o Bastrop City Hall

Kay Garcia-McAnally
c/o Bastrop City Hall

Dock Jackson
c/o Bastrop City Hall

City of Bastrop
Planning and Development Factory

This request for variance pertains to the following property:

1006 Main Street
Bastrop, TX 78602; R33750

The property is owned by Virginia Piper. The corporation is owned by Chapman & Sanchez Inc. Interprise.

This is a request for a variance to Section 4.02.004 Bastrop Code of Ordinances. The subject property is within the 300 foot limit of any church, public, or private school. The owners are requesting a variance from the City Council for the reasons stated in 4.02.004.

A notification list of all property owners and their mailing addresses as identified on the latest approved tax roll of the Bastrop Central Appraisal District, within 300 feet of the subject property is attached as Exhibit "A."

Sincerely,

Joey Chapman
Deli Depot

Joeychapman8@hotmail.com

Exhibit "A"

R33785
PROTESTANT EPISCOPAL CHURCH
601 SPRING BASTROP, TX 78602

R47723
PROTESTANT EPISCOPAL
1012 ALLEY A BASTROP, TX 78602

R47581
PROTESTANT EPISCOPAL
1010 ALLEY A BASTROP, TX 78602

R33757
PROTESTANT EPISCOPAL
1008 ALLEY A BASTROP, TX 78602

R33743
HEPKER, DANIEL L
1004 MAIN ST BASTROP, TX 78602

R33729
STATE OF TEXAS
604 CHESTNUT ST BASTROP, TX 78602

R33792
PROTESTANT EPISCOPAL CHURCH
1028 MAIN ST BASTROP, TX 78602

R119880
PROTESTANT EPISCOPAL CHURCH
1022 MAIN ST BASTROP, TX 78602

R33827
DUFF, JOHN & ROBERT
1016 MAIN ST BASTROP, TX 78602

R33778
HENRY & PAMELA BELL LTD
1014 MAIN ST BASTROP, TX 78602

R33764
LANG, KATHRYN WHITES
1010 MAIN ST BASTROP, TX 78602

R33715
AMOS, CHARLES E, II
1008 MAIN ST BASTROP, TX 78602

R33722
HEPKER, DANIEL & CYNTHIA
1002 MAIN ST BASTROP, TX 78602

R33953
KKG BASTROP [INVESTMENTS](#) LLC
603 CHESTNUT ST BASTROP, TX 78602

R33925
KKG BASTROP [INVESTMENTS](#) LLC
930 MAIN ST BASTROP, TX 78602

R33932
GITZENDANNER, STEPHEN
928 MAIN ST BASTROP, TX 78602

R33939
926 MAIN STREET BASTROP [LLC](#)
926 MAIN ST BASTROP, TX 78602

R33946
JCG LAND & CATTLE CO [LLC](#)
924 MAIN ST BASTROP, TX 78602

R33918
LACHAROSE LTD
922 MAIN ST BASTROP, TX 78602

R33841
BRIDGES, RONALD HOWARD
920 MAIN ST BASTROP, TX 78602

R47600
MCDONALD, CURTIS G &
918 MAIN ST BASTROP, TX 78602

R34033
PROTESTANT EPISCOPAL CHURCH
509 SPRING ST BASTROP, TX 78602

R34033
WISE, JO ANN
1002 CHURCH BASTROP, TX 78602

R34009
WISE, JO ANN
1002 CHURCH BASTROP, TX 78602

R34041
Dennis Ann B
1000 CHURCH BASTROP, TX 78602

R33343
Schiff & Associates Inc.
1025 MAIN ST BASTROP, TX 78602

R33477
O'CONNOR, ROBIN
707 SPRING ST BASTROP, TX 78602

R47694
Bastrop Opera House Inc.
711 SPRING ST BASTROP, TX 78602

R33470
FIRST [NATIONAL BANK](#) OF BASTROP
1021 MAIN ST BASTROP, TX 78602

R33855
FIRST [NATIONAL BANK](#) OF BASTROP
1019 MAIN ST BASTROP, TX 78602

R33463
JBA PROPERTIES LLC
1017 MAIN ST BASTROP, TX 78602

R33455
BASTROP JAS PROPERTIES LLC
1015 MAIN ST BASTROP, TX 78602

R33447
BURCHETT, LAWRENCE & REGINA
1011 MAIN ST BASTROP, TX 78602

R33439
WARNER, GREGORY S
1009 MAIN ST BASTROP, TX 78602

R45735
SANBORN, MARY ANN
1007 MAIN ST BASTROP, TX 78602

R33484
CAROL H NOBLE TRUST
1005 MAIN ST BASTROP, TX 78602

R33391
MOHRMANN, JOHN & IRIS ANNA (ETAL)
1003 MAIN ST BASTROP, TX 78602

R33415
MURALT, DAVID C
1001 MAIN ST BASTROP, TX 78602

R33498
CITY OF BASTROP
1006 WATER BASTROP, TX 78602

R47693
CITY OF BASTROP
1008 WATER ST BASTROP, TX 78602

R33303
SUMMERS, JOHN W
1006 WATER ST BASTROP, TX 78602

R33383
GARCIA, AMANDO & FIDEL

710 CHESTNUT ST BASTROP, TX 78602

R33095
BASTROP PROPERTIES LTD
931 MAIN ST BASTROP, TX 78602

R33055
BASTROP PROPERTIES LTD
705 CHESTNUT ST BASTROP, TX 78602

R33287
CHESTNUT STREET LTD
707 CHESTNUT ST BASTROP, TX 78602

R33247
CHESTNUT STREET LTD
709 CHESTNUT ST BASTROP, TX 78602

R33279
CULWELL, MARY JEAN
711 CHESTNUT ST BASTROP, TX 78602

R66154
BASTROP PROPERTIES LTD
707 CHESTNUT ST BASTROP, TX 78602

R33223
BASTROP CHAMBER OF COMMERCE
927 MAIN BASTROP, TX 78602

R73722
MARY OGDEN SCHULTZ ESTATE
925 MAIN ST BASTROP, TX 78602

R33215
CITY OF BASTROP
921 MAIN ST BASTROP, TX 78602

R33750
THE VIRGINIA PIPER/CHRISTOPHER GRIEF
1006 MAIN ST BASTROP, TX 78602

11/21/2012

82

From: The Rev. Lisa S. Hines <rector@cecbastrop.org>
Sent: Tuesday, November 20, 2012 4:49 PM
To: Teresa Valdez
Cc: joeychapman8@hotmail.com
Subject: Deli Depot Beer and Wine License

Re: Deli Depot
Application for Beer and Wine License

Dear Ms. Valdez,

Calvary Episcopal Church does not object to the pending beer and wine license application of Deli Depot on Main Street. In August, I made certain that our Vestry (board of lay leadership) was aware of the application, and it decided no action was necessary.

Please let me know if you require a signed copy of this letter.

Sincerely,

Lisa Hines

The Rev. Lisa S. Hines, Rector
Calvary Episcopal Church
603 Spring Street
P.O. Box 721
Bastrop, Texas 78602
512-303-7515
rector@cecbastrop.org

CITY OF BASTROP

AGENDA ITEM

B.2**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action 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.**

2. Party Making Request: **Joey Chapman, Deli Depot**

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

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 Section 4.02.004.

According to the Bastrop Code of Ordinances Section 4.02.004 the City Council may provide variances to the 300-foot limitation (see attached copy of Code) 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.

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: _____

Deli Depot
1006 Main Street
Bastrop TX 78602
512-321-0808

Terry Orr
Mayor, City of Bastrop

Ken Kesselus
c/o Bastrop City Hall

Kay Garcia-McAnally
c/o Bastrop City Hall

Willie DeLaRosa
c/o Bastrop City Hall

Joe Beal
c/o Bastrop City Hall

Dock Jackson
c/o Bastrop City Hall

City of Bastrop
Planning and Development Factory

This request for variance pertains to the following property:

1006 Main Street
Bastrop, TX 78602

The property is owned by Virgilia Piper. The corporation is owned by Chapman & Sanchez Inc. Interprise.

This is a request for a variance to Section 4.02.004 Bastrop Code of Ordinances. The subject property is within the 300 foot limit of any church, public, or private school. The owners are requesting a variance from the City Council for the reasons stated in 4.02.004.

A notification list of all property owners and their mailing addresses as identified on the latest approved tax roll of the Bastrop Central Appraisal District, within 300 feet of the subject property is attached as Exhibit "A."

Sincerely,

Joey Chapman

Deli Depot

Joeychapman8@hotmail.com

Exhibit "A"

R33785
PROTESTANT EPISCOPAL CHURCH
601 SPRING BASTROP, TX 78602

R47723
PROTESTANT EPISCOPAL
1012 ALLEY A BASTROP, TX 78602

R47581
PROTESTANT EPISCOPAL
1010 ALLEY A BASTROP, TX 78602

R33757
PROTESTANT EPISCOPAL
1008 ALLEY A BASTROP, TX 78602

R33799

R33743
HEPKER, DANIEL L
1004 MAIN ST BASTROP, TX 78602

R33729
STATE OF TEXAS
604 CHESTNUT ST BASTROP, TX 78602

R33792
PROTESTANT EPISCOPAL CHURCH
1028 MAIN ST BASTROP, TX 78602

R119880
PROTESTANT EPISCOPAL CHURCH
1022 MAIN ST BASTROP, TX 78602

R33827
DUFF, JOHN & ROBERT
1016 MAIN ST BASTROP, TX 78602

R33778
HENRY & PAMELA BELL LTD
1014 MAIN ST BASTROP, TX 78602

R33764
LANG, KATHRYN WHITES
1010 MAIN ST BASTROP, TX 78602

R33715
AMOS, CHARLES E, II
1008 MAIN ST BASTROP, TX 78602

R33722
HEPKER, DANIEL & CYNTHIA
1002 MAIN ST BASTROP, TX 78602

R33953
KKG BASTROP [INVESTMENTS](#) LLC
603 CHESTNUT ST BASTROP, TX 78602

R33925
KKG BASTROP [INVESTMENTS](#) LLC
930 MAIN ST BASTROP, TX 78602

R33932
GITZENDANNER, STEPHEN
928 MAIN ST BASTROP, TX 78602

R33939
926 MAIN STREET BASTROP [LLC](#)
926 MAIN ST BASTROP, TX 78602

R33946
JCG LAND & CATTLE CO [LLC](#)
924 MAIN ST BASTROP, TX 78602

R33918
LACHAROSE LTD
922 MAIN ST BASTROP, TX 78602

R33841
BRIDGES, RONALD HOWARD
920 MAIN ST BASTROP, TX 78602

R47600
MCDONALD, CURTIS G &
918 MAIN ST BASTROP, TX 78602

R34033
PROTESTANT EPISCOPAL CHURCH
509 SPRING ST BASTROP, TX 78602

R34033
WISE, JO ANN
1002 CHURCH BASTROP, TX 78602

R34009
WISE, JO ANN
1002 CHURCH BASTROP, TX 78602

R34041
Dennis Ann B
1000 CHURCH BASTROP, TX 78602

R33343
Schiff & Associates Inc.
1025 MAIN ST BASTROP, TX 78602

R33477
O'CONNOR, ROBIN
707 SPRING ST BASTROP, TX 78602

R47694
Bastrop Opera House Inc.
711 SPRING ST BASTROP, TX 78602

R33470
FIRST [NATIONAL BANK](#) OF BASTROP
1021 MAIN ST BASTROP, TX 78602

R33855

CITY OF BASTROP

AGENDA ITEM

B.3**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **PUBLIC HEARING: To receive public input on a request from Linda's V., Incorporated for a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital, for property located at 1800 Walnut Street, Bastrop, Texas, to be known as La Hacienda Shopping Plaza.**

2. Party Making Request: **William Jenkins on behalf of Raul Vazquez**

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

A letter dated November 14, 2012 was received from William Jenkins on behalf of Raul Vazquez, owner of Linda's V., Incorporated, requesting a variance to Bastrop Code of Ordinances Article 4.02.004.

According to the Bastrop Code of Ordinances Article 4.02.004 the City Council may provide variances to the 300-foot limitation (see attached copy of Code) 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.

According to the Bastrop Code of Ordinances the Council is required to conduct a Public Hearing to receive public input on the requested variance. Notice of the required Public Hearing was provided to all property owners are stated in the Code and was published in the Bastrop Advertiser on Saturday, November 24, 2012.

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: _____

business of such person is located in a use district of the city, as established by the city and present or future zoning regulations of the city, in which the sale, storage or otherwise handling for the purpose of sale of such alcoholic beverage is permitted. (1995 Code, sec. 4.103)

Sec. 4.02.004 Distance of premises from church, school or hospital

(a) No person shall sell or engage in the business of selling any alcoholic beverage where the place of business of such person is located within three hundred (300) feet of any church, public or private school, or public hospital; provided, however, that 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. For purposes of this section, the measurements of the distance between such businesses and the affected churches, schools, and hospitals shall be done in accordance with state law. This section does not apply to a holder of a license or permit who also holds a food and beverage certificate covering premises that are located within three hundred feet (300') of a private school, as the term "private school" is defined by the Texas Alcoholic Beverage Code. Additionally, this section shall not apply to any place of business that is legally selling alcoholic beverages at the same location for a continuous period of one (1) year next preceding the establishment, construction or purchase of property for the establishment or construction of a church, public or private school, or public hospital, nor shall it apply to businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership.

(b) Whether the grant of a variance from the rule prohibiting a person from selling or engaging in the business of selling any alcoholic beverage within three hundred (300) feet of any church, public or private school or hospital is in the best interest of the community shall be determined by the council following a public hearing held by the council to receive public input on the requested variance.

(c) Notice of the required public hearing, set forth in subsection (b) above, shall be provided to all property owners who are located adjacent to the site to which the variance would apply, if granted, including but not limited to notices to all churches, public or private schools, and hospitals in the area that may be potentially affected by the requested variance.

(d) Any variance awarded pursuant to this section shall be by resolution, approved by the city council for such purpose.

(Ordinance 2009-15, part 1, adopted 7/14/09)

Sec. 4.02.005 Permit and license fees; issuance of city permit

(a) There is hereby levied an annual permit fee and an annual license fee in the amount of one-half (1/2) the state fee for each permit or license issued, except as prohibited by Texas Alcoholic Beverage Code.

(b) Such fee shall be paid in advance for one (1) year to the city secretary within thirty (30) days from the date payment was due to be paid to the county tax assessor/collector or alcoholic beverage commission for said state permit fee or state license fee.

NOV 14 2012

**NOTICE OF PUBLIC HEARING FOR
BASTROP CITY COUNCIL**

The Bastrop City Council will conduct a public hearing on Tuesday, November 27, 2012 at 6:15 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas on the following request:

The applicant is requesting a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital on property located at the north intersection of Highway 95 and Walnut Street, adjacent to Sac-N-Pac, being Walnut Street Subdivision, Block A, Lot 1, 1.63 acres, to be known as La Hacienda shopping plaza.

Interested persons are invited to provide comments at the public hearing. Written comments must be received at the office of the City Secretary by November 27, 2012, P.O. Box 427, or 1311 Chestnut Street, Bastrop, Texas 78602 (512) 332-8011.

**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

The Bastrop City Council will conduct a public hearing on Tuesday, November 27, 2012 at 6:15 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas on the following request:

The applicant is requesting a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital on property located at 1800 Walnut Street, Bastrop, Texas, to be known as La Hacienda Shopping Plaza.

The Applicant is: Linda's V, Incorporated

Property Location: 1800 Walnut Street – La Hacienda Shopping Plaza

Legal Description: Walnut Street Subdivision, being Block A, Lot 1 (Amended Plat of Lots 1 & 2, Block A, Walnut Street Subdivision Phase 1), for +/-1.646

(PLEASE SEE ATTACHED MAP AND APPLICANT'S REQUEST)

As a property owner within 300' of the above referenced property, you are being notified of the public hearing and invited to attend to express your opinion at the meeting or in writing by completing the form below. Written comments, either in support or opposition to this request, must be submitted to the City Secretary by November 27, 2012, at 1311 Chestnut Street, P.O. Box 427, Bastrop, Texas 78602 Fax (512) 332-8819 or call the City Secretary at (512) 332-8811.



PROPERTY OWNER'S RESPONSE



As a property owner within 300':
(please check ☒ one)

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

Property Owner Name: _____

Property Address: _____

Mailing Address: _____

Property Owner's Signature: _____

Comments: (Optional)

Please reply to: **City Secretary**, City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

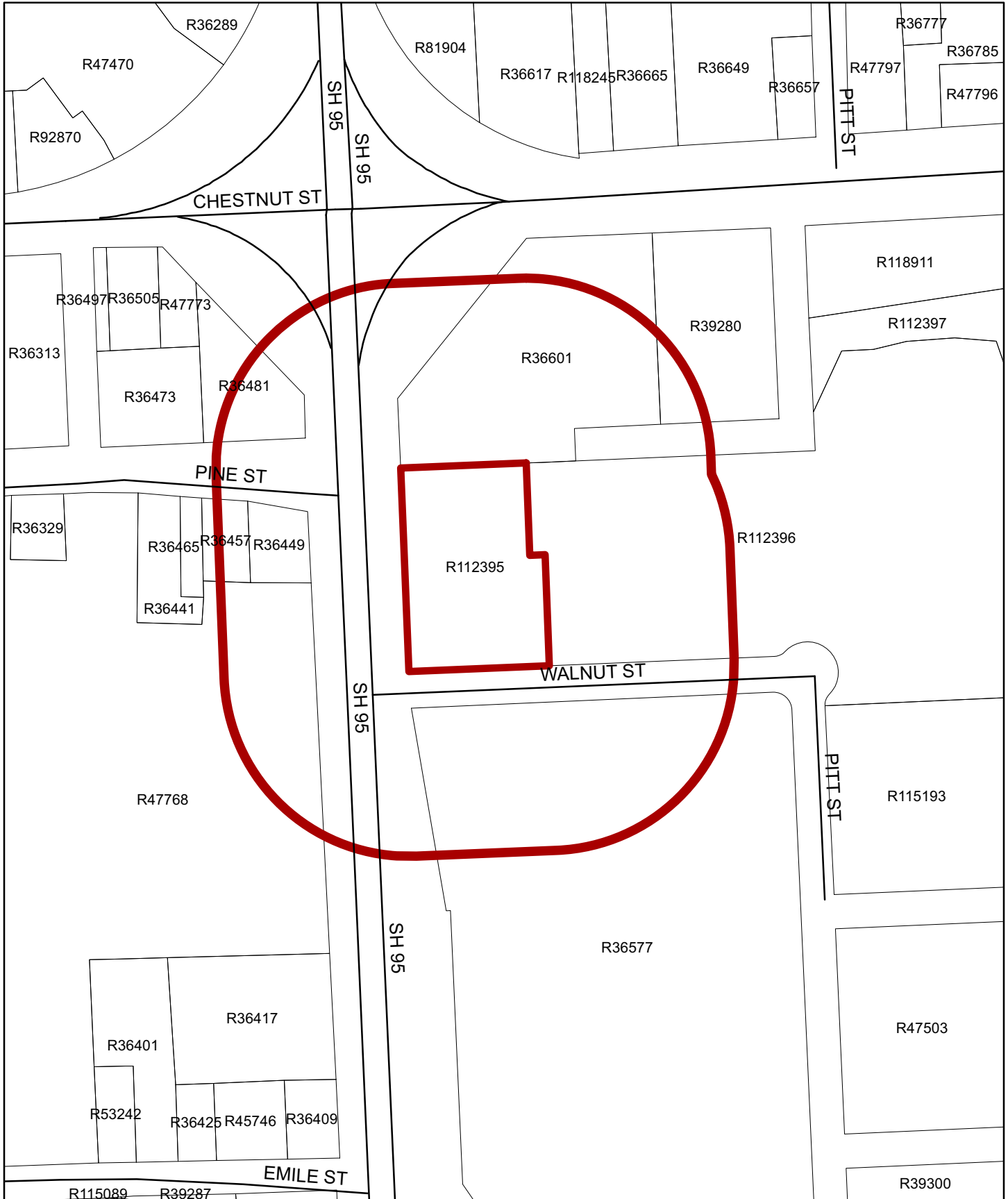
Re: Variance to serve alcohol La Hacienda Shopping Plaza, mailed 11/20/2012



11/21/2012

Property Location Map

La Hacienda
300' Buffer



JENKINS & JENKINS, LLP

ATTORNEYS AT LAW
908 CHESTNUT STREET
P. O. BOX 547
BASTROP, TEXAS 78602
Phone (512) 303-4700
Fax: (512) 303-0700

November 14, 2012

Request for Variance

Terry Orr
Mayor, City of Bastrop

Ken Kesselus
c/o Bastrop City Hall

Kay Garcia-McAnally
c/o Bastrop City Hall

Willie DeLaRosa
c/o Bastrop City Hall

Joe Beal
c/o Bastrop City Hall

Dock Jackson
c/o Bastrop City Hall

City of Bastrop
Planning and Development Department

This request for variance pertains to the following property:

Walnut Street Subdivision, Block A, Lot 1, 1.646 acres (Amended Plat of
Lots 1 & 2, Block A, Walnut St. Subdivision Ph. 1) ; R112395.

The property is owned by Linda's V, Inc. The corporation is owned by Raul Vazquez.

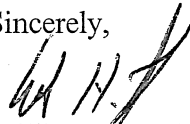
This is a request for a variance to Section 4.02.004 Bastrop Code of Ordinances. The subject property is within the 300 foot limit of any church, public or private school. The owners are requesting a variance from the City Council for the reasons stated in 4.02.004.

NOV 14 2012



A notification list of all property owners and their mailing addresses as identified on the latest approved tax roll of the Bastrop Central Appraisal District, within 300 feet of the subject property is attached as Exhibit "A".

Sincerely,



William H. Jenkins

WHJ/sc

NOV 14 2012

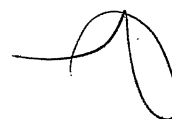


Exhibit "A"

Notification List

R36481:

Jay Brummett and George Faddoul
4730 Birchman Ave.
Fort Worth, Texas 76107

R36457:

Mary Martinez
1615 Pine Street
Bastrop, Texas 78602

R36449:

Paul D. and Wanna Phillips
123 Lariat Ct.
Bastrop, Texas 78602

R47768:

Bastrop ISD
906 Farm Street
Bastrop, Texas 78602

R47500:

Buc-ee's Ltd.
c/o Sharon Skoruppa
327 FM 2004
Lake Jackson, Texas 77566

R112396:

Six Walnut Ridge Apartments, LP
6614 Rolla
Houston, Texas 77055

R36601:

Kirk and Kevin Brumley
1405 United Drive, Ste. 115
San Marcos, Texas 78666

R39280:

B & B Investments
1405 United Dr. Ste. 115
San Marcos, Texas 78666

NOV 14 2012



CITY OF BASTROP

AGENDA ITEM

B.4**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 20, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action on a request from Linda's V., Incorporated for a variance to Bastrop Code of Ordinances Article 4.02.004 Sale of Alcoholic Beverages, Distance of premises from church, school or hospital, for property located at 1800 Walnut Street, Bastrop, Texas, to be known as La Hacienda Shopping Plaza.**

2. Party Making Request: **William H. Jenkins on behalf of Raul Vazquez**

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

A letter dated November 14, 2012 was received from William H. Jenkins on behalf of Raul Vazquez, owner of Linda's V., Corporation, requesting a variance to Bastrop Code of Ordinances Section 4.02.004.

According to the Bastrop Code of Ordinances Section 4.02.004 the City Council may provide variances to the 300-foot limitation (see attached copy of Code) 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.

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: _____

JENKINS & JENKINS, LLP

ATTORNEYS AT LAW
908 CHESTNUT STREET
P. O. BOX 547
BASTROP, TEXAS 78602
Phone (512) 303-4700
Fax: (512) 303-0700

November 14, 2012

Request for Variance

Terry Orr
Mayor, City of Bastrop

Ken Kesselus
c/o Bastrop City Hall

Kay Garcia-McAnally
c/o Bastrop City Hall

Willie DeLaRosa
c/o Bastrop City Hall

Joe Beal
c/o Bastrop City Hall

Dock Jackson
c/o Bastrop City Hall

City of Bastrop
Planning and Development Department

This request for variance pertains to the following property:

Walnut Street Subdivision, Block A, Lot 1, 1.646 acres (Amended Plat of
Lots 1 & 2, Block A, Walnut St. Subdivision Ph. 1) ; R112395.

The property is owned by Linda's V, Inc. The corporation is owned by Raul Vazquez.

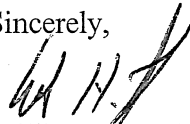
This is a request for a variance to Section 4.02.004 Bastrop Code of Ordinances. The subject property is within the 300 foot limit of any church, public or private school. The owners are requesting a variance from the City Council for the reasons stated in 4.02.004.

NOV 14 2012



A notification list of all property owners and their mailing addresses as identified on the latest approved tax roll of the Bastrop Central Appraisal District, within 300 feet of the subject property is attached as Exhibit "A".

Sincerely,



William H. Jenkins

WHJ/sc

NOV 14 2012

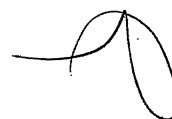


Exhibit "A"

Notification List

R36481:

Jay Brummett and George Faddoul
4730 Birchman Ave.
Fort Worth, Texas 76107

R36601:

Kirk and Kevin Brumley
1405 United Drive, Ste. 115
San Marcos, Texas 78666

R36457:

Mary Martinez
1615 Pine Street
Bastrop, Texas 78602

R39280:

B & B Investments
1405 United Dr. Ste. 115
San Marcos, Texas 78666

R36449:

Paul D. and Wanna Phillips
123 Lariat Ct.
Bastrop, Texas 78602

R47768:

Bastrop ISD
906 Farm Street
Bastrop, Texas 78602

R47500:

Buc-ee's Ltd.
c/o Sharon Skoruppa
327 FM 2004
Lake Jackson, Texas 77566

R112396:

Six Walnut Ridge Apartments, LP
6614 Rolla
Houston, Texas 77055

NOV 14 2012



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: November 21 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action on adoption of an Ordinance of the City Council of the City of Bastrop ratifying the terms of two prior resolutions, expanding the public rights-of way abandonments and conveyances noted therein, clarifying property boundaries in the Riverview Heights Addition, and other related formal actions, adopted by the City with the intent to abandon, vacate and convey portions of Lincoln Drive to adjacent property owners in the City of Bastrop, Texas; and providing an effective date.**

2. Party Making Request: **Melissa McCollum**

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

September 15, 1952, October 15, 1952, and May 10, 1954 the City adopted resolutions, and took other formal Council actions, with the intent to vacate, abandon, and convey to the adjacent property owners portions of Lincoln Drive.

At the November 13, 2012 City Council meeting this item was postponed/tabled until a survey was received, so that property boundaries and the clarifying action would be accurate and complete.

A survey has been received on Tuesday November 20, 2012 and staff will have a full survey and ordinance available by Monday November 26, for the Tuesday November 27, 2012 City Council meeting, which is intended to make the boundaries involved for all related and properties clear and complete.

The ordinance will be revised to reflect the changes and findings shown on the survey.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

8. Staff Recommendation: **Staff recommends approval.**

9. Advisory Board: _____ Approved _____ Disapproved XX None

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

11. Action Taken: _____

ORDINANCE NO. 2012 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP RATIFYING THE TERMS OF TWO PRIOR RESOLUTIONS, AND OTHER RELATED FORMAL ACTIONS, ADOPTED BY THE CITY WITH THE INTENT TO ABANDON, VACATE AND CONVEY PORTIONS OF LINCOLN DRIVE TO ADJACENT PROPERTY OWNERS IN THE CITY OF BASTROP, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas is a Home Rule municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, on or about September 15, 1952, October 15, 1952, and May 10, 1954 the City adopted resolutions, and took other formal Council actions, with the intent to vacate, abandon, and convey to the adjacent property owners portions of Lincoln Drive between Lincoln Street and Allbright Street; and

WHEREAS, notwithstanding that the City Council acted with the intent to vacate, abandon, and convey portions of Lincoln Drive to clear up potential title issues as a result of inadvertent procedural errors, and in the best interest of the public, the City now seeks to ratify the previous actions of the Council, through adoption of this Ordinance.

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

Part 1: That on September 15, 1952, October 13, 1952, and May 10, 1954, through Resolutions, or other formal actions, the City Council of the City of Bastrop vacated, abandoned and conveyed portions of Lincoln Street to the adjacent property owners. Copies of the Resolutions and applicable City Council minutes are attached hereto as Exhibit "A". A diagram of the portion of Lincoln Street which was abandoned, vacated, and conveyed is attached hereto as Exhibit "B".

Part 2: In accord with the Resolution and minutes attached hereto as Exhibit "A", the portions of Lincoln Street shown on Exhibit "B" were apportioned between the adjacent property owners as follows:

Townsend _____

Allbright _____

Goddard More particularly described in Exhibit C

Part 3: That the Resolution and minutes attached hereto as Exhibit "A", which due to an inadvertent error in procedure may not have been effective in actuating the Council's intent to vacate, abandon, and convey the portions of Lincoln Street shown on Exhibit "B", are hereby ratified, and determined by the Council to have been, and to remain in perpetuity, in full force and effect from the original date the actions were contemplated by the Council.

Part 4: All other provisions of any ordinances or resolutions that are in conflict with this ordinance are hereby repealed.

Part 5: This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Bastrop, and this ordinance shall not operate to repeal or affect any of such other ordinances or resolutions, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) or resolutions are superseded.

Part 6: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 7: The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective and be in full force and effect in accordance with the provisions of the Charter of the City of Bastrop.

PASSED AND APPROVED ON FIRST READING ON THIS 23rd DAY OF OCTOBER 2012.

PASSED AND APPROVED ON SECOND READING ON THE 27th DAY OF NOVEMBER 2012.

APPROVED:

ATTEST:

Mayor Terry Orr

Teresa Valdez, City Secretary

CITY OF BASTROP

AGENDA ITEM

D.1**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: November 19, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING 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 and commercial garbage service charged to the citizens of Bastrop, Texas for administrative costs and service rates; and providing an effective date.**

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

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

Attached is the ordinance that would amend the residential and commercial garbage rates.

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: _____

ORDINANCE NO. 2012-

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 AND COMMERCIAL GARBAGE SERVICE CHARGED TO THE CITIZENS OF BASTROP, TEXAS FOR ADMINISTRATIVE COSTS AND SERVICE RATES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority provided by the Bastrop Code of Ordinances, Chapter 11, the City of Bastrop, Texas has contracted with Allied Waste Services to provide the citizens of Bastrop with residential and commercial garbage collection service; and

WHEREAS, Section 13.02 (a) of the agreement by and between the City of Bastrop and Allied Waste Services, related to the provision of garbage collection services, provides for periodic modification of garbage collection rates charged by Allied Waste Services, to reflect changes in the cost of operations by Allied Waste Services, as reflected by fluctuations in various Consumer Price Indices; and

WHEREAS, Allied Waste Services last revised its rates to the City of Bastrop in October 2012; and

WHEREAS, it is necessary for the City to increase rates charged for residential and commercial services, to accommodate the increase in administrative costs and service rates charged by Allied Waste Services.

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

PART 1: That, effective January 1, 2013 the rates paid by the residential customers of Bastrop shall be as shown on Attachment A.

PART 2: That, effective January 1, 2013 the rates paid by the commercial customers of Bastrop shall be modified, and shall be as shown on Attachment B.

PART 3: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same, affecting rates and charges for residential and commercial garbage service rates of the City of Bastrop, which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 4: This Ordinance shall take effect upon the date of final passage noted below in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND APPROVED on FIRST READING on the 27th day of November 2012.

READ AND ADOPTED on SECOND READING on the ____ day of December 2012.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

Attachment A

		Rates Paid before 01/01/2013 by Residential Customers		Rates Paid by Residential Customers after 01/01/2013
Residential		\$15.63		\$15.82

Attachment B

Allied Waste directly invoices Commercial Customers for the following Services:

		Rates paid before 01/01/2013 by Commercial Customers		New Rates paid by Commercial Customers after 01/01/2013
Commercial Carts				
1@1wk		\$22.66		\$22.97
2@1wk		\$30.13		\$30.54
3@1wk		\$18.48		\$18.73
Dumpsters				
2yd 1wk		\$71.76		\$72.73
3yd 1wk		\$78.03		\$78.98
2xwk		\$141.77		\$143.68
3xwk		\$224.88		\$227.91
4xwk		\$299.90		\$303.94
5xwk		\$374.89		\$379.93
4yd 1wk		\$89.61		\$90.82
2xwk		\$152.20		\$154.25
3xwk		\$243.50		\$246.78
4xwk		\$324.25		\$328.62
5xwk		\$405.31		\$410.76
6yd 1wk		\$101.56		\$102.93
2xwk		\$180.10		\$182.52
3xwk		\$298.27		\$320.28
4xwk		\$397.04		\$402.38
5xwk		\$496.30		\$502.97
8yd 1wk		\$120.64		\$122.26
2xwk		\$221.40		\$224.38
3xwk		\$330.60		\$335.05
4xwk		\$440.53		\$446.46
5xwk		\$550.67		\$558.07
10yd 1wk		\$142.98		\$144.90
2xwk		\$229.46		\$232.55
3xwk		\$359.20		\$364.03
4xwk		\$479.76		\$486.21
5xwk		\$599.71		\$607.77

Attachment B (continued)

		Rates paid before 01/01/2013 by Commercial Customers		New Rates paid by Commercial Customers after 01/01/2013
Rolloff - Permanent				
20 yard		\$368.93		\$373.89
30 yard		\$395.76		\$401.08
40 yard		\$409.17		\$414.67
Rental		\$5.21/day		\$5.28/day
No Delivery Fee				
Rolloff – Temporary – Per Pull				
20 yard		\$448.06		\$454.08
30 yard		\$458.48		\$464.64
40 yard		\$500.16		\$506.88
Delivery Fee – 1 st Box		\$156.30		\$158.40
False Alarm Fee		\$130.25		\$132.00
10 yard		\$364.70		\$369.60
15 yard		\$406.38		\$411.84
False Alarm Fee		\$104.20		\$105.60
Rental –day		\$5.21/day		\$5.28/day
Overweight Fee – \$0.0312/lb. over 10 tons		\$0.03		\$0.0312
Commercial Recycle – 1 x WK				
2 yard		\$64.55		\$65.42
3 yard		\$72.21		\$73.18
4 yard		\$79.86		\$80.94
6 yard		\$84.24		\$85.38
8 yard		\$92.99		\$94.25



October 1, 2012

Mr. Michael Talbot
City Manager
City of Bastrop
904 Main Street
Bastrop, TX 78602

Dear Mr. Talbot,

As you know the Agreement between the City of Bastrop and Allied Waste Services provides for an annual adjustment based on changes to the Consumer Price Index (CPI) as published by the United States Bureau of Labor Statistics.

Per Contract Clause 13.02 (b) "Modification of Rates" the rate adjustment calculations for 2012 are as follows:

All Items

May 2012	229.815
May 2008	-216.632

Difference 13.2 divided by 216.632 (2008 base line) = .061 x .9 (90%
multiplier) = .055

Gasoline

May 2012	323.604
May 2008	-319.787

Difference 3.82 divided by 319.787 (2008 base line) = .012 x .1 (10%
multiplier) = .001

Therefore the total adjustment is .055 + .001 = .056.

This indicates a rate adjustment for 2012 will be 5.6% based on the 2008 base indexes. The effect on the residential trash and recycling rate will be an increase to \$14.32 from the 2008 contract base rate of \$13.56. This represents a modest increase of \$0.19 over the current \$14.13 service rate.

The revised commercial rates are attached for your review as well.

Mike, Allied Waste Services is pleased to be your solid waste services provider and values the relationship with the City of Bastrop.

Thank you for your consideration. Please contact us if you have any questions.

Best regards,

A handwritten signature in black ink that reads "Jon Deckard". The signature is written in a cursive, flowing style.

Jon Deckard
Municipal Services Manager
Allied Waste Services

Attachment:

CITY OF BASTROP TRASH AND RECYCLING RATES
2012 RATES EFFECTIVE OCTOBER 2012

	2008	2012
RESIDENTIAL	\$13.56	\$14.32
COMMERCIAL CARTS		
1	21.75	\$ 22.97
2	28.92	\$ 30.54
3	17.74	\$ 18.73
DUMPSTERS		
2YD		
1XWK	68.87	\$ 72.73
3YD		
1XWK	74.89	\$ 78.98
2XWK	136.06	\$ 143.68
3XWK	215.82	\$ 227.91
4XWK	287.82	\$ 303.94
5XWK	359.78	\$ 379.93
4YD		
1XWK	86	\$ 90.82
2XWK	146.07	\$ 154.25
3XWK	233.69	\$ 246.78
4XWK	311.19	\$ 328.62
5XWK	388.98	\$ 410.76
6YD		
1XWK	97.47	\$ 102.93
2XWK	172.85	\$ 182.52
3XWK	286.25	\$ 320.28
4XWK	381.04	\$ 402.38
5XWK	476.3	\$ 502.97
8YD		
1XWK	115.78	\$ 122.26
2XWK	212.48	\$ 224.38
3XWK	317.28	\$ 335.05
4XWK	422.78	\$ 446.46
5XWK	528.48	\$ 558.07
10YD		
1XWK	137.22	\$ 144.90
2XWK	220.22	\$ 232.55
3XWK	344.73	\$ 364.03
4XWK	460.43	\$ 486.21
5XWK	575.54	\$ 607.77

ROLLOFF - PERMANENT

20YD	354.06	\$ 373.89
30YD	379.81	\$ 401.08
40YD	392.68	\$ 414.67
RENT/DAY	5	\$ 5.28

ROLLOFF - TEMP.

20YD	430	\$ 454.08
30YD	440	\$ 464.64
40YD	480	\$ 506.88
DELIVERY	150	\$ 158.40
FALSE ALARM FEE	125	\$ 132.00
OVERWEIGHT FEE		
CENTS/LB OVER 10 TONS	3	3
15YD	390	\$ 411.84
10YD	350	\$ 369.60
FALSE ALARM FEE	100	\$ 105.60
RENTAL/DAY	5	\$ 5.28
OVERWEIGHT FEE		
CENTS/LB OVER 10 TONS	3	0.0312

RECYCLE DUMPSTERS

2YD	61.95	\$ 65.42
3YD	69.3	\$ 73.18
4YD	76.65	\$ 80.94
6YD	80.85	\$ 85.38
8YD	89.25	\$ 94.25

11/21/2012

115

9-14-2012

U.S. Department Of Labor
Bureau of Labor Statistics
Washington, D.C. 20212

Consumer Price Index

All Urban Consumers - (CPI-U)

U.S. city average

All items

1982=84=100

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.	Percent Dec- Dec	chang Avg- Avg
1913	9.8	9.8	9.8	9.8	9.7	9.8	9.9	9.9	10.0	10.0	10.1	10.0	9.9		
1914	10.0	9.9	9.9	9.8	9.9	9.9	10.0	10.2	10.2	10.1	10.2	10.1	10.0	1.0	1.0
1915	10.1	10.0	9.9	10.0	10.1	10.1	10.1	10.1	10.1	10.2	10.3	10.3	10.1	2.0	1.0
1916	10.4	10.4	10.5	10.6	10.7	10.8	10.8	10.9	11.1	11.3	11.5	11.6	10.9	12.6	7.9
1917	11.7	12.0	12.0	12.6	12.8	13.0	12.8	13.0	13.3	13.5	13.5	13.7	12.8	18.1	17.4
1918	14.0	14.1	14.0	14.2	14.5	14.7	15.1	15.4	15.7	16.0	16.3	16.5	15.1	20.4	18.0
1919	16.5	16.2	16.4	16.7	16.9	16.9	17.4	17.7	17.8	18.1	18.5	18.9	17.3	14.5	14.6
1920	19.3	19.5	19.7	20.3	20.6	20.9	20.8	20.3	20.0	19.9	19.8	19.4	20.0	2.6	15.6
1921	19.0	18.4	18.3	18.1	17.7	17.6	17.7	17.7	17.5	17.5	17.4	17.3	17.9	-10.8	-10.5
1922	16.9	16.9	16.7	16.7	16.7	16.7	16.8	16.6	16.6	16.7	16.8	16.9	16.8	-2.3	-6.1
1923	16.8	16.8	16.6	16.9	16.9	17.0	17.2	17.1	17.2	17.3	17.3	17.3	17.1	2.4	1.8
1924	17.3	17.2	17.1	17.0	17.0	17.0	17.1	17.0	17.1	17.2	17.2	17.3	17.1	0.0	0.0
1925	17.3	17.2	17.3	17.2	17.3	17.5	17.7	17.7	17.7	17.7	18.0	17.9	17.5	3.5	2.3
1926	17.9	17.9	17.8	17.9	17.8	17.7	17.5	17.4	17.5	17.6	17.7	17.7	17.7	-1.1	1.1
1927	17.5	17.4	17.3	17.3	17.4	17.6	17.3	17.2	17.3	17.4	17.3	17.3	17.4	-2.3	-1.7
1928	17.3	17.1	17.1	17.1	17.2	17.1	17.1	17.1	17.3	17.2	17.2	17.1	17.1	-1.2	-1.7
1929	17.1	17.1	17.0	16.9	17.0	17.1	17.3	17.3	17.3	17.3	17.3	17.2	17.1	0.6	0.0
1930	17.1	17.0	16.9	17.0	16.9	16.8	16.6	16.5	16.6	16.5	16.4	16.1	16.7	-6.4	-2.3
1931	15.9	15.7	15.6	15.5	15.3	15.1	15.1	15.1	15.0	14.9	14.7	14.6	15.2	-9.3	-9.0
1932	14.3	14.1	14.0	13.9	13.7	13.6	13.6	13.5	13.4	13.3	13.2	13.1	13.7	-10.3	-9.9
1933	12.9	12.7	12.6	12.6	12.6	12.7	13.1	13.2	13.2	13.2	13.2	13.2	13.0	0.8	-5.1
1934	13.2	13.3	13.3	13.3	13.3	13.4	13.4	13.4	13.6	13.5	13.5	13.4	13.4	1.5	3.1
1935	13.6	13.7	13.7	13.8	13.8	13.7	13.7	13.7	13.7	13.7	13.8	13.8	13.7	3.0	2.2
1936	13.8	13.8	13.7	13.7	13.7	13.8	13.9	14.0	14.0	14.0	14.0	14.0	13.9	1.4	1.5
1937	14.1	14.1	14.2	14.3	14.4	14.4	14.5	14.5	14.6	14.6	14.5	14.4	14.4	2.9	3.6
1938	14.2	14.1	14.1	14.2	14.1	14.1	14.1	14.1	14.1	14.0	14.0	14.0	14.1	-2.8	-2.1
1939	14.0	13.9	13.9	13.8	13.8	13.8	13.8	13.8	14.1	14.0	14.0	14.0	13.9	0.0	-1.4
1940	13.9	14.0	14.0	14.0	14.0	14.1	14.0	14.0	14.0	14.0	14.0	14.1	14.0	0.7	0.7
1941	14.1	14.1	14.2	14.3	14.4	14.7	14.7	14.9	15.1	15.3	15.4	15.5	14.7	9.9	5.0
1942	15.7	15.8	16.0	16.1	16.3	16.3	16.4	16.5	16.5	16.7	16.8	16.9	16.3	9.0	10.9
1943	16.9	16.9	17.2	17.4	17.5	17.5	17.4	17.3	17.4	17.4	17.4	17.4	17.3	3.0	6.1
1944	17.4	17.4	17.4	17.5	17.5	17.6	17.7	17.7	17.7	17.7	17.7	17.8	17.6	2.3	1.7
1945	17.8	17.8	17.8	17.8	17.9	18.1	18.1	18.1	18.1	18.1	18.1	18.2	18.0	2.2	2.3
1946	18.2	18.1	18.3	18.4	18.5	18.7	19.8	20.2	20.4	20.8	21.3	21.5	19.5	18.1	8.3
1947	21.5	21.5	21.9	21.9	21.9	22.0	22.2	22.5	23.0	23.0	23.1	23.4	22.3	8.8	14.4
1948	23.7	23.5	23.4	23.8	23.9	24.1	24.4	24.5	24.5	24.4	24.2	24.1	24.1	3.0	8.1
1949	24.0	23.8	23.8	23.9	23.8	23.9	23.7	23.8	23.9	23.7	23.8	23.6	23.8	-2.1	-1.2
1950	23.5	23.5	23.6	23.6	23.7	23.8	24.1	24.3	24.4	24.6	24.7	25.0	24.1	5.9	1.3
1951	25.4	25.7	25.8	25.8	25.9	25.9	25.9	25.9	26.1	26.2	26.4	26.5	26.0	6.0	7.9
1952	26.5	26.3	26.3	26.4	26.4	26.5	26.7	26.7	26.7	26.7	26.7	26.7	26.5	0.8	1.9
1953	26.6	26.5	26.6	26.6	26.7	26.8	26.8	26.9	26.9	27.0	26.9	26.9	26.7	0.7	0.8
1954	26.9	26.9	26.9	26.8	26.9	26.9	26.9	26.9	26.8	26.8	26.8	26.7	26.9	-0.7	0.7
1955	26.7	26.7	26.7	26.7	26.7	26.7	26.8	26.8	26.9	26.9	26.9	26.8	26.8	0.4	-0.4
1956	26.8	26.8	26.8	26.9	27.0	27.2	27.4	27.3	27.4	27.5	27.5	27.6	27.2	3.0	1.5
1957	27.6	27.7	27.8	27.9	28.0	28.1	28.3	28.3	28.3	28.3	28.4	28.4	28.1	2.9	3.3
1958	28.6	28.6	28.8	28.9	28.9	28.9	29.0	28.9	28.9	28.9	29.0	28.9	28.9	1.8	2.8
1959	29.0	28.9	28.9	29.0	29.0	29.1	29.2	29.2	29.3	29.4	29.4	29.4	29.1	1.7	0.7
1960	29.3	29.4	29.4	29.5	29.5	29.6	29.6	29.6	29.6	29.8	29.8	29.8	29.6	1.4	1.7
1961	29.8	29.8	29.8	29.8	29.8	29.8	30.0	29.9	30.0	30.0	30.0	30.0	29.9	0.7	1.0
1962	30.0	30.1	30.1	30.2	30.2	30.2	30.3	30.3	30.4	30.4	30.4	30.4	30.2	1.3	1.0
1963	30.4	30.4	30.5	30.5	30.5	30.6	30.7	30.7	30.7	30.8	30.8	30.9	30.6	1.6	1.3
1964	30.9	30.9	30.9	30.9	30.9	31.0	31.1	31.0	31.1	31.1	31.2	31.2	31.0	1.0	1.3
1965	31.2	31.2	31.3	31.4	31.4	31.6	31.6	31.6	31.6	31.7	31.7	31.8	31.5	1.9	1.6
1966	31.8	32.0	32.1	32.3	32.3	32.4	32.5	32.7	32.7	32.9	32.9	32.9	32.4	3.5	2.9
1967	32.9	32.9	33.0	33.1	33.2	33.3	33.4	33.5	33.6	33.7	33.8	33.9	33.4	3.0	3.1
1968	34.1	34.2	34.3	34.4	34.5	34.7	34.9	35.0	35.1	35.3	35.4	35.5	34.8	4.7	4.2
1969	35.6	35.8	36.1	36.3	36.4	36.6	36.8	37.0	37.1	37.3	37.5	37.7	36.7	6.2	5.5
1970	37.8	38.0	38.2	38.5	38.6	38.8	39.0	39.0	39.2	39.4	39.6	39.8	38.8	5.6	5.7
1971	39.8	39.9	40.0	40.1	40.3	40.6	40.7	40.8	40.8	40.9	40.9	41.1	40.5	3.3	4.4
1972	41.1	41.3	41.4	41.5	41.6	41.7	41.9	42.0	42.1	42.3	42.4	42.5	41.8	3.4	3.2
1973	42.6	42.9	43.3	43.6	43.9	44.2	44.3	45.1	45.2	45.6	45.9	46.2	44.4	8.7	6.2
1974	46.6	47.2	47.8	48.0	48.6	49.0	49.4	50.0	50.6	51.1	51.5	51.9	49.3	12.3	11.0
1975	52.1	52.5	52.7	52.9	53.2	53.6	54.2	54.3	54.6	54.9	55.3	55.5	53.8	6.9	9.1
1976	55.6	55.8	55.9	56.1	56.5	56.8	57.1	57.4	57.6	57.9	58.0	58.2	56.9	4.9	5.8
1977	58.5	59.1	59.5	60.0	60.3	60.7	61.0	61.2	61.4	61.6	61.9	62.1	60.6	6.7	6.5
1978	62.5	62.9	63.4	63.9	64.5	65.2	65.7	66.0	66.5	67.1	67.4	67.7	65.2	9.0	7.6
1979	68.3	69.1	69.8	70.6	71.5	72.3	73.1	73.8	74.6	75.2	75.9	76.7	72.6	13.3	11.3

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1980	77.8	78.9	80.1	81.0	81.8	82.7	82.7	83.3	84.0	84.8	85.5	86.3	82.4	12.5	13.5
1981	87.0	87.9	88.5	89.1	89.8	90.6	91.6	92.3	93.2	93.4	93.7	94.0	90.9	8.9	10.3
1982	94.3	94.6	94.5	94.9	95.8	97.0	97.5	97.7	97.9	98.2	98.0	97.6	96.5	3.8	6.2
1983	97.8	97.9	97.9	98.6	99.2	99.5	99.9	100.2	100.7	101.0	101.2	101.3	99.6	3.8	3.2
1984	101.9	102.4	102.6	103.1	103.4	103.7	104.1	104.5	105.0	105.3	105.3	105.3	103.9	3.9	4.3
1985	105.5	106.0	106.4	106.9	107.3	107.6	107.8	108.0	108.3	108.7	109.0	109.3	107.6	3.8	3.6
1986	109.6	109.3	108.8	108.6	108.9	109.5	109.5	109.7	110.2	110.3	110.4	110.5	109.6	1.1	1.9
1987	111.2	111.6	112.1	112.7	113.1	113.5	113.8	114.4	115.0	115.3	115.4	115.4	113.6	4.4	3.6
1988	115.7	116.0	116.5	117.1	117.5	118.0	118.5	119.0	119.8	120.2	120.3	120.5	118.3	4.4	4.1
1989	121.1	121.6	122.3	123.1	123.8	124.1	124.4	124.6	125.0	125.6	125.9	126.1	124.0	4.6	4.8
1990	127.4	128.0	128.7	128.9	129.2	129.9	130.4	131.6	132.7	133.5	133.8	133.8	130.7	6.1	5.4
1991	134.6	134.8	135.0	135.2	135.6	136.0	136.2	136.6	137.2	137.4	137.8	137.9	136.2	3.1	4.2
1992	138.1	138.6	139.3	139.5	139.7	140.2	140.5	140.9	141.3	141.8	142.0	141.9	140.3	2.9	3.0
1993	142.6	143.1	143.6	144.0	144.2	144.4	144.4	144.8	145.1	145.7	145.8	145.8	144.5	2.7	3.0
1994	146.2	146.7	147.2	147.4	147.5	148.0	148.4	149.0	149.4	149.5	149.7	149.7	148.2	2.7	2.6
1995	150.3	150.9	151.4	151.9	152.2	152.5	152.5	152.9	153.2	153.7	153.6	153.5	152.4	2.5	2.8
1996	154.4	154.9	155.7	156.3	156.6	156.7	157.0	157.3	157.8	158.3	158.6	158.6	156.9	3.3	3.0
1997	159.1	159.6	160.0	160.2	160.1	160.3	160.5	160.8	161.2	161.6	161.5	161.3	160.5	1.7	2.3
1998	161.6	161.9	162.2	162.5	162.8	163.0	163.2	163.4	163.6	164.0	164.0	163.9	163.0	1.6	1.6
1999	164.3	164.5	165.0	166.2	166.2	166.2	166.7	167.1	167.9	168.2	168.3	168.3	166.6	2.7	2.2
2000	168.8	169.8	171.2	171.3	171.5	172.4	172.8	172.8	173.7	174.0	174.1	174.0	172.2	3.4	3.4
2001	175.1	175.8	176.2	176.9	177.7	178.0	177.5	177.5	178.3	177.7	177.4	176.7	177.1	1.6	2.8
2002	177.1	177.8	178.8	179.8	179.8	179.9	180.1	180.7	181.0	181.3	181.3	180.9	179.9	2.4	1.6
2003	181.7	183.1	184.2	183.8	183.5	183.7	183.9	184.6	185.2	185.0	184.5	184.3	184.0	1.9	2.3
2004	185.2	186.2	187.4	188.0	189.1	189.7	189.4	189.5	189.9	190.9	191.0	190.3	188.9	3.3	2.7
2005	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4	198.8	199.2	197.6	196.8	195.3	3.4	3.4
2006	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9	202.9	201.8	201.5	201.8	201.6	2.5	3.2
2007	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917	208.490	208.936	210.177	210.036	207.342	4.1	2.8
2008	211.080	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425	210.228	215.303	0.1	3.8
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330	215.949	214.537	2.7	-0.4
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179	218.056	1.5	1.6
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230	225.672	224.939	3.0	3.2
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379							

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, by expenditure category and commodity and service group

(1982-84=100, unless otherwise noted)

Item and group	Relative importance, December 2011	Unadjusted indexes		Unadjusted percent change to May 2012 from—		Seasonally adjusted percent change from—		
		Apr. 2012	May 2012	May 2011	Apr. 2012	Feb. to Mar.	Mar. to Apr.	Apr. to May
Expenditure category								
All items	100.000	230.085	229.815	1.7	-0.1	0.3	0.0	-0.3
All items (1967=100)	-	689.232	688.423	-	-	-	-	-
Food and beverages	15.256	233.116	233.257	2.7	.1	.1	.2	.0
Food	14.308	233.234	233.339	2.8	.0	.2	.2	.0
Food at home	8.638	231.711	231.518	2.7	-1.1	.1	.2	-1.1
Cereals and bakery products	1.242	268.014	268.653	3.7	.2	-2.2	.4	-1.1
Meats, poultry, fish, and eggs	1.960	230.967	229.351	2.7	-7.7	.8	.1	-5.5
Dairy and related products ¹	.916	216.918	216.096	2.3	-4.4	-1.1	-1.0	-4.4
Fruits and vegetables	1.287	281.648	283.149	-4.4	.5	-4.4	1.0	.4
Nonalcoholic beverages and beverage materials	.961	169.191	167.866	1.2	-8.8	-2.2	.2	-6.6
Other food at home	2.272	204.864	205.554	4.8	.3	.3	.1	.3
Sugar and sweets ¹	.307	215.776	214.714	4.6	-5.5	.5	.3	-5.5
Fats and oils	.263	231.745	233.294	7.8	.7	.8	-2.2	.1
Other foods	1.703	216.559	217.502	4.3	.4	.1	.1	.5
Other miscellaneous foods ^{1 2}	.627	128.126	129.297	4.8	.9	-3.3	1.0	.9
Food away from home ¹	5.669	236.695	237.262	2.9	.2	.2	.3	.2
Other food away from home ^{1 2}	.361	165.500	165.671	2.0	.1	-1.1	.1	.1
Alcoholic beverages	.948	230.092	230.766	1.7	.3	-2.2	.1	.2
Housing	41.020	221.682	221.971	1.6	.1	.1	.1	.0
Shelter	31.539	256.031	256.442	2.3	.2	.2	.2	.2
Rent of primary residence ³	6.485	258.922	259.231	2.7	.1	.2	.2	.2
Lodging away from home ²	.749	141.337	144.775	4.1	2.4	.3	-2.2	1.5
Owners' equivalent rent of residences ^{1 3 4}	23.957	263.765	264.012	2.1	.1	.2	.2	.1
Owners' equivalent rent of primary residence ^{1 3 4}	22.543	263.742	263.988	2.1	.1	.2	.2	.1
Tenants' and household insurance ^{1 2}	.348	130.881	131.132	3.4	.2	.6	.7	.2
Fuels and utilities	5.372	216.006	216.388	-1.6	.2	-1.1	-1.1	-7.7
Household energy	4.216	186.517	186.852	-3.4	.2	-2.2	-3.3	-1.0
Fuel oil and other fuels ¹	.343	352.175	340.782	-1.8	-3.2	1.8	-1.3	-3.2
Energy services ³	3.873	185.834	186.762	-3.6	.5	-4.4	-2.2	-7.7
Water and sewer and trash collection services ²	1.156	187.473	187.788	5.2	.2	.6	.8	.3
Household furnishings and operations	4.109	126.114	125.905	.6	-2.2	-2.2	.0	-3.3
Household operations ^{1 2}	.727	155.033	154.933	2.1	-1.1	.1	.4	-1.1
Apparel	3.562	128.485	127.688	4.4	-6.6	.5	.4	.4
Men's and boys' apparel	.855	121.179	121.265	5.5	.1	.8	.5	.1
Women's and girls' apparel	1.507	116.905	115.350	5.6	-1.3	.3	1.0	.5
Infants' and toddlers' apparel	.201	119.190	118.963	7.0	-2.2	.2	-1.1	1.6
Footwear	.678	131.848	132.409	2.2	.4	.6	.6	.8
Transportation	16.875	223.083	220.768	.2	-1.0	.9	-5.5	-2.1
Private transportation	15.694	218.563	215.978	.1	-1.2	.9	-7.7	-2.3
New and used motor vehicles ²	5.651	100.977	101.399	1.5	.4	.6	.8	.3
New vehicles	3.195	144.522	144.401	1.3	-1.1	.2	.4	.2
Used cars and trucks	1.913	151.087	153.565	3.5	1.6	1.3	1.5	1.0
Motor fuel	5.463	336.673	324.589	-3.8	-3.6	1.7	-2.6	-6.6
Gasoline (all types)	5.273	335.742	323.604	-4.0	-3.6	1.7	-2.6	-6.8
Motor vehicle parts and equipment ¹	.438	148.327	148.540	3.6	.1	.0	.0	.1
Motor vehicle maintenance and repair ¹	1.155	256.544	257.372	2.0	.3	-1.1	.0	.3
Public transportation	1.181	275.272	277.929	2.4	1.0	.5	1.6	.8
Medical care	7.061	412.480	413.655	3.6	.3	.3	.3	.4
Medical care commodities ¹	1.716	333.060	333.131	2.7	.0	.4	.0	.0
Medical care services	5.345	437.151	438.766	3.9	.4	.3	.4	.5
Professional services	3.005	339.833	341.023	1.8	.4	.2	.1	.4

See footnotes at end of table.

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, by expenditure category and commodity and service group

(1982-84=100, unless otherwise noted)

Item and group	Relative importance, December 2007	Unadjusted indexes		Unadjusted percent change to May 2008 from—		Seasonally adjusted percent change from—		
		Apr. 2008	May 2008	May 2007	Apr. 2008	Feb. to Mar.	Mar. to Apr.	Apr. to May
Expenditure category								
All items	100.000	214.823	216.632	4.2	0.8	0.3	0.2	0.6
All items (1967=100)	-	643.515	648.933	-	-	-	-	-
Food and beverages	14.914	211.365	212.251	5.0	.4	.2	.9	.3
Food	13.833	211.102	212.054	5.1	.5	.2	.9	.3
Food at home	7.660	210.851	211.863	5.8	.5	.2	1.5	.3
Cereals and bakery products	1.030	240.034	244.192	10.5	1.7	1.3	1.4	1.6
Meats, poultry, fish, and eggs	1.807	200.770	200.960	2.6	.1	.0	.9	.1
Dairy and related products	.887	207.680	207.778	11.0	.0	-.8	1.2	-.1
Fruits and vegetables	1.156	272.746	276.481	4.4	1.4	.1	2.0	.0
Nonalcoholic beverages and beverage materials	.928	159.730	158.336	3.6	-.9	.3	1.7	-.9
Other food at home	1.852	181.806	182.680	5.8	.5	.1	1.9	.5
Sugar and sweets	.277	184.878	185.097	5.5	.1	1.0	1.2	.4
Fats and oils	.205	190.640	193.364	12.8	1.4	-.7	5.1	.6
Other foods	1.369	195.993	196.787	4.7	.4	.0	1.5	.5
Other miscellaneous foods ^{1 2}	.404	118.500	118.744	3.5	.2	-.7	1.0	.2
Food away from home ¹	6.173	213.083	213.967	4.3	.4	.3	.3	.4
Other food away from home ^{1 2}	.297	148.667	149.666	4.5	.7	.1	.1	.7
Alcoholic beverages	1.080	213.503	213.532	3.4	.0	-.1	.6	.1
Housing	42.427	214.890	215.809	3.3	.4	.4	.3	.5
Shelter	32.596	246.004	246.069	2.6	.0	.1	.1	.2
Rent of primary residence ³	5.765	241.474	241.803	3.5	.1	.2	.3	.2
Lodging away from home ²	2.564	146.378	145.634	1.1	-.5	-.6	-1.9	1.3
Owners' equivalent rent of primary residence ^{3 4}	23.942	251.418	251.576	2.6	.1	.2	.2	.1
Tenants' and household insurance ^{1 2}	.325	118.422	118.411	1.7	.0	.1	.6	.0
Fuels and utilities	5.128	213.302	219.881	10.7	3.1	2.0	2.2	2.4
Household energy	4.215	194.121	201.212	11.9	3.7	2.3	2.6	2.8
Fuel oil and other fuels	.351	342.811	363.872	50.7	6.1	7.9	3.6	7.9
Gas (piped) and electricity ³	3.864	194.379	200.999	8.8	3.4	1.9	2.5	2.3
Water and sewer and trash collection services ²	.913	149.536	150.069	5.3	.4	.3	.3	.4
Household furnishings and operations	4.702	127.332	127.598	.2	.2	.5	-.1	.2
Household operations ^{1 2}	.737	145.784	146.957	4.6	.8	1.1	.5	.8
Apparel	3.731	122.113	120.752	-.6	-1.1	-1.3	.5	-.3
Men's and boys' apparel	.935	116.653	116.479	1.9	-.1	-.8	.4	.3
Women's and girls' apparel	1.600	111.221	108.722	-5.0	-2.2	-2.6	.0	-.3
Infants' and toddlers' apparel	.185	116.358	114.582	.8	-1.5	-1.7	.6	-.9
Footwear	.679	126.212	125.537	2.0	-.5	-.1	.9	.0
Transportation	17.688	198.608	205.262	8.1	3.4	.7	-.7	2.0
Private transportation	16.583	194.574	201.133	7.9	3.4	.6	-.7	2.0
New and used motor vehicles ²	7.191	93.973	93.705	-.3	-.3	-.1	-.2	-.1
New vehicles	4.632	135.175	134.669	-1.2	-.4	-.1	-.2	-.1
Used cars and trucks ¹	1.773	136.787	136.325	1.4	-.3	.0	-.3	-.3
Motor fuel	5.482	294.291	322.124	21.2	9.5	1.6	-1.9	5.7
Gasoline (all types)	5.215	291.910	319.787	20.8	9.5	1.3	-2.0	5.7
Motor vehicle parts and equipment ¹	.356	126.049	126.824	4.8	.6	.9	-.2	.6
Motor vehicle maintenance and repair	1.123	230.528	231.730	4.4	.5	.5	.4	.5
Public transportation	1.106	244.164	251.600	10.2	3.0	2.5	-.4	2.3
Medical care	6.231	363.184	363.396	4.1	.1	.1	.2	.2
Medical care commodities	1.601	296.951	294.896	2.2	-.7	.4	-.2	-.7
Medical care services	4.630	383.292	384.505	4.7	.3	.1	.3	.5
Professional services	2.626	309.227	310.917	3.7	.5	.1	.2	.7
Hospital and related services ³	1.467	530.144	531.022	7.5	.2	.2	.5	.4

See footnotes at end of table.

- 12.03 Sole Remedy - The City's sole remedy for breach of contract under this 2008 Contract or failure to perform shall be to make demand under the terms of the Performance Bond.

13.00 BASIS AND METHOD OF PAYMENT

13.01 Collection and Disposal Rates

- (a) For the collection services required to be performed pursuant to Section 3.01(a) - 3.01(b), the charges shall not exceed the rates as fixed by the 2008 Contract Documents (including but not limited to the rates set forth in Exhibit "A" to this Contract) as adjusted in accordance with Section 13.02.
- (b) For special collection provided by the Contractor pursuant to Section 3.01(c), the charges are to be negotiated between the Contractor and Producer prior to collection. If agreement cannot be reached, the matter may be submitted to the City for determination of a reasonable fee.
- (c) The Refuse collection charges provided by Sections 13.01(a) - 13.01(b) shall include all disposal costs.

13.02 Modification to Rates

- (a) On August 1, 2008, the Rates charged by the Contractor shall be as shown on Exhibit "A-2." No other CPI rate modification, as detailed below in subsection (b) shall occur before August 2009.
- (b) The fees which may be charged by the Contractor for the second (i.e., 2009) and subsequent years of the term hereof shall be adjusted upward or downward to reflect changes in the cost of operations, as reflected by fluctuations in the Consumer Price Index for urban Wage Earners and Clerical Workers (All Items) and the Consumer Price Index for Urban Wage Earners and Clerical Workers, Expenditure Category "Gasoline" both as published by the U.S. Department of Labor, Bureau of Labor Statistics. On August 1st of each year the Contract is in effect, (the "Rate Modification Date"), the fees shall be increased or decreased for the ensuing twelve-month period in a percentage amount equal to ninety percent (90%) of the net percentage change of the All Items Index plus ten percent (10%) of the net percentage change of the Gasoline Index. All percentage changes are to be computed as the difference between the index value for the May prior to the commencement of this Contract and the index value for May of the year of adjustment divided by the index value for May 2008. An Example of how the calculation described herein in Section 13.02(b) is attached to this 2008 contract as Exhibit "C."
- (c) On or before June 30th of 2009 and each subsequent year of the Term of this Agreement, the Contractor shall send to the City a comparative statement setting out for both the All Items Index and the Gasoline Index: (i) the index value for the

ORDINANCE NO. 2012- ____

AN ORDINANCE AMENDING THE BASTROP CITY CODE OF ORDINANCES, APPENDIX A, FEE SCHEDULE, ARTICLE A13.02 "WATER AND WASTEWATER RATES AND CHARGES"; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as a result of study and evaluation undertaken by the City of Bastrop, Texas, the City Council has determined that aging municipal water and wastewater infrastructure exists in some areas of the Bastrop community, with the majority of such infrastructure generally located in the central portions of the City, and further, that portions of the City's aging infrastructure does/will need to be updated and/or replaced in order to increase service reliability to the City's customers, as well as to improve the appearance and taste of water provided to the public; and

WHEREAS, after careful engineering and technical analysis, the City has determined that due to increased demands resulting from population growth within the City there is a potential that both the City's water and wastewater facilities and infrastructure may not have capacity or handle the current or future demand for service; and

WHEREAS, the Council has determined that the City's past and present water and sewer rates have not kept pace with the escalating funding requirements that are necessary for the City to provide routine water and wastewater infrastructure and facility upgrades and replacements; and

WHEREAS, projected City growth indicates a near-future need for construction and installation of new water and wastewater infrastructure and facilities, which need is reflected and discussed in detail in the "City of Bastrop, Texas 2011 Water and Wastewater Capital Improvements Plan Summary Report" prepared by K*Frieze and Associates (dated October 17, 2011) ("Capital Improvements Program"); and

WHEREAS, in order to address this critical need, City Staff and its professional consultants have developed a multi-year program to finance improvements, with the objectives of providing for the health and safety of Bastrop citizens and providing for the orderly and equitable funding of utility improvements which are necessary for the ongoing and future provision of water and wastewater services to the citizens of Bastrop; and

WHEREAS, on November 22, 2011 the Bastrop City Council amended the City Code of Ordinances Chapter 13, and Appendix A: Fee Schedule Article A13.02 Water and Wastewater Rates and Charges to implement the first year of implementation of the rate changes necessary to meet critical needs of the City's water wastewater system.

WHEREAS, the City Council of the City of Bastrop, Texas has determined that in order to continue the Capital Improvement Program for its second year of implementation and to properly provide water and wastewater service within the City, it is necessary to amend the City Code of Ordinances Chapter 13, and Appendix A: Fee Schedule Article A13.02 Water and Wastewater Rates and Charges, as noted below.

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

PART 1: That Appendix A: of the Code of Ordinances, entitled Fee Schedule Article A13.02 "Water and Wastewater Rates and Charges", shall be amended as follows:

ARTICLE A13.02 Water and Wastewater Rates and Charges

Sec. A13.02.002 Wastewater Service Charges

- (a) These rates are applicable to all residential, multifamily and commercial retail wastewater customers within the corporate limits of the city who have metered water connections and to whom city wastewater service has actually been connected, except for customers who have a city approved, on-site sewer system, septic system or other on-site wastewater system, and have not connected to the city's wastewater system, or customers who have a water meter for irrigation use only, as long as the irrigation meter does not provide water to plumbing fixtures.

Minimum Charge: \$23.37

Plus the following charges for consumption per 1,000 gallons:

0–5,000 gallons	\$2.12
5,001–10,000 gallons	\$2.40
10,001–20,000 gallons	\$2.56
20,001–50,000 gallons	\$2.75
Over 50,000 gallons	\$3.00

In order to meet critical needs of the City's wastewater system, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K* Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:

December 2013 –	Minimum and volume charges not less than 6.3% higher than those adopted in 2012;
December 2014 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and
December 2015 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2014.
December 2016 –	Minimum and volume charges not less than 4.5% higher than those adopted in 2015;
December 2017 –	Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and
December 2018 –	Minimum and volume charges not less than 4.0% higher than those adopted in 2017.
December 2019 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and

Sec. A13.02.004 Water Service Charges

These rates will be applicable to all sales or service of water within the corporate limits of the city.

(1) Residential - In city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$24.02
1"	\$40.84
1-1/2"	\$68.86
2"	\$102.49
3"	\$192.18
4"	\$221.02
6"	\$573.36

Plus the following charges for consumption per 1,000 gallons:

0–3,000 gallons	\$2.47
3,001–5,000 gallons	\$2.64
5,001–10,000 gallons	\$2.79
10,001–20,000 gallons	\$2.96
20,001–50,000 gallons	\$3.20
Over 50,000 gallons	\$3.35

Commercial - In city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$24.02
1"	\$40.84
1-1/2"	\$68.86
2"	\$102.49
3"	\$192.18
4"	\$221..02
6"	\$573.36

Plus the following charges for consumption per 1,000 gallons:

0–3,000 gallons	\$2.47
3,001–5,000 gallons	\$2.64
5,001–10,000 gallons	\$2.79
10,001–20,000 gallons	\$2.96
20,001–50,000 gallons	\$3.20
Over 50,000 gallons	\$3.35

(2) Residential and Commercial - Outside city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$36.04
1"	\$61.26
1-1/2"	\$103.31

2"	\$153.75
3"	\$288.28
4"	\$439.63
6"	\$860.02

Plus the following charges for consumption per 1,000 gallons:

0–3,000 gallons	\$3.58
3,001–5,000 gallons	\$3.83
5,001–10,000 gallons	\$4.07
10,001–20,000 gallons	\$4.31
20,001–50,000 gallons	\$4.67
Over 50,000 gallons	\$4.91

In order to meet critical needs of the City's water system, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K* Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:

December 2013 –	Minimum and volume charges not less than 6.3% higher than those adopted in 2012;
December 2014 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and
December 2015 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2014.
December 2016 –	Minimum and volume charges not less than 4.5% higher than those adopted in 2015;
December 2017 –	Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and
December 2018 –	Minimum and volume charges not less than 4.0% higher than those adopted in 2017.
December 2019 –	Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and

Sec. A13.02.011 Acceptance and treatment of wastes from on-site sewage facilities or septic systems

[No change in (d)].

(e) Wastewater treatment plant septic unloading fees.

Gallons	Rates
0–1,000	\$56.05
1,001–1,500	\$84.08
1,501–2,000	\$112.11
2,001–2,500	\$140.14
2,501–3,000	\$168.16
3,001–3,500	\$196.19
3,501–4,000	\$224.22
4,001–4,500	\$252.25
4,501–5,000	\$280.27
5,001–5,500	\$308.30
5,501–6,000	\$336.33
6,001–6,500	\$364.36
6,501–7,000	\$392.38
7,001–7,500	\$420.41
7,501–8,000	\$448.44
8,001–8,500	\$476.46
8,501–9,000	\$504.49
9,001–9,500	\$532.52
9,501–10,000	\$560.55

In order to meet critical needs of the City's acceptance and treatment of wastes from on-site sewage facilities or septic systems, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K* Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:

- December 2013 – Minimum and volume charges not less than 6.3% higher than those adopted in 2012;
- December 2014 – Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and

- December 2015 – Minimum and volume charges not less than 3.5% higher than those adopted in 2014.
- December 2016 – Minimum and volume charges not less than 4.5% higher than those adopted in 2015;
- December 2017 – Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and
- December 2018 – Minimum and volume charges not less than 4.0% higher than those adopted in 2017.
- December 2019 – Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and

PART 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

PART 3: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same, affecting rates and charges for residential and commercial electric rates of the City of Bastrop, which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas. All provisions not amended herein shall remain in full force and effect.

PART 4: The Changes noted in this Ordinance shall become effective during the first municipal utility billing cycle in December 2012 in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

READ and APPROVED on First Reading on the 27th day of November 2012.

READ and ADOPTED on Second Reading on the _____ day of December 2012.

APPROVED:

ATTEST:

By: Terry Orr, Mayor

By: Teresa Valdez,
City Secretary

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: November 21, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action on a request from the Bastrop County Historical Society to remove the two (2) antique lamp posts located on the sidewalk in front of the old city hall**

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

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

Attached is a letter that was delivered to the City Manager's Office from the Bastrop County Historical Society requesting that two (2) antique lamp posts located in front Old City Hall be removed. In accordance with the lease agreement between the City of Bastrop and the Bastrop County Historical Society modifications to leased property must be approved by the owner (City Council).

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 COUNTY HISTORICAL SOCIETY

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



November 14, 2012

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

Dear Mike,

I am writing on behalf of the Bastrop County Historical Society to ask you to consider removing the two antique lamp posts that are in the sidewalk in front of the old City hall building, 904 Main St. The lamps no longer light and I don't know if they have power to them. It appears they have been abandoned and are no longer needed due to the new, larger street light that was placed only a few feet away.

Our most pressing need is that we will need to bring large exhibits into the museum and the lamp posts are in a location that may cause extreme difficulty. We successfully moved- in Fire Engine #1 but the poles are in a location that will hamper or inhibit our ability to bring in equally cumbersome exhibits.

Hopefully there are other places where the City may have use for the lamps. Perhaps in Alley B (the alley is dark at night and foot traffic has increased) or in the area of the old bridge.

We have already begun moving some of our artifacts into the building and will appreciate knowing your decision as soon as possible. Thank you in advance for your consideration of our request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robbie Sanders".

Robbie Sanders, President
Bastrop County Historical Society

Our Mission:

To preserve and promote the history of Bastrop County

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: November 21, 2012

MEETING DATE: November 27, 2012

1. Agenda Item: **Consideration, discussion and possible action on a request from the Bastrop County Martin Luther King Holiday Commission to waive the fees for using the City of Bastrop Convention Center for the annual Martin Luther King Holiday event on January 21, 2013.**

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

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

Attached is a letter that was delivered to the City Manager's Office from the Bastrop County Martin Luther King Holiday Commission to waive/donate the fees associated with using the "the City of Bastrop Convention Center" for the annual Martin Luther King Holiday Event to be held on January 21, 2013. Based upon the information provided it's estimated and I stress this is an estimate but the fees for the use of the Convention Center would be \$1,500.00.

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 County Martin Luther King Holiday Commission
P. O. Drawer X
Bastrop, Texas 78602**

Founders: Dock Jackson (Bastrop), Gladys Ward (Elgin) and Clinton Wright (Smithville)

November 19, 2012

Honorable Terry Orr, Mayor
City Council Members
City of Bastrop
1311 Chestnut
Bastrop, Texas 78602

Dear Mayor and Council Members,

For almost twenty-five years the Bastrop County Martin Luther King Holiday Commission has rotated our annual walk for peace, prosperity and justice from Bastrop to Smithville to Elgin. The annual event was created to bring attention to the life of Dr. Martin Luther King, Jr. This community-wide celebration brings students and adults together from all four school districts, all three cities, residents throughout Bastrop County and surrounding areas. Dr. King was assassinated on April 4, 1968 in Memphis, Tennessee as he spoke to assist city workers negotiate a better living wage in that city. In the past the Elgin Independent School District, the City of Smithville, the City of Elgin and the Bastrop Opera House have donated space for us to hold this event. Over the years the event has grown more and more and the Bastrop Opera House is no longer big enough to host the event.

Now that Bastrop has a larger facility we would like to keep the rotation going and utilize the City of Bastrop's Convention Center on Monday, January 21, 2013 for the upcoming event. We do not charge for the event and do not have funds to pay the city for the facility, but would like to encourage the city to join the previous hosts in donating the use of the space. The walk and ceremony would conclude by 12:30 pm in the convention center with a reception for students, speakers, public officials and the general public.

Your support would be greatly appreciated. Thanks in advance for your support. Please place this item on your upcoming agenda so we may finalize our publicity on the event.

Sincerely,

Bernie Jackson, Pastor
Trinity Zion Church
151 Shiloh Road
Bastrop, Texas 78602
512-332-1467