

**NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
September 11, 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 **September 11, 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:

REGULAR MEETING

TAB PAGE ORIGINATOR STATUS

ANNOUNCEMENTS

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

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

- A. Meetings and Events Attended:
 1. Attended the Night of Hope Event on September 4, 2012
 2. The Monthly Meeting of the Planning and Zoning Commission August 30, 2012
 3. Utility Committee meeting on September 5, 2012
 4. The Monthly Meeting of the Parks Board Meeting of September 6, 2012
- B. Update on City Projects:
 1. Chestnut Street Sidewalk Project
 2. Water Well Operations
 3. Bastrop Power & Light Administrative Training Building
 4. Bob Bryant Water Facilities Improvements Project
 5. Proposed Bastrop Art in Public Places: Handbook
 6. Proposed Revised Park Ordinance/Fees as Developed by the City of Bastrop Parks Board
 7. Set date for next quarterly meeting
 8. Update on Splash Pad Operations
 9. Fayette Street Wastewater Improvements Project
 10. Citizen correspondence regarding Piney Creek 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.

- | | | |
|--|-----|---------------|
| A.1 Approval of meeting minutes of August 28, 2012. | A.1 | Teresa Valdez |
| A.2 Adoption of an Ordinance amending the budget for the Fiscal Year 2012 in accordance with existing statutory requirements; appropriating the various amount herein; repealing all prior Ordinances and actions in conflict herewith; and providing for an effective date. | A.2 | Karla Stovall |

A.3 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.	A.3	Karla Stovall
A.4 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Resubdivision 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 located on Highway 71 West within the City limits of the City of Bastrop, Texas.	A.4	Melissa McCollum
A.5 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Replat of Lot 4, Block 2 Bluebonnet Acres, Corrected Plat of Section 1 within Area A of the Extra Territorial Jurisdiction (ETJ) of the City of Bastrop, Texas.	A.5	Melissa McCollum
A.6 Approval of Special Event Notice of Activity submitted by the First Baptist Church to host "Annual Family Fest" on Wednesday, October 21, 2012, on Farm Street between Water and Pecan Streets.	A.6	Trey Job
A.7 Approval of the purchase of a pull-behind chipper with a 6-inch diameter capacity by the Public Works, Parks & Recreation Departments. The department was awarded grant for said purchase through the Capital Area Council of Governments in the amount of \$32,500. This chipper will reduce the amount of "green waste" hauled to the landfills.	A.7	Trey Job

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: On City of Bastrop Fiscal Year 2012-2013 Budget for taxpayers to have an opportunity to express their views on the budget; the City of Bastrop will adopt the budget and tax rate for Fiscal Year 2012-2013 on September 25, 2012 at 6:15 p.m. at City Hall located at 1311 Chestnut Street, Bastrop, Texas 78602.	B.1	Mike Talbot
B.2 Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance of the City of Bastrop, Texas, adopting a budget and appropriating resources for Fiscal Year 2012-2013; beginning October 1, 2012 ending September 30, 2013; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date; with the second reading and final adoption of the City of Bastrop Budget for Fiscal Year 2012-2013 to be held on September 25, 2012.	B.2	Mike Talbot
B.3 PUBLIC HEARING: Consideration, discussion and possible action on a request for a Conditional Use Permit (CUP) to allow a home occupation at 1107 Hill Street being +/-0.348 of an acre out of Building Block 31, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas.	B.3	Melissa McCollum
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 Conditional Use Permit to allow a home occupation at 1107 Hill Street being +/- 0.348 of an acre tract out of Building Block 31, east of Water Street an area zones SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas; setting out conditions; and providing an effective date.	B.4	Melissa McCollum

.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

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance fixing the tax rate and levy for the City of Bastrop, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2013, and for the further purpose of creating a sinking fund to retire the principal and interest of the bond indebtedness of the City; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date. D.1 Mike Talbot

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

E. EXECUTIVE SESSION

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

1. Section 551.071(1)(A) and Section 551.071(2) - Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551-086 – Certain Pubic Power Utilities: Competitive Matters

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 7th day of September 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: September 7, 2012

MEETING DATE: September 11, 2012

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

A. Meetings and Events Attended:

1. **Attended Night of Hope Event September 4, 2012**
2. **The Monthly Meeting of P&Z Commission August 30, 2012**
3. **Utility Committee meeting on September 5, 2012**
4. **The monthly meeting of the Parks Board on September 6, 2012**

B. Update on City Projects:

1. **Chestnut Street Sidewalk Project**
2. **Water Well Operations**
3. **Bastrop Power & Light Administrative Training Building**
4. **Bob Bryant Water Facilities Improvements Project**
5. **Proposed Bastrop Art in Public Places: Handbook**
6. **Proposed Revised Park Ordinance/Fees as developed by the Parks Board**
7. **Set date for next quarterly meeting**
8. **Update on Splash Pad Operations**
9. **Fayette Street Wastewater Improvements Project**
10. **Citizen correspondence regarding Piney Creek**

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.

2. Party Making Request: **Mike Talbot**

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

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: August 29, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Approval of meeting minutes of August 28, 2012.**
2. Party Making Request: **Teresa Valdez, City Secretary**
3. Nature of Request: (Brief Overview) Attachments: Yes X No
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No _____ N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____
8. Staff Recommendation: _____
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

August 28, 2012

The Bastrop City Council met in regular session on August 28, 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 Joe Beal, Ken Kesselus, Kay Garcia McAnally, Willie DeLaRosa and Dock Jackson.

ANNOUNCEMENTS

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Terry Orr led the pledges of allegiance to the U.S. and Texas flags. Reverend Bob Long led the invocation.

3. PRESENTATIONS

There were no presentations.

4. PROCLAMATIONS

A. TEXTING & DRIVING – IT CAN WAIT DAY

Mayor Orr stated Council Member Kay Garcia McAnally would be reading the Proclamation.

Council Member Kay Garcia McAnally stated this is an AT&T initiative. Ms. Garcia McAnally stated that Martha Harris could not be present tonight to accept the Proclamation. Ms. Garcia McAnally read the Proclamation which proclaimed September 19, 2012 as “Texting & Driving – It Can Wait Day” in the City of Bastrop.

5. ANNOUNCEMENTS

Mayor Orr invited the City Council and members of the audience in wishing his wife, Patricia Orr a Happy Birthday. Happy Birthday was sung to Mrs. Orr.

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

A. MEETINGS AND EVENTS ATTENDED:

1. LOST PINES GROUNDWATER CONSERVATION DISTRICT MEETING OF AUGUST 15, 2012.
2. BASTROP ECONOMIC DEVELOPMENT CORPORATION MEETING OF AUGUST 20, 2012.
3. CITY COUNCIL SPECIAL WORKSHOP MEETING OF AUGUST 21, 2012.

B. UPDATE ON CITY PROJECTS:

1. PECAN STREET SEWER LINE REPLACEMENT PROJECT.
 2. CHESTNUT STREET SIDEWALK PROJECT.
 3. WATER WELL OPERATIONS IN FISHERMAN'S PARK.
 4. BASTROP POWER & LIGHT ADMINISTRATIVE/TRAINING BUILDING.
 5. BOB BRYANT PARK WATER FACILITIES IMPROVEMENTS PROJECT.
 6. PROPOSED BASTROP ART IN PUBLIC PLACES: HANDBOOK.
 7. SPECIAL EVENTS ON MAIN STREET DURING THE WEEK.
 8. HOTEL/MOTEL FUNDING – VARIANCE REQUEST FROM THE BASTROP COUNTY HISTORICAL SOCIETY.
 9. PROPOSED REVISED PARK ORDINANCE AND FEES AS DEVELOPED BY THE BASTROP PARKS BOARD.
 10. SET DATE FOR NEXT CITY COUNCIL QUARTERLY MEETING.
 11. UPDATE ON TEST DRILLING AND AQUIFER TEST PROGRAM BEING UNDER TAKEN BY R. W. HARDIN & ASSOCIATES.
 12. CREATION OF A CULTURAL DISTRICT.
 13. SPLASH PAD OPERATIONS.
 14. PINE FOREST UNIT #6 DEVELOPMENT AGREEMENT.
 15. SCHEDULED TRAINING FOR CITY BOARDS/COMMISSISONS.
- 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. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

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

Mr. Talbot addressed Item B.6. Mr. Talbot stated the Bastrop Art in Public Places Task Force would like to get the Handbook approved as soon as possible. Mr. Talbot stated he will put the Handbook in his City Manager's Report for the next Council Meeting and if Council has any questions he can take them to the Bastrop Art in Public Places Task Force.

Mr. Talbot addressed Item B.8. Mr. Talbot stated he had heard no objections to the resolution he had worked out with the Bastrop County Historical Society so he would assume that the Council is in agreement with what he had worked out.

Council Member Ken Kesselus stated he liked Mr. Talbot's solution and suggestion.

Mr. Talbot addressed Item B.10. Mr. Talbot stated in order for the Council to stay on track with their quarterly workshop meetings he would ask the City Secretary to contact each Council Member regarding possible dates for the next quarterly meeting.

Council Member Ken Kesselus stated he wanted to remind Mr. Talbot and Council that there were a number of other items, beside the long-term priority list, that Council had wished to

discuss also.

Mr. Talbot stated the long-term priority list items and the other items will be on the Agendas of the Quarterly Workshops until the Council has addressed them or until Council says that is enough. Mr. Talbot requested that each Council Member send the items they would like discussed at the next quarterly workshop meeting to the Mayor.

Council Member Willie DeLaRosa addressed Item B.11. Mr. DeLaRosa stated it seemed like for quite some time everyone was concerned with water issues. Mr. DeLaRosa stated he did not want the Council to lose focus on finding new water resources.

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 AUGUST 14 & AUGUST 21, 2012.

A.2 RE-APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL MEMBERS TO THE BASTROP HISTORIC LANDMARK COMMISSION.

A.3 ADOPTION OF AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM SF7, SINGLE FAMILY RESIDENTIAL TO AOS, AGRICULTURE OPEN SPACE FOR +/- 7.38 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY, A-56, LOCATED SOUTH OF CHILDERS DRIVE IN THE CITY LIMITS OF BASTROP, TEXAS AND ESTABLISHING AN EFFECTIVE DATE.

A.4 ADOPTION OF AN ORDINANCE AMENDING THE FAIRVIEW CEMETERY ORDINANCE NO. 2010-27 AND PROVIDING AN EFFECTIVE DATE.

A.5 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY THE BASTROP HIGH SCHOOL STUDENT COUNCIL TO HOST "BHS FOOTBALL HOMECOMING PARADE" ON THURSDAY, SEPTEMBER 27, 2012, IN DOWNTOWN BASTROP FROM COLLEGE STREET TO ERHARD FIELD.

A.6 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY BASTROP INDEPENDENT SCHOOL DISTRICT (BISD) INTERMEDIATE SCHOOL PARENT-TEACHER ASSOCIATION (PTA) TO HOST "MONSTER DASH FOR EDUCATION" ON SATURDAY, OCTOBER 27, 2012, IN FISHERMAN'S PARK AND THROUGHOUT DOWNTOWN.

A.7 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY THE HYATT REGENCY LOST PINES RESORT & SPA TO HOST "HYATT MAIN STREET EVENT – TEXAS TRAVEL INDUSTRY ASSOCIATION" ON TUESDAY, SEPTEMBER 25, 2012 ON NORTH MAIN STREET AND SPRING STREET BETWEEN MAIN STREET AND WATER STREET.

Council Member Willie DeLaRosa asked if Consent Agenda Item A.7 was part of the City Manager's Report Item B.7.

Mayor Orr stated that Consent Agenda Item A.7 and the City Manager's Report Item B.7 were two different subjects. Mayor Orr stated the Council has not really discussed an outline for these types of events and Council will be discussing that at a workshop.

Mayor Orr read the captions of the Ordinances listed as Consent Agenda Item A.3 and A.4.

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

B. PUBLIC HEARINGS:

B.1 CITIZEN COMMENTS.

Steve Dewire addressed the Council and provided information on the Hyatt Main Street event – Texas Travel Industry Association. Mr. Dewire stated he would like to be included when the Council discusses special events on Main Street during the week.

Mayor Orr stated the Council will move to Agenda Item D.4 but convene into Executive Session before addressing Item D.4.

E. EXECUTIVE SESSION:

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

1. SECTION 551.071(1)(A) AND SECTION 551.071(2) - CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.074 – PERSONNEL MATTERS: CITY MANAGER.

At 6:44 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) – Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) Matters upon which the attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.074 – Personnel Matters: City Manager.

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

At 7:35 p.m., Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

No action was taken.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REVISION TO THE MASTER DRAINAGE STUDY OF THE HUNTERS CROSSING MASTER PLAN.

City Manager, Mike Talbot stated Covert Chevrolet plans to expand their dealership which necessitated revisions to the Hunters Crossing Drainage Master Plan. Mr. Talbot stated the City Engineer and Forestar's Engineer have been working together on this revision.

Charlotte Gilpin, City Engineer, addressed the Council. Ms. Gilpin gave an explanation of the step by step process that the City uses to review a drainage plan. Ms. Gilpin stated Longaro & Clark Consulting Engineers for Forestar prepared the revision to the Master Drainage Study of the Hunters Crossing Master Plan. Ms. Gilpin stated she recommended acceptance of the report as presented.

Alex Clark, Engineer for Forestar, addressed the Council. Mr. Clark stated a couple of years ago Forestar hired Longaro & Clark Consulting Engineers to look at drainage there to determine if there were any deficiencies in the drainage system. Mr. Clark stated there were a couple of minor deficiencies. Mr. Clark stated they worked with Covert on the solutions: 1) Raise Covert site up by 8" and regraded to minimize the depth of area ponding on Covert site; and 2) provide concrete pipe channels to improve conveyance of water off the site. Mr. Clark stated all minor deficiencies have been fixed. Mr. Clark stated this was acceptable to Rox Covert.

City Manager, Mike Talbot stated that based upon the presentations given by Ms. Gilpin and Mr. Clark he recommends Council accept the Revised Master Drainage Study of the Hunters Crossing Master Plan as submitted to Mr. Covert.

Kay Garcia McAnally moved to approve the revision to the Master Drainage Study of the Hunters Crossing Master Plan. Motion was seconded by Willie DeLaRosa and carried unanimously.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF 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 AMOUNT 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 stated these budget amendments increase the budget appropriations for Fiscal Year 2012. Ms. Stovall stated the funds included in the amendments are: General Fund, Designated Fund, Water Wastewater Fund, Acceleration Fee Recovery Fund, General Obligation Bond Fund #712 and Certificates of Obligation Fund #721.

Dock Jackson moved to approve the Ordinance and place it on the Consent Agenda for the second reading at the next regularly scheduled Council Meeting. 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 ACCEPTANCE OF PROPOSED BASTROP ECONOMIC DEVELOPMENT CORPORATION BUDGET FOR FISCAL YEAR 2012-2013.

Bastrop Economic Development Corporation Executive Director, Dave Quinn addressed the Council. Mr. Quinn gave a PowerPoint presentation on the proposed Bastrop Economic Development Corporation Budget for Fiscal Year 2012-2013. Mr. Quinn stated the ending operating balance as of September 30, 2012 is anticipated to be \$1,517,504. Mr. Quinn stated the proposed revenues for Fiscal Year 2012-2013 are \$1,486,700 and the proposed expenditures are \$1,486,700 leaving an ending operating balance as of September 30, 2013 of \$1,517,504.

Discussion was held among Council and Mr. Quinn.

Joe Beal moved to accept the proposed Bastrop Economic Development Corporation Budget for Fiscal Year 2012-2013. Seconded by Kay Garcia McAnally and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM THE BASTROP COUNTY HISTORICAL SOCIETY REGARDING PERMISSION TO SERVE ALCOHOLIC BEVERAGES AT AN EVENT TENTATIVELY SCHEDULED FOR MONDAY, SEPTEMBER 24, 2012 AT THE BASTROP COUNTY HISTORICAL SOCIETY MUSEUM AND VISITOR CENTER LOCATED AT 904 MAIN STREET.

City Manager, Mike Talbot stated the City received a letter from the Bastrop County Historical Society (BCHS) requesting they be allowed to serve alcoholic beverages at a "hard hat tour" event that is tentatively scheduled for Monday, September 25, 2012. Mr. Talbot stated on Page 8 of the BCHS Lease between the City and the BCHS, Section 4.15 states that sale, service or availability of alcoholic beverages on the Leased Premises shall be in compliance with the "then existing City policies (in concurrence with other similarly situated City owned properties), procedures and applicable Texas Alcohol Beverage Commission (TABC) permitting/licensing regulations and laws. Mr. Talbot stated it has always been the City Councils' general policy that alcohol beverages are not allowed to be served or consumed at City facilities, because allowing the service and consumption of alcoholic beverages at City facilities presents a potential liability

issue for the City. Mr. Talbot stated the single exception is related to such activity at the City owned and operated Convention Center, which was formally approved by the Council. Mr. Talbot stated to address the potential liability issues involved, the Convention Center implemented special insurance and liability coverage policies for such service, which was approved by the Council. Mr. Talbot stated in addition, the sale and consumption of beer, wine and mixed beverages is restricted by the City's Code, Chapter 4, and may only occur at specified, approved locations in town, one of which is the Convention Center.

Robbie Sanders, President of the Bastrop County Historical Society (BCHS) addressed the Council. Ms. Sanders stated they are hoping to host a "hard hat" dinner party inviting major donors and the City Council, and be allowed to serve beer and wine at the event. Ms. Sanders stated their liability insurance policy with American General allows for serving of beer and wine but not sale of beer and wine. Ms. Sanders stated the servers will be Texas Alcohol Beverage Commission licensed servers.

Discussion was held among Council.

Joe Beal moved to grant permission to the Bastrop County Historical Society to serve alcoholic beverages at the event tentatively scheduled for Monday, September 24, 2012 at the Bastrop County Historical Society Museum and Visitor Center located at 904 Main Street. Motion was seconded by Kay Garcia McAnally and carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE CITY COUNCIL CASTING AN OFFICIAL BALLOT FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES ELECTION.

City Secretary, Teresa Valdez stated the City has received the Official Ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. Ms. Valdez stated the Council is asked to cast votes for one Candidate in each of the four (4) Places. Ms. Valdez stated each elected Trustee will serve a six-year term.

Council Member Dock Jackson stated he had researched the candidates and recommended the following: Place 11 – Greg Ingham; Place 12 – Larry Gilley; Place 13 – Byron Black and Place 14 – Pat Norris.

Dock Jackson moved the City cast votes for Greg Ingham for Place 11, Larry Gilley for Place 12, Byron Black for Place 13 and Pat Norris for Place 14.. Motion was seconded by Ken Kesselus and carried unanimously.

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

Finance Director, Karla Stovall presented the monthly Financial Reports for the period ending July 31, 2012. Ms. Stovall reviewed the report.

Brief discussion was held among Council and Ms. Stovall.

Joe Beal moved to accept the monthly Financial Reports for the period ending July 31, 2012. Motion was seconded by Willie DeLaRosa and carried unanimously.

E. EXECUTIVE SESSION:

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

1. SECTION 551.071(1)(A) AND SECTION 551.071(2) - CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.074 – PERSONNEL MATTERS: CITY MANAGER.

At 8:27 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) – Consultations with Attorney:
(1) threatened and/or contemplated litigation, and (2) Matters upon which the attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.074 – Personnel Matters: City Manager.

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

At 9:40 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.

No action was taken.

F. ADJOURNMENT

At 9:41 p.m., Joe Beal moved to adjourn. Seconded by Kay Garcia McAnally and carried unanimously.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

**City of Bastrop
Memorandum**

TO: Mayor & City Council Members

FROM: Karla Stovall, Chief Financial Officer

SUBJECT: Ordinance Amending FY 2012 Budget

DATE: August 17, 2012

Recommendation:

To approve Ordinance Amending the Budget for unanticipated revenue and expenses incurred not included in the original budget approved by City Council.

Background:

The city charter requires that when the budget is amended that the amendment be by ordinance. The budget amendments include an increase to the budget appropriations for Fiscal Year 2012.

Funds included in these amendments include: General Fund, Designated Fund, Water Wastewater Fund, Acceleration Fee Recovery Fund, General Obligation Bond Fund #712, Certificates of Obligation Fund #721.

- General Fund includes:
 Police Department in kind donation revenue and expenditure budget for vehicle.
 Parks Department received a donation for Splash Park.
 Bastrop Public Library received funds from the Friends of the Bastrop Public Library.
 Fire Department has received donations to be used for expenses.
 Public Works received auction proceeds and is allocating the proceeds to maintenance expenses.
 Fire Department had increased maintenance costs due to the Freightliner.
 380 Agreement expenses increased due to increase in Sales Tax Collections.
- Designated Fund includes:
 Police Department in kind donation revenue and expenditure budget for Red Light Expenses.
 Police Department use of designated fund for PD Leose Training expenses.
 Police Department use of designated fund for Law Enforcement expenses.
 Municipal Court use of designated fund for Technology expenses.
 Municipal Court use of designated fund for Building Security expenses.
- Water Wastewater Fund Expenditures for Chestnut Square Waterline and Gills Branch to be offset by the reimbursement of the Loop 150 funds.

- General Obligation Bond Fund #712 includes budgeting expenses for the Municipal Building and Splash Park.
- Certificates of Obligation Fund #721 includes a recap of the year of the Capital Improvement expenses for this issue.

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 28th day of August 2012.

READ and ADOPTED on Second Reading on the 11th day of September 2012.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City

EXHIBIT "A"

FY 2012
BUDGET AMENDMENTS
GENERAL FUND

Un-Audited Fund Balance as of 9-30-11	2,035,470				
FY 2012 Budgeted Revenues	8,051,848				
FY 2012 Budgeted Appropriations	(8,049,090)				
01/2012 Budget Amendments (net)	(219,066)				
05/2012 Budget Amendments (net)	51,112				
08/2012 Budget Amendments (net)	(78,010)				
Ending Fund Balance	1,792,264				

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION
Matching Revenues to Expenditures:			
Police Department	neutral	36,000	Inkind Donation to PD
Parks Department	neutral	2,350	Splash Pad Donations
Public Library	neutral	5,000	Grants from Friends of the Public Library
Fire Department	neutral	2,150	Donations for Fire Department
PW Department	neutral	7,344	Auction proceeds
Total Revenues		47,844	
Matching Expenditures to Revenues:			
Police Department	neutral	(36,000)	Vehicle - Donation - Fixed Asset Entry
Parks Department	neutral	(2,350)	Splashpark Expenses
Public Library	neutral	(5,000)	Library Grant Expenses
Fire Department	neutral	(2,150)	Travel Training
Public Works	neutral	(7,344)	Maintenance Expenses
City Secretary	increase	(3,010)	Election Expense
Fire Department	increase	(10,000)	Freightliner Expenses
Organizational	increase	(60,000)	380 Agreement Expenses (Increase in Sales Tax)
Total Expenditures		(125,854)	
Net Change		(78,010)	

FY 2012
BUDGET AMENDMENTS
DESIGNATED FUND #102

Un-Audited Fund Balance	0		
FY 2012 Budgeted Revenues	0		
FY 2012 Budgeted Appropriations	0		
05-2012 Budget Amendments (net)	0		
Ending Fund Balance	0		
DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION
New Revenues:			
		140,000	Traffic Safety Revenues
		2,570	Designated PD Lease funds
		2,984	Designated Law Enforcement
		3,800	Designated Technology
		14,660	Designated Building Security
			102-00-00-4079
			102-00-00-3122
			102-00-00-3127
			102-00-00-3121
			102-00-00-3123
Total Revenues 164,014			
New Expenditures:			
		(140,000)	Red Light Camera Programming
		(2,570)	PD Lease Expenses
		(2,984)	Law Enforcement
		(3,800)	Technology Expense
		(14,660)	Building Security Expense
			102-00-00-5587
			102-00-00-5645
			102-00-00-5672
			102-00-00-5668
			102-00-00-5673
Total Expenditures (164,014)			
Net Change 0			

* Amount to be restricted in a capital improvement account.

FY 2012
BUDGET AMENDMENTS
WATER WASTEWATER FUND

Un-Audited Fund Balance as of 9-30-11 1,322,493
 FY 2012 Budgeted Revenues 3,226,700
 FY 2012 Budgeted Appropriations (3,175,873)

05/2012 Budget Amendments 440,000
 08/2012 Budget Amendments (56,960)
 Ending Fund Balance 1,813,320

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION
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New Revenues:

Total Revenues 0

New Expenditures:

(52,460) Chestnut Sq. Water Line 202-35-41-6242
 (4,500) Gills Branch Waterline 202-35-41-6241

Total Expenditures (56,960)
 Net Change (56,960)

FY 2012
BUDGET AMENDMENTS
BOND FUND #712

Un-Audited Fund Balan 189,652
FY 2012 Budgeted Re 0
FY 2012 Budgeted App (187,032)

Budget Amendments ((2,620)
Ending Fund Balance 0

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
------------	--------	--------	-------------	----------------

Matching Revenues to Expenditures:
neutral

190 Interest 712-00-00-4400

Total Revenues 190

New Expenditures:
increase
increase

(2,620) Municipal Building 709-00-00-6720
(190) Splash Park 709-00-00-6715

Total Expenditures (2,810)
Net Change (2,620)

FY 2012
BUDGET AMENDMENTS
CERTIFICATES OF OBLIGATION, SERIES 2012 FUND #721

Un-Audited Fund Balan 1,741,684
FY 2012 Budgeted Re 0
FY 2012 Budgeted App 0

Budget Amendments (1,395,890)
Ending Fund Balance 345,794

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Matching Revenues to Expenditures:
Other Revenue neutral

Total Revenues 0

Matching Expenditures to Revenues:

(125,000)	Convention Center	721-00-00-6159
(380,020)	CC - Streets	721-00-00-6160
(62,870)	CC Water/ Wastewater	721-00-00-6161
(750,000)	System Study Improvements	721-00-00-6501
(25,000)	Chestnut Street Improvements	721-00-00-6607
(53,000)	Municipal Building	721-00-00-6720

Total Expenditures (1,395,890)
Net Change (1,395,890)

**FY 2012
BUDGET AMENDMENTS
GENERAL FUND**

Un-Audited Fund Balance as of 9-30-11 2,035,470
 FY 2012 Budgeted Revenues 8,051,848
 FY 2012 Budgeted Appropriations **(8,049,090)**
 01/2012 Budget Amendments (net) **(219,066)**
 05/2012 Budget Amendments (net) 51,112
 08/2012 Budget Amendments (net) **(78,010)**
 Ending Fund Balance 1,792,264

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION
Matching Revenues to Expenditures:			
Police Department	neutral	36,000	Inkind Donation to PD 101-00-00-4496
Parks Department	neutral	2,350	Splash Pad Donations 101-00-00-4524
Public Library	neutral	5,000	Grants from Friends of the Public Library 101-00-00-4501
Fire Department	neutral	2,150	Donations for Fire Department 101-00-00-4536
PW Department	neutral	7,344	Auction proceeds 101-00-00-4512
Total Revenues		<u>47,844</u>	

Matching Expenditures to Revenues:

Police Department	neutral	(36,000)	Vehicle - Donation - Fixed Asset Entry 101-09-22-6123
Parks Department	neutral	(2,350)	Splashpark Expenses 101-18-19-6715
Public Library	neutral	(5,000)	Library Grant Expenses 101-21-00-5242
Fire Department	neutral	(2,150)	Travel Training 101-11-00-5605
Public Works	neutral	(7,344)	Maintenance Expenses 101-18-10-5340
City Secretary	increase	(3,010)	Election Expense 101-04-00-5681
Fire Department	increase	(10,000)	Freightliner Expenses 101-11-00-5340
Organizational	increase	(60,000)	380 Agreement Expenses (Increase in Sales Tax) 101-02-00-5644
Total Expenditures		<u>(125,854)</u>	
Net Change		<u>(78,010)</u>	

22

* Amount to be restricted in a capital improvement account.

* Amount to be restricted in a capital improvement account.

FY 2012
BUDGET AMENDMENTS
WATER WASTEWATER FUND

Un-Audited Fund Balance as of 9-30-11 1,322,493
 FY 2012 Budgeted Revenues 3,226,700
 FY 2012 Budgeted Appropriations (3,175,873)

05/2012 Budget Amendments 440,000
 08/2012 Budget Amendments (56,960)
 Ending Fund Balance 1,813,320

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION
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New Revenues:

Total Revenues 0

New Expenditures:

(52,460) Chestnut Sq. Water Line 202-35-41-6242
 (4,500) Gills Branch Waterline 202-35-41-6241

Total Expenditures (56,960)
 Net Change (56,960)

FY 2012
BUDGET AMENDMENTS
BOND FUND #712

Un-Audited Fund Balan 189,652
FY 2012 Budgeted Re. 0
FY 2012 Budgeted Apr (187,032)

Budget Amendments (1 (2,620)
Ending Fund Balance 0

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
------------	--------	--------	-------------	----------------

Matching Revenues to Expenditures:
neutral

190 Interest 712-00-00-4400

Total Revenues 190

New Expenditures:

increase
increase

(2,620) Municipal Building
(190) Splash Park
709-00-00-6720
709-00-00-6715

Total Expenditures (2,810)
Net Change (2,620)

FY 2012
BUDGET AMENDMENTS
CERTIFICATES OF OBLIGATION, SERIES 2012 FUND #721

Un-Audited Fund Balan 1,741,684
FY 2012 Budgeted Re 0
FY 2012 Budgeted Apt 0
Budget Amendments (1,395,890)
Ending Fund Balance 345,794

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
------------	--------	--------	-------------	----------------

Matching Revenues to Expenditures:
Other Revenue neutral

Total Revenues 0

Matching Expenditures to Revenues:

(125,000)	Convention Center	721-00-00-6159
(380,020)	CC - Streets	721-00-00-6160
(62,870)	CC Water/ Wastewater	721-00-00-6161
(750,000)	System Study Improvements	721-00-00-6501
(25,000)	Chestnut Street Improvements	721-00-00-6607
(53,000)	Municipal Building	721-00-00-6720

Total Expenditures (1,395,890)
Net Change (1,395,890)

CITY OF BASTROP

AGENDA ITEM

A.3

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: Aug. 29, 2012

MEETING DATE: Sept. 11, 2012

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

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

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

4. Policy Implication: _____

5. Budgeted: X Yes No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

**CITY OF BASTROP
FINANCE
DEPARTMENT**

Memo

To: Mayor, City Council and City Manager
From: Karla Stovall, Chief Financial Officer
Date: August 29, 2012
Re: Reimbursement of Accrued Bastrop Marketing Corporation Expenses

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

This request is for the time period for July 2012. There is a month lag in the receipt of the hotel occupancy tax monies.

It is recommended that Council approve the reimbursement of funds in the amount of \$107,501.98 for July 2012 to BMC in accordance with our agreement to be spent on advertising and marketing for the City of Bastrop area. This amount represents 45% of the tax collections.

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

**Bastrop Marketing Corporation ("BMC")
October 2011 through September 2012 - Budget**

Updated: August 28, 2012

	September	October	November	December	January	February	March	April	May	June	July	August	September
HRLPR Room Revenues	\$ 2,169,911.11	\$ 2,071,428.57	\$ 1,615,177.09	\$ 1,092,520.79	\$ 1,167,342.21	\$ 1,512,929.75	\$ 2,490,063.76	\$ 2,525,134.75	\$ 2,414,455.51	\$ 3,302,412.98	\$ 3,480,183.50	\$ 2,653,655.00	\$ 2,378,009
Exemptions	(39,280.86)	(1,070.00)	(1,376.00)	(1,111.00)	(657.28)	(131.00)	(1,092.00)	(432.00)	(2,482.00)	(16,107.00)	(12,930.00)	-	-
Taxable Room Revenues	2,130,630.25	2,070,358.57	1,613,801.09	1,091,409.79	1,166,684.93	1,512,798.75	2,488,971.76	2,524,702.75	2,411,973.51	3,286,305.99	3,447,233.50	2,653,655.00	2,378,009
City of Bastrop HOT Rate	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
City of Bastrop HOT Tax	\$ 149,144.12	\$ 144,925.10	\$ 112,966.08	\$ 76,398.69	\$ 81,667.94	\$ 105,895.91	\$ 174,228.02	\$ 176,729.19	\$ 168,838.15	\$ 230,041.42	\$ 241,306.35	\$ 185,755.85	\$ 185,755.85
Gross Liability to City	\$ 149,144.12	\$ 144,925.10	\$ 112,966.08	\$ 112,966.08	\$ 76,398.69	\$ 81,667.94	\$ 105,895.91	\$ 174,228.02	\$ 176,729.19	\$ 168,838.15	\$ 230,041.42	\$ 241,306.35	\$ 185,755.85
Hotel Owner Collection Allowance (1%)	(1,491.44)	(1,449.25)	(1,129.66)	(1,129.66)	(763.99)	(816.68)	(1,058.96)	(1,742.28)	(1,767.29)	(1,688.38)	(2,300.41)	(2,413.06)	(1,857.58)
Net Collection by City	147,652.68	143,475.85	111,836.42	111,836.42	75,634.70	80,851.26	104,836.95	172,485.74	174,961.90	167,149.77	227,741.01	238,893.29	183,898.29
Applicable % payable to BMC	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%
Funds Available to BMC	66,443.71	64,564.13	50,326.39	50,326.39	34,035.62	36,383.07	47,176.63	77,618.58	78,732.86	75,217.40	102,483.45	107,501.98	82,754.23
Total Budget	Allocated:	Allocated:	Allocated:	Allocated:	68,603.17	68,603.17	68,603.17	68,603.17	68,603.17	68,603.17	68,603.17	68,603.17	68,603.18
Payment of Funds by City to BMC	\$ 66,443.71	\$ 64,564.13	\$ 50,326.39	\$ 50,326.39	\$ 34,035.62	\$ 36,383.07	\$ 47,176.63	\$ 77,618.58	\$ 78,732.86	\$ 75,217.40	\$ 102,483.45	\$ 107,501.98	\$ 82,754.23
	Paid	Paid	Paid	Paid	Paid	Paid	Paid	Paid	Paid	Paid	Paid	Currently due check:	\$ -

Prepared:

11. Action Taken: _____

CONCLUSIONS



FIELD NOTES FOR 4.02 ACRES, CALLED LOT 4, BLOCK 2, BLUEBONNET ACRES CONNECTED PLAT, SECTION ONE, AS RECORDED IN CABINET 1, PAGE 264, PLAT RECORDS OF BALDOSTO COUNTY, TEXAS, BEING THE LOT CONVEYED TO KATHRYN ANNETTE MANN IN VOLUME 1967 PAGE 271, OFFICIAL RECORDS OF BALDOSTO COUNTY, TEXAS, AS SHOWN HEREON AND DESCRIBED BY THE PARTIES AND BOUNDARIES AS FOLLOWS:

BEGINNING, at a found iron rod with cap, set by the Ocean Surveying Company in the sandy flag of Leisure Lane (having a 60 width), for the south corner of Lot 5, of the said Block 2, Pleasant Acres, Corrected Plat, Section One,

TRINER, N 49°19'10" E, 999.88 feet, with the southeasterly line of the said Lot 5, of the said Block 3, Bluebonnet Acres, Concessed Plat, Section One, to a found monument and with, each, set by the Olson Surveying Company for the east corner of the said Lot 5, of the said Block 2, Bluebonnet Acres, Concessed Plat, Section One, bearing on the Westerly line of Union Chapel Road (having a 100' width),

ATTENTION, S. 42°29'56" E, 201.33 feet, with the said westerly line of Union Chapel Road, to a large metal power pole, for the north corner of Lot 3, of the said Block 2, Bluebonnet Acres, Corrected Plat, Section One.

THIRNICH, is 49° 18' 31" W, 1000.09 feet, with the northwesterly line of the said Lot 3, Block 2, Bluebonnet Acres, Correlated Flat, Section One, to a forward pit near a concrete at the base of a fence corner post, being on the said easterly line of Leasure Lane,

ATTENTION, N 40°36'19" W, 200.57 feet, with the said easterly line of Lejeune Lane, to the point of beginning, CONTAINING 4.602 acres more or less in Bastrop County, Texas.

NOTE: ALL BUILDING LINES ARE
CREATED BY THIS PLAT.

[illegible]

STATE OF TEXAS }
COUNTY OF BASTROP }

जवाब:

TERRY ORR
MAYOR OF THE CITY OF BASTROP, TEXAS

TERESA VALDEZ
CITY SECRETARY, CITY OF DASTROP, TEXAS

AQUA WATER SUPPLY CORPORATION
WATER SERVICE NOT AVAILABLE

Some of the facts indicated below, Aqua Water Supply Corporation has not agreed to provide water service to this subdivision because the subdivision has not complied with the Tarriff of Aqua Water Supply Corporation, including specifically the Rules and Regulations Concerning Aqua's Service to Subdivisions. Under the Aqua Tarriff, retail water service is not available to any lot in a subdivision that is not in compliance with all of such rules and regulations, including the payment of applicable fees. No lot in this subdivision will be eligible to receive retail water service from Aqua's distribution system until the subdivision fully complies with all of the provisions of Aqua's Tarriff.

50

I, Rose Pletsch, County Clerk of Bastrop County, Texas do hereby certify that the foregoing instrument of writing with the certificate of authentication was filed for record in my office on _____ day of _____, 20____, A.D., at _____ o'clock _____ M., in this Plat Record Book _____ Page _____ of _____.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 4, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Resubdivision 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 located on Highway 71 West within the City limits of the City of Bastrop, Texas.**

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

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

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

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

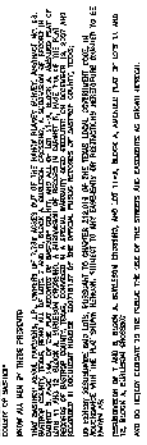
c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

[illegible]

NO.	DELTA	WADTIS	MAN	ARC	CHORD	BEARINGS
C1	8°46'00"	473.44'	86.07'	73.93'	71.23'	S37°09'15"W
C2	9°04'18"	490.90'	7.83'	15.82'	15.81'	S70°14'00"W
C3	20°16'48"	100.00'	23.37'	48.84'	46.52'	S20°01'25"W
C4	30°30'30"	180.00'	106.58'	74.00'	75.00'	N35°09'47"E

[illegible]

1. The first of these is the fact that the United States is a democratic country. This means that the people have the right to elect their representatives to the Congress. The President is also elected by the people. This is a very important principle of our government.

2. The second of these is the fact that the United States is a free country. This means that the people have the right to speak and write what they think. They also have the right to assemble and to petition the government. These are the First Amendment rights.

3. The third of these is the fact that the United States is a peace-loving country. This means that the United States does not want to start a war. It only wants to defend itself if it is attacked.

4. The fourth of these is the fact that the United States is a friendly country. This means that the United States wants to get along with all other countries. It wants to help them if they are in trouble.

5. The fifth of these is the fact that the United States is a strong country. This means that the United States has a very powerful army and navy. It can protect itself and help other countries if they need it.

6. The sixth of these is the fact that the United States is a rich country. This means that the United States has a lot of money and resources. It can help other countries if they need it.

7. The seventh of these is the fact that the United States is a modern country. This means that the United States has a lot of new inventions and ideas. It can help other countries if they need it.

8. The eighth of these is the fact that the United States is a diverse country. This means that the United States has a lot of different people and cultures. It can help other countries if they need it.

9. The ninth of these is the fact that the United States is a united country. This means that the United States is one country, not many. It can help other countries if they need it.

10. The tenth of these is the fact that the United States is a hopeful country. This means that the United States believes in a better future for all people. It can help other countries if they need it.

[illegible][illegible]

CITY OF BASTROP

AGENDA ITEM A.6

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 04, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Approval of Special Event Notice of Activity submitted by the First Baptist Church to host "Autumn Family Fest" on Wednesday, October 31, 2012, on Farm Street between Water and Pecan Streets.**
2. Party Making Request: **Mike Talbot, City Manager**
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: _____

on _____ Day _____ Date _____

mduvall@cityofbastrop on 34



Notice of Activity

Bastrop Public Works and Parks

Revised 7/27/2011 12:12 PM

Autumn Family Fest

Wednesday 10/31/12

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: Farm St. Between Pecan + Water

Private Property: First Baptist Church

Activity: Autumn Family Fest

Activity Date(s): 10/31/12

Activity Day(s): 10/31/12 Wednesday

Activity Time(s): block St. 3pm Event 6:00pm - 8:00pm

Anticipated Number of Participants: 1800

Responsible Person: Michelle Neal

Name of Organization/Business (if applicable): First Baptist Church

Address: PO Box 133 / 1201 Water St. Bastrop, TX 78602

E-Mail Address: Michelle.@fbc.bastrop.org

Phone: (512) 303-3221 Cell: (512) 304-5032

Insurance Carrier: Utica National Ins. Co.

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.

Michelle Neal
Signature

8/27/12
Today's Date

Describe activity and any assistance required from City staff: Close Farm St between Water St & Pecan St. Electric Dept needs to do hot check on box (call Michelle 304-5032 when ready to test box).

- 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

CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 08/28/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORM
 CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVE **Autumn Family Fest**
 BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT
 REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE IS

THE HOLDER. THIS
 BY THE POLICIES
 R(S), AUTHORIZED

Wednesday 10/31/12

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the certificate holder must be endorsed. If SUBROGATION IS WAIVED, subject to 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).

PRODUCER Avalon Insurance Agency LLC 9660 Hillcroft Ste 240 Houston TX 77096	CONTACT NAME: Randy King PHONE (A/C, No, Ext): (713) 283-5202 FAX (A/C, No): (713) 283-7377 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Utica National Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED First Baptist Church of Bastrop 1201 Water Street Bastrop TX 78602	NAIC #

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 LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		4205021	04/28/2012	04/28/2013	EACH OCCURRENCE \$ 1,000,000
	☒ COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	☐ CLAIMS-MADE ☒ OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 3,000,000
	☒ POLICY ☐ PROJECT ☐ LOC					PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO					BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☐ SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	☐ OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	☐ CLAIMS-MADE				AGGREGATE \$
	DED RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	☐ Y/N	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					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)

First Baptist Church Autumn Family Fest - October 31, 2012

CERTIFICATE HOLDER
CANCELLATION

City of Bastrop 904 Main Street 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
---	---

Wednesday 10/31/12

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Event: Autumn Family Fest Date(s): Wed 10/31/12 Date Submitted: 8/27/12 ³⁷

Sound Permit Application

Revised 2/24/2012 2:02 PM

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: Michelle Neal - First Baptist Church
Address: 1201 Water St.
Phone No: 512-303-3221 / 512-304-5032 (cell) Fax No: 512-321-1406
E-mail address: Michelle@fbcbastrop.org
Date(s) of event, rental, or activity: 10-31-12
Name of event or activity: Autumn Family Fest
Location(s) of event, rental, or activity: First Baptist Church 1201 Water St
Location(s) of amplified sound equipment: in front of church on farm

Start time (AM or PM): 4:30 End time (AM or PM): 9:00
Number of speakers used: 4 Number of amplifiers used: 1

Comments: _____

Michelle Neal
Signature of Applicant

8/27/12
Date

CITY OF BASTROP

AGENDA ITEM **A.7**STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 05, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Approval of the purchase of a pull-behind chipper with a 6-inch diameter capacity by the Public Works, Parks, & Recreation Department. The department was awarded a grant for said purchase through the Capital Area Council of Governments in the amount of \$32,500.00. This chipper will reduce the amount of "green waste" hauled to the landfills.**
2. Party Making Request: **Trey Job, Director of Public Works, Parks, & Recreation.**
3. Nature of Request: (Brief Overview) Attachments: Yes ☐ No ☒
4. Policy Implication: _____
5. Budgeted: ☐ Yes ☐ No ☒ N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

	<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: _____

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 5, 2012

MEETING DATE: September 12, 2012

1. Agenda Item: **PUBLIC HEARING: On City of Bastrop Fiscal Year 2012-2013 Budget for taxpayers to have an opportunity to express their views on the budget; the City of Bastrop will adopt the budget and tax rate for Fiscal Year 2012-2013 on September 25, 2012 at 6:15 p.m. at City Hall located at 1311 Chestnut Street, Bastrop, Texas 78602**
2. Party Making Request: **Michael H. Talbot, City Manager**
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: _____

CITY OF BASTROP

AGENDA ITEM **B.2**STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 5, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance of the City of Bastrop, Texas, adopting a budget and appropriating resources for Fiscal Year 2012-2013; beginning October 1, 2012 ending September 30, 2013; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date; with the second reading and final adoption of the City of Bastrop Budget for Fiscal Year 2012-2013 to be held on September 25, 2012.**

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

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

4. Policy Implication:

5. Budgeted: ☐ Yes ☐ No ☐ N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

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 OF THE CITY OF BASTROP, TEXAS, ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR FISCAL YEAR 2012-2013, BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager and staff have prepared and filed with the City Secretary a proposed budget for the operation of the City during Fiscal Year 2012-2013; and

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council a proposed budget of the revenues and expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year beginning October 1, 2012 and ending September 30, 2013; and,

WHEREAS, the City Council on September 11, 2012 conducted a public hearing to receive input from citizens of the City concerning the content of the budget, and for which notices were duly posted in the *Bastrop Advertiser*; and

WHEREAS, the City has acknowledged that this budget will raise more property taxes than last year's budget by \$117,480 or 3.037%, and of that amount \$141,872 is tax revenue to be raised from new property added to the tax roll this year; and

WHEREAS, the City Council having considered the proposed budget at length, and having provided input in its preparation, has determined that the proposed budget and the revenues and expenditures contained therein are in the best interest of the City and, therefore, the Council desires to approve and adopt the budget by formal action.

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

Section 1. The proposed budget for the fiscal year beginning October 1, 2012 and ending September 30, 2013, as submitted to the City Council by the City Manager, which budget is attached hereto as Exhibit "A," for all purposes is hereby approved and adopted as the City's budget of all revenue and expenditures/expenses of the City of Bastrop, Texas for Fiscal Year 2012-2013; and

Section 2. The sum of twenty-seven million, one hundred and forty-nine thousand, and fifty-one U.S. Dollars (\$31,894,586.00) is hereby appropriated for the City's FY2012-2013 Budget. Further, these funds are for payment of operating, capital, and debt service expenses

associated with the operation and administration of the City, according to the various purposes and intents described in the FY 2012-2013 budget document.

Section 3. Should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 4. This Ordinance shall be in full force and effect from and after its adoption by the City Council, pursuant to applicable State and local laws and the City Charter.

Section 5. All other ordinances and Code provisions that are in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency.

READ and ACKNOWLEDGED on First Reading on the 11th day of September 2012.

READ and ADOPTED on Second Reading on the day of September 2012.

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

APPROVED AS TO FORM:

Law Offices of Jo-Christy Brown, PC
Jo-Christy Brown
City Attorney

CITY OF BASTROP, TEXAS
SUMMARY OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
FISCAL YEAR 2012-2013 BUDGET

	GENERAL FUND	GO DEBT SERVICE FUND	CAPITAL IMPROVEMENT FUNDS	SPECIAL REVENUE FUNDS	WATER/ WASTEWATER FUNDS	BASTROP POWER & LIGHT	TOTAL ALL FUNDS
BEGINNING BALANCES	\$ 2,308,337	\$ 726,146	\$ 3,878,763	\$ 6,683,446	\$ 1,945,442	\$ 4,024,918	\$ 19,567,052
REVENUES:							
AD VALOREM TAXES	2,391,208	1,594,139	-	-	-	-	3,985,347
SALES TAXES	2,952,100	-	-	1,476,050	-	-	4,428,150
FRANCHISE & OTHER TAXES	412,500	-	-	2,628,228	-	-	3,040,728
LICENSES & PERMITS	102,000	-	-	1,000	-	-	103,000
SERVICE FEES	48,400	-	-	261,590	3,850,670	7,140,000	11,300,660
FINES & FORFEITURES	295,100	-	-	791,500	-	-	1,086,600
INTEREST & OTHER REVENUE	6,000	1,918	3,550	18,800	3,400	8,050	41,718
INTERGOVERNMENTAL	1,370,640	-	-	-	-	-	1,370,640
MISCELLANEOUS	21,000	-	-	68,000	81,100	-	170,100
TOTAL REVENUES	7,598,948	1,596,057	3,550	5,245,168	3,935,170	7,148,050	25,526,943
TRANSFERS FROM	732,580	-	-	1,384,500	585,000	-	2,702,080
TOTAL AVAILABLE RESOURCES	10,639,865	2,322,203	3,882,313	13,313,114	6,465,612	11,172,968	47,796,075
EXPENDITURES:							
GENERAL GOVERNMENT	2,628,198	-	-	1,153,580	-	-	3,781,778
PUBLIC SAFETY	2,819,167	-	-	673,360	-	-	3,492,527
DEVELOPMENT SERVICES	609,148	-	-	-	-	-	609,148
COMMUNITY SERVICES	2,454,082	-	-	1,306,100	-	-	3,760,182
UTILITIES	-	-	-	128,800	2,654,840	6,343,171	9,126,811
DEBT SERVICE	-	1,665,587	-	718,730	688,990	92,817	3,166,124
ECONOMIC DEVELOPMENT	-	-	-	1,367,620	-	-	1,367,620
CAPITAL PROJECTS	-	-	3,882,313	-	-	6,003	3,888,316
TOTAL EXPENDITURES	8,510,595	1,665,587	3,882,313	5,348,190	3,343,830	6,441,991	29,192,506
TRANSFER TO	-	-	-	1,333,580	755,000	613,500	2,702,080
ENDING FUND BALANCE	\$ 2,129,270	\$ 656,616	\$ -	\$ 6,631,344	\$ 2,366,782	\$ 4,117,477	\$ 15,901,489

TOTAL REVENUES: \$ 28,229,023

NET DECREASE IN FUND BALANCE: \$ 3,665,563

TOTAL APPROPRIABLE FUNDS: \$ 31,894,586

11. Action Taken:

Agenda Information Sheet:

September 11, 2012

Consideration, discussion and possible action on a Conditional Use Permit (CUP) to allow a home occupation at 1107 Hill Street. The property consists of +/- 0.348 of an acre tract out of Building Block 31, east of Water Street an area zoned SF-7, Single Family Residential, in the City limits of Bastrop, Texas.

Owner/Applicant: Ronald L. Holan
Location: 1107 Hill Street, Located in the City Limits
Utilities: City water, sewer, and electric
Zoning: SF-7, Single-Family Residential-7
Land Use Plan: Single Family Residential

Map of a portion of the City of Chicago, showing various lots and blocks. The map includes street names: RIVER ST, E 104th ST, E 105th ST, E 106th ST, E 107th ST, E 108th ST, E 109th ST, E 110th ST, E 111th ST, E 112th ST, E 113th ST, E 114th ST, E 115th ST, E 116th ST, E 117th ST, E 118th ST, E 119th ST, E 120th ST, E 121st ST, E 122nd ST, E 123rd ST, E 124th ST, E 125th ST, E 126th ST, E 127th ST, E 128th ST, E 129th ST, E 130th ST, E 131st ST, E 132nd ST, E 133rd ST, E 134th ST, E 135th ST, E 136th ST, E 137th ST, E 138th ST, E 139th ST, E 140th ST, E 141st ST, E 142nd ST, E 143rd ST, E 144th ST, E 145th ST, E 146th ST, E 147th ST, E 148th ST, E 149th ST, E 150th ST, E 151st ST, E 152nd ST, E 153rd ST, E 154th ST, E 155th ST, E 156th ST, E 157th ST, E 158th ST, E 159th ST, E 160th ST, E 161st ST, E 162nd ST, E 163rd ST, E 164th ST, E 165th ST, E 166th ST, E 167th ST, E 168th ST, E 169th ST, E 170th ST, E 171st ST, E 172nd ST, E 173rd ST, E 174th ST, E 175th ST, E 176th ST, E 177th ST, E 178th ST, E 179th ST, E 180th ST, E 181st ST, E 182nd ST, E 183rd ST, E 184th ST, E 185th ST, E 186th ST, E 187th ST, E 188th ST, E 189th ST, E 190th ST, E 191st ST, E 192nd ST, E 193rd ST, E 194th ST, E 195th ST, E 196th ST, E 197th ST, E 198th ST, E 199th ST, E 200th ST. The map shows lots with various numbers, including 104020, 104021, 104022, 104023, 104024, 104025, 104026, 104027, 104028, 104029, 104030, 104031, 104032, 104033, 104034, 104035, 104036, 104037, 104038, 104039, 104040, 104041, 104042, 104043, 104044, 104045, 104046, 104047, 104048, 104049, 104050, 104051, 104052, 104053, 104054, 104055, 104056, 104057, 104058, 104059, 104060, 104061, 104062, 104063, 104064, 104065, 104066, 104067, 104068, 104069, 104070, 104071, 104072, 104073, 104074, 104075, 104076, 104077, 104078, 104079, 104080, 104081, 104082, 104083, 104084, 104085, 104086, 104087, 104088, 104089, 104090, 104091, 104092, 104093, 104094, 104095, 104096, 104097, 104098, 104099, 104100. The map also shows a large area labeled 'RIVER ST' and a smaller area labeled 'E 104th ST'. The map is a black and white line drawing with text labels for streets and lot numbers.

The property is a single family lot that contains a house and garage/carport. The owner is applying for a Conditional Use Permit (CUP) for a home occupation as defined and required in our code. The owner proposes to use one room as a "home office" for his construction company, Holan Construction. (Letter attached)

Page 1 of 4

Description:

The subject property is an existing single family home located on the corner of Farm Street and Hill Street. The house faces Hill Street and the carport/garage entrance is from Farm Street.

123. HOME OCCUPATION - An occupation carried on in a dwelling unit, or in an accessory building to a dwelling unit, by a resident of the premises, which occupation is clearly incidental and secondary to the use of the premises for residential purposes. A home occupation must comply with all of the following specific criteria:

- a. Home occupations shall require a Conditional Use Permit as specified in Section 33, but does not require detailed building plans or a site plan;
- b. The occupation shall produce no alteration or change in the character or exterior appearance of the principal building from that of a dwelling;
- c. The occupation shall not require the employment of additional persons, other than members of the household in which the home occupation occurs;
- d. Such use shall be incidental and secondary to the use of the premises for residential purposes, and shall not utilize an area exceeding twenty percent (20%) of the combined gross floor area of dwelling unit and accessory building if used for the home occupation;
- e. Not more than two (2) business-related vehicles shall be present at one time and the proprietor shall provide adequate off-street parking on the property where the use is located;
- f. The operation of such an occupation shall be between the hours of 8:00 a.m. and 6:00 p.m. for outdoor activities, and between 8:00 a.m. and 10:00 p.m. for indoor activities;
- g. The occupation shall not require the regular and frequent use of large delivery trucks or vehicles with a rated capacity in excess of one and one-half (1-1/2) tons, according to the manufacturer's classification;
- h. The occupation shall not require the use of chemicals on the property that are hazardous to the welfare of the neighborhood;
- i. The occupation shall not utilize a commercial advertisement in the yellow pages of the telephone directory or the newspaper; classified advertisements shall not include the address;
- j. The occupation shall not offer a ready inventory of any commodity for sale on the premises; and
- k. The occupation shall not be harmful or detrimental to the health, welfare and safety of the neighborhood, nor shall it interfere with the comfortable enjoyment of life, property and recreation.

Orthophoto of lot



If the Conditional Use Permit (CUP) is approved the applicant will proceed and continue to use a room in his home as an office space.

The following are the code sections that apply to the proposed Conditional Use Permit (CUP).

33.2 **CONDITIONAL USE PERMIT REGULATIONS:**

- A. *In recommending that a Conditional Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested CUP, the Planning and Zoning Commission and City Council may consider the following:*
 - 1. *The use is harmonious and compatible with surrounding existing uses or proposed uses;*
 - 2. *The activities requested by the applicant are normally associated with the permitted uses in the base district;*
 - 3. *The nature of the use is reasonable;*
 - 4. *Any negative impact on the surrounding area has been mitigated;*
 - 5. *That any additional conditions specified ensure that the intent of the district purposes are being upheld.*
- B. *In granting a Conditional Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a Certificate of Occupancy may be issued by the Building Official for use of the building on such property pursuant to such Conditional Use Permit and such conditions precedent to the granting of the Certificate of Occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.*
- C. *No Conditional Use Permit shall be granted unless the applicant, owner and grantee of the Conditional Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Conditional Use Permit, as attached to the site plan drawing (or drawings) and reviewed by the Planning and Zoning Commission and approved by the City Council.*
- D. *A building permit or Certificate of Occupancy shall be applied for and secured within one (1) year from the time of granting the Conditional Use Permit, provided however, that the City Council may authorize an extension. After one (1) year from the date of approval has elapsed, the Planning and Zoning Commission and City Council may review the site plan for compliance. If the site plan is determined to be invalid, the property owner(s) must submit a new or revised site plan for approval prior to any*

construction or application for building permit for the area designated for the Conditional Use Permit. A public hearing is required for consideration of the new site plan.

- E. No building, premise, or land used under a Conditional Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Conditional Use Permit is granted for such enlargement, modification, structural alteration, or change.

Minor changes or alterations may be approved by the Director of Planning.

- F. The Board of Adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Conditional Use Permit.
- G. When the City Council authorizes granting of a Conditional Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by a "C" designation.

Special Considerations: None.

Financial Impact: None.

Comments: Thirteen (13) adjacent property owner notifications were mailed on August 8, 2012 and followed up with additional information on August 15, 2012. Two (2) public comments have been received, two (2) in favor/support of the CUP request and none opposed.

Staff Recommendation:

Staff recommends approval of the Conditional Use Permit (CUP) to allow a home occupation in an existing single family home within the SF-7, Single Family residential district to be used as an office for Holan Construction. The proposed use of the home office is consistent with the home occupation rules and guidelines.

Planning and Zoning Recommendation:

The Planning and Zoning Commission conducted a public hearing on August 30, 2012 and voted unanimously 6-0, to recommend approval of the Conditional Use Permit (CUP) to allow a home occupation in an existing single family home within the SF-7, Single Family residential district to be used as an office for Holan Construction with the following stipulations: No heavy equipment or materials associated with the home occupation (CUP) are allowed to be stored on site.

City Contact:

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

Attachments:

Letter from property owner, surrounding property owner responses, zoning map

Letter to Zoning and Planning Commission for Conditional Use Permit

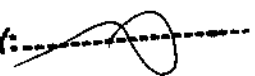
I am writing this letter to ask for a Conditional Use Permit at my residence at 1107 Hill St. in Bastrop, Texas. I am the owner of Holan Construction, a full service residential building contractor. I propose to use one room in my home as a home office, containing one desk, one computer station, and one file cabinet. The main purpose of the office is to do the administration work of my business, such as accounting, procurement and customer service via telephone and bidding. No employees will work in the home office, there will be no commercial vehicles parked at my residence, and there will be no work done at the residence other than administration. I keep my tools in the garage. I do not meet clients in my home, that is done on site at their home.

Thank you for your consideration.

Sincerely,

Ronald L. Holan



RECEIVED
AUG 01 2012
BY: 

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

Dear Property Owner:

This notice is in addition to the notice sent on August 8, 2012.

The Bastrop Planning and Zoning Commission will hold a public hearing on Thursday, August 30, 2012, at 6:00 p.m. and the Bastrop City Council will hold a public hearing Tuesday, September 11, 2012 at 6:15 p.m. (first reading) and a second reading Tuesday, September 25, 2012 in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a request for a Conditional Use Permit to allow a home business occupation (office only, no equipment) at 1107 Hill Street. The property consists of +/- 0.348 of an acre tract out of Building Block 31, East of Water Street an area zoned SF-7, Single Family Residential, within the city limits of Bastrop, Texas.

Applicant: Ronald L Holan/ Holan Construction

Legal Description: Building Block 31, East of Water Street

**The agenda will be available at the Planning & Development and posted online
three days prior to the meeting.**

**PLEASE SEE ATTACHED SITE LOCATION MAP & LETTER FROM
PROPERTY OWNER**

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

For additional information, please visit or call the Planning & Development offices.

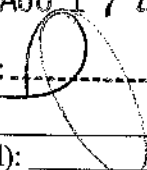
X
X

PROPERTY OWNER'S RESPONSE

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

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

RECEIVED
AUG 17 2012

BY: 

Property Owner Name: JAMES DE BAUN

Property Address: 1104 Hill St

Mailing Address: SAME

Property Owner's Signature: James De Baun

Comments: (Optional)

Phone (optional): _____

Email (optional): _____

Please provide reply to:

Planning and Development Department

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

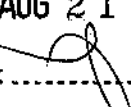
Re: Conditional Use Permit for a home business occupation at 1107 Hill Street, notices mailed August 8, 2012 re-mailed August 15, 2012)

X

PROPERTY OWNER'S RESPONSE

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

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

RECEIVED
AUG 21 2012BY: Property Owner Name: C + C PenceProperty Address: 1102 Hill St.Phone (optional): 303-1740Mailing Address: Bastrop, IA. 78602

Email (optional): _____

Property Owner's Signature: Cynthia A. Pence

Comments: (Optional)

I'm not a fan of the banner Mr. Holan had on his fence!

Please provide reply to:

Planning and Development Department

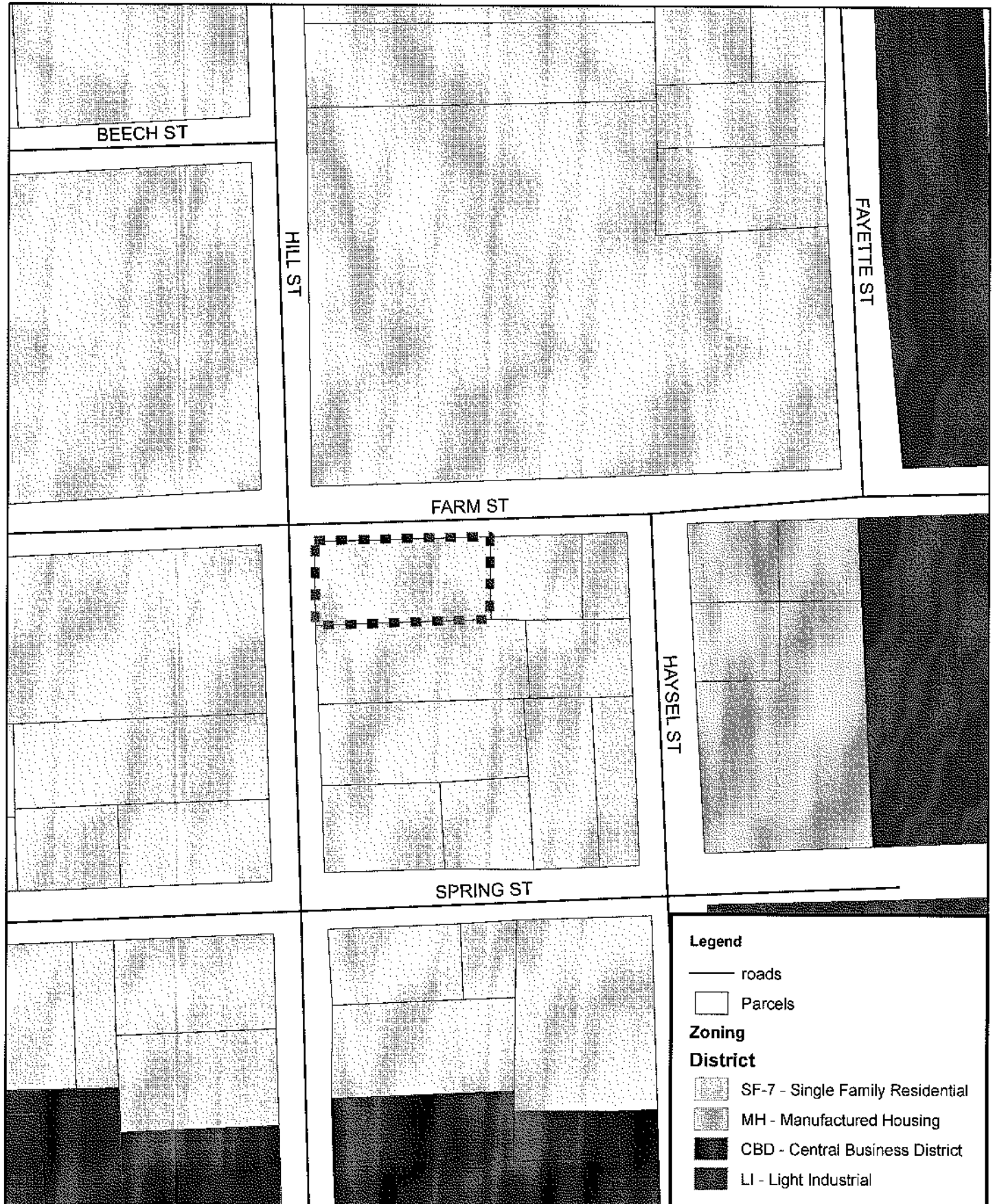
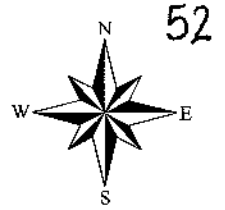
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602 or via fax (512) 332-8849

Re: Conditional Use Permit for a home business occupation at 1107 Hill Street, notices mailed August 8, 2012 re-mailed August 15, 2012)



Property Location Map

Conditional Use Permit for a Home Occupation
1107 Hill Street, zoned SF-7



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 5, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: **Consideration, discussion and possible action on the FIRST READING of a proposed Ordinance of the City Council of the City of Bastrop, Texas to grant a Conditional Use Permit to allow a home occupation at 1107 Hill Street being +/- 0.348 of an acre tract out of Building Block 31, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas; setting out conditions; and providing an effective date.**

2. Party Making Request: **Ronald L. Holan**

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

4. Policy Implication: _____

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

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

8. Staff Recommendation: **Staff recommends approval of the Conditional Use Permit (CUP) to allow a home occupation in an existing single family home within the SF-7, Single Family residential district to be used as an office for Holan Construction. The proposed use of the home office is consistent with the home occupation rules and guidelines.**

9. Advisory Board Recommendation: XXXX Recommended Approval ____ Recommended ____ None

The Planning and Zoning Commission conducted a public hearing on August 30, 2012 and voted unanimously 6-0 to recommend approval of the Conditional Use Permit (CUP) to allow a home occupation in an existing single family home within the SF-7, Single Family residential district to be used as an office for Holan Construction with the following stipulation:

No heavy equipment or materials associated with the home occupation (CUP) are allowed to be stored on site.

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW A HOME OCCUPATION AT 1107 HILL STREET BEING +/- 0.348 OF AN ACRE OUT OF BUILDING BLOCK 31, EAST OF WATER STREET, AN AREA ZONED SF-7, SINGLE FAMILY RESIDENTIAL LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ronald L. Holan (hereinafter referred to as the "Applicant"), filed a request for a Conditional Use Permit on August 1, 2012 to allow a Conditional Use Permit to allow a home occupation at 1107 Hill Street being +/- 0.348 of an acre tract out of Building Block 31, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas as shown on Exhibit "A"; and

WHEREAS, pursuant to Section 36.3 of the Use Charts within the Zoning Ordinance of the City of Bastrop, Texas; and

WHEREAS, pursuant to Section 33 of the City's Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held on August 30, 2012, by the Planning and Zoning Commission (hereinafter referred to as the "Commission") regarding the Applicant's request for a Conditional Use Permit; and

WHEREAS, following a public hearing on August 30, 2012 and consideration of the evidence and testimony presented therein, the Commission recommended approval of the Applicant's request for a Conditional Use Permit, subject to certain conditions set forth herein; and

WHEREAS, pursuant to Section 33 of the Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held September 11, 2012, by the City Council regarding the request for a Conditional Use Permit by the Applicant; and

WHEREAS, after consideration of the information presented, City Council finds that it is in the public interest to approve the requested Conditional Use Permit to allow a home occupation at 1107 Hill Street, subject to conditions noted herein.

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

Part 1: The Conditional Use Permit requested by Ronald L. Holan to allow a home occupation at 1107 Hill Street being +/- 0.348 of an acre tract out of Building Block 31, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas, is hereby approved, subject to compliance with the following conditions:

1. No heavy equipment or materials associated with the home occupation (CUP) are allowed to be stored on site.

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

READ and ACKNOWLEDGED on First Reading on the _____ day of _____, 2012.

READ and APPROVED on the Second Reading on the _____ day of _____, 2012.

APPROVED:

ATTEST:

Terry Orr
Mayor

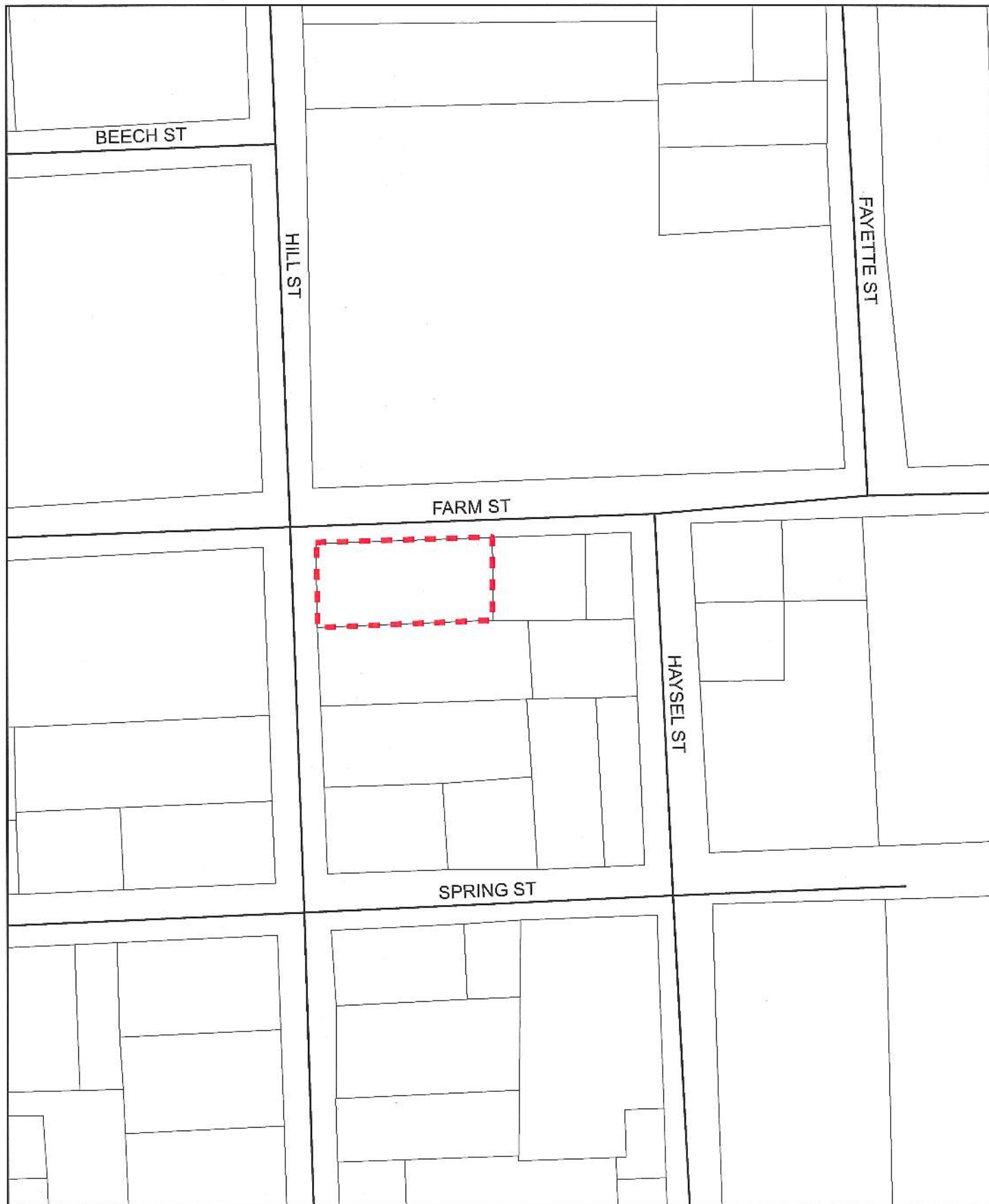
Teresa Valdez
City Secretary



EXHIBIT A Property Location Map

Conditional Use Permit for a Home Occupation
1107 Hill Street, zoned SF-7

- Legend
- roads
 - Parcels



CITY OF BASTROP

AGENDA ITEM D.1

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 5, 2012

MEETING DATE: September 11, 2012

1. Agenda Item: Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance fixing the tax rate and levy for the City of Bastrop, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2013, and for the further purpose of creating a sinking fund to retire the principal and interest of the bond indebtedness of the City; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date.
2. Party Making Request: Michael H. Talbot, City Manager
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: _____

ORDINANCE NO. 2012-

AN ORDINANCE FIXING THE TAX RATE AND LEVY FOR THE CITY OF BASTROP, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, AND FOR THE FURTHER PURPOSE OF CREATING A SINKING FUND TO RETIRE THE PRINCIPAL AND INTEREST OF THE BOND INDEBTEDNESS OF THE CITY; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Bastrop, Texas has on this date, by way of separate Ordinance, duly approved and adopted a Budget for the operation for the City for fiscal year 2012-2013 (FY 2012-2013); and

WHEREAS, the aforesaid Ordinance anticipates and requires the levy of an *ad valorem* tax on all taxable property in the City of Bastrop; and

WHEREAS, the Chief Appraiser of Bastrop County Tax Appraisal District has prepared and certified the appraisal roll for the City of Bastrop, Texas, that roll being that portion of the approved appraisal roll of the Bastrop County Tax Appraisal District which lists property taxable by the City of Bastrop, Texas; and

WHEREAS, it is necessary to levy such an *ad valorem* tax at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2012-2013; and

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2012-2013.

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

Section 1. There is hereby levied for the FY 2012-2013 upon all real property situated within the corporate limits of the City of Bastrop, Texas, and upon all personal property which was owned within the corporate limits of the City of Bastrop, Texas, on January 1, 2012, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.5840 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of \$0.3504 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Bastrop, Texas, for the fiscal year ending September 30, 2013, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Bastrop, Texas.

b) An *ad valorem* tax rate of \$0.2336 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Bastrop, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the General Debt Service Fund of the City of Bastrop, Texas, for the fiscal year ending September 30, 2013.

Section 2. The City of Bastrop shall have lien on all taxable property located in the City of Bastrop to secure the payment of taxes, penalty, and interest, and all costs of collection, assessed and levied hereby.

Section 3. Taxes are payable in Bastrop, Texas at the Office of the Tax Assessor Collector of Bastrop County. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 4. The tax roll presented to the City Council, together with any supplements thereto, are hereby accepted and approved.

Section 5. Should any paragraph, sentence, provision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 6. This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

Section 7. All other ordinances and Code provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Bastrop City Code not in conflict herewith shall remain in full force and effect.

Section 8. The repeal of any ordinance or parts thereof by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as affecting any rights of the City under any section or provision of any ordinances at the time of passage of this Ordinance.

READ and ACKNOWLEDGED on First Reading on the 11th day of September 2012.

READ AND ADOPTED on Second Reading on the day of September 2012.

APPROVED:

ATTEST:

Terry Orr, Mayor
On Behalf of the City Council
Of Bastrop, Texas

Teresa Valdez, City Secretary

APPROVED AS TO FORM:
Law Offices of Jo-Christy Brown, PC
Jo-Christy Brown
City Attorney

Property Tax Calculations (Ad Valorem Taxes)

FY2013

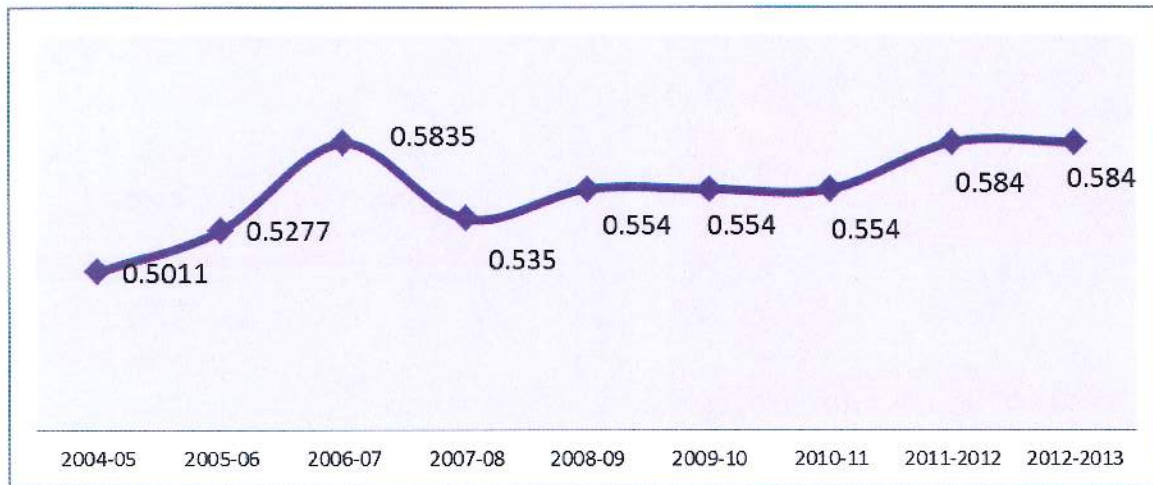
Tax Year 2012
TAX ROLL:

Assessed Valuation (100%)	\$635,808,461
Rate per \$100	0.58400
Tax Levy Freeze Adjusted	3,713,121
Tax Levy - Frozen (Disabled/ over 65)*	288,267
Total Tax Levy	4,001,389
Percent of Collection	97%
Estimated Current Tax Collections	\$3,985,347

SUMMARY OF TAX COLLECTIONS:

Current Tax	3,601,728
Revenue From Tax Freeze Property	279,619
Delinquent Tax	60,000
Penalty and Interest	44,000
TOTAL TAX COLLECTIONS	\$3,985,347

Property Tax Rate History



Property Tax Distribution

	TAX RATE	PERCENT	TOTAL
<u>GENERAL FUND (M&O):</u>			
Current Tax	\$0.3504		2,161,037
Revenue From Tax Freeze Property			167,772
Delinquent Tax			36,000
Penalty and Interest			26,400
Total General Fund	\$0.3504	60%	\$2,391,208
<u>DEBT SERVICE FUND (I&S):</u>			
Current Tax	\$0.2336		1,440,691
Revenues From Tax Freeze Property			111,848
Delinquent Tax			24,000
Penalty and Interest			17,600
Total Debt Service	0.2336	40%	\$1,594,139
DISTRIBUTION	\$0.58400	100%	\$3,985,347