

**NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
January 24, 2012 6:00 P.M.**

Pursuant to the Texas Government Code, Chapter 551, the City Council of Bastrop, Texas will hold a regular meeting on **January 24, 2012 at 6:00 p.m.** at Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas and will consider the following matters to wit:

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

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Presentations:
 - A. Certified Court Clerk Level 1 – Patsy Paranich
4. Proclamations
5. Announcements

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

- A. Meetings and Events Attended:
 1. Lost Pines Groundwater Conservation District Board of Director's monthly meeting on January 18, 2012.
 2. Water Committee monthly meeting on January 17, 2012.
 3. Did special taping of "City Talk".
- B. Update on City Projects:
 1. Construction of the new sidewalk behind the Library.
 2. Farm Street Project.
 3. Splash Pad Project.
 4. New sewer line for Fisherman's Park.
 5. Bastrop State Park Swimming Pool.
 6. Convention Center Well.
 7. Addressed issues associated with the zoning public hearing to be held on January 24, 2012, regarding a request to erect a cell tower.
 8. Brush pick-up in the City.
 9. Construction of Water Well I.
 10. Regional Water Plan – Region K.
 11. Bond review process for the issuance of water and wastewater revenue bonds.
 12. Buc-ee's Project.
 13. Back-up generators for Water/Wastewater operations.
 14. Community Development Block Grant (CDBG) – Gills Branch Sewer Project.
 15. A Special Meeting of the City Council regarding Smart Base Codes – February 7th or 8th.
- 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.

A. CONSENT AGENDA

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

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|--|-----|----|---------------|
| A.1 Approval of meeting minutes of January 10, 2012. | A.1 | 3 | Teresa Valdez |
| A.2 Adoption of a Resolution of the City Council of Bastrop approving a project (Development of a strategic plan utilizing the services of a professional firm in a contract not to exceed \$52,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding \$10,000. | A.2 | 13 | Dave Quinn |

A.3 Appointment by Mayor and confirmation by Council of Member to the Bastrop Parks Board.	A.3	16	Mayor Terry Orr
A.4 Approval of Special Event Permit Application submitted by the Family Crisis Center to host "Pedal Through the Pines" on Saturday, March 3, 2012.	A.4	20	Jim Rebeck
A.5 Approval of request to accept the public utilities within Hunters Crossing Subdivision, Section 3D and 5A.	A.5	37	Melissa McCollum
A.6 Approval of the expiration of the Preliminary Plat for Phase II of the B & B Subdivision located within Building Block 113 being 1.371 acres in the city limits of Bastrop, Texas.	A.6	40	Melissa McCollum
A.7 Approval of Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop.	A.7	42	Teresa Valdez
A.8 Adoption of a Resolution calling for and establishing procedure for a General Election, Bastrop, Texas.	A.8	57	Teresa Valdez

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: Consideration, discussion and possible action on a request for a Conditional Use Permit to allow the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06 +/- of an acre lease space, out of a parent tract of 3.75 +/- acres in Bastrop West Commercial Section One, Lot 2, Block A in an area zoned C2, Commercial being located in the city limits of Bastrop, Texas	B.1	64	Melissa McCollum
B.2 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 the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06 +/- of an acre lease space, out of a parent tract of 3.75 +/- acres in Bastrop West Commercial Section One, Lot 2, Block A in an area zoned C2, Commercial being located in the city limits of Bastrop, Texas; setting out conditions; and providing an effective date.	B.2	165	Melissa McCollum

B.3 Citizen Comments.

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

1. Section 551.071 – Consultations with Attorney

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

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

D.1 Consideration, discussion and possible action on acceptance of Monthly Financial Reports for the period ending of December 31, 2011 and Quarterly Investment Report.	D.1	169	Karla Stovall
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D.2 Consideration, discussion and possible action concerning authorizing the City Manager to proceed forward with a pipe bursting project for the sanitary wastewater main running from Covert Chevrolet running east on the south side of State Highway 71 service road and then running southward to the general area between Comfort Suites/ Taco Bell. D.2 204 Mike Talbot

D.3 Consideration, discussion and possible action on appointment by Mayor and confirmation by Council of member to the Central Texas Clean Air Coalition of the Capital Area Council of Governments. D.3 211 Mayor Terry Orr

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.071(1)(A) and Section 551.071(2) (Consultations with Attorney) and Section 551.072 (Deliberations about Real Property) to discuss the following:

1. 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. Deliberations about Real Property: Acquisition, exchange, lease or value of real property:

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

F. ADJOURNMENT

CERTIFICATE

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Bastrop, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted the 20th day of January 2012 at 10:30 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: January 19, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **City Manager informational update report: Items for update, discussion and possible action:**
 - A. **Meetings and Events Attended:**
 1. **Lost Pines Groundwater Conservation District Board of Director's monthly meeting on January 18, 2012.**
 2. **Water Committee monthly meeting on January 17, 2012.**
 3. **Did special taping of "City Talk".**
 - B. **Update on City Projects:**
 1. **Construction of the new sidewalk behind the Library.**
 2. **Farm Street Project.**
 3. **Splash Pad Project.**
 4. **New sewer line for Fisherman's Park.**
 5. **Bastrop State Park Swimming Pool.**
 6. **Convention Center Well.**
 7. **Addressed issues associated with the zoning public hearing to be held on January 24, 2012, regarding a request to erect a cell tower.**
 8. **Brush pick-up in the City.**
 9. **Construction of Water Well I.**
 10. **Regional Water Plan – Region K.**
 11. **Bond review process for the issuance of water and wastewater revenue bonds.**
 12. **Buc-ee's Project.**
 13. **Back-up generators for Water/Wastewater operations.**
 14. **Community Development Block Grant (CDBG) – Gills Branch Sewer Project.**
 15. **A Special Meeting of the City Council regarding Smart Base Codes – February 7th or 8th.**
 - 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.**
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: January 12, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Approval of meeting minutes of January 10, 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: _____

January 10, 2012

The Bastrop City Council met in regular session on January 10, 2012 at 6:00 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, Bill Peterson and Kay Garcia McAnally.

ANNOUNCEMENTS**1. CALL TO ORDER**

At 6:00 p.m. Mayor Terry Orr called the meeting to order with all members present with the exception of Ken Kesselus and Julie Hart who were absent.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Kay Garcia McAnally led the pledges of allegiance to the U.S. and Texas flags. Reverend Shahan led the invocation.

3. PRESENTATIONS**A. CHARACTER EDUCATION – BASTROP STUDENT**

Nadia Pettit a Junior at Bastrop High School presented the Character Education character trait “Loyalty” for the month of January.

B. YMCA UPDATE – MARTHA HARRIS AND JAMES FINK, CEO YMCA

Martha Harris introduced Mr. James Fink, Chief Executive Officer of the Austin YMCA.

Mr. Fink stated that due to the hard times the YMCA is forced to look at how they can do things differently, be more creative – Bastrop is that kind of City. Mr. James Fink provided information on how YMCA partnered with the City of Austin and the cost savings.

C. PICTURE/PHOTO GIVEN TO CONVENTION CENTER – KATHY DANIELSON

Kathy Danielson, Convention Center Director stated the City had received a picture/photo from Tony & Rebecca Hanson to be displayed at the Convention Center. Ms. Danielson showed the picture/photo and stated the Art in Public Places Task Force will be asked to help decide where to place the picture in the Convention Center.

4. PROCLAMATIONS

There were no proclamations.

5. ANNOUNCEMENTS

Mayor Orr stated that Ms. Hart and Mr. Kesselus had other events that precluded them from attending the Council meeting tonight.

Mayor Orr stated the Council will continue on with the Agenda as follows: City Manager's Report, the Consent Agenda and Citizen Comments and then Council will convene into Executive Session.

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

- A. MEETINGS AND EVENTS ATTENDED:
 - 1. LOST PINE GROUNDWATER CONSERVATION DISTRICT MONTHLY MEETING – DECEMBER 14, 2011.
 - 2. PARKS BOARD MONTHLY MEETING – JANUARY 5, 2012.
- B. UPDATE ON CITY PROJECTS:
 - 1. CHRISTMAS LIGHTING IN FISHERMAN'S PARK.
 - 2. FARM STREET PROJECT.
 - 3. SPLASH PAD PROJECT.
 - 4. NEW SEWER LINE FOR FISHERMAN'S PARK.
 - 5. BASTROP STATE PARK SWIMMING POOL.
 - 6. PINE FOREST UNIT #6.
 - 7. ZONING PUBLIC HEARING TO BE HELD ON JANUARY 24, 2012 REGARDING A REQUEST TO ERECT A CELL TOWER.
 - 8. CONSTRUCTION OF WATER WELL I.
 - 9. REGIONAL WATER PLAN.
 - 10. BOND REVIEW PROCESS FOR THE ISSUANCE OF WATER AND WASTEWATER REVENUE BONDS.
 - 11. BUC-EE'S PROJECT.
 - 12. BRUSH PICKUP IN THE CITY.
- C. UPDATE ON CITY BUSINESS:
 - 1. CONVENTION CENTER ACTIVITIES.
 - 2. MAIN STREET PROGRAM ACTIVITIES.
 - 3. COMMERCIAL/RESIDENTIAL CONSTRUCTION PROJECTS IN THE CITY.
 - 4. YMCA ACTIVITIES.
- D. DEPARTMENT AND BOARD REPORTS.
- E. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

City Manager, Mike Talbot gave an informational update on the listed items except for Item #6.

Mr. Talbot stated the Parks Board has scheduled a Planning Retreat for January 29, 2012.

Ms. Garcia McAnally asked Mr. Talbot where the City was on the bridge project.

Mr. Talbot stated the Council had decided not to proceed with the bridge inspection because of cost.

Mayor Orr stated the Council will be looking at the bridge inspection again in the future.

Mayor Orr invited Dock Jackson to inform every one of the scheduled MLK events.

Dock Jackson addressed the Council and stated this is the 25th year of doing MLK scholarships and that program is scheduled for Sunday, January 15, 2012 at 3:00 p.m. at Mt. Rose Baptist Church. Mr. Jackson stated the 23rd MLK walk is in Smithville this year and is scheduled for Monday, January 16, 2012 beginning at 10:00 a.m.

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 DECEMBER 13, 2011.

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

A.3 RATIFICATION OF CITY COUNCIL MEETING SCHEDULE.

A.4 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY THE TEXAS STAR TRAIL RIDE, INC. TO HOST "THE TEXAS STAR TRAIL RIDE" ON WEDNESDAY, MARCH 7, 2012 AND THURSDAY, MARCH 8, 2012.

A.5 ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 1, ADDING NEW ARTICLE 1.15, ESTABLISHING A CODE OF ETHICS, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A.6 APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL OF MEMBER TO BASTROP PLANNING AND ZONING COMMISSION.

A.7 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING PROCEEDING WITH THE ISSUANCE OF CITY OF BASTROP, TEXAS CERTIFICATES OF OBLIGATION; DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND OTHER RELATED MATTERS.

City Manager Mike Talbot stated the dollar amount to be inserted into the Resolution listed under Consent Agenda Item A.7 should be \$5,250,000.00.

Mayor Orr read the caption of the Ordinance listed as Consent Agenda A.4.

Mayor Orr stated the Resolution in the Agenda Packed included a "Notice of Intention to Issue Certificates of Obligation" (page 84) in which there is a blank (which Mr. Talbot was referring to) and the dollar amount to be inserted into that blank is \$5,250,000.00.

Bill Peterson moved to approve the Consent Agenda. Seconded by Joe Beal and carried unanimously.

B. PUBLIC HEARINGS:

B.1 CITIZEN COMMENTS.

There were no citizen comments.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, SECTION 551.072 (DELIBERATIONS ABOUT REAL PROPERTY) TO DISCUSS THE FOLLOWING:

2. DELIBERATIONS ABOUT REAL PROPERTY: ACQUISITION, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY:

- a. CONSULTATION WITH TAX ATTORNEY MCCREARY/VESELKA – PINE FOREST UNIT #6.

At 6:55 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.072 (Deliberations about Real Property) to discuss the following:

- 2. Deliberations about Real Property: Acquisition, exchange, lease or value of real property:
 - a. Consultation with tax attorney McCreary/Veselka – Pine Forest Unit #6.

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 7:40 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.

City Manager, Mike Talbot recommended Council accept the Real Estate Contract presented to the City Council by the tax attorneys McCreary & Veselka; direct the City Manager to send a letter to the proposed developer and state that the developer is to comply with the checklist previously mailed to him, comply with other City Subdivision regulations and comply with the City Professional Fee Ordinance; and authorize the Mayor to sign the Real Estate Contract.

Joe Beal moved that the Council: 1) Accept the Real Estate Contract presented to the City Council by the tax attorneys McCreary & Veselka; 2) Direct the City Manager to send a letter to the proposed developer and state that the developer is to comply with the checklist previously mailed to him, comply with other City Subdivision regulations and comply with the City

Professional Fee Ordinance; and 3) Authorize the Mayor to sign the Real Estate Contract. Seconded by Kay Garcia McAnally and carried unanimously.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

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

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON FINAL WAY-FINDING PROJECT DESIGN AND IMPLEMENTATION STRATEGY.

Main Street Program Manager, Nancy Wood stated the Way-finding Project has progressed to final design recommendations from the Bastrop Main Street Program Advisory Board and the group is asking that this strategy be approved for implementation. Ms. Wood stated Curtis Roberts with fd2s, is present tonight to give a presentation on the Design Development and implementation strategy.

Curtis Roberts addressed the Council. Mr. Roberts gave a PowerPoint presentation on the process that was used to get to this point in the Way-finding project design. Mr. Roberts showed examples of the existing signs and proposed signage. Mr. Roberts stated the next phase is the implementation strategy.

Joe Beal stated he was extremely impressed with the presentation tonight and the process that was established and followed.

Mayor Orr thanked Nancy Wood for her leadership and her ability to garner volunteer work.

Kay Garcia McAnally thanked everyone who worked on this project.

Kay Garcia McAnally moved to approve the strategy for implementation of the Way-finding project as presented and direct the Main Street Program to move forward with the project. Seconded by Bill Peterson and carried unanimously.

Mayor Orr stated Mr. Robert Leffingwell had requested he be allowed to address the action taken by Council after the Executive Session.

Robert Leffingwell addressed the Council and stated he was not clear about the Council decision regarding Pine Forest Unit #6. Mr. Leffingwell stated the letter he had previously received from Mr. Talbot addressed a "new subdivision" and Pine Forest Unit #5 is a subdivision that was platted and recorded years ago. Mr. Leffingwell stated he does not feel the City's Subdivision Ordinance applies to him as the developer of Pine Forest Unit #6.

Mayor Orr stated the Council is trying to move forward with Pine Forest Unit #6 and if there are things on the checklist that Mr. Leffingwell feels is not applicable he should write a letter to him

stating such. Mayor Orr stated the truth is that this is a “new subdivision” regardless of when it was platted.

Grady Tuck addressed the Council and stated the Council had adopted a Resolution on December 14, 2010 based on information submitted at that time and that information contained basic maps and he feels the development agreement should be done in accordance with the information submitted at that time. Mr. Tuck stated a Development Agreement was submitted to the City’s Attorney, J.C. Brown and Ms. Brown had completely rewritten the Agreement and added requirements which were not applicable to this subdivision. Mr. Tuck asked that City Staff be instructed to abide by the Resolution of December 14, 2010 and based on the maps provided with that.

Mr. Beal stated he thinks he remembers what the Council did 15 months ago and the Council had a pretty lengthy discussion regarding Pine Forest Unit #6. Mr. Beal stated he would be shocked if there is a Resolution that establishes what the Development Agreement will look like for this project. Mr. Beal stated he does know that the City Manager has provided Mr. Leffingwell with a written checklist for a development agreement. Mr. Beal stated the motion he made tonight stated the City is going to enter into a Contract and the developer(s) are going to meet certain City Ordinances and in six (6) months if a development agreement is not signed, this goes away.

Discussion was held among Council, Mr. Talbot, Mr. Leffingwell and Mr. Tuck.

Mr. Leffingwell stated he will set up a meeting with Mike and will have all the documents ready by next Friday.

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF MONTHLY FINANCIAL REPORTS FOR PERIODS ENDING OCTOBER 31, 2011 AND NOVEMBER 30, 2011.

Finance Director, Karla Stovall presented the monthly Financial Reports for periods ending October 31, 2011 and November 30, 2011. Ms. Stovall reviewed the report.

Brief discussion was held among Council and Ms. Stovall.

Bill Peterson moved to accept the monthly Financial Reports. Seconded by Kay Garcia McAnally and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION CONCERNING AWARDED THE BID FOR CONSTRUCTION OF THE SIDEWALKS IMPROVEMENT PROJECT FROM THE CITY OF BASTROP LIBRARY TO FISHERMAN’S PARK.

City Manager, Mike Talbot stated the City opened bids for the “Sidewalk Improvement Project from the Library to Fisherman’s Park” on Monday, January 9, 2012. Mr. Talbot called the Council’s attention to the bid tabulation sheets and related materials which he distributed. Mr. Talbot stated Qro-Mex Construction has previously completed several projects for the City and their bid was considerably lower than the other bids. Mr. Talbot recommended awarding of the bid to Qro-Mex Construction in the amount of \$89,620.00.

Kay Garcia McAnally moved to award the bid for the construction of the “Sidewalks Improvement Project from the Library to Fisherman’s Park” to Qro-Mex Construction in the amount of \$89,620.00. Seconded by Bill Peterson and carried unanimously.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CONTRACT FOR ELECTION SERVICES BETWEEN BASTROP COUNTY ELECTIONS ADMINISTRATOR AND THE CITY OF BASTROP.

City Secretary Teresa Valdez stated included in the Agenda packet is the Contract for the Bastrop County Elections Administrator to conduct the City of Bastrop Special Election scheduled for March 3, 2012. Ms. Valdez stated for several years now the City has contracted with the County Elections Administrator to conduct the General and Special Elections. Ms. Valdez stated the reason for contracting with the County is: 1) To comply with state and federal laws setting the requirements for at least one ADA accessible voting system in each polling place that permit voters with physical disabilities to cast a secret ballot, and 2) To make it easier and quicker for voters to cast their ballots for all Federal, State, County and City elections at one location. Ms. Valdez stated prior to the City contracting with the County to conduct the City Elections, voters would have to go to City Hall to cast a ballot for a City election, then they would have to go to the school to cast a ballot for a school election, and then they would have to go to a County location to cast a ballot for County, State and Federal elections. Ms. Valdez stated she has reviewed the attached Contract and it ensures City compliance with state and federal laws pertaining to the requirements for an ADA accessible voting system that permit voters with physical disabilities to cast a secret ballot. Ms. Valdez stated Exhibit “C” shows the estimated cost for the election and this cost is much higher than the cost the City normally incurs during the General Election. Ms. Valdez stated the General Election is conducted in a joint election agreement with the School and County and costs are divided proportionally among the entities. Ms. Valdez stated she has visited with Nora Cano, Bastrop County Elections Administrator regarding the estimated costs for holding this Special Election and Ms. Cano stated that the County’s costs for rental and maintenance for the AutoMark voting equipment and the vote tabulator has increased. Ms. Valdez stated the costs presented by Ms. Cano to conduct the Special Election and attached as Exhibit “C” to the Contract, is the best price the County can present to the City.

Mayor Orr stated as the City is moving forward with the adopted amendments to the City Charter the City may be looking at Special Elections at a greater frequency then there has been in the past. Mayor Orr stated the City may have to develop a “Plan B” for conducting elections since the cost for conducting a Special Election is very high. Mayor Orr stated the fee for the rental of the Vote Tabulator is 46% of the total cost the County Elections Administrator presented. Mayor Orr stated he did not know how many voters the City anticipates for this Special Election but at that cost if 650 voters cast ballots the cost to the City is \$10.00 a vote. Mayor Orr stated he thinks the City needs to move forward with this for this Special Election but for future elections the City needs to develop a “Plan B”.

City Secretary, Teresa Valdez stated she agreed with the Mayor that the cost for this Special Election was very high. Ms. Valdez stated she had asked Ms. Cano if the ballots could be counted manually in order to save the City the cost of the Vote Tabulator and Ms. Cano stated she would not recommend that and she would not be willing to do that.

Joe Beal moved to approve the Contract for Election Services. Seconded by Kay Garcia McNally and carried unanimously.

D.5 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RESOLUTION CALLING FOR AND ESTABLISHING PROCEDURE FOR A SPECIAL ELECTION, BASTROP, TEXAS.

City Secretary, Teresa Valdez stated Council Member Bill Peterson resigned from City Council at the December 13, 2011 Council Meeting. Ms. Valdez stated the laws of the State of Texas and the City of Bastrop provide that a vacancy on the City Council must be filled by majority vote of the qualified voters at a Special Election held within 120 days after such vacancy. Ms. Valdez stated because of the 120 day timeline, various other State Election Law timelines, and the County Election Administrator's ability to meet required timelines, the only available date to conduct a Special Election is March 3, 2012. Ms. Valdez stated as City Secretary, she is recommending adoption of the Resolution calling for a Special Election on March 3, 2012.

Kay Garcia McNally moved to adopt the Resolution. Seconded by Joe Beal 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, SECTION 551.071(1)(A) AND SECTION 551.071(2) (CONSULTATIONS WITH ATTORNEY); AND SECTION 551.074 (PERSONNEL MATTERS) TO DISCUSS THE FOLLOWING:

1. 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:
 - a. COVERT SETTLEMENT AGREEMENT.
 - b. FORESTAR REINSTATED DEVELOPMENT AGREEMENT.
 - c. CITY ZONING ORDINANCE.
3. PERSONNEL MATTERS – CITY MANAGER.

At 8:43 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.071(1)(A) and Section 551.071(2) (Consultations with Attorney); and Section 551.074 (Personnel Matters) to discuss the following:

1. 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:
 - a. Covert Settlement Agreement.
 - b. Forestar Reinstated Development Agreement.
 - c. City Zoning Ordinance.
3. 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.

Joe Beal moved to approve the Hunters Crossing Restated Development Agreement, authorizing the City Manager to execute same on behalf of the City, and to withdraw funds escrowed by Forestar, pursuant to that Agreement, from Bastrop Abstract. Seconded by Kay Garcia McAnally and carried unanimously.

F. ADJOURNMENT

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

APPROVED:

ATTEST:

Terry Orr, Mayor

Teresa Valdez, City Secretary

CITY OF BASTROP

AGENDA ITEM

A.2

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 17, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Adoption of a Resolution of the City Council of Bastrop approving a project (Development of a strategic plan utilizing the services of a professional firm in a contract not to exceed \$52,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding \$10,000.**

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

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

On January 23, 2012, the Bastrop Economic Development Corporation Board of Directors approved the development of a strategic plan utilizing the services of a professional firm in a contract not to exceed \$52,000.

4. Policy Implication: _____

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

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

RESOLUTION NO. R-2012-

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

WHEREAS, the Board of the Bastrop Economic Development Corporation ("BEDC") met on January 23, 2012, and at that time took formal action to support and provide funds for various projects; and

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

WHEREAS, the City has reviewed the January 23, 2012, actions of the BEDC related to the project noted herein below, has considered and evaluated that project, and has found it meritorious of the Council's approval.

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

- (1) The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the BEDC:
 - a. To fund a Strategic Plan in an amount not to exceed \$52,000.
- (2) The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.
- (3) That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

READ and ACKNOWLEDGED on First Reading on the 24th of January 2012.

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

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: January 18, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Appointment by Mayor and confirmation by Council of Member to the Bastrop Parks Board.**

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

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: _____

From: "Todd McClanahan" <todd.mcclanahan@tpwd.state.tx.us>
Date: January 11, 2012 9:13:57 AM CST
To: "Terry Orr" <terry.orr@bastropfuture.com>
Cc: "Mike Talbot" <mtalbot@cityofbastrop.org>, "Todd McClanahan" <todd.mcclanahan@tpwd.state.tx.us>
Subject: Parks Board Recommendation

Terry, at the recent Parks Board meeting, we met Charlotte Pietsch who is interested in joining the board to replace Judi Hoover's unexpired term. The board voted to recommend her to you and council for review/approval. I believe she has completed the necessary paperwork/application. Please let me know if you have any other further questions. I believe Charlotte would be a great asset to the Parks Board.

tm

Todd McClanahan

Park Superintendent - Lost Pines Complex
Bastrop & Buescher State Parks
PO Box 518/3005 Hwy 21 East, Bastrop, TX 78602
512-321-1673 ext 3; 512-321-3300 (fax)

Click [HERE](#) to learn how YOU can help Texas State Parks

**City Of Bastrop
APPLICATION FOR
CITY BOARDS/COMMISSIONS/COMMITTEES**

For Year 2012

Please type or print clearly

Name: Charlotte Pietsch

Phone: 512.985.6903 (h) 512.321.7760 (w) 512.308.8232 (c)

Address (physical): 1820 Main Street ^{Ext. 212} Bastrop, Tx. 78602
Street City, State Zip Code

Address (mailing, if different): _____

Street/P. O. Drawer or Box	City, State	Zip Code

E-Mail Address: charlottep@familycrisiscenter.us

I have lived in Bastrop for 3 years. Do you reside within the city limits of Bastrop? ☒ Yes ☐ No

******Various boards, commissions, and committees of the City either allow for or require appointments of persons who reside in the County, the City's extraterritorial jurisdiction, and/or the Bastrop Independent School District. For more information on this, please refer to the Articles of Incorporation or By Laws of the entities of interest. The City Secretary is able to assist in obtaining copies of same upon request.******

Occupation or area of expertise: Crisis Advocate : Fundraising Manager

If retired, please indicate former occupation or profession: _____

Education (optional): _____

Professional and/or community activities:

Member Ladies Aux. American Legion -Bastrop post
Bastrop Fine Arts Guild Supporter

Additional pertinent information/references:

I have previous board experience, on Rural Chamber of Commerce's, past participation in strategic planning, and have served on numerous committees.

References

Lauren Jones	cell # 512-306-7760	co-worker
Lorene Callison	cell 512-517-9040	friend
Patty Hoerig	cell 512-923-0623	friend
Patthy Henzen	cell 512-569-2184	co-worker

Application for City Boards/Commissions/Committees For Year 2012

Page 2 of 2 pages

Please indicate the boards, commissions, or committees on which you wish to serve in order of preference (1st, 2nd, 3rd, . . .):

- _____ Bastrop Board of Adjustments
- _____ Bastrop Construction Standards Board of Adjustments and Appeals
- _____ Bastrop Economic Development Corporation (BEDC)
- _____ Bastrop Housing Authority
- _____ Bastrop Landmark Task Force Commission

Please ✓ the position(s) for which you are qualified to serve:

- ☐ Architect, Planner, Designer
- ☐ Licensed Real Estate Professional
- ☐ Own Commercial Historic Structure/Property
- ☐ Own Residential Historic Structure/Property
- ☐ General Resident of City of Bastrop
- ☐ Member of Planning & Zoning Commission

_____ Bastrop Main Street Advisory Board

1st _____ Bastrop Parks Board

- ☒ Reside within city limits
- ☐ Reside outside city limits but within BISO area limits

_____ Bastrop Planning & Zoning Commission

_____ Bastrop Public Library Board

- ☐ Reside within city limits
- ☐ Reside outside city limits but within BISO area limits

Please list any boards, commissions, and/or committees on which you currently serve:

At this time I serve on the Federal Correctional
Institute's Community Relations Board, I have participated
on this board since 2004,
Charlotta Pfeiffer

Signature of Applicant

1-9-12

Date

Please return this form to:

City of Bastrop
ATT: City Secretary
P.O. Box 427
Bastrop, TX 78602

FOR OFFICE USE ONLY:

Appointed to: _____ For: _____ year(s)

Date appointed: _____ Term expires: _____

Applications are kept on active file in the City Secretary's office for one (1) year, and applicants may be reconsidered should a new vacancy arise.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 17, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Approval of Special Event Permit Application submitted by the Family Crisis Center to host "Pedal Through the Pines" on Saturday, March 03, 2012.**
2. Party Making Request: **Jim Rebeck, Director of Public Works, Parks, & Recreation**
3. Nature of Request: (Brief Overview) Attachments: Yes X No
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No X N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) _____	_____	_____	_____
b) _____	_____	_____	_____
c) _____	_____	_____	_____
8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved X None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

Event: Pedal Thru the PinesDate(s): Sat 3/03/12Date Submitted: DEC 24 2011

Special Event Permit Application

Revised 9/29/2011

Parks Board meeting date: N/A Day Date Approved: Yes ☐ No ☐

Agenda deadline: Day Date **Date copies made:** Day Date

City Council meeting date: Tues 1/24/12 Day Date Approved: Yes ☐ No ☐

Agenda deadline: Tues 1/17/12 Day Date **Date sent to Secretary:** Day Date

Special Event Review Committee meeting date: Thurs 1/05/12 @ 9am Day Date Approved: Yes ☒ No ☐

Copied for: Special Event Review Committee (5) + event coordinators (1)

Date copies made: Day Date

Name of event: Pedal Thru The Pines (10th Annual)

Location of event: Bastrop High School

Purpose of event: Family Crisis Center fundraiser benefiting the

Date(s): 3-3-12 Day(s): Times: 6:00am to 4:00pm FCC Services

Setup: 3-3-12 Date 16:00am Time **Cleanup:** 3-3-12 Date 4:00pm Time

Name of organization: Family Crisis Center

Address of organization: physical 431 Old Austin Hwy mailing: P.O. Box 736 Bastrop, TX 78002

Event coordinator #1: Charlotte Pietsch

Daytime: 512-321-7760 Area Code/Number **Fax:** 512-321-7771 Area Code/Number **Cell:** 512-308-8232 Area Code/Number

E-mail address: charlottep@familycrisiscenter.us

Event coordinator #2:

Daytime: Area Code/Number **Fax:** Area Code/Number **Cell:** Area Code/Number

E-mail address:

Please submit the following where applicable:

Item	Item	Item
☒ Application signed & dated	☒ Map of activity route & site locations	☒ Sound Permit
☐ Banner permits	☒ Non-profit status proof	☐ TABC Certificate & City Letter
☐ Fireworks permit & safety plan	☒ Processing fee	
☒ Insurance certificate	☒ Security deposit <u>3 people</u>	

Event: 01/20/2012 Putt Thru the Pines

Date(s): Sat 3/03/12

Date Submitted: DEC 20 2011

Please describe event activities:

See 2(a)

Street closures: no street closures. P.D. will determine this.

Assistance from City departments (including Police Dept): Bothrop Police Dept. assisting with Parking & Intersections 1 Hwy 95 & Loop 150, Entrance to Batrop State Park
Sheriff Dept assisting at Entrance to Buescher State Park & Intersection Hwy 71 & Hwy 95.

Event: 01/20/2012 Pedal Thru The Pines

Date(s): Sat 3/03/12

Date Submitted: DEC 20 231

Please describe event activities:

The Family Crisis Center will host its 10th Annual Pedal Thru The Pines event on Saturday March 3, 2012; this is a fundraiser that benefits the Family Crisis Center and its services. The mission of the Family Crisis Center is to be the expert resource and service provider in eliminating domestic and sexual violence in Bastrop, Colorado, Fayette and Lee Counties.

The event begins and ends at Bastrop High School on Saturday March 3, 2012, cyclist's registration tables open at 6:00am and the event ride begins at 9:00am. Event volunteers will be staged at appropriate locations to assist with parking the morning of the event along with Bastrop Police Department staff; and we will once again ask for the Bastrop Police Department Citizens On Patrol to assist with morning event parking. We will use the High School parking lots, stadium parking lot and the parking areas at DSI located adjacent to BHS.

Cyclists choose a route from the 16, 27, 50 or 62 mile routes. All routes take cyclist thru Bastrop and Buescher State Parks. The 16 mile route exits Bastrop State Park via Alum Creek Road; the 27 milers exit Buescher State Park and travel to Hwy 71 back to the high school. 50 and 62 mile routes traverse cyclists thru Bastrop & Fayette counties and a small part of Lee County. All cyclists return via Hwy 71 to Bastrop High School. Rest Stops for cyclists are located at Buescher State Park, St. Mary's, Serbin, Winchester, Hwy 71 and Alum Creek. Each rest stop has refreshments for the cyclists and a general first aid kit, a call list with SAG driver phone numbers, EMS numbers, local law enforcement numbers, local Hospital numbers, event coordinator and supporting event staff phone numbers.

The event is supported with 12 to 14 SAG (Safety and Gears drivers) who provide support along the cycling routes, MS 150 Ride Marshalls and MS 150 Medics also support the event by riding the routes and supporting cyclists as needed. We have been asked by Bastrop Law Enforcement to cap our cycling event at 1,500 participants. This cap went into effect several years ago and we continue with the cap.

We clear the routes by 4:00pm of all cyclists. Additionally, we add City of Bastrop, MS 150, TX DOT to our Insurance Policy and you receive the paperwork in advance of the event. We also get required written letters of support from the following; Bastrop Police Chief, Bastrop Sheriff, and Fayette County Sheriff to satisfy our obligations to the MS 150 Lone Star Chapter that we partner with each year to be an MS 150 recommended training ride. Additional packets of information are mailed to local Ambulance companies in Bastrop, Fayette and Lee counties of the upcoming event.

Past Pedal Thru The Pines Sponsors have included BEDC, Bastrop Chamber of Commerce, local businesses and civic groups and local Austin and Houston cycle shops. We have participated in the Bastrop City Council HOT Funds Application process and have been awarded monies this year that will be used for the purchase of the cyclists' event t-shirts. We have created a survey tool that will be used to capture cyclists information about their stay in Bastrop that is required by the City of Bastrop and HOT Fund Application Process. Other partnerships with the FCC and the Pedal event include; Austin Jr. League (which we have been awarded funds thru their project programs and Done-In A-Day-Projects recipient in past years as well as being granted this year), HEB Partners locally and HEB Austin District Office support and volunteer participation, MS 150 Lone Star Chapter Partner. It is always an honor to receive support both locally and from the surrounding Bastrop county area. The Pedal Steering Committee members work diligently each year to plan and execute a successful fundraising event for the Center and bring the cycling communities near and far together to enjoy a fun filled day in Bastrop.

2(a)

Please submit the following with application where applicable:

Processing Fee:

- ☐ NO FEE because: _____
 - \$100.00 with proof of non-profit status
 - \$300 for all others
 - Shall **NOT** be waived
 - Must accompany submitted application
 - Cashier's Check or Money Order issued by US Post Office made payable to City of Bastrop
 - Fee paid with: Cashier's Check # 520320 or Money Order # _____
- need these received 1/05/12*

Security Deposit Fee:

- ☐ NO FEE because: _____
 - \$500.00
 - Shall **NOT** be waived
 - Must accompany submitted application
 - Refunded if City property is clean and free of litter and damage after the event
 - Cashier's Check or Money Order issued by US Post Office made payable to City of Bastrop
 - Fee paid with: Cashier's Check # 520321 or Money Order # _____
- need these received 1/05/12*

Insurance Certificate:

- General liability policy in the amount of one-million dollar (\$1,000,000.00)
- The City of Bastrop must be **named** as an insured party
- Additional affected entities must be **named** as insured parties (i.e., BEDC)
- ☒ Submitted with application
- ☒ Will be submitted when received from insurance carrier
- ☐ DBA insurance carrier
- ☐ Chamber of Commerce insurance carrier
- ☐ City of Bastrop insurance carrier

Comments: Traveler's

Site Map Showing Locations of the Following:

- Vendors; temporary structures (*booths, stages, tents, Moonwalks, carnival rides, etc.*); trailers; vehicles; bikes and motorcycles; watercrafts; aircrafts; equipment; amplification devices; portable toilets; traffic flow for pedestrians, vehicles, and other activities; emergency medical stations; fire lanes, etc
- Proposed detours and street closures
- Route for parade, race, or other similar activity, showing start and finish locations
- Map submitted: ☒ Yes ☐ No

Comments: _____

Sound Permit for Amplified Music, Voices, or Activities (*show location[s] on map*):

- ☐ No, not needed
- ☒ Yes: Permit obtained from Public Works, Parks, & Recreation Department submitted

Comments: Plan to have DJ Crazy Kirby making announcements

Event: 01/20/2012 Pedal thru the Pines

Date(s): Sat 3/03/12

Date Submitted: DEC 29 2011

Please complete the following (may continue on separate sheet of paper if necessary). Mark "N/A" if not applicable.

Admission Fees:

- ☐ No
- ☐ Yes: If yes, describe: cyclist registration fee
- Open to public: ☐ Yes ☐ No

Alcoholic Beverages:

- ☒ No
- ☐ Yes. A copy of the TABC (Texas Alcohol Beverage Commission) certificate must be presented to the City Manager for his signature approval; and the City Manager will provide a letter of approval to submit to TABC with their certificate.

Comments: _____

Animals (show location[s] on map):

- ☒ No
- ☐ Yes: Describe types of animals used and plans for handling animal waste: _____

Attendance:

- Anticipated approximate number of persons attending each day of event: 1,500
- Approximate number of volunteers and workers: 75 plus volunteers

Banner Permit:

- Obtain Permit for banners hung on City property. Banners should have air-flow slits to prevent tears and grommets to hold rope. Please provide ropes for hanging. They will be returned to you.
☒ No ☐ Yes: How many? _____ Location? _____
- Banners hung on TXDOT right-of-ways require Permit Form 2057 obtained from Department of Transportation on Hwy 21 and Loop 150, (512) 321-2221. **BANNERS HUNG OVER COLLEGE/PECAN FEEDER ROAD NEXT TO HWY 71 MUST BE MADE OF MESH AND HAVE GROMMETS. PLEASE PROVIDE 10 TO 12 SNAP RINGS AND ROPE FOR HANGING BANNERS. THESE WILL BE RETURNED TO YOU.**
☐ No ☐ Yes
- Banners not retrieved within one (1) week after completion of event may be disposed, destroyed, or otherwise handled as deemed appropriate due to lack of storage space

Comments: Banners on site @ start and finish lines.

Electrical Requirements (show location[s] on map):

- ☒ No
- ☐ Yes: Describe amperage, voltage, and apparatus needs for all activities and vendors: _____

Event: 01/20/2012 BHS The Pines

Date(s): Sat 3/03/12

Date Submitted: DEC 29 2011 ²⁶

Emergency Services (show location[s] on map):

- First aid station: ☐ No ☒ Yes: Location: Burescher State Park + rest stop location
- Ambulance service on stand-by: ☒ Yes ☐ No

Fireworks Permit (show location[s] on map):

- ☒ No
- ☐ Yes: Contact State Fire Marshal's office in Austin, (512) 305-7932, www.tdi.state.tx.us
- Person or group handling the firework display: _____

Comments: _____

Inspections (show location[s] on map):

- Temporary structures (stages, booths, tents, canopies, Moonwalks, carnival rides, etc.) and special electrical and water/wastewater needs must be inspected prior to the event
- Flame-retardant material certificate provided to inspector for structures equal to or larger than 200 square feet in diameter
- Contact City of Bastrop Building Official at (512) 332-8840 to schedule an appointment

Comments: N/A

Litter Control (show location[s] on map):

- Describe in detail number, size, location, and removal of trash receptacles and disposal of contents: we will collect + dispose of all litter/garbage from BHS location.
- Cook-off: ☒ No
- Cook-off: ☐ Yes: _____-yard roll-off dumpster ordered by and at applicant's expense: _____

Parking (show location[s] on map):

- Coordination and cost is the responsibility of the Applicant. Describe in detail plans for remote parking area(s) and/or shuttle service to and from parking areas to event, if applicable:

Comments: Parking @ Bastrop High School, stadium area + no shuttle services. Will discourage parking at DST PAC.

Portable Toilets (show location[s] on map):

- ☐ No
- ☒ Yes: Number and location of units ordered (Jackpot Portable Toilets 512/303-1466 or American PortaCan of Texas 866/315-0990):

Comments: will use Jackpot Portable Will be delivered on Fri 3/02/12
porties @ High School + rest stop locations
to BHS parking lot.

Rodeo Arena:

- ☒ No ☐ Yes: Contact Linda Waxman @ (512) 303-4321

Comments: _____

Security Plan:

- ☒ No ☐ Yes: Off-duty Bastrop police officers may be available for a fee. Call (512) 332-8600 for information

Comments: no security needed PD & volunteers

Show Barn:

- ☒ No ☐ Yes: Contact Allen Stewart @ (512) 413-8512 or Phyllis Mathison @ (512) 332-6001

Comments: _____

Signage (show location[s] on map):

- ☐ No
- ☒ Yes: Describe number of, location, and type of proposed on-site and off-site signage: TX DOT Approved signs from Bastrop High School, Hwy 95, Loop 150 + SAG teams will remove signs afterwards. Hwy 71

Street Closures: (show location[s] on map):

no closures PD. will determine if needed and where.

Temporary Structures, i.e., Booths, Stages, Tents, Moonwalks, Carnival Rides, Etc (show location[s] on map):

- ☒ No
- ☐ Yes: Describe types and uses for event. Identify the person(s) or group using the structure(s): _____

Vehicles (i.e., car shows), **Equipment, Trailers** (i.e., for stages), **Watercrafts, Aircrafts, Bicycles, Motorcycles, etc** (show location[s] on map):

- ☐ No
- ☒ Yes: Describe types and uses for event: bicycles - cycling event SAG teams.

Vendors (show location[s] on map):

- Vendors should have valid tax ID numbers if selling their wares
- Other than food: ☒ No ☐ Yes
- Food vendors: ☒ No ☐ Yes: Each food vendor, whether selling or giving away food, is responsible for obtaining his/her own temporary permit from **Bastrop County Health and Sanitation Department**, 806 Water Street, (512) 332-7276 or (512) 581-7176:

Comments: _____

Water/Wastewater (show location[s] on map):

- ☒ No
- ☐ Yes: Describe water needs and for disposal of wastewater, including capture and containment, as approved by

Water/Wastewater Department: _____

Signature Page

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

Charlotte Pietsch
Charlotte Pietsch

12/13/1

Date _____

Special Event Review Committee Signatures

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

Matthieu Wagner

1-5-12

Date _____

☒ Police Department

Richard Tall

1-18-12

Date _____

☒ **City Manager**

Steve Forbo

1-5-12

Date _____

☒ **Public Works & Parks Department**

Bastrop Power & Light Department

Date _____

☐ **Water/Wastewater Department**

Date _____

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



Total Through the Pines
Sat 3/03/12

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

FIRST NATIONAL BANK

BASTROP ★ ELGIN ★ SMITHVILLE

Member FDIC

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

SS

January 04, 2012

CASHIER'S CHECK

520320

\$100.00

Purchaser: BASTROP COUNTY WOMEN SHELTER

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

PAY TO THE ORDER OF: CITY OF BASTROP

Lylia Swearingen
 Authorized Signature

⑈ 5 203 20⑈ ⑆ 114904953⑆

⑈ 187898⑈

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

FIRST NATIONAL BANK

BASTROP ★ ELGIN ★ SMITHVILLE

Member FDIC

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

SS

January 04, 2012

CASHIER'S CHECK

520321

\$500.00

Purchaser: BASTROP COUNTY WOMEN SHELTER

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

PAY TO THE ORDER OF: CITY OF BASTROP

Lylia Swearingen
 Authorized Signature

⑈ 5 203 21⑈ ⑆ 114904953⑆

⑈ 187898⑈

01/20/2012
Internal Revenue Service
District Director

1100 COMMERCE STREET
DALLAS, TX 75242 0000

Pedal Through the Pines
Sat 3/03/12
30
Department of the Treasury
DEC 20 2011

Date: FEB 17 1989

BASTROP COUNTY WOMENS SHELTER INC
P O BOX 736
BASTROP, TX 78602

Employer Identification Number:
74-2304542

Contact Person:
EO TECHNICAL ASSISTOR
Contact Telephone Number:
(214) 767-3526

Our Letter Dated:
July 10, 1984
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(1).

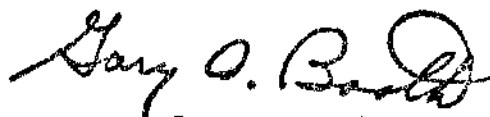
Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions please contact the person whose name and telephone number are shown above.

Sincerely yours,



Gary O. Booth
District Director

01/20/2012

Pedal Through The Pines

3/03/12

Saturday

DEC 20 2011

31

OP ID: MZ



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/19/11

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) 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 TX Assoc-Smithville P O Box 29 Smithville, TX 78957 Shirley J. Cameron		512-360-2565 512-237-3294	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: FAMIL-7		FAX (A/C, No):
INSURED Family Crisis Center PO Box 736 Bastrop, TX 78602		INSURER(S) AFFORDING COVERAGE			NAIC #
		INSURER A: Travelers			19038
		INSURER B: Texas Mutual Insurance Co			525190
		INSURER C: Philadelphia Insurance Cos			23850
		INSURER D: US Liability Insurance Company			
		INSURER E:			
		INSURER F:			

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	GENERAL LIABILITY			PHPK690018	03/12/11	03/12/12	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
							GENERAL AGGREGATE \$ 3,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 3,000,000
		☐ POLICY ☐ PRO-JECT ☐ LOC					\$
C	AUTOMOBILE LIABILITY			PHPK690018	03/12/11	03/12/12	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	☒ SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	☒ HIRED AUTOS						\$
☒ NON-OWNED AUTOS			\$				
	UMBRELLA LIAB	☐	☐				EACH OCCURRENCE \$
	EXCESS LIAB	☐	☐				AGGREGATE \$
	DEDUCTIBLE						\$
	RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			TSF0001079323	05/20/11	05/20/12	WC STATU-TORY LIMITS \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	☐	N/A				E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below.						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Crime			105244652	03/01/11	03/01/12	Crime 500,000
C	Property Section			PHPK542120	03/12/11	03/12/12	Ded 5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Event 3/3/12 Pedal thru the Pines

CERTIFICATE HOLDER

CANCELLATION

City of Bastrop
 PO Box 427
 Bastrop, TX 78602

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

AUTHORIZED REPRESENTATIVE

W. R. Reynolds

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01/20/2012



THE
BRANCH
MARKET
PLACE

CLINIC

LOOP 150
COLORADO
CENTER

JONES
HIGGINS

SAOJA WATER

PERKINS

STATE HIGHWAY 71

ERMEDEATE
SCHOOL

FISHERMAN'S
PARK

POST OFFICE
LIBRARY

CITY
MALL

GOVERNMENT
COLLEGE

M L KING
ELEMENTARY
SCHOOL

STATE HIGHWAY 95

UNION PACIFIC RAILROAD

11 ELEMENTARY
SCHOOL

MIDDLE
SCHOOL

ERNARD
FIELD

HIGH
SCHOOL

CHAMBERS

WASHINGTON

Pedal Through the Pines³²
Sat 3/03/12

DEC 20 2011

COLORADO
RIVER

ALLBRIGHT

LINCOLN DR.

ROOSEVELT

GARFIELD

CARTER

PERSIMMON

WILSON

21 CHURCH

BUTTONWOOD

MAIN

WATER

PECAN

JEFFERSON

CEDAR

HILL

CATALPA

FAYETTE

WILHELM

ELM

CYPRESS

SMITH

ELGIN

OSCAR

DELANO

CYPRESS

ROSA

WASHING

HOFFM

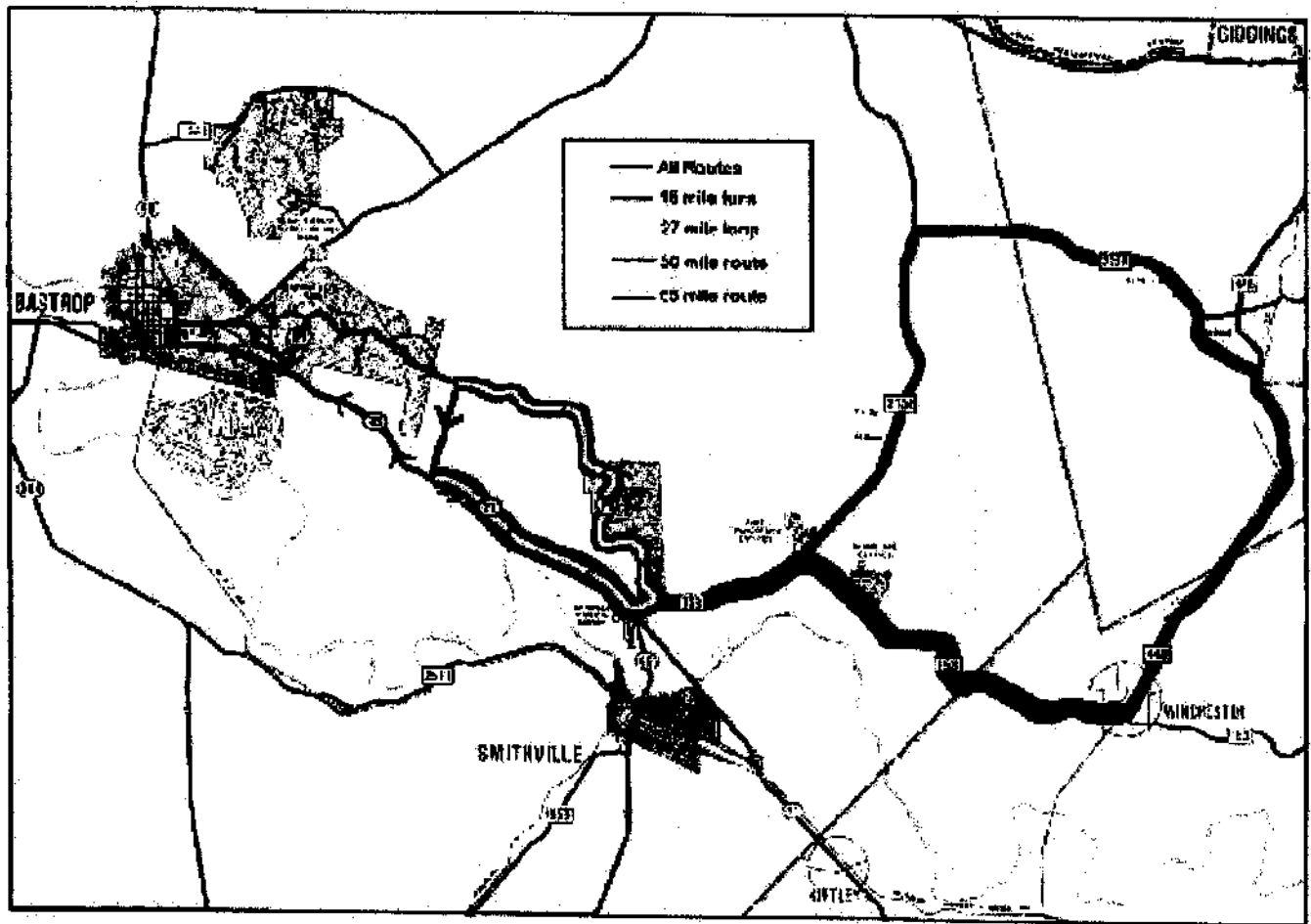
DSI
parking

01/20/2012

Pedal Thru The Pines Trip Ticket

Sat 3/03/12

JAN 10 2011



16 miler Leg Total

Out on Cypress St.
Right on Hwy 95 at .14 miles
Left on Hwy 21 at .66 miles
Right off hwy, left into park at 1.5 miles
Right on Park Road at 1.54 miles
Right on Park Road 1C 2.13 miles 3.67 miles
Right on Alum Creek Road 3.56 miles 7.2 miles
Rest Stop 1.88 miles 9.1 miles
Right on Hwy 71
Right on Hwy 95 North 5.5 miles 14.6 miles
Left on Cypress St. .9 miles 15.5 miles
Finish Line .14 15.65 miles

27 Miler Leg Total

Out on Cypress St.
Right on Hwy 95 at .14 miles
Left on Hwy 21 at .66 miles
Right off hwy, left into park at 1.5 miles
Right on Park Road at 1.54 miles
Right on Park Road 1C 2.13 miles 3.67 miles
Rest Stop 10.43 miles 15.2 miles
Right on Park Road 1C
Right on Hwy 153 1 miles 16.2 miles
Right on Hwy 71W .4 miles 16.6 miles
Rest stop at Alum Creek Rd 4.34 miles 20.9 miles
Continue on Hwy 71W
Right on Hwy 95 North 5.5 miles 26.4 miles
Left on Cypress .9 miles 27.3
Finish Line .14 miles 27.44 miles

50 Miler Leg Total

01/20/2012

Out on Cypress St.
Right on Hwy 95 at .14 miles
Left on Hwy 21 at .66 miles
Right off hwy, left into park at 1.5 miles
Right on Park Road at 1.54 miles
Right on Park Road 1C 2.13 miles 3.6 miles
Rest Stop 10.43 miles 14.1 miles
Right on Park Road 1
Left on Hwy 153 1 miles 15.1 miles
Top of hill right on Hwy 153 2.6 miles 17.7 miles
Winchester Rest Stop 7.5 miles 25.2 miles
Go Back on Hwy 153
Left at Stop Sign 7.5 miles 32.7 miles
Right on Hwy 71W 3.0 miles 35.7 miles
Rest stop at Alum Creek Rd 4.34 miles 40.0 miles
Continue on Hwy 71W
Right on Hwy 95 North 5.5 miles 45.5 miles
Left on Cypress St. 1.15 miles 46.7 miles
Finish Line .14 miles 46.83 miles
Hm not 50 maybe you could just ride around to get to 50

Metric Century Leg Total

Pedal 34-
Sat 3/03/12

Out on Cypress St.
Right on Hwy 95 at .14 miles
Left on Hwy 21 at .66 miles
Right off hwy, left into park at 1.5 miles
Right on Park Road at 1.54 miles
Right on Park Road 1C 2.13 miles 3.6 miles
Rest Stop 10.43 miles 14.1 miles
Right on Park Road 1
Left on Hwy 153 1 miles 15.1 miles
Straight onto Hwy 2104 2.6 miles 18.8 miles
Reststop St. Mary's Church 3.1 miles 21.9 miles
Right on FM 2239 4.3 miles 26.2 miles
Wendish Museum Reststop 6.2 miles 32.4 miles
Continue on 2239
Right on FM 448 0.8 miles 33.2 miles
Right on FM 153 8.9 miles 42.1 miles
Cross RR track to Reststop 1.1 miles 42.3 miles
Continue on Hwy 153
Left at Stop Sign 7.5 miles 49.8 miles
Right on Hwy 71W 3.0 miles 52.8 miles
Reststop at Alum Creek R 4.34 miles 57.1 miles
Continue on Hwy 71W
Right on Hwy 95 N 5.5 miles 62.6 miles
Left on Cypress St .9 miles 63.5 miles
Finish Line 0.14 miles 63.64 miles
Oops went a little over 62.137 miles sorry!

Event: Pedal Thru the Pines Date(s): Sat 3/03/12 Date Submitted: DEC 20 2011 ³⁵

Sound Permit Application

Revised 5/7/2011 1:48 PM

City of Bastrop – Public Works, Parks, & Recreation
1209 Linden Street; Bastrop, Texas 78602
Tel: (512) 321-3957 Metro: (512) 303-7035 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: Family Crisis Center

Address: ^{mailing} PO Box 736 Bastrop, TX 78602

Phone No: 512-321-7760 Fax No: 512-321-7771

E-mail address: Charlotte@familycrisiscenter.us

Date(s) of event, rental, or activity: 3-3-12

Name of event or activity: Pedal Thru The Pines

Location(s) of event, rental, or activity: Bastrop High School

Location(s) of amplified sound equipment: Bastrop High School

Start time (AM or PM): 6:00am End time (AM or PM): 4:00pm

Number of speakers used: 2 Number of amplifiers used: 1

Comments: Plan to have DJ Crazy Kirby make announcements.

Charlotte Puffer

Signature of Applicant

12/13/11

Date

Event: 01/20/2012 Pedal Through the Pines

Date(s): Saturday 03/03/12

Date Submitted: 12/20/11³⁶

Location(s): BHS, Hwy 95 & 71, State & Beuscher Parks, county

Rev Committee Mtg: Thurs 1/05/12 9am Parks Board Mtg: N/A

Council Mtg: 1/24/12

Special Event Walk-Through Review List

Revised 12/21/2011 9:01 AM

Today's Date: Thurs 1/05/12
Day Date

Set Up Days, Dates, and Times: 3/02/12 Frid

Clean up Days, Dates, and Times: F 2:00 pm done by 4:00 pm

Admission Fees: _____

Alcoholic Beverages: _____

Animals: _____

Attendance: 1500 Volunteer ID's: Pedal T-shirts, staff badges, vests, signs

Banners: start/finish

Electrical Requirements: N/A

Emergency Services (First Aid station/ambulance service): Polasky SAG drivers w/kits, call list
OR Beuscher rest stop, kits to

Fireworks Permit: _____

Inspections: N/A ambulance services

Litter Control: group handles all

Parking: Not PAC. volunteers entrances. BHS, Stadium, DSI

Portable Toilets: delivered to HS 3/02/12 Fri

Rodeo Arena: N/A

Security Plan: PD & volunteers

Show Barn: N/A

Signage: TV Dot permits - day before. SAG removes

Sound Permit: Yes Crazy Kirby

Street Closures: Usual - see app

Temporary Structures: N/A

Vehicles, Equipment, Trailers, Watercrafts, Aircrafts, Bicycles, Motorcycles, etc: _____

Vendors (permits/power cords): N/A

Water/Wastewater: _____

Notes: Mark suggested start @ B. State Park next year.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 18, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Approval of request to accept the public utilities within Hunters Crossing Subdivision, Sections 3D and 5A.**

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

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

During the process of auditing and closing out files within Hunters Crossing Subdivision, staff noted that the public utilities constructed for Hunters Crossing Section 3D and 5A were never officially accepted by City Council. This is a cleanup item.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation:

Staff recommends acceptance of the public improvements within Hunters Crossing Subdivision, Section 3D and 5A. The applicant has complied with all requirements of the Subdivision Ordinance. The subdivision plat for Section 3D was recorded at the County in 2005 and Section 5A was recorded in 2006. The acceptance of the public utilities by City Council will be documented in the files.

9. Advisory Board: _____ Approved _____ Disapproved _____ None

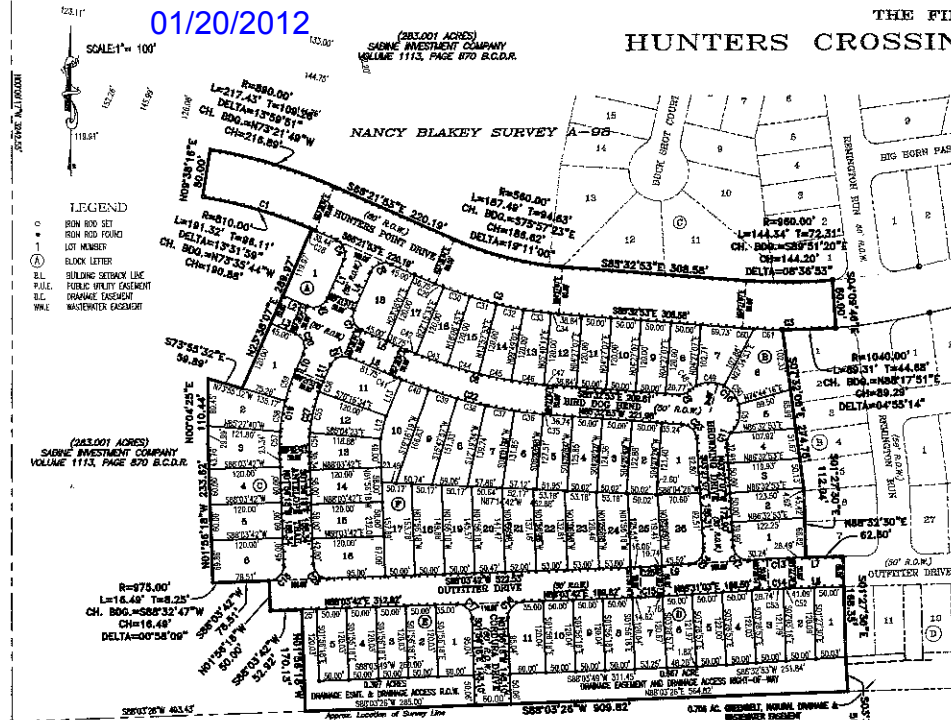
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Action Taken: _____

01/20/2012

THE FINAL PLAT OF
HUNTERS CROSSING SECTION THREE D

38

LOTS LESS THAN 50' WIDE
AT RIGHT-OF-WAY FRONTAGE

SECTION 3D	FRONTAGE	RADIUS
1	50'	
2	50'	
3	50'	
4	50'	
5	50'	
6	50'	
7	50'	
8	50'	
9	50'	
10	50'	
11	50'	
12	50'	
13	50'	
14	50'	
15	50'	
16	50'	
17	50'	
18	50'	
19	50'	
20	50'	
21	50'	
22	50'	
23	50'	
24	50'	
25	50'	
26	50'	

STATE OF TEXAS
COUNTY OF BASTROP

I, CHARLES R. BRIGANCE JR., P.E., DO HEREBY CERTIFY THAT THE STREETS AND DRAINAGE DESIGN, AS SHOWN HEREON, COMPLETES WITH THE SUBDIVISION REGULATIONS FOR THE CITY OF BASTROP, AND THAT THE 100 YEAR FLOOD PLAN IS AS SHOWN AND WILL BE CONTAINED WITHIN THE DRAINAGE EASEMENT AND OR DRAINAGE RIGHT-OF-WAY, AS SHOWN HEREON.

WITNESS MY HAND, THIS 20th DAY OF JULY, 2012, A.D.

STATE OF TEXAS
COUNTY OF BASTROP

I, ROSE HETSCH, CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF ADOPTION WAS FILED FOR RECORD IN MY OFFICE ON THE 20th DAY OF JULY, 2012, A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT BOOK 100, PAGE 100.

WITNESS MY HAND AND SEAL OF OFFICE, THIS 20th DAY OF JULY, 2012, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THE STREET NAMES, AS SHOWN HEREON, PROVIDE CONTINUITY WITH EXISTING STREETS AND DO NOT CONFLICT WITH IDENTICAL OR SIMILAR NAMES.

STATE OF TEXAS
COUNTY OF BASTROP

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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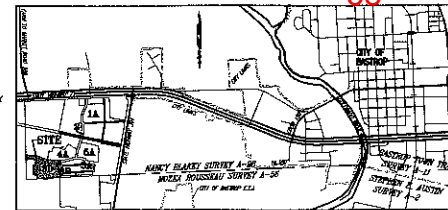
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WITNESS MY HAND AND SEAL OF OFFICE, THIS 20th DAY OF JULY, 2012, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LOCATION MAP
NOT TO SCALE

APPROVED THIS 20th DAY OF JULY, 2012, A.D.

BY THE CITY COUNCIL OF BASTROP COUNTY, TEXAS.

APPROVED: TOW SCOTT, MAYOR OF THE CITY OF BASTROP, TEXAS

ATTEST: CITY SECRETARY, CITY OF BASTROP, TEXAS

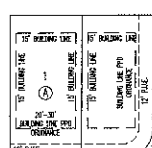
DATE: AUG. 15, 2004

FLOOD PLAN NOTE:

NO PORTION OF THIS TRACT LIES WITHIN A DESIGNATED FLOOD HAZARD AREA, ZONE A, AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION RATE MAP NO. 48021 C 0112 C, AND 48021 C 114 C FOR BASTROP COUNTY, TEXAS, DATED AUGUST 19, 1991.

GENERAL NOTES:

- THIS SUBDIVISION CONTAINS 16,308 ACRES IN 67 SINGLE FAMILY RESIDENTIAL LOTS.
- STREETS 40' IN WIDTH ARE REQUIRED ALONG BOTH SIDES OF ALL STREETS, EXCEPT HUNTERS POINT DRIVE WHERE 80' STREETS ARE REQUIRED ALONG BOTH SIDES.
- RESIDENTIAL DRIVEWAY ACCESS IS PROHIBITED FROM HUNTERS POINT DRIVE.
- BUILDING LINES SHALL CONFORM TO THE FLOOD ORDINANCE APPROVAL BY THE CITY OF BASTROP.
- A 12' PUE IS HEREBY DEDICATED ADJACENT TO AND PARALLEL WITH ALL THE STREETS IN THIS SUBDIVISION.
- LOTS IN THIS PLAT ARE SUBJECT TO "ACCELERATION FEES" FOR WATER AND WASTEWATER SERVICE FROM THE CITY OF BASTROP. THESE "ACCELERATION FEES" ARE NOT TO EXCEED \$2,000 PER SERVICE UNIT EQUIVALENT (SUE) AS PER DEVELOPER AGREEMENT VOLUME 1353, PAGE 040-002C.
- ALL LOTS IN THIS PLAT ARE PART OF PLANNED DEVELOPMENT ZONING, CITY OF BASTROP ORDINANCE NO. 2003-35.
- LOTS IN THIS PLAT ARE WITHIN THE HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT (PID). THE LOTS AND ALL OTHER PROPERTY WITHIN THE PID, ARE SUBJECT TO PID ASSESSMENTS. THE PID IS RESPONSIBLE FOR MAINTENANCE OF COLLECTOR STREET RIGHT OF WAY, LANDSCAPING, PARKLAND AND TRAIL MAINTENANCE, LANDSCAPING AND GRASS MAINTENANCE.
- ACCESS IS DENIED TO AND FROM HUNTERS POINT DRIVE BY LOT 1, BLOCK A, AND LOTS 8 THROUGH 18, BLOCK B. ACCESS IS DENIED TO AND FROM BIRD DOB DRIVE BY LOT 1, BLOCK A, LOT 18, BLOCK B, AND LOT 11, BLOCK F. ACCESS IS DENIED TO AND FROM ANTELOPE TRAIL BY LOT 1, BLOCK C, ACCESS IS DENIED TO AND FROM DUTTFIELD DRIVE BY LOT 1, BLOCK B, LOT 6, BLOCK C, AND LOT 10, BLOCK D. ACCESS IS DENIED TO AND FROM DROWNING DRIVE BY LOTS 1 AND 28, BLOCK F. ACCESS IS DENIED TO AND FROM DORADO DRIVE BY LOT 1, BLOCK E AND LOT 11, BLOCK D.



OWNER:
SABINE INVESTMENT COMPANY
ADDRESS: 1015 MAIN STREET
BASTROP, TEXAS 78602
PHONE: (512) 303-0060
FAX: (512) 303-7392

ENGINEER AND SURVEYOR:
CHARLES R. BRIGANCE JR., P.E.
5401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748
PHONE: (512) 290-9100
FAX: (512) 290-6185

TOTAL ACRES: 17.301 ACRES

SURVEY: NANCY BLAKEY SURVEY, A

DRAINAGE EASEMENTS
AND ACCESS RIGHT-OF-WAYS
NO. OF RESIDENTIAL LOTS:
NO. OF BLOCKS:

F.E.M.A. MAP NO. 48021 C 0112 C AND 48021 C 114 BASTROP COUNTY, TEXAS DATED JULY 8, 2004.

SHEET 3 OF 25

C. R. BRIGANCE JR., P.E.

C. R. BRIGANCE JR., P.E.

C. R. BRIGANCE JR., P.E.

C. R. BRIGANCE JR., P.E.

C. R. BRIGANCE JR., P.E.

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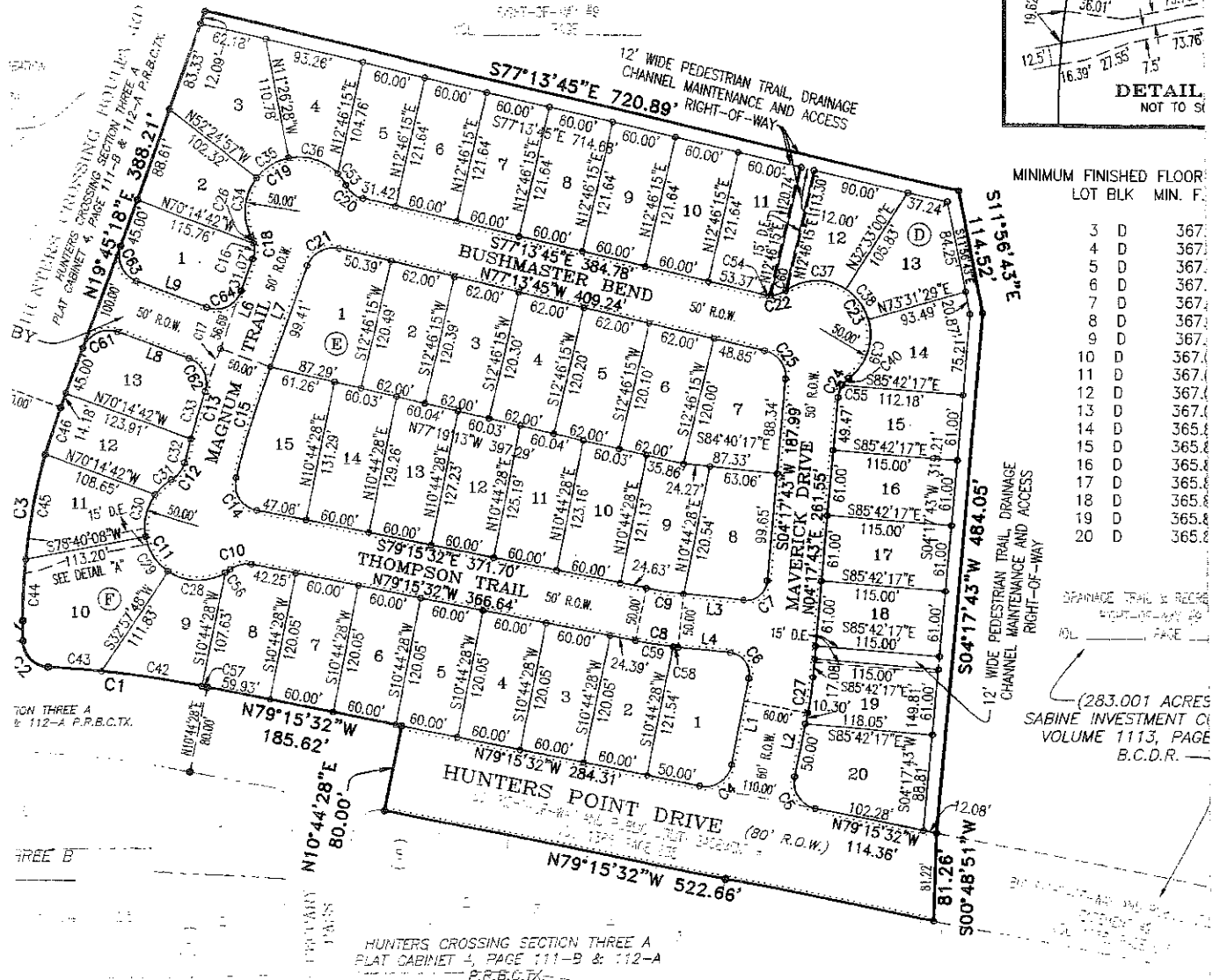
Hunters Crossing Section 5A

NANCY BLAKEY SURVEY, A-98

DRAINAGE TRAIL & PEDESTRIAN

RIGHT-OF-WAY 40'

100' 100'



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 18, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Approval of the expiration of the Preliminary Plat for Phase II of the B & B Subdivision located within Building Block 113 being 1.371 acres in the city limits of Bastrop, Texas.**

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

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

City Council approved the Preliminary Plat for B & B Subdivision Replat Phase 1, Lot 1 and Phase 2 on February 9, 2010. Phase 1, Lot 1, is the location of the Sac N Pac Shell Station and Kentucky Fried Chicken Restaurant, was final platted March 9, 2010.

Phase 2, Lot 2 remains in the approved Preliminary Plat stage. However, Section 4.10.6 Expiration of Preliminary Plat Approval in the Subdivision Ordinance states that a Preliminary Plat expires at the end of one hundred and eighty (180) days from the date of City Council action unless a final plat has been submitted to City Council. City Council may grant an extension if a request in writing is received. The City Council previously approved three (3) extension requests, each extension for an additional six (6) months.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

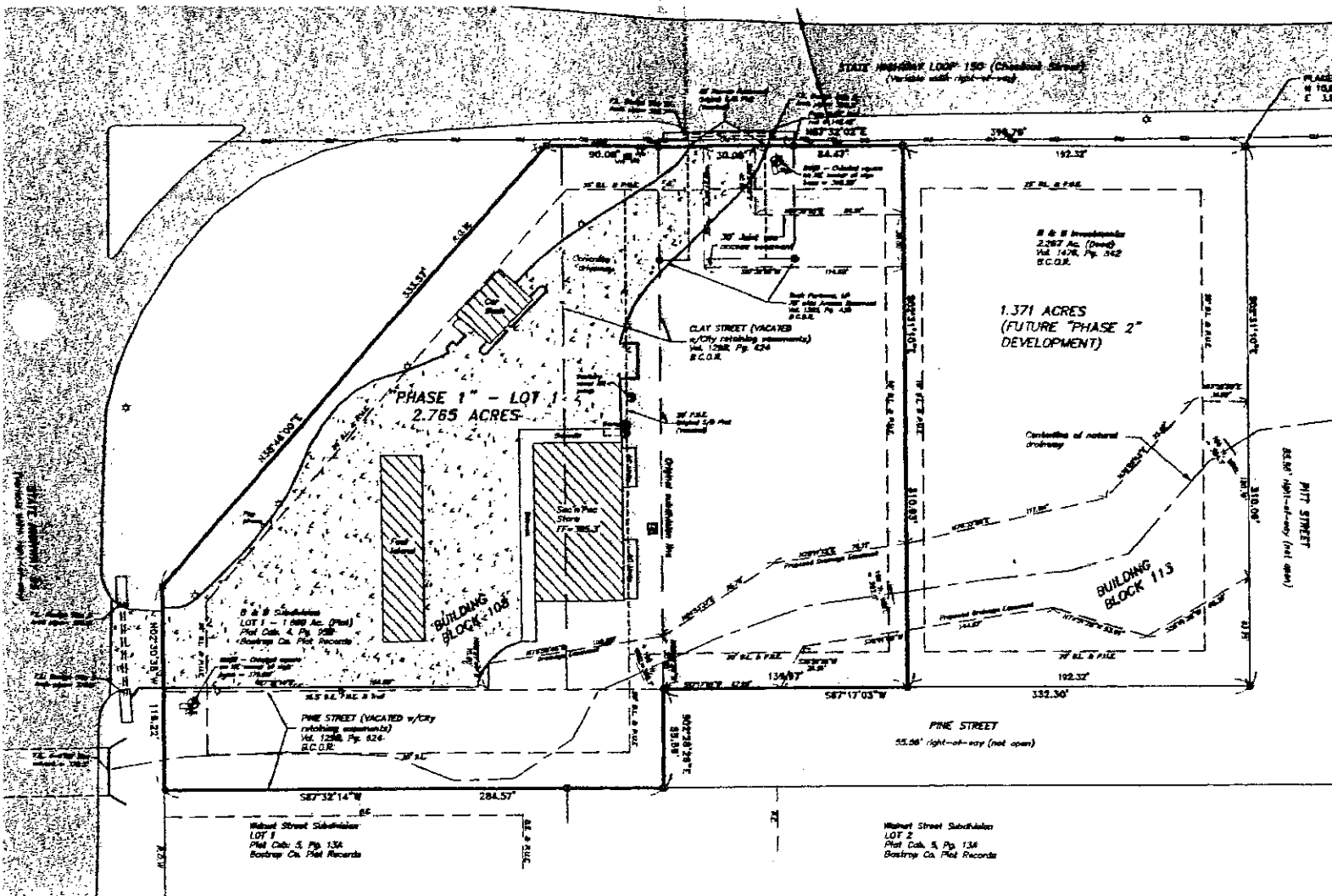
c) _____

8. Staff Recommendation: **Staff recommends the preliminary plat for Phase II of the B & B Subdivision be allowed to expire.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

B & B SUBDIVISION REPLAT



CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: January 17, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Approval of Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop.**

2. Party Making Request: **Teresa Valdez, City Secretary**

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

Attached is the Contract for the Bastrop County Elections Administrator to conduct the City of Bastrop General Election scheduled for May 12, 2012.

4. Policy Implication: _____

5. Budgeted: Yes XX No

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

CONTRACT FOR ELECTION SERVICES
BETWEEN
THE ELECTIONS ADMINISTRATOR OF BASTROP COUNTY
AND
THE CITY OF BASTROP
FOR THE MAY 12, 2012 ELECTION

THIS CONTRACT is made and entered into by and between Nora Cano, the Elections Administrator of Bastrop County, Texas, hereinafter referred to as "Contracting Officer," and the City of Bastrop, hereinafter referred to as the "CITY," pursuant to the authority under Section 31.092(a) of the Texas Election Code and Chapter 791 of the Texas Government Code. In consideration of the mutual covenants and promises hereinafter set forth, the parties agree to this interlocal agreement with regard to the coordination, supervision, and running of the CITY's May 12, 2012 Election, hereinafter referred to as "the election". The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places and election procedures to assist the voters of the CITY.

I. RESPONSIBILITIES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the election:

A. *Notification to Presiding and Alternate Judges; Appointment of Clerks.*

1. The Contracting Officer shall notify each presiding judge and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election school(s), the eligibility requirements for election workers, the date and time of the election, the rate of compensation, the number of election clerks the presiding judge may appoint, and the name of the presiding or alternate judge, as appropriate.

2. The Contracting Officer shall ensure that the presiding judges make the appropriate election clerk appointments and notify the clerks of their appointments. The recommendations of the CITY will be the accepted guidelines for the number of clerks secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours. Election judges shall be secured by the Contracting Officer with the approval of the CITY.

3. The Contracting Officer shall notify each of the election judges and alternates of their appointment and the eligibility requirements that pertain to them and to the selection of Election Day clerks. Included in this notification will be the number of clerks that each precinct should have in addition to the election judge and alternate judge. The election judges and/or the alternate are responsible for recruiting and supervising their clerks. Notification to the election judges and alternates shall be made no later than March 26, 2012.

B. *Contracting with Third Parties.* In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third persons for election services and supplies. The cost of such third-person services and supplies will be paid by the Contracting Officer and reimbursed by the CITY as agreed upon on Exhibit "C."

C. *Election School(s).* The Contracting Officer shall be responsible for conducting one or more, at her discretion, election schools to train the presiding judges, alternate judges, election clerks, and early voting clerks in the conduct of elections, including qualifying voters, provisional voting, and the counting of ballots. The Contracting Officer shall determine the date, time, and place for such school(s) and notify the presiding judges, alternate judges, and election clerks of such. The Contracting Officer may hold the election school(s) on a Saturday in order to increase its availability to election workers who are employed during the regular work week. If at all possible, such election schools shall be conducted within the CITY territory.

D. *Publication/Posting of Election Notice.* The Contracting Officer shall be responsible for having the required election notice under Section 4.003(a)(1) of the Texas Election Code published once in the newspaper. The Contracting Officer shall also be responsible for posting the notice required under Section 4.003(b) of the Texas Election Code in the following CITY building and may require the assistance of the CITY in having such notice posted:

City of Bastrop
1311 Chestnut Street
Bastrop, TX 78602

E. *Election Supplies.* The Contracting Officer shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day (and to the Deputy Early Voting Clerks during Early Voting) the following election supplies: election kits from third-party vendors (including the appropriate envelopes, sample ballots, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code); pens; pencils; tape; markers; paper clips; ballot box seals; sample ballots; tacks, and all consumable-type office supplies necessary to hold an election.

F. Registered Voter List. The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law. The Election Day list of registered voters shall be arranged in alphabetical order by each precinct.

G. Ballots. The Contracting Officer shall be responsible for the programming of the direct recording electronic voting devices (referred to as DRE's) and the printing of ballots requested by mail. The Contracting Officer shall be responsible for distributing the DRE's along with the election supplies.

H. Early Voting. In accordance with Sections 31.096 and 31.097(b) of the Texas Election Code, the Contracting Officer will serve as Early Voting Clerk for the election.

1. As Early Voting clerk, the Contracting Officer shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. The Contracting Officer shall work with the CITY in securing personnel to serve as Early Voting Deputies.

The Contracting Officer shall, upon request, provide the CITY a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations listed in Exhibit "A," attached hereto and made a part of this contract.

3. The Contracting Officer shall receive mail ballot applications on behalf of the CITY. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or her deputies at 804 Pecan Street, Bastrop, Texas 78602. Any requests for early voting ballots to be voted by mail received by the CITY shall be forwarded immediately to the Contracting Officer for processing.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be secured and maintained by the Contracting Officer and delivered by her or her deputy for counting in accordance with Chapter 87 of the Texas Election Code to the Early Voting Ballot Board at the Bastrop County Courthouse on Election Day, May 12, 2012.

I. Election Day Polling Locations. The Election Day polling locations are those listed in Exhibit "B," attached hereto and made a part of this contract. The Contracting Officer shall arrange for the use of all Election Day polling places and shall arrange for the setting up of all polling locations for Election Day,

including ensuring that each polling location has the necessary tables, chairs, and voting booths.

J. Central Counting Station. The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tally the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Nora Cano. The Tabulation Supervisor shall be Bridgette Escobedo. The tabulation supervisor shall handle ballot tabulation in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.

Election night reports will be available to the CITY at the Central Counting Station on election night and will provide individual polling location totals.

K. Manual Counting. The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the CITY in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

L. Election Reports. The Contracting Officer shall prepare the unofficial tabulation of precinct results under Section 66.056(a) of the Texas Election Code and shall provide a copy of the tabulation to the CITY as soon as possible after the Contracting Officer has received the precinct returns on Election Day night. Provisional ballots will be tabulated after election night in accordance with new laws.

M. Custodian of Voted Ballots. The Contracting Officer is hereby appointed the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

N. Election Orders, Election Notices, Canvass. The Contracting Officer shall prepare the election order, resolutions, notices, official canvass, and other pertinent documents for adoption by the CITY's governing body. With respect to the CITY's order and notice of election, the Contracting Officer shall only prepare said documents for the general trustee election. The CITY shall be responsible for preparing the order and notice of election for a special bond election.

II. RESPONSIBILITIES OF THE CITY. The CITY shall assume the following responsibilities:

A. Election School(s). At the request of the Contracting Officer, and at no cost to the Contracting Officer, the CITY will make available space in an CITY building to hold the election school(s), if applicable.

B. *Polling Locations.* The CITY shall pay it's respective cost of all employee services required to provide access, security, or custodial services for the polling locations.

C. *Applications for Mail Ballots.* The CITY shall date stamp and then immediately hand deliver to the Contracting Officer all original mail ballot applications for mail ballots that it receives.

D. *Election Orders, Election Notices, Canvass.* Promptly after approval of election order, resolutions, notices, official canvass, and other pertinent documents by the CITY's governing body and within such time so as not to impede the orderly conduct of the election, the CITY shall return said documents to the Contracting Officer for proper posting and recordkeeping. The CITY assumes the responsibility of promoting the schedules for Early Voting and Election Day

E. *Paper Ballots.* In advance of the March 28, 2012 date on which the Texas Secretary of State's Office encourages the mailing out of ballots for early voting by mail, the Contracting Officer shall arrange with a third party to prepare the necessary optical paper ballots for the election. The ballots shall be in English with the Spanish translation included.

The CITY shall furnish the Contracting Officer a list of candidates and/or propositions showing the order and the exact manner in which their names or proposition(s) are to appear on the official ballot (including bilingual titles and text). This list shall be delivered to the Contracting Officer as soon as possible after ballot positions have been determined by the Contracting Officer. The CITY shall be responsible for proofreading and approving the ballot insofar as it pertains to the authority's candidates and/or propositions.

F. *Preclearance.* The CITY shall prepare and submit to the U.S. Department of Justice under the Federal Voting Rights Act of 1965, any required submissions on voting changes. The Contracting Officer shall assist the CITY with respect to preclearance procedures and the preparation of a submission with respect to matters relative to the joint election agreement, such as, but not limited to joint polling location and hours.

III. SPECIAL PROVISIONS RELATING TO ELECTION WORKERS

A. *Compensation.* The parties agree that presiding judges and alternate judges will be compensated at a rate of \$10.00/hr, and election clerks will be compensated at a rate of \$8.00/hr. They will be compensated for all hours actually worked, including the time to set up the polling location and the time to complete the counting and to wrap up the paper work, but not to exceed one hour

before and one hour after the polling location is open for voting. The presiding judge, or the election worker at the polling location that he or she designates, who picks up the election supplies on May 11, 2012 from the Contracting Officer and who returns the remaining supplies, ballot boxes, and all other election records from the polling location to the Contracting Officer will be compensated with a delivery fee of \$25 at the same time that payment is made for the hours worked. The Contracting Officer will pay the election workers directly and be reimbursed for such by the CITY.

B. *Number of Election Workers.* The parties agree that at all polling locations there will be a minimum of three election workers, consisting of the presiding judge, alternate judge, and one clerk.

IV. JOINT EXPENSES AND PAYMENT

A. *Expenses Incurred and Billing.* The participating authorities entering into an agreement to conduct joint elections agree to share actual costs incurred to the extent that the costs and expenses are incurred in connection with a polling location used by more than one local political subdivision, such as (without limitation) the cost of renting polling locations and voting equipment, programming the voting equipment, wages and salaries of election workers. Election expenses shall be pro-rated equally among the participants.

The parties agree, for those polling locations used solely by the district and not shared by any other participating authority, that the CITY will pay the wages, salaries, and other applicable election costs and expenses directly related to such polling location.

It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.

Billing. As soon as reasonably possible after Election Day, the Contracting Officer will submit an itemized invoice to the District for (1) actual expenses directly attributable to the coordination, supervision, and running of the election and incurred on behalf of the District by the Contracting Officer, including expenses for supplies in connection with the election school(s), publication and printing of election notices, election supplies, wages paid to the Contracting Officer's employees for services under this contract performed outside of normal business hours, election workers, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of DREs and audio ballots, and (2) an administrative fee as provided in Section IV.E

below. Expenses related to wages shall be supported by compensation sheets. Other expenses shall be supported by invoices or receipts, except that the price of items coming out of the Contracting Officer's stock of election supplies shall be supported by the Contracting Officer's certificate about the number of items used and the unit cost therefore according to the vendor's standard price list.

B. *Payment.* The CITY shall pay the Contracting Officer's invoice within 30 days from the date of receipt to: **Bastrop County, Attn: Nora Cano, Elections Administrator, 804 Pecan Street, Bastrop, TX 78602.** If the CITY disputes any portion of the invoice, the CITY shall pay the undisputed portion of the invoice, and the parties will discuss in good faith a resolution of the disputed portion. All payments shall be made from current revenues available to the CITY.

C. *Expense Item Larger than \$500.* If a single election expense exceeds \$500, the Contracting Officer reserves the right to invoice the CITY for such expense at the time it is incurred, supported by an invoice or receipt, rather than waiting until after Election Day. The CITY shall pay such invoice within 30 days from the date of receipt.

D. *Estimated Cost of Services.* A cost estimate for election expenses is attached hereto and made a part of this contract as Exhibit "C." The parties agree that this is an estimate only and that the CITY is obligated to pay their respective portion of the actual expenses of the election as set forth herein.

E. *Administrative Fee.* The CITY shall pay the Contracting Officer a 10 % administrative fee, pursuant to the Texas Election Code, Section 31.100.

V. GENERAL PROVISIONS

A. *Nontransferable Functions.* In accordance with Section 31.096 of the Texas Election Code, nothing in this contract shall be construed as changing

1. the authority with whom applications of candidates for a place on the ballot are filed;
2. the authority with whom documents relating to political funds and campaigns under Title 15 of the Texas Election Code are filed; or
3. the authority to serve as custodian of voted ballots or other election records, except that the Contracting Officer, if requested in writing by the CITY, will become the custodian of the voted ballots.

B. *Joint Election.* The parties acknowledge that the Contracting Officer may contract with other entities holding elections at the same time as the CITY on May 12, 2012.

C. *Cancellation of Election.* If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall only be entitled to receive the actual expenses incurred before the date of cancellation in connection with the election and an administrative fee of \$75. The Contracting Officer shall submit an invoice for such expenses (properly supported as described in **IV. PAYMENT** above) as soon as reasonably possible after the cancellation and the CITY shall make payment therefore in a manner similar to that set forth in **IV. PAYMENT** above. The Contracting Officer agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the CITY authorizes such major costs in writing. An entity canceling an election will not be liable for any further costs incurred by the Contracting Officer in conducting the May 12, 2012 Joint Election.

D. *Contract Copies to Treasurer and Auditor.* In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this contract with the County Treasurer of Bastrop County, Texas and the County Auditor of Bastrop County, Texas.

E. *Representatives.* For purposes of implementing this contract and coordinating activities hereunder, the CITY and the Contracting Officer designate the following individuals, and whenever the contract requires submission of information or documents or notice to the CITY or the Contracting Officer, respectively, submission or notice shall be to these individuals:

For the CITY:

Teresa Valdez
City Secretary
City of Bastrop
1311 Chestnut Street/PO Box 427
Bastrop, TX 78602
Tel: (512) 332-8811
Fax: (512) 332-8818
Email: tvaldez@cityofbastrop.org

For the Contracting Officer:

Nora Cano
Elections Administrator
Bastrop County
804 Pecan Street
Bastrop, TX 78602
Tel: (512) 581-7160
Fax: (512) 581-4060
Email: nora.cano@co.bastrop.tx.us

F. *Amendment/Modification.* Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent, or employee of the County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Bastrop County, Texas. No official, representative, agent, or employee of the CITY has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the CITY. Both the Contracting Officer and the CITY may propose necessary amendments or modifications to this Agreement in writing in order to conduct a Joint Election smoothly and efficiently, except that any such proposals must be approved by the Commissioners Court of the County and the governing body of the Participating Entity, respectfully.

G. *Entire Agreement.* This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

H. *Severability.* If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and, parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

I. *Third Party Beneficiaries.* Except as otherwise provided herein, nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto, any benefits, rights or remedies under or by reason of this Agreement.

J. *Mediation.* Any controversy, claim or dispute arising out of or relating to this contract, shall be settled through mediation by the parties. The parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.023 of the Texas Civil Practice and Remedies Code unless both parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing, the parties intend to fully comply

with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term “confidential” as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2012.

Terry Orr
Mayor
City of Bastrop
Bastrop, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2012.

Ronnie McDonald
County Judge
Bastrop County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2012.

Nora Cano
Elections Administrator
Bastrop County, Texas

EXHIBIT “A”**EARLY VOTING DATES, TIMES, AND LOCATIONS**Time Period

Monday, April 30, 2012 through Tuesday, May 8, 2012.

Main location:

Bastrop ISD Service Center, 906 Farm Street, Bastrop, TX 78602

Hours:

7:30 a.m. – 5:00 p.m. Monday through Friday. Extended early voting hours shall be on Friday, May 4, 2012 and Tuesday, May 8, 2012 from 7:00 a.m. to 7:00 p.m.

Branch locations and Address:

LOCATION AND ADDRESS	DATE	HOURS
Bastrop Intermediate, 509 Old Austin Hwy., Bastrop	see above	7:30 a.m. – 4:00 p.m.
Cedar Creek Middle, 125 Voss Pkwy., Cedar Creek	see above	7:30 a.m. – 4:00 p.m.
Lost Pines Elementary, 151 Tiger Woods, Bastrop	see above	7:30 a.m. – 4:00 p.m.
Red Rock Elementary, 2401 FM 20, Red Rock	see above	7:30 a.m. – 4:00 p.m.
Cedar Creek High, 793 Union Chapel, Cedar Creek	see above	7:30 a.m. – 4:00 p.m.

Note: In the event that the City of Bastrop is the sole entity involved in a specific election, then early voting for such election shall take place at the City Hall, located at 1311 Chestnut Street, Bastrop, Texas, or in an alternative location specified by the City, at its discretion.

Voting by Mail:

Nora Cano, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, TX 78602

EXHIBIT “B”

CITY OF BASTROP ELECTION DAY POLLING LOCATION

- 1. Bastrop – Precincts 1001, 1013, 1014 & a portion of 2016 which is within the boundaries of the Bastrop City limits**

Bastrop ISD Service Center, 906 Farm Street, Bastrop TX 78602

EXHIBIT "C-1"
ESTIMATED COST OF MAY 12, 2012 ELECTION
WITH AGREEMENT TO CONDUCT JOINT ELECTIONS
WITH THE BASTROP ISD AND
THE BASTROP COUNTY WCID #2 (TAHITIAN VILLAGE)

CITY OF BASTROP

Newspaper Publication Expenses	\$1,100.00
Optical Ballots and Programming Expenses	\$1,500.00
Rental Fee for AutoMARK and Vote Tabulator (voting equipment)	\$2,691.31
Additional Workers, Staff Time and Mileage	
Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	\$ 200.00
SUBTOTAL	\$5,491.31
10% ADMINISTRATIVE FEE	<u>\$ 549.13</u>
TOTAL	<u>\$6,040.44</u>

EXHIBIT "C-2"
ESTIMATED COST OF MAY 12, 2012 ELECTION
IF THE CITY DOES NOT CONDUCT A JOINT ELECTION
WITH ANOTHER ENTITY

BASTROP CITY

Newspaper Publication Expenses	\$1,100.00
Optical Ballots and Programming Expenses	\$1,500.00
Rental Fee for AutoMARK and Vote Tabulator (voting equipment)	\$10,602.22
Additional Workers, Staff Time and Mileage	
Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	\$200.00
SUBTOTAL	\$13,402.22
10% ADMINISTRATIVE FEE	<u>\$1,340.22</u>
TOTAL	<u>\$14,742.44</u>

CITY OF BASTROP

AGENDA ITEM

A.8**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: January 4, 2012

MEETING DATE: January 10, 2012

1. Agenda Item: **Adoption of a Resolution calling for and establishing procedure for General Election, Bastrop, Texas.**

2. Party Making Request: **Teresa Valdez, City Secretary**

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

Attached is the Resolution calling for and establishing procedure for the City of Bastrop General Election on May 12, 2012.

4. Policy Implication: _____

5. Budgeted: Yes XX No

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken:

RESOLUTION NO. R-2012-__**A RESOLUTION CALLING FOR AND ESTABLISHING PROCEDURE FOR A
GENERAL ELECTION BASTROP, TEXAS**

WHEREAS, the laws of the State of Texas and the City of Bastrop, provide that on May 12, 2012 there shall be elected the following officials for the City:

Mayor at Large, for a 'Transitional Term' of 2 years, as per Charter Amendment passed on November 2010.

Place 2 - Council Member at Large, for an 'Amended Term' of 3 years, as per Charter Amendment passed on November 2010.

Place 4 - Council Member at Large, for a 'Amended Term' of 3 years, as per Charter Amendment passed on November 2010.

WHEREAS, the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, a resolution should be passed establishing the procedure to be followed in said election, and designating the voting places for said election.

**NOW THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF
THE CITY OF BASTROP, TEXAS:**

That all candidates, for the election to be held on the second Saturday in May 2012 for the above mentioned City offices, shall file their application to become candidates with the City Secretary of the City of Bastrop, City Hall, 1311 Chestnut Street, Bastrop, Texas 78602 on or before 5:00 P.M. on March 5, 2012, the sixty-first (68th) day before the election, and that all of said applications shall be on a form as prescribed by Section 141.031 of the Election Code of the State of Texas.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Bastrop County Elections Administrator as provided by Section 52.094 of the Election Code.

This City has four (4) election precincts and said election shall be held at the following location:

- 1. For Election Precincts 1001, 1013, 1014 & a portion of 2016, (including all of the area within the boundaries of the Bastrop City limits) the election polling place shall be at BISD Service Center, located at 906 Farm Street, Bastrop, Texas.**

The County Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Voting at such election shall be upon paper ballots prepared in conformity to the Texas Election Code.

Section 61.012 of the Texas Election Code requires that the Bastrop City Council must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

The Office of the Texas Secretary of State has certified that the ES&S's AutoMARK Voter Assist Terminal version 1.0 is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of voting of such voting systems.

As chief elections officer of the Bastrop City Council, the Bastrop Council Elections Administrator shall provide at least one ES&S AutoMARK Voter Assist Terminal version 1.0 in each polling place in every polling location used to conduct any election ordered on or after January 1, 2006.

The following named persons are hereby appointed officers for said election:

For Elections Precincts 1001, 1013, 1014 & a portion of 2016 – PK Barnett shall serve as Presiding Judge;

For Elections Precincts 1001, 1013, 1014 & a portion of 2016 – Terri Bigsby shall serve as Alternate Presiding Judge;

The clerks for the election will be appointed by the Presiding Judge, in a number not to exceed six (6) clerks.

The polls at the above designated polling place shall on said Election Day be open from 7:00 A.M. to 7:00 P.M.

Nora Cano is hereby appointed Clerk for Early Voting. The Main Early Voting location for the above designated election shall be at Bastrop ISD Service Center, 906 Farm Street, Bastrop, Texas, and said place shall remain open for at least eight (8) hours on each day for early voting which is not on a Saturday, Sunday, or an official State holiday, beginning on April 30, 2012 the twelfth (12th) day before the election and continuing through May 8, 2012, the fourth (4th) day preceding the date of said election. Said place of voting shall remain open each weekday from 7:30 a.m. to 5:00 p.m. Said place of voting shall remain open on Friday, May 4, 2012 and Tuesday, May 8, 2012 for 12 hours from 7 a.m. to 7 p.m. Branch early voting locations are: 1) Bastrop Intermediate School, 509 Old Austin Hwy, Bastrop, Texas; 2) Cedar Creek Middle School, 125 Voss Pkwy, Cedar Creek, Texas; 3) Red Rock Elementary School, 2401 FM 20, Red Rock, Texas; 4) Lost Pines Elementary School, 151 Tiger Woods Dr., Bastrop, Texas; and 5) Cedar Creek High, 793 Union Chapel, Cedar Creek, Texas. Said locations shall remain open each weekday from 7:30 a.m. to 4:00 p.m.

Ballot applications and ballots voted by mail should be addressed to the Early Voting Clerk, Nora Cano, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, Texas 78602. Applications for ballots by mail must be received no later than the close of business on May 6, 2011, the eighth (8th) day before the election.

For Elections Precincts 1001, 1013, 1014 and a portion of 2016, Ralph Escobedo is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.0021 et seq. of the Texas Election Code said presiding judge shall appoint at least two (2) other members to the Board and shall process early voting results in accordance with said Texas Election Code.

The Presiding Judge will receive compensation at the rate of \$10.00 per hour. The Alternate Presiding Judge and Clerks will receive compensation at the rate of \$8.00 per hour. The Presiding Judge will receive an additional \$25.00 for picking up the election supplies prior to election to election day and for returning the supplies after the polls close.

Said election shall be held in accordance with the Election Code of this State and only resident qualified voters of said City shall be eligible to vote at said election.

The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and writs for said election shall be issued by the proper authority. Returns of said election shall be made to the City Council immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body, the City Secretary will post notice of the date, place and subject of this meeting on the bulleting board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least seventy-two (72) hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED, AND ADOPTED this 24th day of January 2012.

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

LA RESOLUCION NO. R-2012-_____**UNA RESOLUCION LLAMANDO PARA Y ESTABLECIENDO EL PROCEDIMIENTO PARA UNA ELECCION GENERAL BASTROP, TEXAS**

MIENTRAS QUE, las leyes del Estado de Texas y la Ciudad de Bastrop, proveer que en el 12 de mayo de 2012, allí sea elegido los oficiales siguientes para la Ciudad:

Alcalde en general, para un proceso de transicion de 2 anos, por las enmiendas aprobados en noviembre de 2010.

Lugar 2 miembro del Concilio en general, para un proceso modificado de 3 anos, por las enmiendas aprobados en noviembre de 2010.

Lugar 4 miembro del Concilio en general, para un proceso modificado de 3 anos, por las enmiendas aprobados en noviembre de 2010.

MIENTRAS QUE, las leyes del Estado de Texas además proveer que el Código de la Elección del Estado de Texas sea aplicable a dijo la elección, y para obedecer con dijo Código, una resolución se debe pasar estableciendo el procedimiento para ser seguido en dijo la elección, y designando los lugares electorales para dijo la elección.

AHORA POR LO TANTO ES RESOLVADO Y ORDENADO POR EL AYUNTAMIENTO DE LA CIUDAD DE BASTROP, TEXAS:

Que todos candidatos en la elección para ser aguantados el segundo sábado en mayo, 2012 para las oficinas ya mencionadas archivan su aplicación para llegar a ser candidatos con el Secretario de la Ciudad de Bastrop, la municipalidad, 1311 Chestnut Street, Bastrop, Texas 78602 en o antes de 5:00 de la tarde en el 5 de marzo de 2012, el sesenta-ocho día (68) antes de la elección, y que todo dijo las aplicaciones estarán activada en una forma como prescrito por la Sección 141.031 del Código del Elección del Estado de Texas.

La orden en que los nombres de los candidatos deberán ser impresos en la votación será determinado por un dibujo por La Administradora de elecciones del condado de Bastrop como proporcionado por la Sección 52.094 del Código del Elección.

Esta Ciudad tiene cuatro (4) zonas de la elección y dijo la elección se tendrá en el lugar siguiente:

- 1. Para Zonas de Elección 1001, 1013, 1014 y una porción de 2016 (incluido toda el área dentro de las fronteras de la Ciudad de Bastrop limite) en BISD Oficina de administración localizado en 906 Farm Street, Bastrop, Texas.**

El Administrador de Elecciones de Condado de Bastrop por la presente es autorizado y es instruido para proveer y proveer todos suministros necesaria para conducir dijo la elección. Votar en tal elección estará sobre votaciones de papel preparadas en la conformidad al Código de la Elección de Texas.

Seccion 61.012 del Código del Elección requiere que la Ciudad de Bastrop Council debe proporcionar por lo menos un sistema electoral accesible en cada lugar de la votación utilizó en una elección de Texas en o después de 1 de enero 2006. Este sistema debe conformarse con el estado y las leyes federales que ponen los requisitos para votar sistemas que permite que votantes con incapacidades físicas lancen una votación secreta.

La Oficina del Ministro de Texas ha certificado que el ES&S's AutoMARK Votante Ayuda Terminal versión 1.0 es un sistema electoral accesible que se puede utilizar legalmente en elecciones de Texas.

Secciones 123.032 y 123.035 del Código del Elección autorizan la adquisición de sistemas electorales por subdivisions político local y ponen bajo el mandato aún más ciertos contratos mínimos de requisitos que relacionan a la adquisición de votar de tal votando sistemas.

Como oficial principal de elecciones de la ciudad de Bastrop Council, el Administrador de Elecciones de Concilio de Bastrop proporcionará por lo menos un ES&S AutoMARK votante ayuda terminal versión 1.0 en cada lugar de la votación en cada ubicación de la votación utilizó para realizar cualquier elección ordenada en o después de 1 de enero 2006.

Las personas nombradas siguientes por la presente son designadas a oficiales para dijo la elección:

Para los Precintos de Elecciones 1001, 1013, 1014 y una porción de 2016 – PK Barnett será la Juez Presidenta;

Para los Precintos de Elecciones 1001, 1013, 1014 y una porción de 2016 – Terri Bigsby sera la Juez Presidenta Alterna;

La Juez Presidenta nombrará los secretaries de la elección, cuyo número no puede exceder de seis (6).

Los sondeos en el encima del centro electoral designado irá en dijo el día de la elección estára abierto de 7:00 de la mañana a 7:00 de la tarde.

Nora Cano por la presente se designa el secretario de votacion adelantado. El Votar Temprano para el encima de la elección designada estará en la BISD Oficina de administración localizado en 906 Farm Street, Bastrop, Texas, y dijo el lugar permanecerá abierto para por lo menos ocho (8) horas en cada día para votar temprano que no está en un sábado, en el domingo, ni en una vacación oficial del Estado, comenzando en el 30 de abril de 2012, el día doce (12) antes de la elección y continuando por el 8 de mayo de 2012, el día cuatro (4) que precede la fecha de dijo la elección. En dijo que el lugar de votar se quedará abierto cada día de 7:30 de la mañana a 5:00 de la tarde. En dijo que el lugar de votar se quedará abierto el viernes, 4 de mayo de 2012 y el martes, 8 de mayo de 2012 por 12 horas de 7:00 de la mañana a 7:00 de la tarde. Votando temprano por la apariencia personal adicionales se llevara a cabo de lunes a viernes en las escuelas Bastrop Intermediate School, 509 Old Austin Highway, Bastrop, Texas; Cedar Creek Middle School, 125 Voss Pkwy, Cedar Creek, Texas; Red Rock Elementary School, 2401 FM 20, Red Rock, Texas; Lost Pines Elementary, 151 Tiger Woods, Bastrop, Texas; Bastrop, Texas; y Cedar Creek High, 793 Union Chapel, Cedar Creek, Texas, entre las 7:30 de la manana y las 4:00 de la tarde.

Las aplicaciones de la votación y votaciones votadas por el correo deben ser dirigidas al empleado electoral temprano, Nora Cano, Administrador de Elecciones del Condado de Bastrop, 804 Pecan Street, Bastrop, TX 78602. Las aplicaciones para votaciones por el correo se deben recibir no luego que el cerrar del negocio en el 6 de mayo de 2011, el día ocho (8) antes de la elección.

Para los Precintos de Elecciones 1001, 1013, 1014 y una porción de 2016 por la presente se nombra a Ralph Escobedo como Juez Presidente de la Junta de Balotas para la Votación Anticipada. De acuerdo con la Sección 87.0021 et seq. del Código de Elecciones de Texas, dicha Juez Presidenta deberá nombrará al menos dos (2) miembros adicionales de la Junta y deberá procesar los resultados de la votación anticipada de acuerdo con dicho Código de Elecciones de Texas.

La Juez Presidenta, recibirán remuneración de \$10.00 por hora. La Juez Presidenta Alterna y los Secretarios recibirán remuneración de \$8.00 por hora. La Juez Presidente recibirá \$25 adicionales por recoger los accesorios de la elección antes del día de la elección y devolverlos después del cierre de los centros electorales.

Dijo la elección se tendrá de acuerdo con el Código de la Elección de este Estado y votantes calificados sólo residentes de dijo la Ciudad tendrá derecho a votar en dijo la elección.

El Alcalde dará la nota de esta elección de acuerdo con los términos y de las provisiones de Secciones 4.004, 83.010, 85.004, y 85.007 del Código del Elección, y todas órdenes y writs necesarios para dijo la elección será publicada por la autoridad apropiada. Los regresos de dijo la elección será hecha al ayuntamiento inmediatamente después del cerrar de los sondeos.

Se encuentra además y es determinado que de acuerdo con la orden de este cuerpo directivo, el Secretario de la Ciudad anunció nota de la fecha, el lugar y el sujeto de este reunir en la tabla de boletín localizado en el municipalidad, un lugar conveniente y prontamente accesible al público general, y dijo nota sido tan anunciado y restante anunciado continuamente para por lo menos setenta y dos (72) horas anterior el tiempo planificado de dijo reunión. Una copia del regreso de dijo anunciando será conectado a los minutos de este reunión y se hará una parte del mismo para todas intenciones y propósitos.

PASADO, APROBADO, Y ADOPTADO este _____ día de Enero 2012.

Terry Orr, Alcalde

ATESTIGUA:

Teresa Valdez, Secretario de Ciudad

11. Action Taken: _____

Agenda Information Sheet:

City Council Meeting Date:
CUP 11:01

January 24, 2012

Public Notice Description:

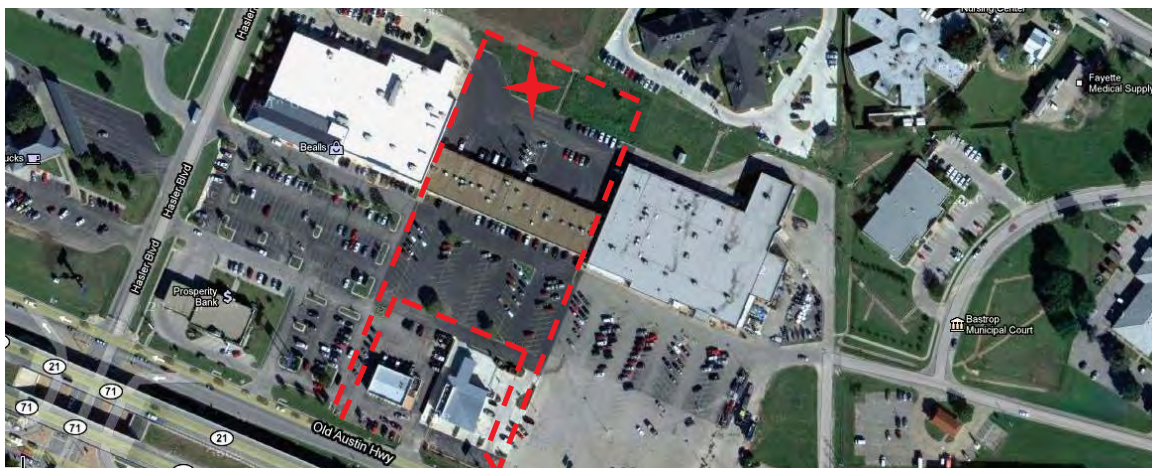
Consideration and possible action on a requested Conditional Use Permit (CUP), to allow the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06 of an acre lease space, out of a parent tract of 3.75 acres in Bastrop West Commercial Section One, Lot 2, Block A. This leased space is generally located behind Bastrop Marketplace (Subway, Clint's Liquor, Little Caesars), in an area zoned C-2, Commercial Heavy, 443 West SH 71, in the City limits of Bastrop, Texas.

Item Summary:

Owner: Philip Trapani, Bastrop Marketplace LTD
Applicant: Bebb Francis, The Francis Law Firm
Location: Located in the City Limits
Utilities: City water, sewer, and Bluebonnet electric
Zoning: C-2, Commercial-2 (Heavy)
Land Use Plan: Retail/Office

The Planning and Zoning Commission reviewed this item at their regularly scheduled meeting on August 25, 2011. City Council consideration of this item has been postponed and re-notified four (4) times, due to various circumstances. Notifications of the hearing on the CUP have been provided to surrounding property owners six (6) times, for both Planning and Zoning Commission and City Council meetings. This staff report relays information that the Planning and Zoning Commission received and reviewed during their deliberations, and also includes additional information regarding 'capacity and coverage' that has been received by the City since that Planning and Zoning's August agenda meeting.

Existing lot area 3.75 acres (CUP for cell tower area 0.06 acres (2500 sq. ft))



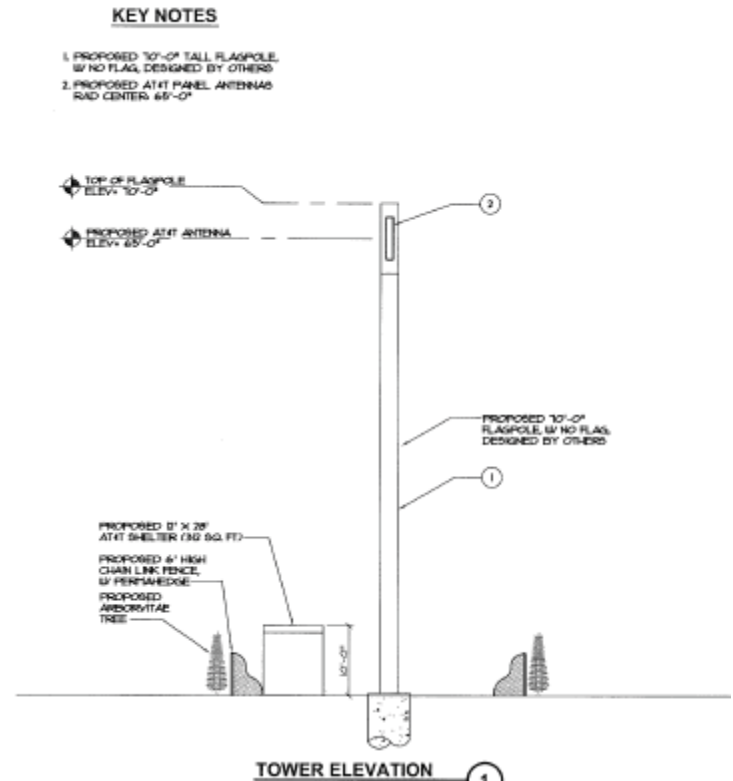
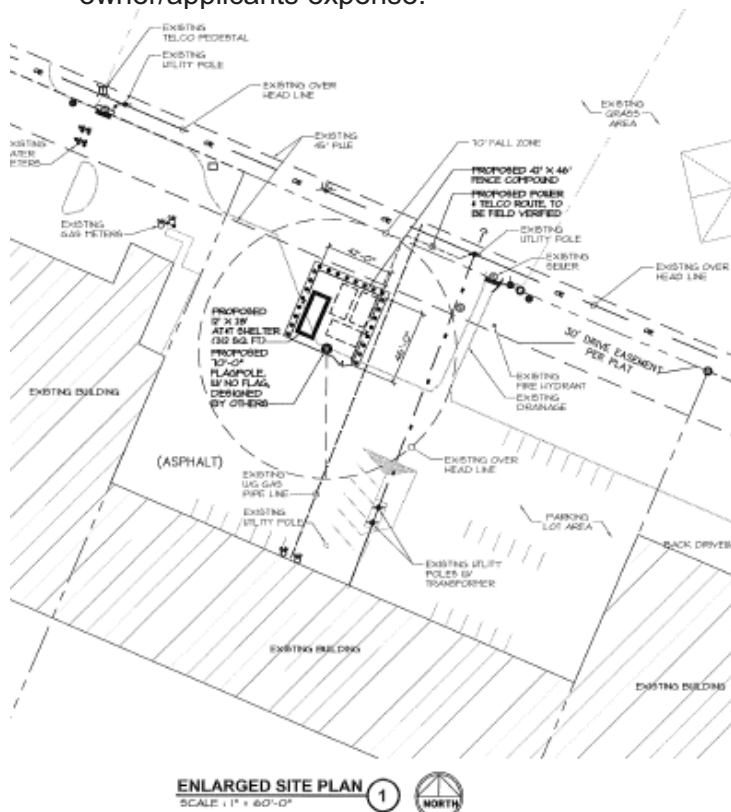
Background:

The proposed cell tower under consideration this evening is the third design that the applicant has submitted to staff for review. This tower is 70 feet in height and represents a "flag pole" that can support a flag. The applicant has indicated that it is willing to work with the City on any modifications to the aesthetic design of the structure and the surrounding fencing.

The leased area upon which the tower would be located is part of a shopping center commonly known as 'Bastrop Marketplace'. Some of the current tenants are Subway, Clint's Liquor, and Little Caesars. The Bastrop Marketplace building is directly in-between Bealls and First National Bank (west) and Tractor Supply (east). The proposed tower would be located behind the existing building. This property is currently zoned C-2, Commercial-2 (Heavy).

The applicant is applying for a Conditional Use Permit (CUP) under the exception of 43.4B Special Height Regulations – Increasing Maximum Height, which allows the maximum height of a structure to increase above the maximum height in the base zoning district (in this instance, 35 feet) as provided in Section 33.2, CUP, with consideration of the additional factors outlined in 43.4.B1.

If the Conditional Use Permit (CUP) is approved, the applicant will proceed with site development and building permits to construct the 70' cell tower. Utilities are available, and any extensions that might be required as part of the cell tower construction will be at the owner/applicants expense.



Conditional Use Permit (CUP) in accordance with Section 43.4 B and Section 33 of the Zoning Ordinance, as requested by Bebb Francis, Esq., as authorized representative for Philip Trapani, Bastrop Marketplace LTD, for a lease area of 0.06 acres, located behind Bastrop Marketplace, which leased space shall be used for construction of a 70 foot cell tower, where the height of the tower must meet the maximum height of the zoning district, i.e., 35 feet in areas zoned C-2.

The following are the City's Zoning Code provisions that apply to the proposed height exception/Conditional Use Permit (CUP).

43.4 SPECIAL HEIGHT REGULATIONS:

Section 43.4B

B. Increasing Maximum Height. The maximum height of buildings and structures may be increased above the maximum height allowed in the base zoning district by conditional use permit, as provided in Section 33, Conditional Use Permits, for those buildings and structures located in non-residential districts, and those buildings and facilities occupied by a church, political subdivision, or utility company in any zoning district.

1. In addition to the conditional use standards, the Planning and Zoning Commission and City Council shall consider, but not be limited to, the following factors when determining the maximum height:

a. Preservation of views of landmark buildings, significant open spaces, vistas or water bodies.

b. Access to light and air of surrounding properties.

c. Shadowing of residential properties or significant public spaces.

d. Height, bulk and scale relationships with surrounding uses and structures.

i. Type and amount of separation between surrounding uses and structures (e.g. separation by only a property line, by an alley or street, or by other physical features such as grade changes).

ii. Use of architectural style, details (such as roof lines or fenestration), color or materials that derive from the less intensive surrounding uses and structures.

iii. Creative use of landscaping or other screening

iv. Location of features on-site to facilitate transition, such as locating open space on the property edge so the building or structure is farther from lower intensity development.

v. Articulation of the building's facades vertically or horizontally in intervals that conform to existing structures or platting pattern.,

vi. Reducing the bulk of the building's upper floors.

vii. Limiting the length of, or otherwise modifying, facades.

e. Treating topographic conditions in ways that minimize impacts on neighboring development, such as by using a rockery rather than a retaining wall to give a more human scale to a project, or stepping a project down a hillside.

AND

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.

Description:

The subject property is an existing commercial/retail shopping center and the proposed cell tower would be located behind the existing main structure, near the area used for employee parking. The lease area would contain a fenced 42' by 46' enclosed area. The applicant has stated that the cell tower would potentially provide for collocation for additional antennas, in the future. This lease area is immediately adjacent to a 30 foot drive/access easement that serves this shopping center and vacant property to the north. (Exhibits are attached)

CUP Criteria:

Staff recommends denial of the Conditional Use Permit, because the proposed cell tower is not harmonious and compatible with the surrounding uses, and does not meet the height, bulk and scale relationship with surrounding uses and structures. This proposed cell tower would exceed the current height restrictions by 35 feet. This cell tower is a unique use in this mixed commercial area and exceeds the height that is allowed in the C-2 base zoning district and, does not meet the conditions as noted below.

(Section 32.2A); "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 (Section 33.2A)"

- 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.*

Section 43.4 - Special Heights Regulations: INCREASING MAXIMUM HEIGHT (Section 43.4(B)1: "In addition to the conditional use standards, the Planning and Zoning Commission

d. Height, bulk and scale relationships with surrounding uses and structures.

i. Type and amount of separation between surrounding uses and structures (e.g. separation by only a property line, by an alley or street, or by other physical features such as grade changes).

Special Considerations: None.

Financial Impact: None.

Notices/Comments: Ten (10) adjacent property owner notifications were mailed to persons with standing prior to each anticipated meetings of the P&Z and the City Council. At the time of the P&Z meeting in August, six (6) public comments were received, two (2) in favor/support (one from the property owner) of the CUP request, and four (4) opposed. One notification was returned.

Favor (August)

The Marketplace at Bastrop (Owner) R60417
Classic Bank R60418

Opposed (August)

Jenkins Family Investments R114186
First National Bank R60420
Jenkins (Chicken Express) R98573
Nhat To R119599

Update on Notices and Comments: Since the August, P&Z meeting re-notifications were mailed four (4) additional times. As of January 18, 2012, the City has received a total of one (1) in favor/support (from the property owner) of CUP request, and (4) opposed. One notification was returned.

Favor (January 2012)

The Marketplace at Bastrop (Owner) R60417

Opposed (January 2012)

Classic Bank R60418
First National Bank R60420
Jenkins (Chicken Express) R98573
Nhat To R119599

NOTE: Since the return of comments in January, the Jenkins Family Investments formally rescinded their original opposition, in writing filed with the City on January 6, 2012. [Attached are all the surrounding property owner responses in favor/opposition in order from most recent to oldest.]

Also attached is a map, current as of January 18, 2012, which identifies which property owners currently opposed, are in support, or have not commented.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a public hearing on August 25, 2011, and voted 4-2 to recommend **denial** of the Conditional Use Permit to allow the proposed 70 foot tall cell tower within the C-2, Commercial-2 (Heavy) district, where 35 feet is allowed. Commissioners Whitten, Winston, Kindred and Kosser recommended “denial” with Commissioners Koch, and Meyer voting to oppose the denial.

Staff Recommendation:

Staff recommends denial of the Conditional Use Permit (CUP) to Section 43.4 Special Height Regulations for structures to increase maximum height for a commercial antenna to not allow the proposed 70 foot tall cell tower within the C-2, Commercial-2 (Heavy) district where, 35 feet is allowed. Staff believes that the proposed 70' height is not consistent with the existing shopping center area and that the height of the cell tower does not meet the CUP requirements or the additional standards applied to "Special Height Regulations".

If City Council feels the cell tower does meet the CUP and Special Height Regulations to allow the increased height for the cell tower up to 70' , the City Council may apply additional conditions.

City Contact:

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

Attachments:

Letters and comments received from property owner, surrounding property owner responses, multiple exhibits (both pictorial and surveyed).

Note: Neighboring property owners, both Jenkins Family Investment and First National Bank previously provided the City with a copy of purportedly applicable 'private deed restrictions,' identifying these as 'public information.' However, private deed restrictions should not be referenced or considered by the City in its decision making process related to the requested CUP, inasmuch as it is not within the City's legal authority or purview to interpret, apply, reference or enforce such private agreements and restrictions and, thus, they **are not legally part of the applicable documentation** in this matter.



December 12, 2011

VIA FIRST CLASS MAIL

Bebb Francis
The Francis Law Firm, P.C.
112 E. Pecan Street, Suite 550
San Antonio, Texas 78205

**RE: Application for Conditional Use Permit – Bastrop Marketplace
Capital Telecom/AT&T Wireless**

Dear Bebb:

Attached please find the engineering rational for the proposed tower in West Bastrop for AT&T Wireless. It was prepared by Markus Suzuki, a radio frequency design engineer employed by AT&T Wireless. The attached slides substantiate the need for a new, minimum 70' tower to hold AT&T Wireless' antennas in the commercial district of western Bastrop.

Slide 1 explains how AT&T determines its capacity needs for the future. Capacity, quite simply is the volume of users on the network at any given time. The capacity needs of the system change during the times of the day, just as traffic patterns do, and like traffic, the network system is designed around relieving congestion during rush hour and planning for worse case scenarios so there is not total grid lock.

Slide 2 illustrates the high traffic area of Bastrop, particularly the commercial area west of the Colorado River, the historic down town and Main Street area. Highway 71 bisects the search area as a main connector between Austin and Houston. The slide also highlights the two surrounding sites that AT&T is currently located on TXU0250 to the West and TXU0202 to the East. While those sites provide current coverage to Bastrop, increased demand in the center area is driving the need for a new site.

Slide 3 represents some of the customer complaints that AT&T has received directly from its subscribers calling customer service or reporting problems to the local AT&T store. As noted on the slide, they are centered in the historical area and the newer commercial areas.

Slide 4 represents the types of terrain in the area, and each is factored into the propagation program. The more "cluttered" an area, the more the signal is blocked.

Slide 5 represents the projected coverage from AT&T's antennas located at the height of 70' from the Bastrop Marketplace location. The green indicates stronger coverage, more suitable for indoor use, the blue coverage area has less reliability.



Bebb Francis
December 12, 2011
Page 2

Slide 6 represents the projected coverage from AT&T's antennas at the original height of 90'. As you can see, the signal strength is stronger, particularly to the South.

Slide 7 represents the current coverage from the two surrounding sites. TXU0202 is stronger as it sites next to Bastrop State Park.

Slide 8 represents the projected coverage with a 70' tower located at Bastrop Marketplace, along with coverage from the two existing sites TXU0202 and TXU0250. Note the stronger coverage in the commercial district and along Highway 71.

Slide 9 represents the actual number of calls handled by the two current sites from July 2011 to October 2011. The number of calls ranges from over 600,000 to close to 1,000,000 in September. We asked for the number of dropped calls, or failed calls, but AT&T believes this information is proprietary and could be used against them in other carriers marketing campaigns, so they declined to provide it here, or anywhere.

Slide 10 is the number of 911 calls made on the two surround sites from July 2011 to October 2011. The number of emergency calls, made only from AT&T phones, range from under 200 calls to close to 300 calls in September.

In conclusion, Bastrop is a City that is experiencing substantial growth. It is becoming home to new businesses and services, as well as having a major highway corridor cross its center. The high volume of calls in the area is a sign of that growth as more and more consumers use their phones for increased communication. The fires in Bastrop highlighted the strain on the system even before the projected demand overload in 2012 and 2013. The proposed tower, located at the Bastrop Marketplace is the minimum height necessary and at the appropriate location to serve this community need.

Please contact me with any questions.

Sincerely,

Thomas Waniewski
Principal

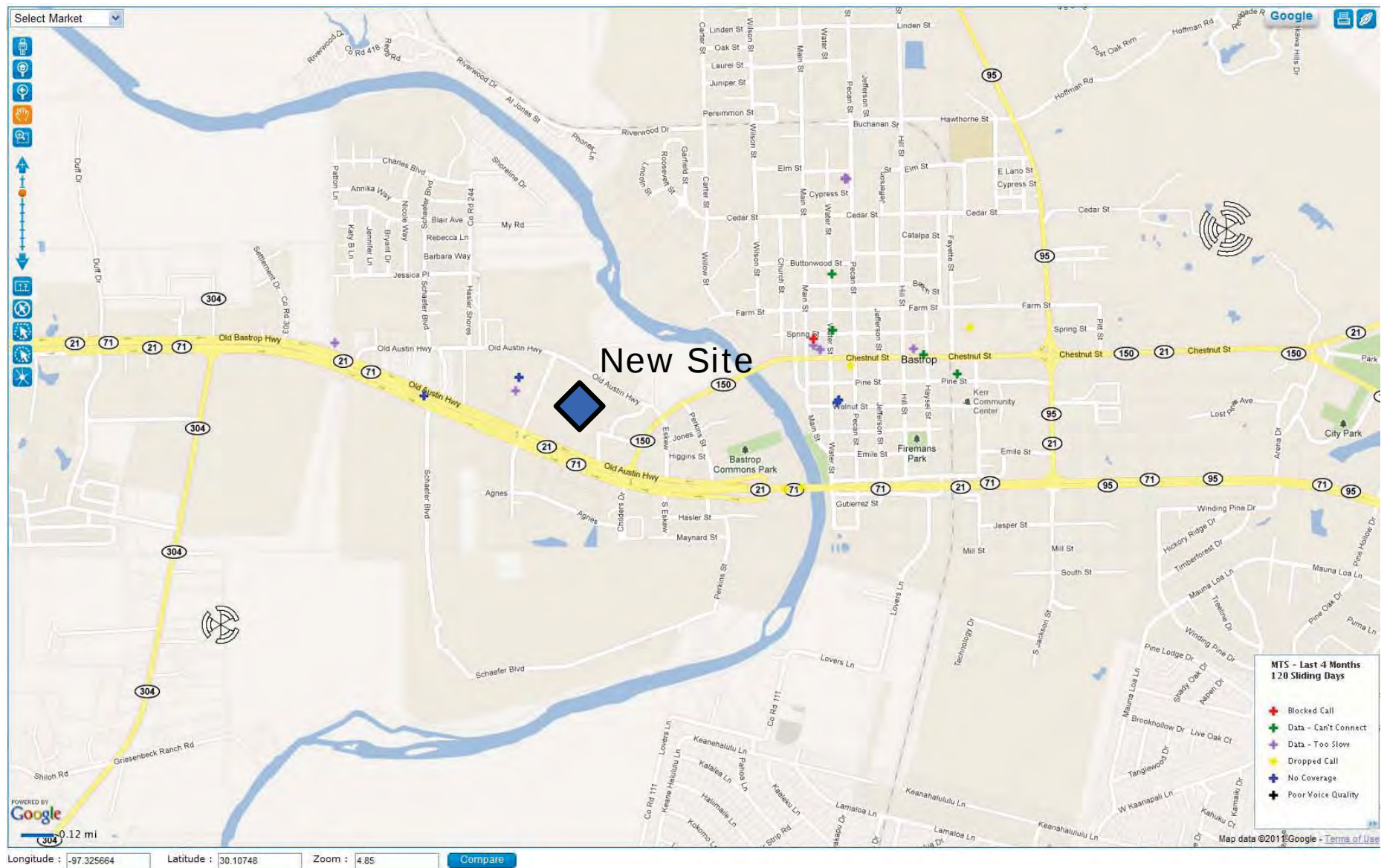
West Bastrop - Introduction

- The proposed new site was designed to provide additional capacity to the city of Bastrop
- Every Quarter AT&T runs Capacity Projections for the next 2 years based on previous Quarter (Actual Traffic)
- Based on the Projections the existing towers will not be able to handle demand in the area
- According to the Projections, if the new site is not deployed, by January 2013 approximately 3,700 calls won't go through during the busiest hour of the day
- The blocking will not only affect calls, but also data throughputs
- This means that data users (smartphones, and data cards) will suffer on data speeds
- Notice that the new tower cannot be placed anywhere, it needs to cover areas where the traffic is actually located

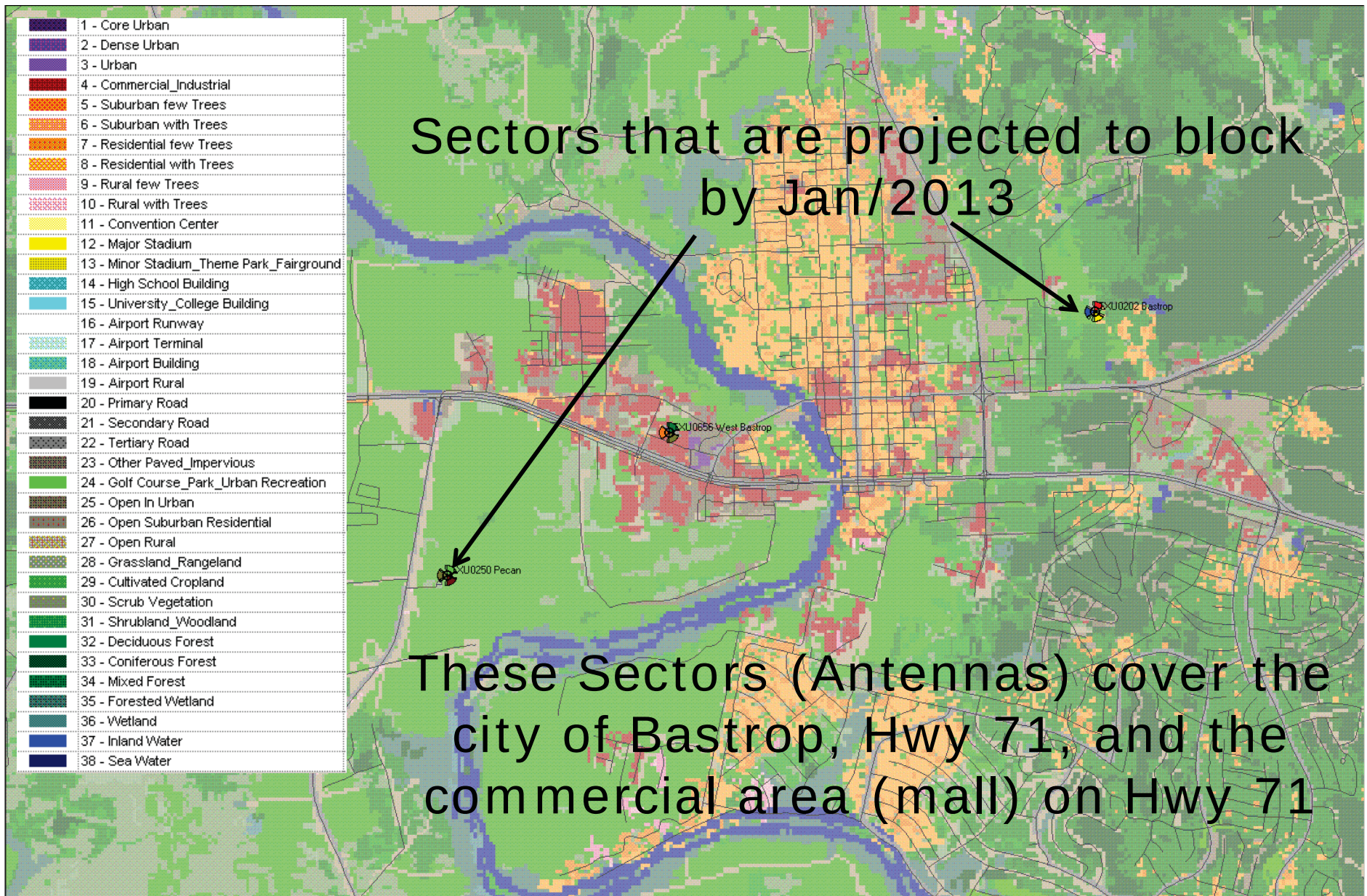
West Bastrop - Map



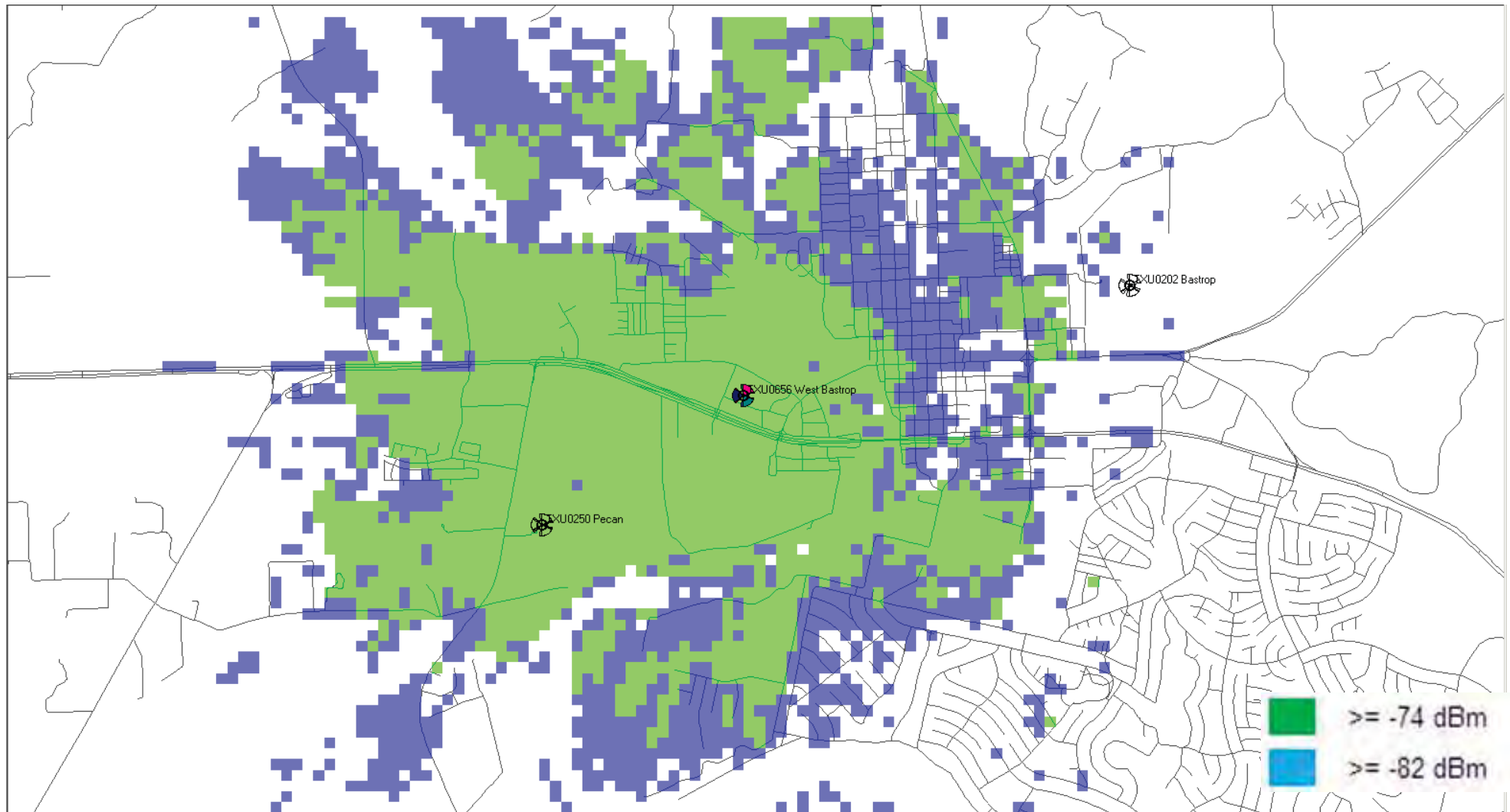
West Bastrop - Customer Complaints



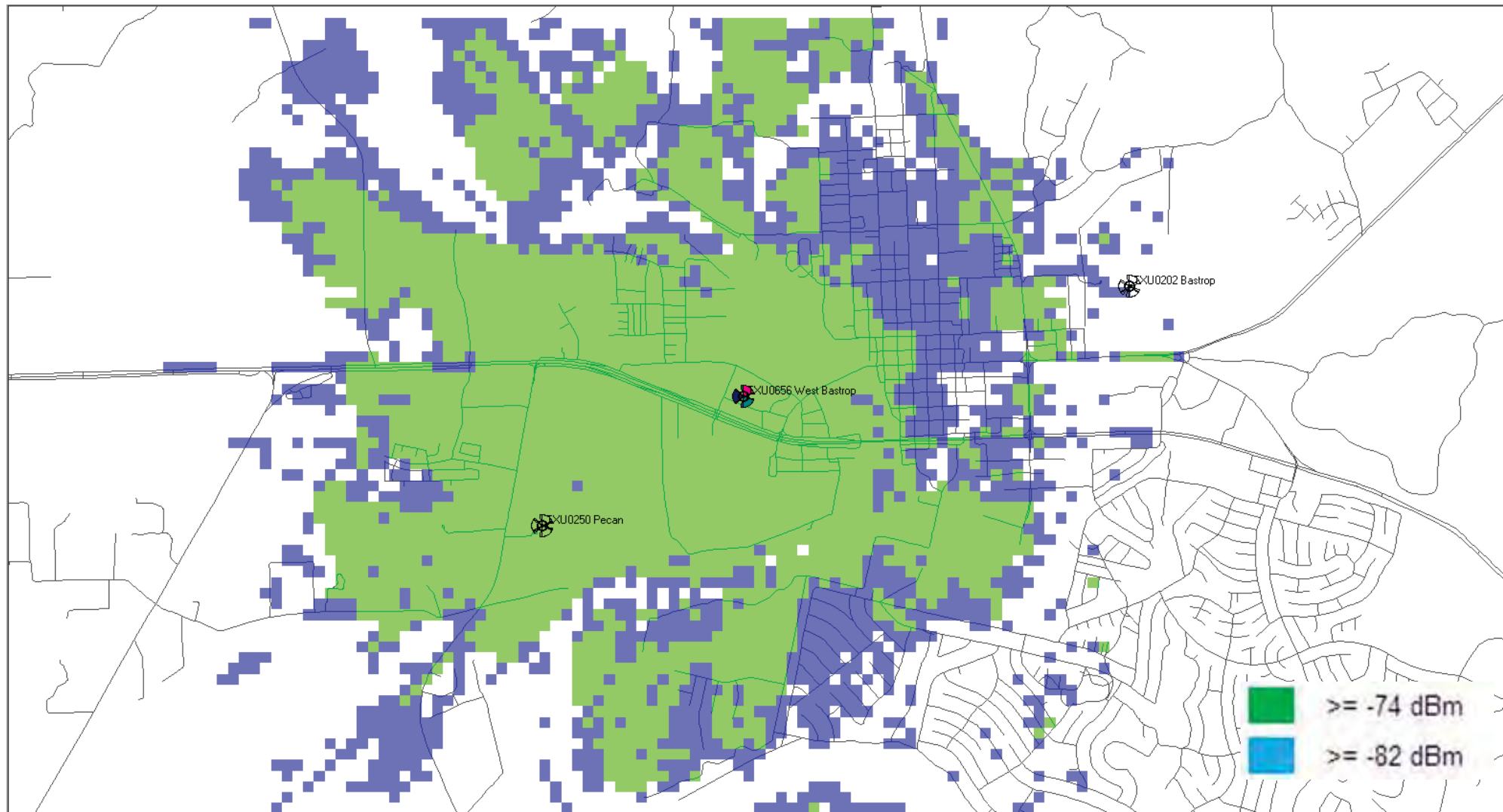
West Bastrop - Clutter Types



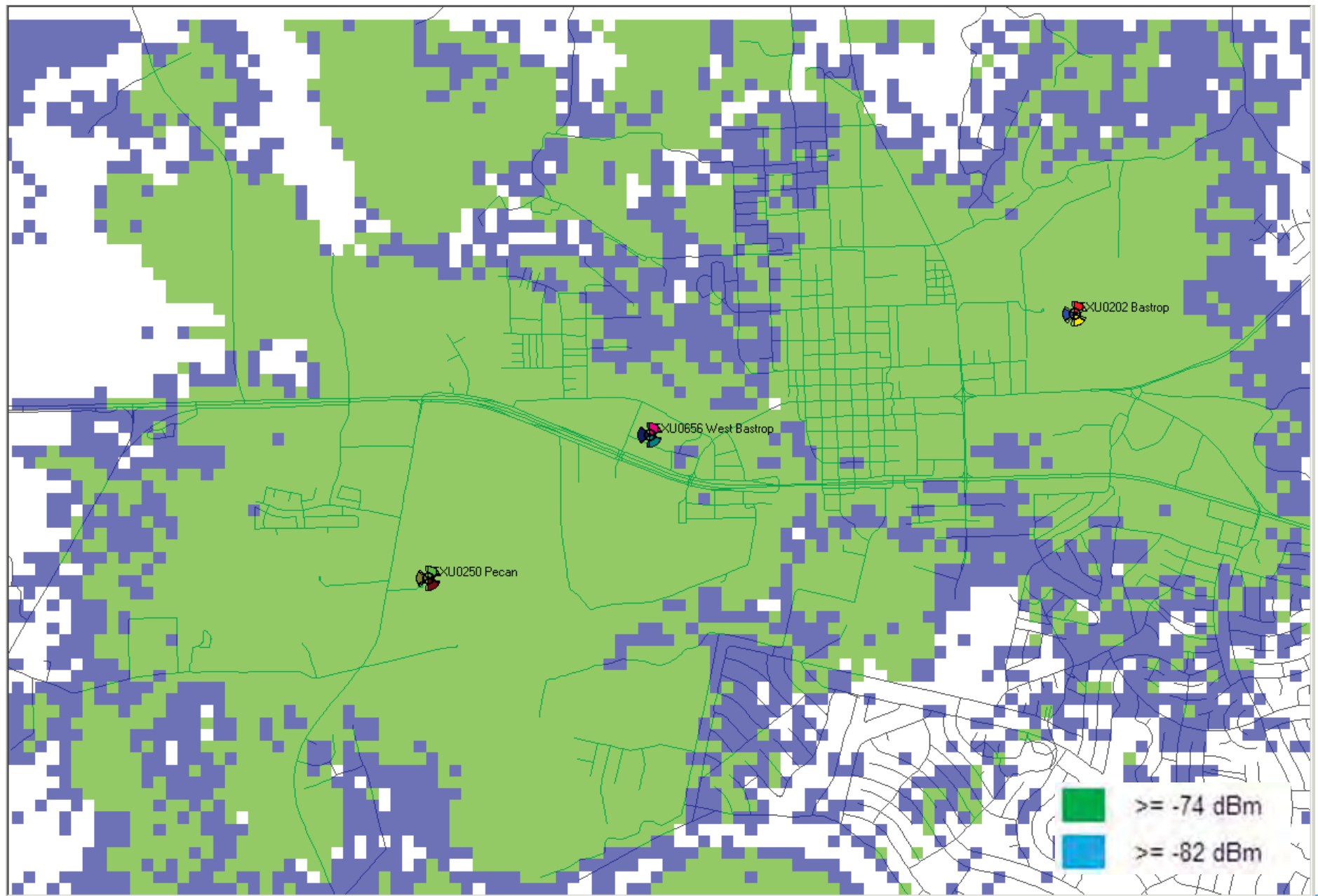
West Bastrop – Site Coverage at 70ft



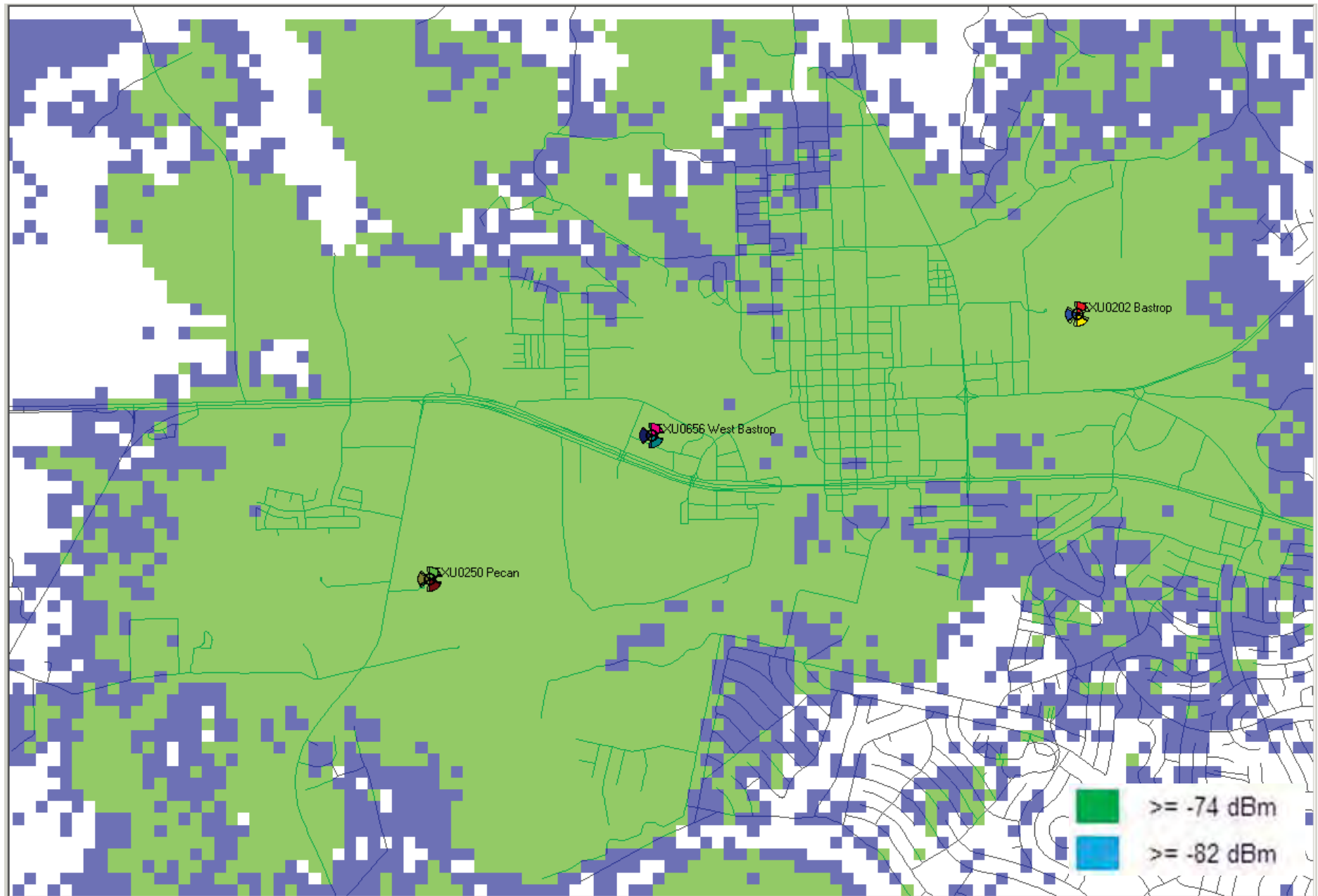
West Bastrop – Site Coverage at 90ft



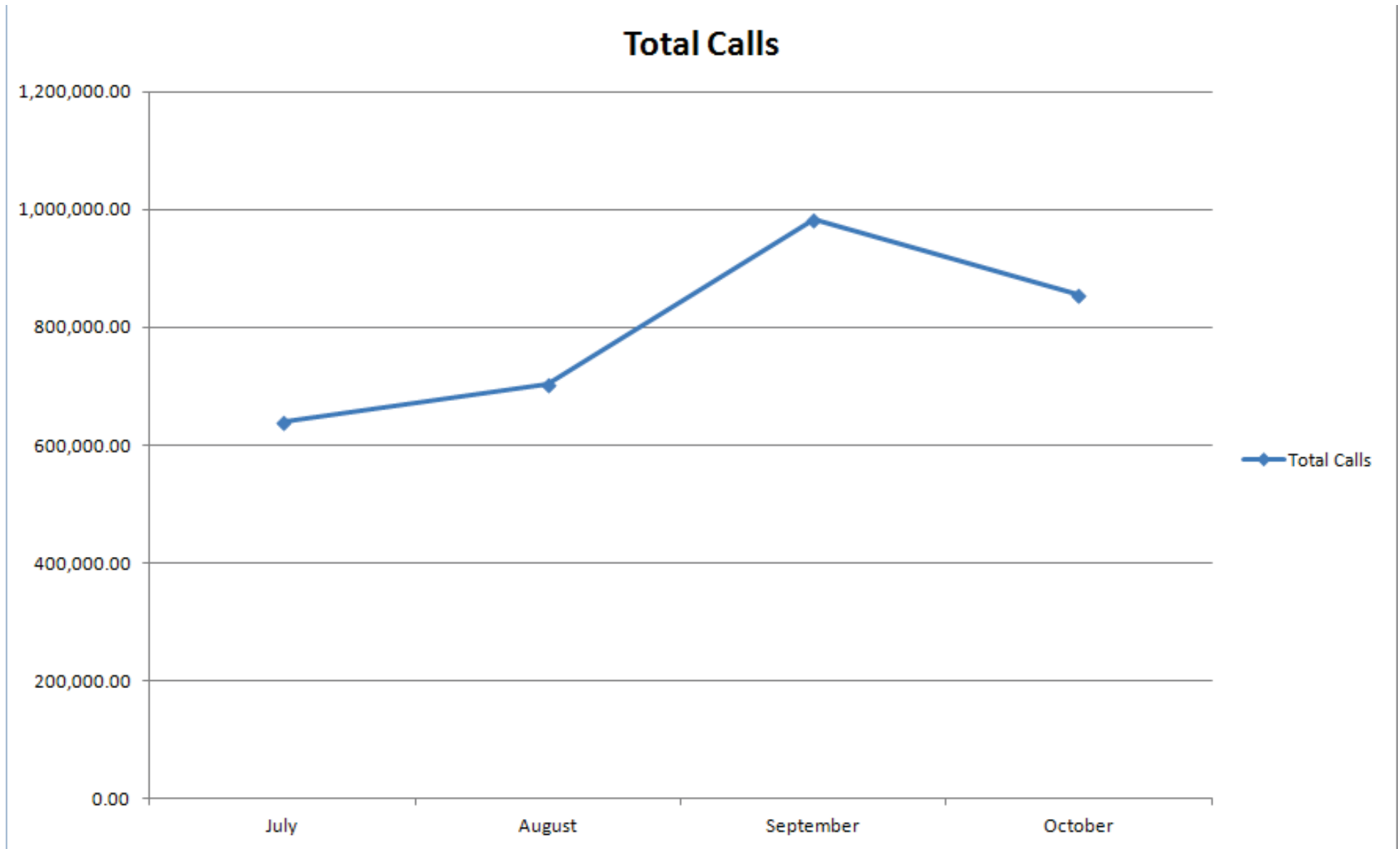
West Bastrop - Actual Coverage



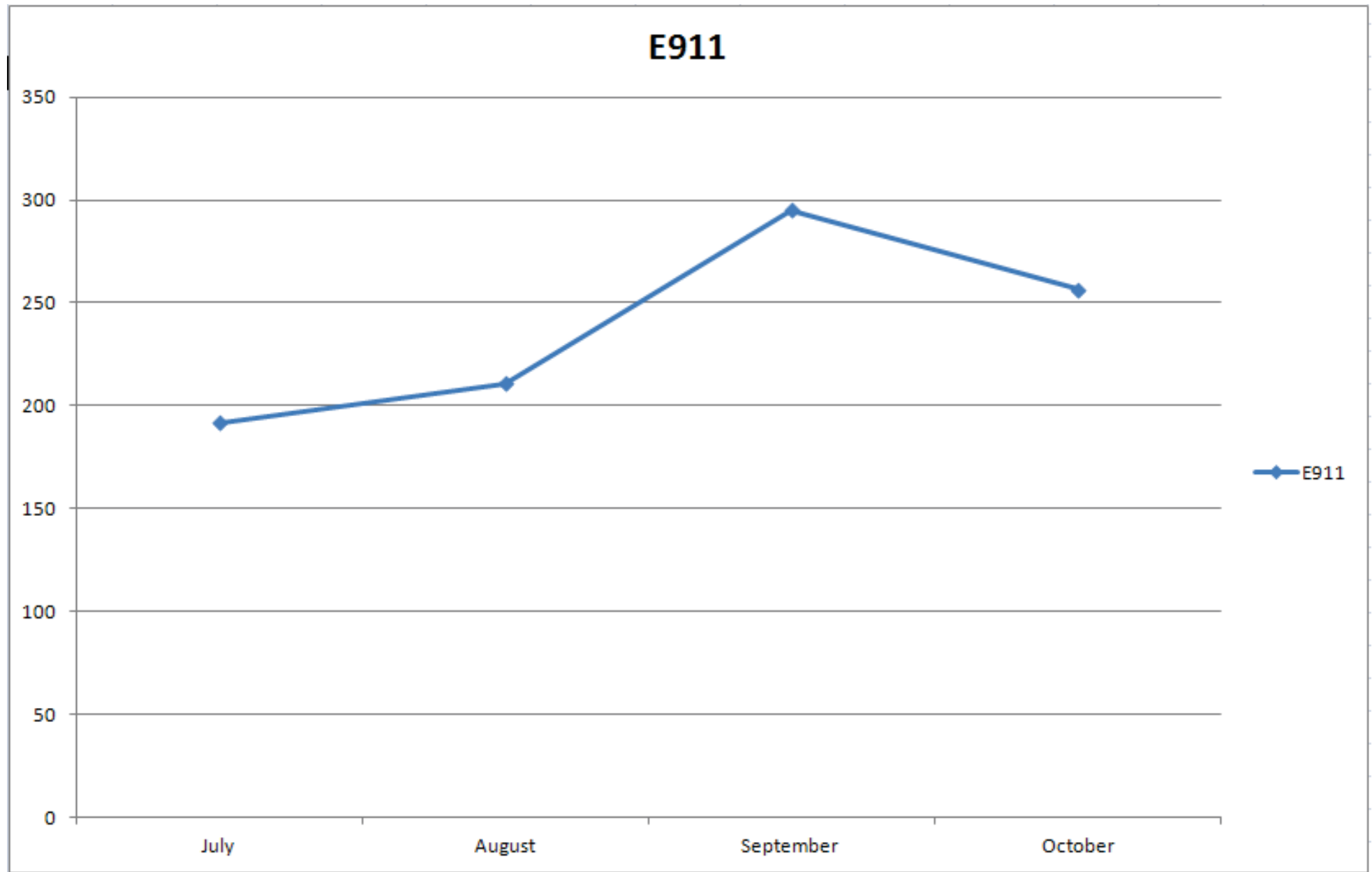
West Bastrop - Proposed Coverage



West Bastrop - Statistics for Actual Calls in the Area



West Bastrop - Statistics for E911



THE FRANCIS LAW FIRM

July 13, 2011

To the Honorable Planning and Zoning Commission and City Council:

Bastrop Marketplace, LTD. ("Applicant"), respectfully submits the attached Application and Checklist for Conditional Use Permit ("Application") to construct an 70 foot stealth flag pole commercial antenna support structure pursuant to Code Section 43.4(B).

BACKGROUND

Bastrop Marketplace, LTD., a Texas limited partnership, has entered into a lease agreement with Capital Telecom Acquisition LLC, a Delaware limited liability company ("Capital Telecom") for a 0.06 acre lease tract (the "Lease Tract") out of Lot 2, Block A, Bastrop West Commercial Sec 1, recorded under Cabinet 2, Page 306B, Plat Records of Bastrop County, Texas, and being commonly known as 443 W SH 71, Bastrop, Tx 78602. Capital Telecom proposes to construct and operate a 70 foot stealth flag pole commercial antenna support structure (the "Tower") within the Lease Tract. The Lease Tract is currently zoned C-2.

Applicant has authorized Mr. Thomas Waniewski of Capital Telecom as its "Agent" for processing the Application. Mr. Waniewski has authorized the undersigned, as counsel to Capital Telecom, to submit this letter to the Planning and Zoning Commission and City Council.

Attached to the Application is:

- (i) a survey of the 0.06 acre tract;
- (ii) a site plan for the Lease Tract;
- (iii) deed and tax receipt;
- (iv) an elevation of the proposed Tower;
- (v) FAA-1A letter;
- (vi) Capital Telecom Radio Frequency Safety Brochure; and
- (vii) Capital Telecom Electro-Magnetic Energy Study.

A PROFESSIONAL CORPORATION

(210) 222-1100 * 112 E. PECAN STREET, SUITE 550 * SAN ANTONIO, TEXAS 78205-1517 * FAX (210) 222-2468

WRITER'S DIRECT DIAL (210) 222-1112

WRITER'S E-MAIL wbfrancis@francislawfirm.com

www.francislawfirm.com

Honorable Planning and Zoning Commission and City Council
July 13, 2011
Page 2

CODE SECTIONS

Code Section 43.4(B) states that:

"B. Increasing Maximum Height. The maximum height of buildings and structures may be increased above the maximum height allowed in the base zoning district by conditional use permit, as provided in Section 33, Conditional Use Permits, for those buildings and structures located in nonresidential districts, and those buildings and facilities occupied by a church, political subdivision, or utility company in any zoning district."

Code Section 43.5(B)1 states that:

"1. Commercial antenna support structures are allowed by right **(in C-2 zoning districts)** if they do not exceed the maximum building height allowed for the zoning district in which they are located. Structures in excess of the height allowed in the Light Industrial zoning district may be allowed by Conditional Use Permit (CUP). In all nonresidential zoning districts, the antenna support structures (tower) must be set back from all property lines a distance equal to the height of the tower." [emphasis added]

CONDITIONAL USE PERMIT

The Applicant will present evidence (including the following) to the Planning and Zoning Commission and to the City Council which will support Applicant's request for a Conditional Use Permit pursuant to Code Section 43.4(B).

1. Applicant's proposed Tower is a "structure" under Section 43.4(B).
2. The Tower is a permitted use in the C-2 zoning district.
3. Pursuant to Code Sections 29.3 and 43.5(B)(1), the height of the Tower is limited to "less than thirty-five feet (35')".
4. Pursuant to Code Section 43.4(B), the Planning and Zoning Commission and the City Council are authorized to grant Applicant's request for a Conditional Use Permit to allow the 70 ft. Tower.

Honorable Planning and Zoning Commission and City Council
July 13, 2011
Page 3

5. As shown on the survey, site plan and zoning map, the Tower will be constructed in the rear of a significant commercial building. Therefore, due to its location, the Tower will not (i) impede the views of any landmark buildings, significant open spaces, vistas or water bodies; (ii) impede access to light and air of surrounding properties; or (iii) create shadowing of residential properties or significant public spaces.

6. As shown on the submitted photo simulations of the Tower, the Tower is consistent with the height, bulk and scale relationships with the surrounding buildings, signs and structures.

7. As shown on the zoning map, all of the uses surrounding the Tower are situated within the C-2 zoning district.

8. Further, pursuant to Code Section 33.2(A), Applicant submits that,

a. The Tower is a permitted use in the C-2 zoning district.

b. The Tower will be constructed behind a significant commercial building and is harmonious and compatible with the surrounding use.

c. Because of the topography and the high volume of data and mobile service usage in the surrounding area, the Tower constructed to a height of 70 feet is the minimum height necessary to facilitate uninterrupted mobile and data service and 911 access to the surrounding area.

d. As shown on the site plan, Applicant will construct a 6 foot chain link fence with fuzzy slats enclosing the 42 foot by 46 foot Tower compound, that is surrounded by landscaping on three sides.

Finally, other than in the CF-Civil Facilities District, the Zoning Code limits the height of structures (including "commercial antenna support structures") in all zoning districts to "less than thirty-five feet (35')". Applicant submits to the Planning and Zoning Commission and to the City Council that this city-wide height restriction effectively prohibits the placement of "commercial antenna support structures" anywhere within the City of Bastrop, thereby impeding mobile and data service and 911 access to the City of Bastrop residents, businesses and visitors.

Honorable Planning and Zoning Commission and City Council
July 13, 2011
Page 4

Applicant respectfully requests approval of its request for a Conditional Use Permit by the Planning and Zoning Commission and the City Council.

Yours very truly,

The Francis Law Firm, P.C.

By: 

W. Bebb Francis, III
Counsel to Capital Telecom Acquisition
LLC, Agent for Bastrop
Marketplace, LTD.



July 13, 2011

VIA HAND DELIVERY

Planning and Zoning Commission
City Council
City of Bastrop
1311 Chestnut Street
Bastrop, TX 78602

**RE: Application for Conditional Use Permit – Bastrop Marketplace
Capital Telecom/AT&T Wireless**

Dear Members of the Commission and Council:

By way of background, Capital Telecom was founded in 2007 with a focus on developing and marketing retail commercial properties to the wireless telecommunication industry. Capital Telecom currently controls over 15,800 properties on an exclusive basis for retail tenants and landlords and develops communication towers on those properties. Our real estate tower portfolio tracks some of the largest real estate owners in the nation, including Home Depot, Royal Ahold, Equity One, DDR, Centro Properties, and Federal Realty among others. Capital Telecom has developed communication towers similar to what is proposed before the Commission and the City Council in various locations nationwide.

As a tower developer, Capital Telecom encourages collocation on its sites and has entered into lease agreements with every major carrier including AT&T, Verizon Wireless, T-Mobile, MetroPCS, etc. For this particular site, Capital Telecom has designed the site to accommodate four (4) wireless carriers structurally on the seventy-foot (70') flagpole and within the leased compound area. Capital Telecom's lease with Bastrop Marketplace Ltd. dated February 2, 2011 allows collocation in Section 4(a) below:

4. Use.

(a) The Premises are Licensed for the purposes of constructing, installing, operating, repairing, maintaining, upgrading and replacing one or more communications towers, poles, guy wires and anchors, equipment shelters, buildings, utility lines, communication equipment, signs, personal property and related facilities and improvements including without limitation all technological evolutions of the any of the foregoing (the "**Telecommunications Facility**"). Tenant shall have the right to use the Telecommunications Facility for its business purposes, which shall include, without limitation, subleasing or licensing all or any portion of the Premises and/or the Telecommunications Facility to third parties ("**Carriers**"), without Landlord consent.



Zoning Board of Adjustment
July 13, 2011
Page 2

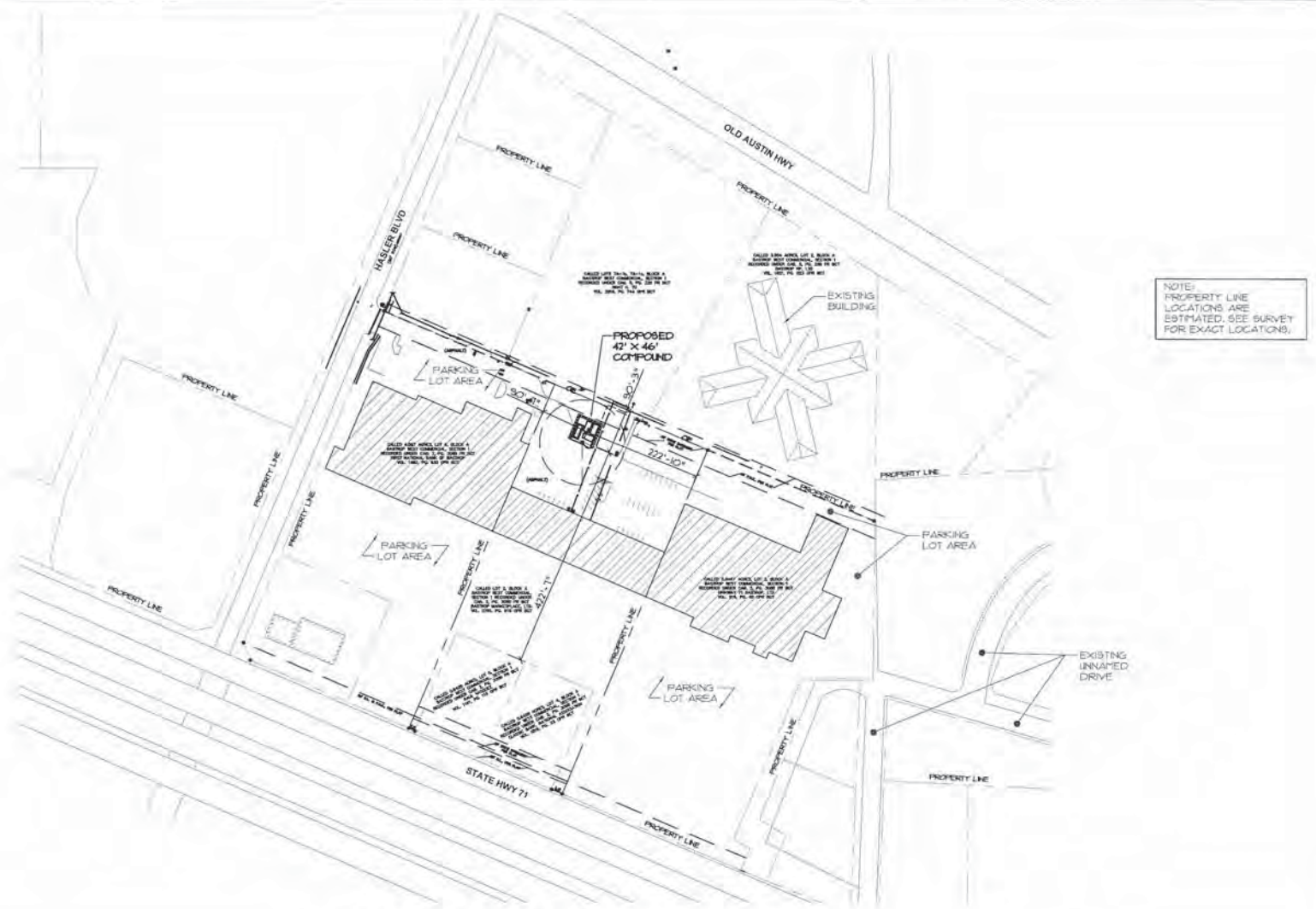
Capital Telecom is also proposing the ground equipment be screened by a six foot (6') high chain link fence with fuzzy slats. Capital Telecom has found this fencing material combines both screening and security.

Kindly let me know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas Waniewski". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thomas Waniewski
Principal



OVERALL SITE PLAN
SCALE: 1" = 200'-0"



DATE: 6/8/11
DRAWN: 12/31/11



CAPITAL TELECOM ACQUISITION

OVERALL SITE PLAN

DRAWING NUMBER

T110025-Z-1

W-T

W-T COMMUNICATION
DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
751 Madison Parkway, Suite 200
Lewisville, Texas 75057
Ph: (972) 728-2781 FAX: (972) 728-4782
www.wtdesigngroup.com
P.E. Registration No. F-10754 Exp. 06/30/12
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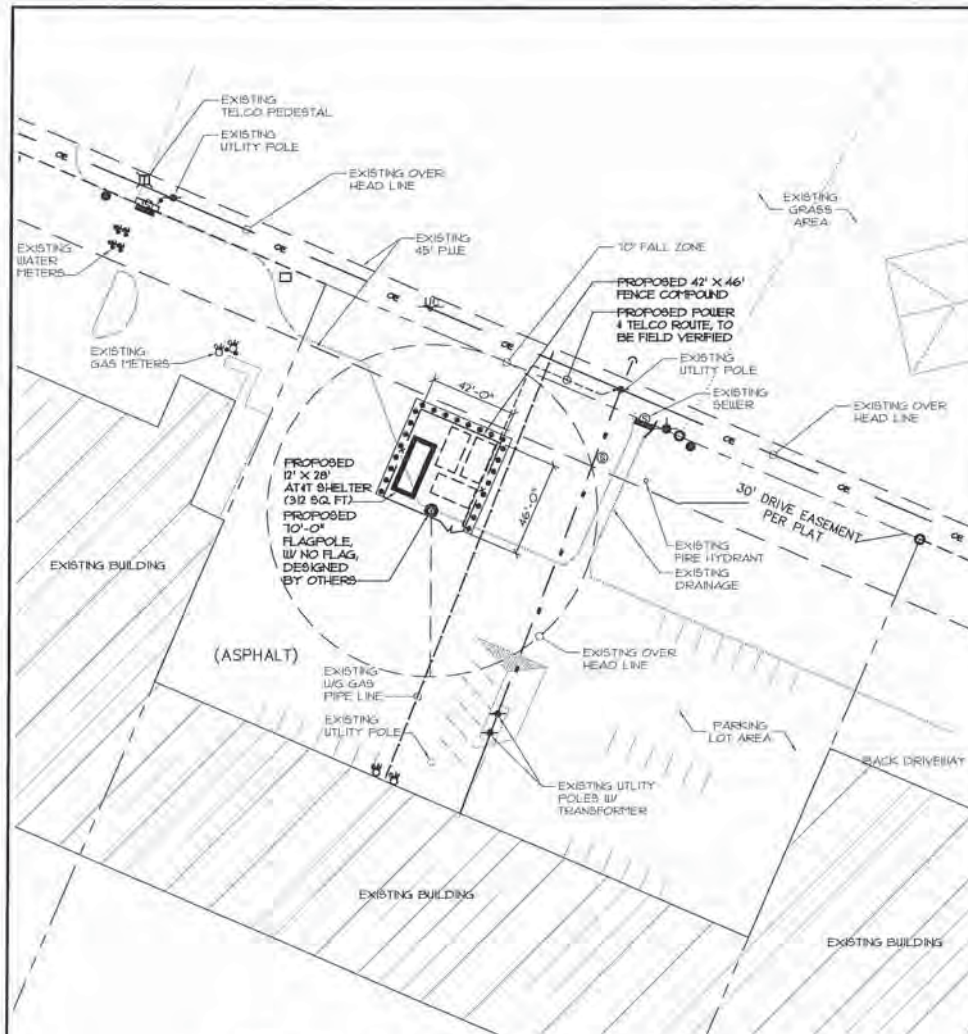
SITE NAME: BASTROP, TX

443 HIGHWAY 71 W
BASTROP, TX 78003

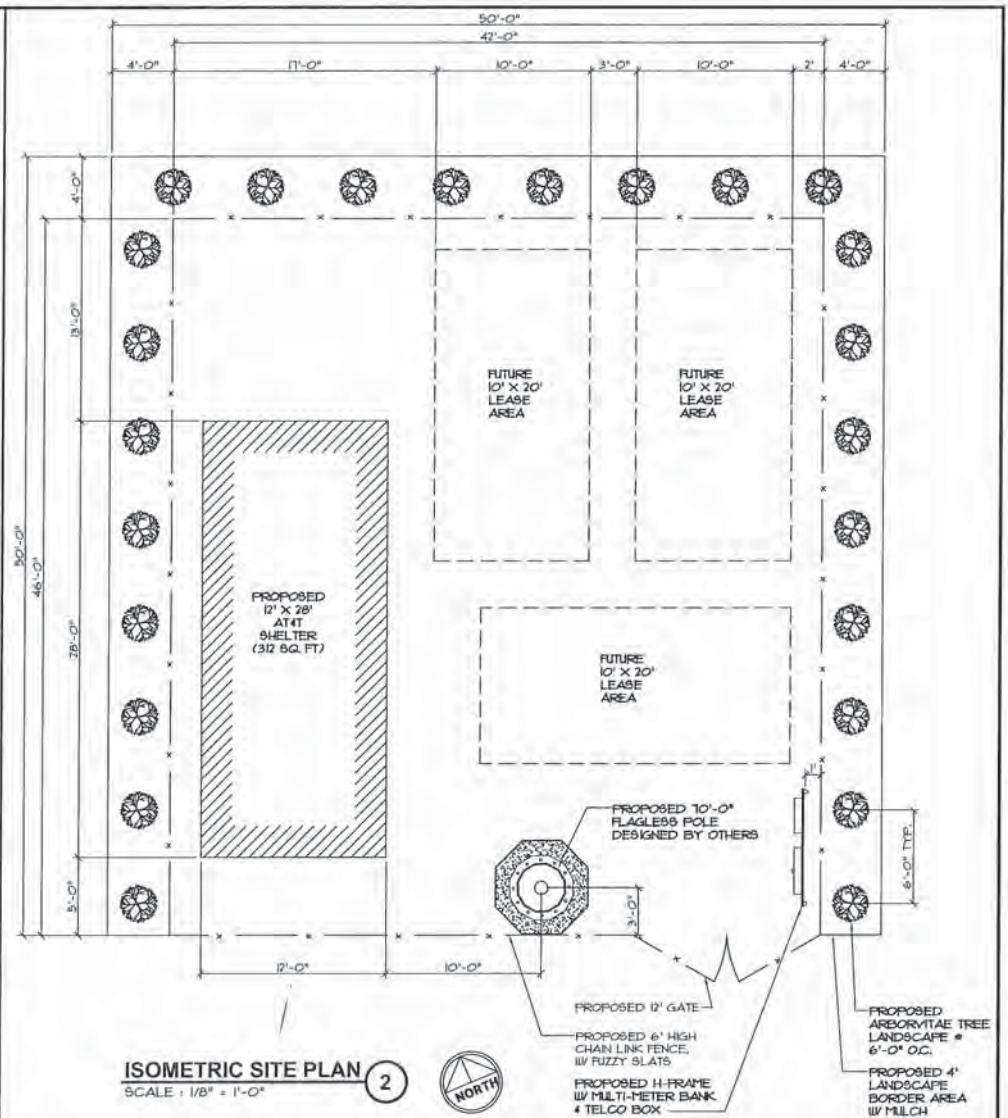
CAPITAL TELECOM
CAPITAL TELECOM ACQUISITION, LLC
1500 MT. KEMBLE, SUITE 203
MORRISTOWN, NJ 07960
Ph: (973) 425-0806
FAX: (973) 425-1618

NO.	DATE	ISSUED FOR ZONING	REVISIONS	BY	CHK	APP'D
0	6/8/11	ISSUED FOR ZONING		AC	AC	JLM

SCALE: AS SHOWN



ENLARGED SITE PLAN 1
SCALE: 1" = 60'-0"



ISOMETRIC SITE PLAN 2
SCALE: 1/8" = 1'-0"



W-T

W-T COMMUNICATION
DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
1511 Nelson Parkway, Ste. 200
Louisville, Texas 75057
PH: (972) 735-0215 FAX: (972) 735-0262
www.wtengineering.com
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SITE NAME: BASTROP, TX

443 HIGHWAY 71 W
BASTROP, TX 78602

CAPITAL TELECOM
CAPITAL TELECOM ACQUISITION, LLC
1500 MT. REMBLE, SUITE 203
MORRISTOWN, NJ 07960
PH: (973) 425-0606
FAX: (973) 425-1816

NO.	DATE	REVISIONS	BY	CHK	APP'D
1	8/8/11	ISSUED FOR ZONING	AC	AG	JLM
2	12/21/11	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN					



CAPITAL TELECOM ACQUISITION

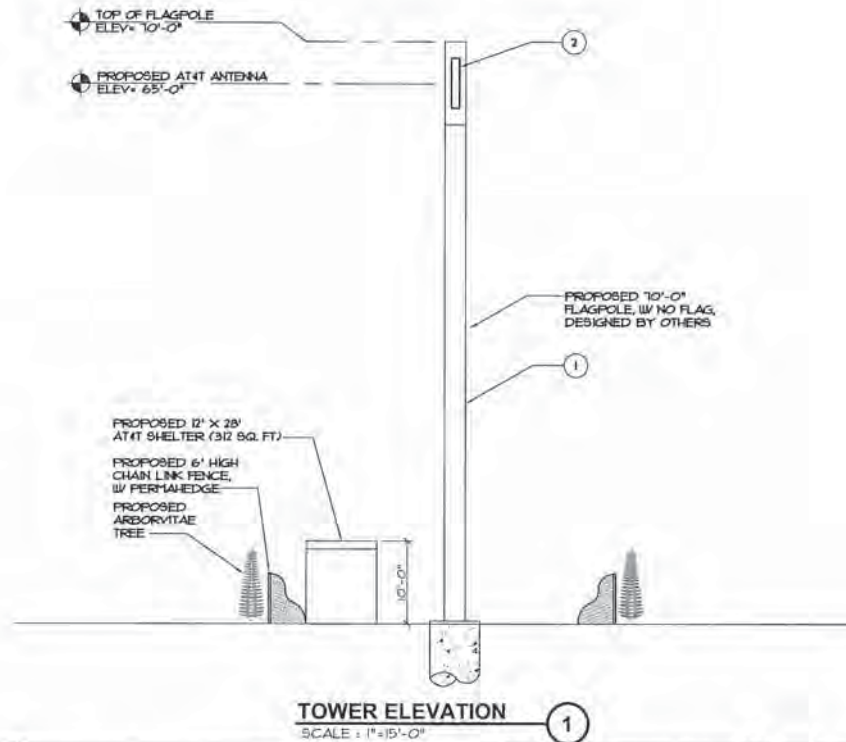
ENLARGED SITE PLAN &
ISOMETRIC SITE PLAN

DRAWING NUMBER

T110025-Z-2

KEY NOTES

1. PROPOSED 10'-0" TALL FLAGPOLE, W/ NO FLAG, DESIGNED BY OTHERS
2. PROPOSED AT&T PANEL ANTENNAS
RAD CENTER: 65'-0"



**W-T COMMUNICATION
DESIGN GROUP, LLC.**
WIRELESS INFRASTRUCTURE
731 Nelson Building, Ste. 101
Commerce, Texas 75027
PH: (972) 738-0781 FAX: (972) 738-0782
www.wirelessdesign.com
Proj. Registration No. F-0724 Exp. 06/30/12
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SITE NAME: BASTROP, TX

993 HIRSHMAN 711 W
BASTROP, TX 78003

CAPITAL TELECOM
CAPITAL TELECOM ACQUISITION, LLC
1500 MT. KEMBLE, SUITE 203
MORRISTOWN, NJ 07960
PH: (973) 425-0606
FAX: (973) 425-1616

NO.	DATE	ISSUED FOR ZONING	BY	CHK	APP
0	6/8/11	ISSUED FOR ZONING	AC	AC	JLM
1	6/8/11	REVISIONS	BY	CHK	APP

SCALE: AS SHOWN

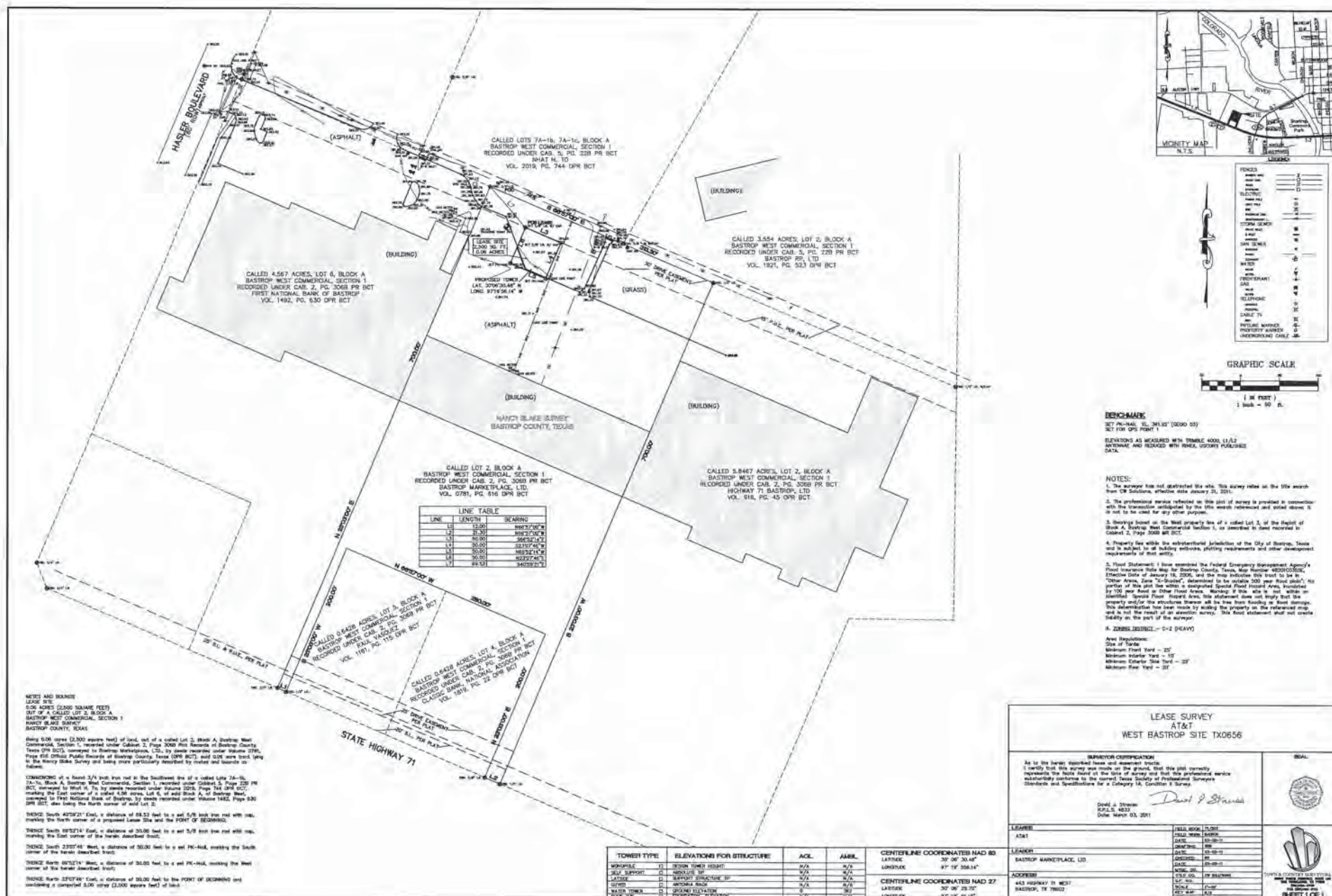
DATE: 6/8/11
EXP: 12/31/11



CAPITAL TELECOM ACQUISITION

TOWER ELEVATION

DRAWING NUMBER
T110025-Z-3



Bastrop, TX

443 Highway 71 W
Bastrop, TX 78602

Facing Southeast



01/20/2012

Bastrop, TX

443 Highway 71 W
Bastrop, TX 78602

95

Facing Southeast



EXISTING

03

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DESIGN GROUP, LLC
WIRELESS INFRASTRUCTURE

01/20/2012

Bastrop, TX

443 Highway 71 W
Bastrop, TX 78602

96

Facing Southeast



PROPOSED



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443 Highway 71 W
Bastrop, TX 78602

97

Facing South



EXISTING

03

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WIRELESS INFRASTRUCTURE

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443 Highway 71 W
Bastrop, TX 78602

98

Facing South



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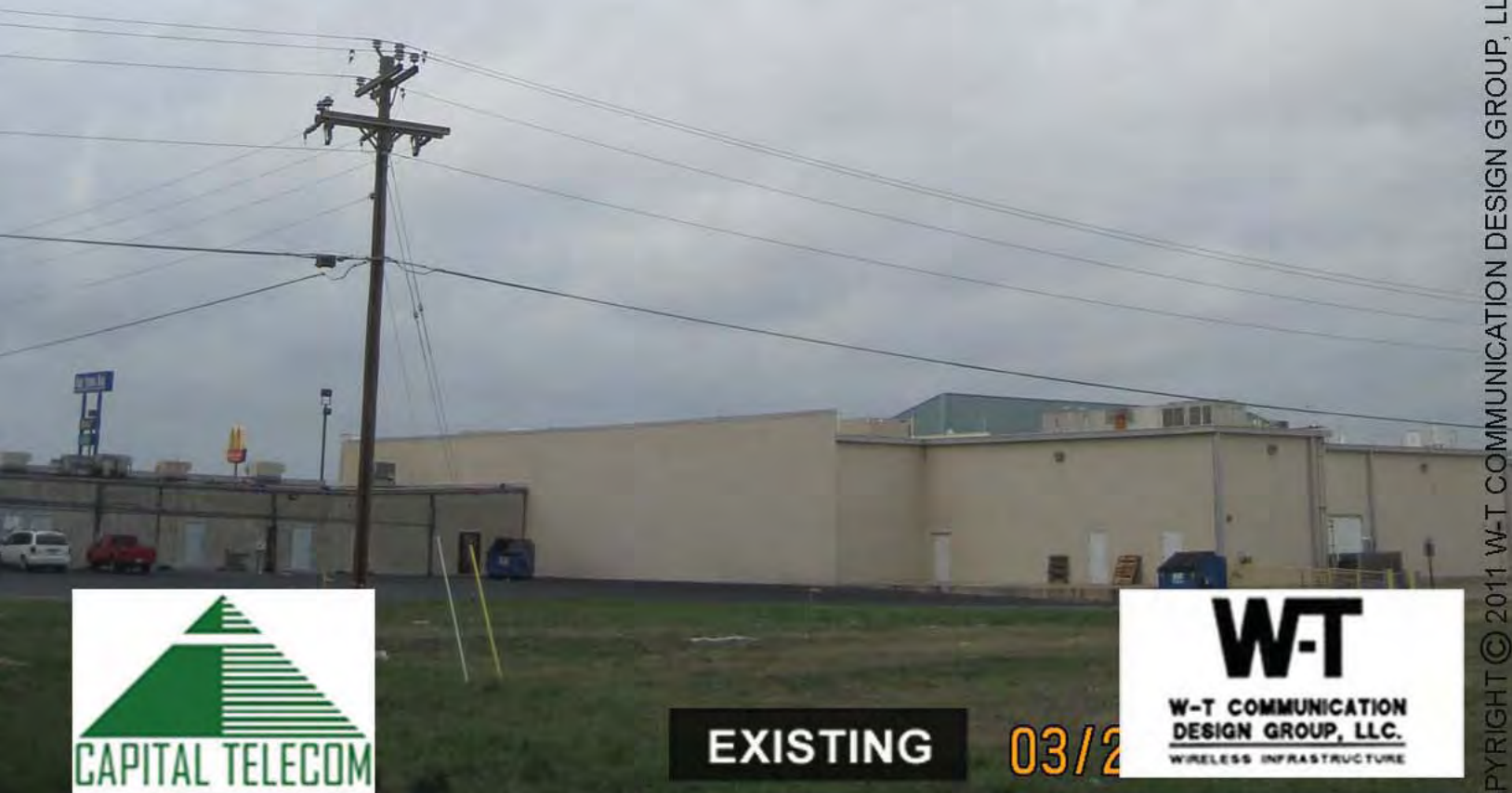
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Bastrop, TX
443 Highway 71 W
Bastrop, TX 78602

99

Facing Southwest



EXISTING

03/2



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Bastrop, TX
443 Highway 71 W
Bastrop, TX 78602

100

Facing Southwest



PROPOSED



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Bastrop, TX 78602

101

Facing South 2



EXISTING



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057227

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102

Facing South 2



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103

Facing Southwest 2



EXISTING

03

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104

Facing Southwest 2



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105

Facing West



EXISTING

03



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106

Facing West



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107

Facing Northwest



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108

Facing Northwest



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Bastrop, TX 78602

109

Facing North



EXISTING

03

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WIRELESS INFRASTRUCTURE

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443 Highway 71 W
Bastrop, TX 78602

110

Facing North



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Bastrop, TX

443 Highway 71 W
Bastrop, TX 78602

111

Facing Northeast



EXISTING

03



01/20/2012

Bastrop, TX

443 Highway 71 W
Bastrop, TX 78602

112

Facing Northeast



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113

Facing East



EXISTING

03



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114

Facing East



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CAPITAL TELECOM SITE: HD564
Bastrop, TX
Height Verification

W-T COMMUNICATION DESIGN GROUP, LLC

751 Hebron Parkway, Suite 200, Lewisville, TX 75067 (972) 739-0761 FAX (972) 739-0762



HEB store entrance & clock tower



HEB Hwy sign & Billboard



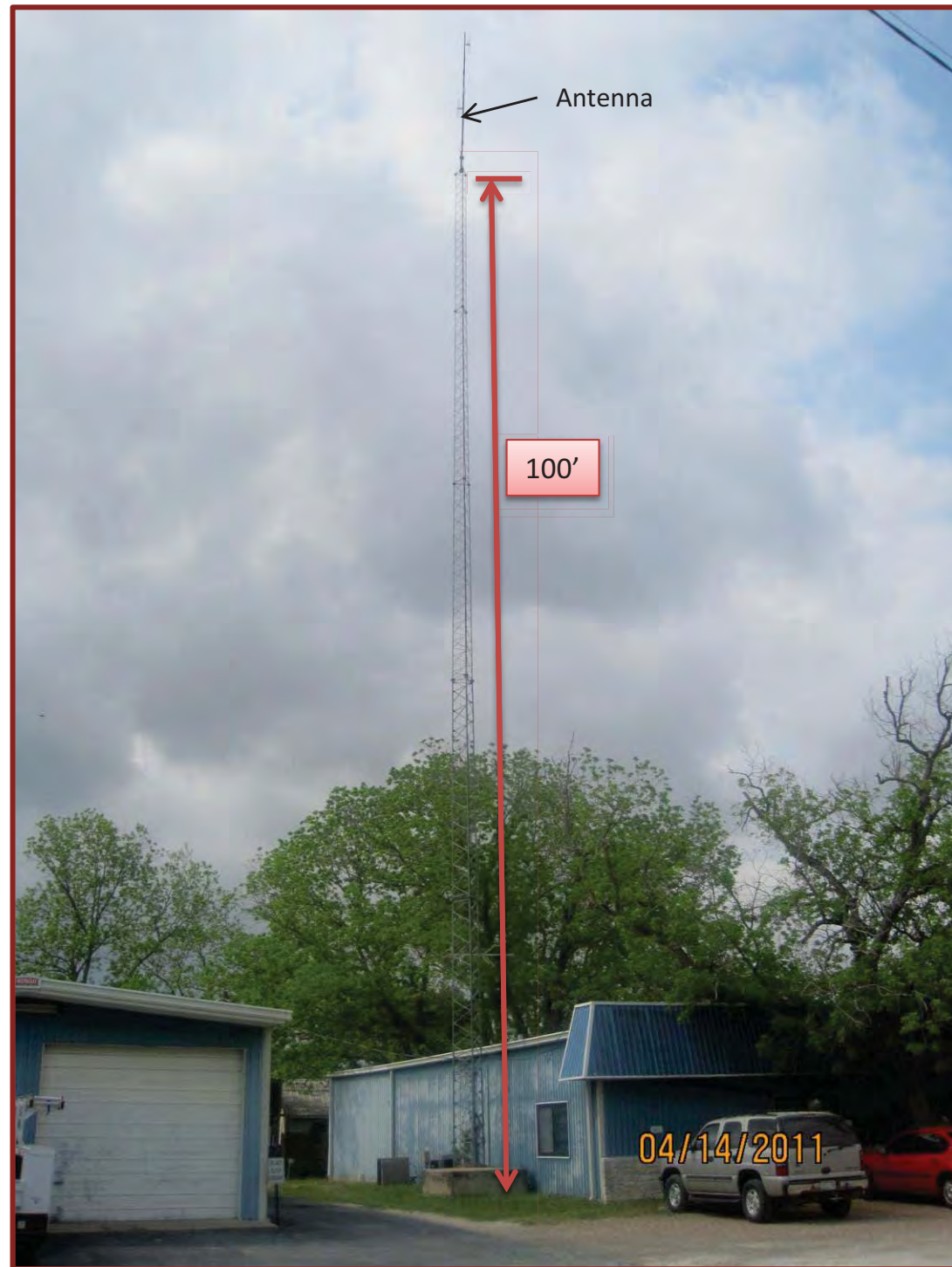
FNB/Starbucks Hwy sign



FNB & Shopping center Hwy sign



Whataburger Hwy Sign



95' guyed tower behind TDPS building



First National Bank building height of brick wall



August 2, 2011

Mr. Marc Harris
Capital Telecom, LLC
1500 Mt. Kemble, Suite 203
Morristown, NJ 07960

Reference: 70' Stealth Pole
Site Name: Bastrop, TX / Bastrop County
Address: 443 Highway 71 West / Bastrop, TX

Dear Mr. Harris:

Thank you for your inquiry concerning tower design codes and practices as they relate to your tower designs in Bastrop, TX.

Valmont has been designing and building guyed, self-supporting towers and monopoles since the early 1950's. During this time, we have sold thousands of structures ranging in height from as little as 50' high to in excess of 1400'. These structures were individually engineered to accommodate the loading requirements imparted by the design windspeed, ice considerations, antenna loading, and other factors dictated by the national code requirements existing at the time the tower was built.

The ANSI/TIA-222-G-2005 Standard represents the latest refinement of specific minimum requirements for tower engineers and manufacturers to follow to help assure that the tower structure and its foundations are designed to meet the most realistic conditions for local weather while assuring that the tower is designed to stringent factors of safety. This tower is designed to 95 MPH (no ice) and 30 MPH (1/2" ice) Basic Wind Speed per ANSI/TIA-222-G-2005 with Class II and Exposure C criteria.

The "G" version of the code incorporates an escalating wind factor based on tower height. Thus 95 mph is the basic design windspeed at the 10 meter height. This speed is then increased in stages up the tower. "Meeting the code" implies that the design quoted has all of the code requirements for safety factors intact at the windspeed specified. Thus, the ultimate survival speed would be considerably higher. Again, adding ice to the design loading also adds a further safety factor, in effect, to the final tower strength.



While failure is extremely rare in any kind of tower, it is especially so for monopoles and self-supporting towers. In fact, only if a monopole were subjected to a direct hit from a tornado or the severest of hurricanes would failure be predicted.

We are aware of very few instances of monopole failure. The most common mode of failure would be in the middle region of the monopole, with the upper portion of the monopole remaining connected and "bowing over" against the base of the pole. The fact that the wind is normally greater on the upper portion of the structure contributes to the likelihood of this type of failure. Thus, if a failure condition is reached, it should be reached in the upper middle region of the monopole first. This pole having a height of 70' would have a fall zone matching the tower height.

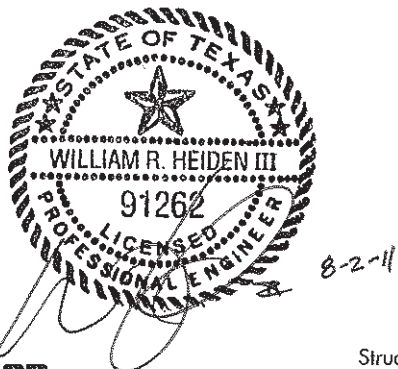
Needless to say, the engineering codes which govern tower and monopole designs are extremely conservative. Monopoles are designed for extreme wind conditions, and even under these extreme conditions, stringent factors of safety are required.

As Chief Engineer of the company and a registered P.E. in 47 states, I oversee all engineering and applications of our towers. Valmont Structures is an AISC approved shop. All Valmont Structures welders are AWS qualified. Mathematical and physical tests are performed routinely on tower sections and designs as required. Our total design, engineer and build process has been quality audited by our customers including public utilities, telephone companies, government agencies and of course AISC.

We trust the above and the attached will be helpful to you. If you should need anything else, please let us know at your convenience.

Sincerely,

William R. Heiden III
Senior Project Engineer
Extension #5243

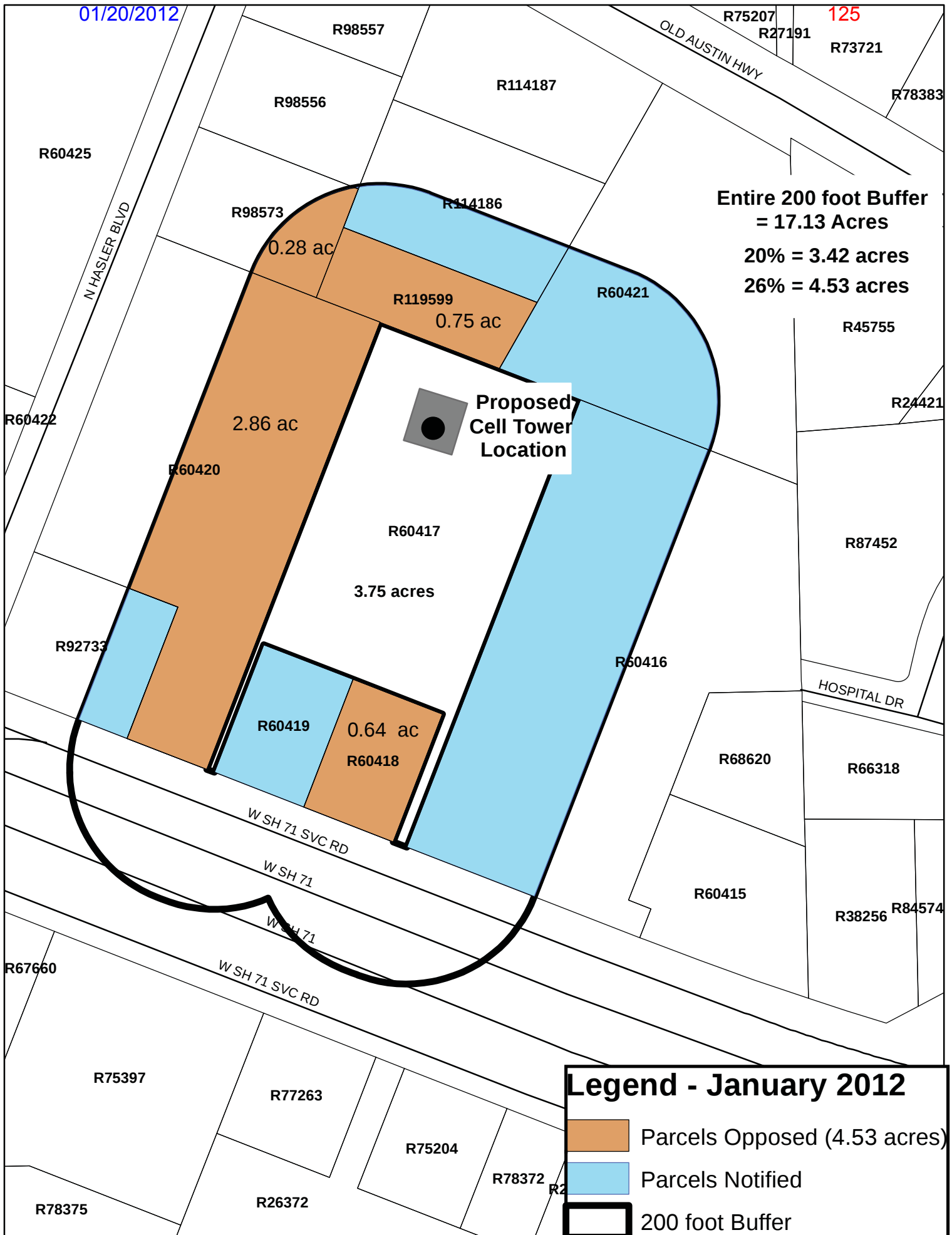


Structures Division, Valmont Industries, Inc.

1545 Pidco Drive Plymouth, Indiana 46563-4005 USA

574-936-4221 Fax 574-936-6796 www.valmont.com

01/20/2012



01/20/2012

From: Reid Sharp <Rsharp@fnbbastrop.com>
Sent: Thursday, January 19, 2012 10:11 AM
To: Marie Murnan
Cc: Ken Kesselus Personal
Subject: RE: City Council: Reminder

Opposition has not changed. Still opposed for the same reasons as listed before:

1. The cell tower violates the covenants and restrictions recorded in Volume 435, Page 558, Official records of Bastrop, County Texas regarding
 - a. height,
 - b. use and
 - c. construction outside of the allowed buildable area.

Therefore the cell tower would devalue our property because it is "inconsistent with a first class shopping center".

2. The proposed cell tower will increase the chance of lightning strikes in our area.
3. We have health and safety concerns about radio frequency emissions this close to the ground and this close to our employees.

Reid Sharp
President/CEO
First National Bank of Bastrop

Direct (512) 581-4400
Bank (512) 321-2561
Metro (512) 303-1003
Fax (512) 321-6929

NMLS ID 475394

RECEIVED
JAN 19 2012
BY: MM

From: Marie Murnan [<mailto:mmurnan@cityofbastrop.org>]
Sent: Wednesday, January 18, 2012 4:34 PM
To: Reid Sharp
Subject: City Council: Reminder

City Planning Director, Melissa McCollum, asked that I contact everyone to remind them of the City Council meeting next week, Tuesday, January 24, 2012 at 6:00 pm, for the public hearing of the proposed cell tower project to be located behind the Bastrop Marketplace. She wanted you to know this is still on the council agenda for next week and we do not anticipate any further postponements of the hearing.

Most importantly, we want to confirm that you are still opposed to this project and that your opposition has not changed. If your view has changed, please notify us immediately.

We sincerely appreciate your time and patience with this matter. Thank you.

Marie Murnan
Planning Technician
Planning & Development
1311 Chestnut Street
PO Box 427
Bastrop, Texas 78602
Direct: (512) 332-8842
Main: (512) 332-8840
Fax: (512) 332-8849
mmurnan@cityofbastrop.org

RECEIVED
JAN 19 2012
BY: MM

**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

This is re-notification of the same notice sent to you at the end of December, 2011 with date changes. This represents the same cell tower project from 2011.

The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, January 24, 2012** (first reading) and have a second reading on **Tuesday, February 14, 2012** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4 B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

**PLEASE SEE ATTACHED LOCATION MAP AND SKETCH (FOUR 11x17 PAGES
ARE INCLUDED FOR THIS EXHIBIT)**

As a property owner within 200' of the above referenced property, you are being notified of the public hearing 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 hearing.

X
X

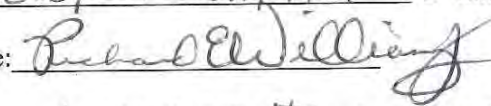
PROPERTY OWNER'S RESPONSE

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

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

RECEIVED
JAN 19 2012
BY: 

Property Owner Name: CLASSIC BANK, N.A.
Property Address: 493 HWY 71 West Phone (optional): 254-697-6461
Mailing Address: Box 835, Cameron, TX 76520 Email (optional): rwilliams@CLASSICBA.COM

Property Owner's Signature: 

Comments: (Optional)

please refer to comments on earlier "Property Owner's Response Form."

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial,
Section 1: mailed 1/9/12 for January 24, 2012 CC

**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

This is re-notification of the same notice sent to you at the end of December, 2011 with date changes. This represents the same cell tower project from 2011.

The Bastrop City Council will hold a public hearing at 6:00 p.m. on Tuesday, January 24, 2012 (first reading) and have a second reading on Tuesday, February 14, 2012 in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4 B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace LTD

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X
X

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: Markingplace at Bastrop
Property Address: Highway 71 W Phone (optional): _____
Mailing Address: 5012 AUGUSTA CIRCLE Email (optional): _____
College Station TX 77845
Property Owner's Signature: P. J. J.
Comments: (Optional)

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1; mailed 1/9/12 for January 24, 2012 CC

RECEIVED
JAN 12 2012

mm

Some Scientific Research indicates that living or working within 400 meters (1397 feet) of a cell tower can result in greater levels of various forms of cancer and other health problems. Other research, often funded by the cell phone industry, indicates just the opposite, that there are no health risks associated with living or working within a close distance of a cell tower. We simply may not know for sure for 20 or 30 years. In fact, in the 1920's and 1930's both tobacco and asbestos were promoted as healthy and safe. There is too high of a concentration of people spending 8-10 hours of every day at this location to risk the health problems associated with a cell tower as this site. Classic Bank is opposed to this request.

PROPERTY OWNER'S RESPONSE

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

☐ I am in favor the request.

☒ I am opposed to the request.

Property Owner Name: CLASSIC BANK, N.A.
Property Address: 493 Highway 71 West
Mailing Address: P.O. Box 835, Cameron, Tx 76520

Phone (optional): 254-697-6461

Email (optional): rwilliams@classicbank.com

Property Owner's Signature: Richard E. Williams

Comments: (Optional)

see attached

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
JAN 09 2012

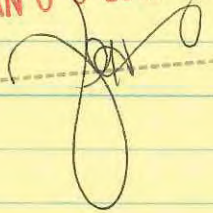
BY: _____

1-6-2012 My A #
R: A 114186

To: City of Bastrop, Texas

The purchasers of my approximately
5 acres have asked me to withdraw
my objection to the 70 foot tower.

Therefore I hereby withdraw my
objection to the 70 foot tower

RECEIVED
JAN 06 2012
BY: 

Robert E. Jenkins Jr.
1302 Pecan Street
Box 547
Bastrop Texas 78602

**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, January 10, 2012** (first reading) and have a second reading on **Tuesday, January 24, 2012** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4 B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

**PLEASE SEE ATTACHED LOCATION MAP AND SKETCH (FOUR 11x17 PAGES
ARE INCLUDED FOR THIS EXHIBIT)**

As a property owner within 200' of the above referenced property, you are being notified of the public hearing 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 hearing.

X
X

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: Nhat To

Property Address: 105 N Hasler

Mailing Address: 501 Old Austin Hwy

Phone (optional): 332-2900

Email (optional): _____

Property Owner's Signature: Nhat To

Comments: (Optional)

Building within 100' from proposed

Please provide reply to:

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

TOWER

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
JAN 05 2012

BY: MM

NOTICE OF PUBLIC HEARING BASTROP CITY COUNCIL

Dear Property Owner:

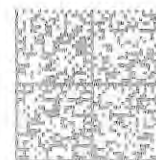
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Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

PLEASE SEE ATTACHED LOCATION MAP AND SKETCH (FOUR (4) PAGES ARE INCLUDED FOR THIS EXHIBIT)

As a property owner within 200' of the above referenced property, you are invited to attend the public hearing and invited to attend to express your opinion. Petition for support or opposition to this request, may be submitted to the Planning Department, 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602.



U.S. POSTAGE & METS
ZIP 78602 \$ 000.00
02 1W
0001363517 DEC 22

**City of Bastrop
Planning & Development**

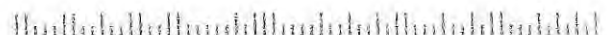
1311 Chestnut Street
P.O. Box 427
Bastrop, Texas 78602



R60416
Highway 71 Bastrop Ltd.
4514 Cole Ave. Ste. #810
Dallas, Texas 75205

NIXIE 750 5E 1 00 12/27/11
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 78602042727 *2410-14421-22-38

78602-0427



**NOTICE OF PUBLIC HEARING
BASTROP CITY COUNCIL**

Dear Property Owner:

The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, January 10, 2012** (first reading) and have a second reading on **Tuesday, January 24, 2012** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4 B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway, zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

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~~X~~
~~X~~**PROPERTY OWNER'S RESPONSE**As a property owner within 200': (please check ☒ one)☒ I am in favor the request.☐ I am opposed to the request.Property Owner Name: Markedplace at BastropProperty Address: W. Hwy 79

Phone (optional): _____

Mailing Address: 5012 Ferguson Dr

Email (optional): _____

Property Owner's Signature: Renee J. JonesComments: (Optional) I believe the community need this for safety purposes and it looks nice.

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
DEC 28 2011BY: 

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

Dear Property Owner:

The Bastrop Planning and Zoning Commission will hold a public hearing on **Thursday, August 25, 2011**, at 6:00 p.m. and the Bastrop City Council will hold a public hearing at 6:00 p.m. on **Tuesday, September 13, 2011** (first reading) and have a second reading on **Tuesday, September 27, 2011** in the City Council Chambers (CUP) located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit in accordance with Section 43.4 B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

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✂
✂

PROPERTY OWNER'S RESPONSE

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

☒ I am in favor the request.

☐ I am opposed to the request.

Property Owner Name: Richard E Williams Jr.

Property Address: 443 Hwy 71 West

Phone (optional): _____

Mailing Address: Bastrop, TX 78602

Email (optional): rwilliams@classicbank

Property Owner's Signature: Richard E Williams Jr.

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

[Handwritten signature/initials in yellow highlight]

**NOTICE OF PUBLIC HEARINGS
CITY COUNCIL**

*FAKED 11/4/11
7:19/AM*

Dear Property Owner:

Per Applicant's request this item was rescheduled to appear before The **Bastrop City Council**, please note this is the exact same item you were notified of for the October 11, 2011 and October 25, 2011 City Council meetings. The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, November 22, 2011** (first reading) and have a second reading on **Tuesday, December 13, 2011** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

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X
X

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: FIRST NATIONAL BANK
Property Address: 489 SH 71 W BASTROP 78602 Phone (optional): 512-581-4400
Mailing Address: PO DRAWER F Email (optional): rsharp@fnbbastrop.com
BASTROP TX 78602
Property Owner's Signature: [Signature] - [Name]

****Comments:**

- ① VIOLATES DEED RESTRICTIONS (HEIGHT, USE, BUILDINGS OUTSIDE OF BUILDABLE AREA) WHICH IN TURN DEVALUES OUR PROPERTY
② INCREASES CHANCE OF LIGHTNING STRIKES,
③ HEALTH & SAFETY CONCERNS WITH RADIO FREQUENCY ADMISSIONS THIS LOW TO GROUND.

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
NOV 09 2011

BY: [Signature]

**NOTICE OF PUBLIC HEARINGS
CITY COUNCIL**

Dear Property Owner:

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PROPERTY OWNER'S RESPONSEAs a property owner within 200': (please check ☒ one)

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

Property Owner Name: THE MARKETPLACE AT BASTROPProperty Address: HWY 71 W

Phone (optional): _____

Mailing Address: 5012 AUBURN CIR
College Station TX 77845

Email (optional): _____

Property Owner's Signature: [Signature]

**Comments:

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
NOV 07 2011

BY: [Signature]

01/20/2012

**NOTICE OF PUBLIC HEARINGS
CITY COUNCIL**

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Applicant: Bastrop Marketplace, LTD

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X
X-----
PROPERTY OWNER'S RESPONSEAs a property owner within 200': (please check ☒ one)

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

Property Owner Name: FIRST NATIONAL BANKProperty Address: 489 SH 71 W BASTROP 78602 Phone (optional): 512-581-4400Mailing Address: PO DRAWER F Email (optional): rsharp@BASTROP TX 78602Property Owner's Signature: [Signature] - Pres/COOfnb bastrop.com****Comments:**

- ① VIOLATES DEED RESTRICTIONS (HEIGHT, USE, BUILDINGS OUTSIDE OF BUILDABLE AREA) WHICH IN TURN DEVALUES OUR PROPERTY
② INCREASES CHANCE OF LIGHTNING STRIKES,
③ HEALTH & SAFETY CONCERNS WITH RADIO FREQUENCY EMISSIONS THIS LOW TO GROUND.

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
NOV 04 2011BY: [Signature]

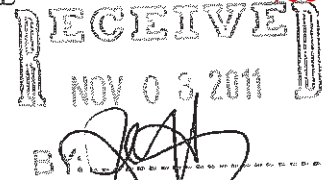
04/20/2012

PROPERTY OWNER'S RESPONSE

138

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

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



Property Owner Name: Robert E. Jenkins, Jr. (512)
Property Address: Bastrop West Commercial Sec. Block A, Lot 1A Phone (optional): 78-4658
Mailing Address: Box 547 Email (optional): 1.451 Acres

Property Owner's Signature: Robert E. Jenkins, Jr.

**Comments:

It will reduce F.N.B.'s property value. It could fall on F.N.B. IT puts out radiation. IT violates restrictive covenants that run with the land and

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

→ The City does NOT have the authority to violate or encourage others to violate these restrictions
Robert E. Jenkins, Jr.

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

Dear Property Owner:

The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, October 11, 2011** (first reading) and have a second reading on **Tuesday, October 25, 2011** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

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✂
✂

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: A. Jenkins Family Investments, LTD

Property Address: by: Robert C. Jenkins, General Partner

Mailing Address: Box 427 Bastrop, Texas 78602 Phone (optional): _____

Property Owner's Signature: Robert C. Jenkins, Jr.

Comments: (Optional)

The City's granting of the Conditional Use Permit will violate
The Deed Restrictions on the land and thus cannot stand.

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

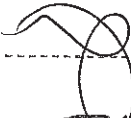
Once again a copy of the recorded Covenants
running with the land is attached to this
objection to the property owners request. Also attached
is a rough drawing of the public access easement
upon which the applicant wants to construct a 70 foot
tower.

PROPERTY OWNER'S RESPONSE

04/20/2012 Property owner within 200': (please check ☒ one)

RECEIVED
140
SEP 28 2011

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

BY: 

Property Owner Name: FIRST NATIONAL BANK

Property Address: 489 SH 71 W

Phone (optional): 512-581-4400

Mailing Address: PO DRAWER F BASTROP TX

Email (optional): rsharp@fnbbastra.com

Property Owner's Signature: Ram mu/coo

Comments: (Optional)

HEALTH & SAFETY CONCERNS WITH RADIO FREQUENCY EMISSIONS THIS CLOSE BY, INCREASED CHANCES OF LIGHTNING STRIKES, VIOLATES DEED RESTRICTIONS (HEIGHT, USE NOT IN BUILDABLE AREA), DEVALUES OUR PROPERTY.

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

01/20/2012

PROPERTY OWNER'S RESPONSE

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Comments: (Optional)

HEALTH & SAFETY CONCERNS WITH RADIO FREQUENCY EMISSIONS THIS CLOSE BY,
INCREASED CHANCES OF LIGHTNING STRIKES, VIOLATES DEED RESTRICTIONS (HEIGHT, USE
NOT IN BUILDABLE AREA), DEVALUES OUR PROPERTY.

Please provide reply to:

The Planning and Development Department

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

or via fax (512) 332-8849

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial,
Section IRECEIVED
SEP 27 2011

BY: _____

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

Dear Property Owner:

The **Bastrop City Council** will hold a public hearing at 6:00 p.m. on **Tuesday, October 11, 2011** (first reading) and have a second reading on **Tuesday, October 25, 2011** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a Conditional Use Permit (CUP) in accordance with Section 43.4B for a proposed 70-foot tall commercial antenna for construction on 0.06 acres out of 3.75 acres out of Lot 2, Block A, in Bastrop West Commercial, Section 1 located east of Hasler Boulevard and south of Old Austin Highway; zoned C-2, Commercial Heavy.

Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

**PLEASE SEE ATTACHED LOCATION MAP AND SKETCH (FOUR 11x17 PAGES
ARE INCLUDED FOR THIS EXHIBIT)**

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.

X
X

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: Marketplace at Bastrop

Property Address: HWY 71 W

Phone (optional): _____

Mailing Address: 5012 AUGUSTA

Email (optional): _____

Property Owner's Signature: Robert J. Jones

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
SEP 26 2011

BY: [Signature]

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

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X
X

PROPERTY OWNER'S RESPONSE

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

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

RECEIVED
AUG 22 2011
BY: VP

Property Owner Name: Nhat To

Property Address: 105 HASLER

Phone (optional): 332-2900

Mailing Address: 501 OLD AUSTIN HWY

Email (optional): _____

Property Owner's Signature: Nhat To

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

01/20/2012

NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL

144

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Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 a
Commercial Section 1

ot 2, Bloc



City of Bastrop
Planning & Development

1311 Chestnut Street
P.O. Box 427
Bastrop, Texas 78602



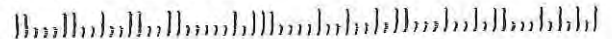
Highway 71 Bastrop LTD
4514 COLE AVE. Ste # 810
Dallas, Texas 75205



NIXIE 750 DE 1 DO 08/14/11

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 78602042727 *0710-04552-04-42



Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

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✂
✂

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: FIRST NATIONAL BANK OF BASTROP

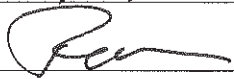
Property Address: 489 SH 71 W, BASTROP

Phone (optional): (512) 321-2561

Mailing Address: P.O. DRAWER F, BASTROP

Email (optional): rshatp@

fnbbastrop.com,

Property Owner's Signature: 

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

**NOTICE OF PUBLIC HEARINGS
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X
X

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: THE MARKETPLACE AT BASTROP

Property Address: HWY 71

Phone (optional): _____

Mailing Address: 5017 AUGUSTA Circle
CS TX 77845

Email (optional): _____

Property Owner's Signature: Barry J. Jones

Comments: (Optional)

THE LANDSCAPING WORK NEEDED, THE TOWER IS SOME THIRTEEN

Please provide reply to:

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

AS THE TOWER
ALONG STREET.

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

01/20/2012

147

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

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Applicant: Bastrop Marketplace, LTD

Legal Description: (+/-) 0.06 acres out of 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 1.

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X
X

PROPERTY OWNER'S RESPONSE

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

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

Chicken Express

Property Owner Name: *William H. Jenkins*

Property Address: *107 North Hasler Blvd.*

Mailing Address: *P.O. Box 547*

Phone (optional): *512-303-4700 office*

Email (optional): _____

Property Owner's Signature: *William H. Jenkins*

Comments: (Optional)

William H. Jenkins

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

**NOTICE OF PUBLIC HEARINGS
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Applicant: Bastrop Marketplace, LTD

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X
X

PROPERTY OWNER'S RESPONSE

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

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

RECEIVED
AUG 05 2011

BY: YP

Property Owner Name: R. Jenkins Family Investments LTD

Property Address: Lot 7A-1d & 1-C-A Phone (optional): _____

Mailing Address: 1302 Pecan Bastrop TX 78602 Email (optional): _____

Property Owner's Signature: Robert C. Jenkins

Comments: (Optional)

We were against this last time and are still against it this time. To put a 70 foot tall tower in the middle of a business district is a mistake.

Please provide reply to:

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

* This request is insane in my opinion!!!

P.S. I thought this request had already been turned down. How many times do we have to hear this same story? R.C.J.

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

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Applicant: Bastrop Marketplace, LTD

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✂
✂

PROPERTY OWNER'S RESPONSE

RECEIVED
AUG 05 2011

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

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

BY: YP

Property Owner Name: McLeod Family Ltd. Partnership, Julia Ann Bland, Gen. P.
Property Address: 507A-16-1C-A BWC Phone (optional): 956-686-8971
Mailing Address: P.O. Box 5972, McAllen, TX 78502 Email (optional): N/A

Property Owner's Signature: Julia Ann Bland, Gen. Partnership
Comments: (Optional)

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

Re: Conditional Use Permit for 70-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

**NOTICE OF PUBLIC HEARINGS
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PROPF

RESPONSE

As a property owner within 200': (please chec



**City of Bastrop
Planning & Development**

1311 Chestnut Street
P.O. Box 427
Bastrop, Texas 78602



R60416
Highway 71 Bastrop Ltd.
4514 Cole Ave. Ste. #810
Dallas, Texas 75205

NIXIE 750 DE 1 00 05/25/11

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 78602042727 *0994-03826-19-23

78602042727



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

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✂
✂

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: Nhat To

Property Address: 105 Hasler

Phone (optional): 332-2900

Mailing Address: 501 Old Austin Bastrop

Email (optional): _____

Property Owner's Signature: [Signature]

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 80-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

*rec'd
5/27/11 JCH*

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✂
✂

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: CLASSIC BANK

Property Address: 493 Hwy 71 West

Mailing Address: _____

Phone (optional): _____

Email (optional): _____

Property Owner's Signature: [Signature]

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 80-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
MAY 18 2011
BY: [Signature]

01/20/2012

PROPERTY OWNER'S RESPONSE

REID SHARP
PRESIDENT AND CHIEF EXECUTIVE OFFICER

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

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

FIRST NATIONAL BANK

BASTROP COUNTY'S BANK... SINCE 1889

Member FDIC

Direct (512) 581-4400
Bastrop (512) 321-2561
Metro (512) 303-1003
Fax (512) 321-6929
www.fnbbastrop.com

489 Highway 71 W.
P.O. Drawer F
Bastrop, TX 78602
rsharp@fnbbastrop.com

Property Owner Name: FIRST NATIONAL BANK

Property Address: 489 SH 71 W BASTROP

Mailing Address: P.O. BOX F BASTROP
TX 78602

Property Owner's Signature: [Signature]

Comments: (Optional)

REID SHARP PRES/CEO

Please provide reply to:

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

Re: Conditional Use Permit for 80-foot commercial antenna out of Lot 2, Block A, Bastrop West
Commercial, Section 1

RECEIVED
MAY 17 2011
BY: [Signature]

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PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: MARKET PLACE AT BAMP

Property Address: HWY 71 W

Mailing Address: P.O. BOX 9556 CS TX

Phone (optional): _____

Email (optional): _____

Property Owner's Signature: [Signature]

Comments: (Optional)

Please provide reply to:

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

Re: Conditional Use Permit for 80-foot commercial antenna out of Lot 2, Block A, Bastrop West
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RECEIVED
MAY 17 2011
BY: [Signature]

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✂ Robert Jenkins Jr.
✂

PROPERTY OWNER'S RESPONSE

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

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

Property Owner Name: Robert Jenkins Jr.
Property Address: Bastrop West Commercial (on old Austin Hwy) Phone (optional): (512) 796-3938
Mailing Address: _____ Email (optional): _____

*Property Owner's Signature: Robert E. Jenkins Jr.
Comments: (Optional)
I am opposed, contract pending on nearby property for senior apartment

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

Re: Conditional Use Permit for 80-foot commercial antenna out of Lot 2, Block A, Bastrop West Commercial, Section 1

RECEIVED
MAY 16 2011

BY: [Signature]

01/20/2012

Aug 05 11 02:48p

First National Bank

512 321 0663

p. 2

155

Provided by neighboring
property owner for
inclusion as Public
Information.

The City does
NOT enforce,
review, analyze,
and/or control
Deed Restrictions/
Covenants

OFFICIAL RECORDS

9286

VOL 435 PAGE 558

SECOND
AMENDED AND RESTATED
GRANT OF RECIPROCAL EASEMENTS
AND DECLARATION OF COVENANTS
RUNNING WITH THE LAND

By and Between

MARKETPLACE PARTNERSHIP, LTD.,
WAL-MART PROPERTIES, INC.

and

H. E. BUTT GROCERY COMPANY.

Dated: SEPT. 23, 1986

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Parcels, and to install, maintain, and repair and replace any such improvements, such as signs, lights, entrances, sidewalks and ramps, marquees, canopies, walls, landscape planters, or other overhangs and encroachments, encroaching upon the adjacent Parcel of the other Party, provided such do not encroach more than five feet (5'), and that such are attached to the building constructed or are a part of the improvements located upon the Parcel of the encroaching Party. Any such construction, installation, maintenance, repair, or replacement as in this section provided shall be performed by either Party so as to not damage the improvements or property of the other Party and so as not to unduly disturb, curtail, or impede any of the business functions or operations connected within the Shopping Center. The Party performing such work shall be responsible to the other for the complete restoration or repair of and to the improvements of the other, that may result from the performing Party's work as in this section provided.

ARTICLE III

USE RESTRICTIONS AND OBLIGATIONS3.1 Building Improvements.

A. Each Party shall cooperate with the other's request to obtain all necessary governmental approvals that are consistent with this Agreement. Buildings may be located only within Building Areas; provided that minor encroachments of building overhangs, support columns, canopies, eaves and signs from a Building Area into the Common Area or an adjacent Parcel shall be permitted.

B. Any exterior remodeling or exterior reconstruction work undertaken on any existing buildings shall at all times be of good quality construction and architectural design, and shall at all times conform to exterior design concepts of the Shopping Center, so that the exterior of all such buildings, including without limitation, exterior elevations and color, shall continue to be architecturally and aesthetically compatible and harmonious with the other buildings in the Shopping Center.

C. No building or appurtenant structure to be constructed after the date of this Agreement shall extend upward more than thirty-five feet (35') above the surface of the Common Area which surrounds such building (not including architectural roof treatments, antennas, satellite dishes, roof-mounted mechanical equipment, and clock and elevator towers), provided, however, the height of any buildings or appurtenant structure located upon the out-parcels of the Shopping Center as shown on the Site Plan shall not exceed twenty-two feet (22').

D. All buildings and other structures shall be placed or constructed upon the Parcels only within the Building Areas as defined in Paragraph 1.1 hereof, except with respect to Lots 4 and 5, Block A as shown on Exhibit "B" and the outparcel shown on the NEB Parcel on Exhibit "A".

E. If, within six months following the date on which a certificate of occupancy is issued for any building or any portion thereof constructed within the Shopping Center, an affidavit setting forth:

- (i) the name of the Party owning the Parcel upon which the building is situated,
- (ii) the name of the Party filing the affidavit,
- (iii) a description of each of the Parcels owned by such parties, and

(iv) a specific description of the manner in which such building fails to conform with the foregoing provisions of this Section 3.1 is not filed in the real property records of the County in Texas in which the Shopping Center is located, then in such event, the building for which the certificate of occupancy was issued shall conclusively be deemed to comply with the provisions of this Section 3.1. In such event, all Parties shall thereafter be estopped to assert any violations of this Section 3.1 with respect to such building.

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3.2 Parking Area.

(a) Ratio and Parking Pattern. There shall be maintained at all times within each parcel or further subdivision thereof, not less than five (5) parking spaces for each one thousand (1,000) square feet of Gross Floor Area of the buildings located upon such Parcel, or further subdivision thereof. There shall be no material changes to the parking layout or the pattern of traffic flow within the Parking Area as shown on the Site Plan without the prior written consent of each of the Parties.

3.3 Use Restrictions.

A. General Use Restrictions. During the term of this Agreement, no part of the Shopping Center shall be used except for commercial or retail sales, service or appurtenant uses, or any combination of such uses. Service uses include but are not limited to offices, financial institutions, doctor and dental offices, mini warehouses (only as shown on Exhibit "A"), brokerage offices, travel agency, but do not include offices which are incidental to non-service uses. Notwithstanding the foregoing, no use or operation will be made, conducted or permitted on or with respect to all or any part of the Shopping Center which use or operation is inconsistent with a first-class Shopping Center, including the following:

- (a) Any noise or sound that is objectionable due to intermittence, beat, frequency, shrillness, or loudness;
- (b) Any obnoxious odor;
- (c) Any noxious, toxic, caustic, or corrosive fuel or gas (provided, however, automobile service stations are expressly permitted);
- (d) Any dust, dirt, or fly ash in excessive quantities;
- (e) Any unusual fire, explosion, or other damaging or dangerous hazard, including the storage, display or sale of explosives or fireworks;
- (f) Any assembly, manufacture, distillation, refining, smelting, or mining operations;
- (g) Any "secondhand" store, or "unclaimed" merchandise store;
- (h) Any mobile home or trailer court, labor camp, junkyard, stockyard, or animal raising;
- (i) Any dumping, disposal, incineration, reduction of garbage or refuse;
- (j) Any fire or bankruptcy sale or auction house operation provided, however, this restriction shall not apply to the H.E.B. and Wal-Mart parcels;
- (k) Any parking lot sale, tent sale, or truckload sale except as expressly authorized pursuant to Section 3.8 hereof;
- (l) Any central laundry or dry cleaning plant which services other off-site facilities; provided, however, this prohibition shall not be applicable to on-site pick up and delivery by the ultimate consumer, including nominal supporting facilities, as the same may be found in retail shopping districts in the metropolitan area where the Shopping Center is located; and, provided, however, coin laundry or dry cleaning establishment are permitted;
- (m) Any automobile sales, leasing or display, including body repair facilities except with respect to Wal-Mart's auto center, if any;
- (n) Any bowling alley, skating rink or other amusement center;
- (o) Living quarters, sleeping apartments or lodging rooms;
- (p) Any mortuary;
- (q) Any adult bookstore or other facility selling pornographic material;

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(r) Any bar, tavern, dance hall, night club, lounge, or restaurant whose annual gross revenues from the sale of alcoholic beverages exceeds fifty percent (50%) of gross revenues arising out of or resulting from such business, provided, however, a liquor store shall be permitted provided, however, any liquor store located within the Shopping Center must be located at least three hundred feet (300') away from the front door of the HEB store;

(s) Any trailer or truck rental; or

(t) Any church, temple, chapel or other place of religious worship.

B. Restrictions Applicable to Developer Parcels. In addition to the foregoing, and provided that a grocery store has opened within three (3) years from the date of this Agreement and is being operated on the HEB Parcel, no part of the Developer Parcels shall be used for a food store or department or the display or sale of edible groceries, meats, produce, frozen foods, dairy products or bakery products. No building on Developer's Parcel shall be devoted to the sale of prescription pharmaceuticals. This restriction shall not preclude the sale of prepared foods for consumption on and off the premises by a restaurant or cafe type business, provided, however, that Developer agrees that no restaurant, fast food or sit-down, shall be allowed within two hundred feet (200') of HEB's building wall. Developer further agrees that no movie theater, bowling alley or health spa shall be allowed within 200 feet of HEB's building wall. In the event a grocery store ceases to operate on the HEB Parcel for a continuous period of six months, not counting periods when closed due to remodeling or fire damage or other casualty, the restrictions contained in this Paragraph shall automatically terminate forever. All or any part of these restrictions may be waived by HEB or its successors and assigns by filing an affidavit to that effect in the Deed of Records in the county wherein the Parcels are located. In the event a grocery store ceases to operate on Lot 6 for a continuous period of six (6) months, not counting periods when closed due to remodeling or fire damage or other casualty, the restrictions contained in this paragraph shall automatically terminate forever.

C. Restrictions Applicable to Wal-Mart Parcel. In addition to the foregoing, and provided that a grocery store has opened within three (3) years from the date of this Agreement and is being operated on the HEB Parcel, no part of the Wal-Mart Parcel shall be used for the operation of a food store or department or the display and sale of edible groceries, meats, produce, frozen foods, dairy products, bakery products, cookies, candy or confections, snacks or soft drink beverages in any area or areas greater than ten percent (10%) of the gross building area of the Wal-Mart store. No part of the Wal-Mart Parcel shall be used for the display or sale of beer, wine, or other alcoholic beverages. In the event a grocery store ceases to operate on the HEB Parcel for a continuous period of six (6) months, not counting periods when closed due to remodeling or fire damage or other casualty, the restrictions contained in this Paragraph shall automatically terminate forever. All or any part of these restrictions may be waived by HEB or its successors and assigns by filing an affidavit to that effect in the Deed of Records in the County wherein the Parcels are located. Wal-Mart shall be permitted to sell prescription pharmaceuticals.

D. Developer and H.E.B. Developer and H.E.B. covenant as long as Wal-Mart, or any affiliate of Wal-Mart is the user of the Wal-Mart Tract, either as Owner or Lessee, no space in or portion of the H.E.B. Tract or Developer Tract and no space or portion of any other real property adjacent to the Shopping Center which may subsequently be acquired by Developer or H.E.B., shall be leased or occupied by or conveyed to any other party for use as a retail department store, the principal business of which is substantially the same as that conducted by Wal-Mart, K-Mart, Target and Zayres as conducted as of the date of this Agreement. In the event Wal-Mart ceases to operate a store on Lot 2 for a continuing period of six (6) months, not counting periods when closed due to remodeling or fire damage or other casualty, the restrictions contained in the immediate preceding sentence shall terminate.

3.4 No Walls, Fences, or Barriers. Subject to the provisions contained in Article II and Section 3.5 concerning construction activities, no walls, fences or barriers of any sort or kind shall be constructed or erected in the Shopping Center, or any portion thereof, by any Party which shall prevent or

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impair the use or exercise of any of the easements granted herein, or the free access and movement of Occupants and Users, including without limitation pedestrian and vehicular traffic between the various Parcels; provided, however, that curb stops and other reasonable traffic controls, including without limitation traffic lights and stop signs, directional barriers and parking stops, as may be necessary to guide and control the orderly flow of traffic, may be installed, so long as access driveways to the Parking Area and the Shopping Center are not closed or blocked and the traffic circulation pattern of the Common Area, as shown on the Site Plan, is not materially affected. Each Party further reserves the right to close off any portion of the Common Area for reasonable periods of time (not to exceed one day per calendar year) as may be legally necessary to prevent the acquisition of prescriptive rights by the public. Prior to closing off any portion of the Common Area, as herein provided, such Party shall give written notice to the other Party of its intention to do so, and shall coordinate such closing with the other Party so that no unreasonable interference in the operation of the Shopping Center shall occur.

3.5 Fencing Off Construction. If any Party commences construction (as opposed to continuing construction that is already underway) after the time when any Occupant has completed the initial construction of any phase of development on its Parcel and opened to the public, such Party (or Occupant), at its own cost and expense, shall fence or cause to be fenced any development, construction, repair, alteration or remodeling work performed by the Party or Occupant on its Parcel under this Agreement.

3.6 Signs.

(a) EEB, Wal-Mart and Developer shall each have the right to erect within the Shopping Center one freestanding pylon sign structure in the locations designated on the Site Plan as "Pylon Signs" (herein so-called), subject to the rights of governmental entities to dictate the size, type, and location of such signs. No Shopping Center Sign shall exceed sixty-five feet (65') in height above the grade level of the Common Area surrounding such signs.

(b) No Occupant occupying less than twenty-five thousand (25,000) square feet of Gross Floor Area shall have more than one above-canopy and one below-canopy identification sign attached to the exterior of the building it occupies, except with respect to Occupants that are located on a corner and have front entrances facing two different directions, which may have one above-canopy and one below-canopy sign above each such front entrance. The foregoing provision shall not prohibit each Occupant from attaching at the rear of the building it occupies a sign identifying its shipping and receiving area. No exterior identification sign attached to a building shall be:

(i) placed on canopy roofs extending above the building roof (except for signs attached to clock, elevator and other towers, which may not extend above the top of such tower), placed on penthouse walls, or placed so as to project above the parapet or top of the wall upon which it is mounted;

(ii) placed at any angle to any building; provided, however, the foregoing shall not apply to signs located under a sidewalk canopy if such sign is at least eight feet (8') above the sidewalk; or

(iii) painted on the surface of any building except for signs having letters that are not more than 24 inches in height and are located at the rear of any building for the purpose of identifying shipping and receiving areas.

(c) Each Party shall be permitted to place within the Common Area on its Parcel, directional signs or informational signs, such as "Handicapped Parking." Except as permitted under subparagraph (b) above, signs identifying Occupants, products or services shall not be permitted within the Common Area; provided, however, that the foregoing shall not prohibit the temporary display of leasing information, nor the temporary erection of one sign identifying each contractor working on a construction project and one sign identifying each financial institution providing construction or permanent financing to a Party.

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Meeting Minutes

The City of Bastrop Planning and Zoning Commission met August 25, 2011 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Lisa Patterson called the meeting to order at 6:00 p.m.

2. Roll call and confirmation of a quorum of Commission members.

Richard Kindred	Present
Kristi Koch	Present
Christy Kosser	Present
Cecil Meyer	Present – arrived at 6:01 p.m.
Lisa Patterson	Present
Bryan Whitten	Present
Tish Winston	Present – arrived at 6:15 p.m.

3. Citizen comments.

There were no comments.

4. Consider, discuss and/or approve the Planning and Zoning Commission meeting minutes of April 28, 2011.

Christy Kosser made a motion to approve the meeting minutes of June 30, 2011. Seconded by Bryan Whitten and the motion passed unanimously.

5. CUP11-01: Public Hearing: Discussion and possible action on a request for a Conditional Use Permit to allow the construction of a 70 foot commercial antenna support structure. The subject property is approximately +/- 0.06 acres out of +/- 3.75 acres out of Lot 2, Block A, Bastrop West Commercial, Section 2. The site of the proposed support structure is located east of Hasler Boulevard and south of Old Austin Highway, in an area zoned C-2, Commercial Heavy in the City limits of Bastrop, Texas.

Melissa McCollum addressed the Commission stating the proposed cell tower is the third design that the applicant has submitted to staff for review. This tower is 70 feet in height and represents a “flag pole” that can support a flag. The applicant is willing to work with the City on any modifications to the aesthetic design of the structure and of the surrounding fencing. This is a continuation of the application that was scheduled for the May 26, 2011 Planning and Zoning Commission meeting.

The property is part of a shopping center commonly known as Bastrop Marketplace. Some of the current tenants are Subway, Clint’s Liquor, and Little Caesars. It is a building that is directly in-between Bealls and First National Bank (west) and Tractor Supply (east). This property is currently zoned C-2, Commercial Heavy.

The 70 foot tower is proposed to be located, behind the Bastrop Marketplace building. The applicant is applying for a Conditional Use Permit (CUP) under the exception of 43.4B Special Height Regulations which allow the maximum height of a structure to increase above the maximum height (35 feet) in the base zoning district as provided in Section 33.2, CUP and additional factors outlined in 43.4.B1.

If the Conditional Use Permit (CUP) is approved the applicant will proceed with site development and building permits to construct the 70' tower. Utilities are available, and any extensions that might be required as part cell tower construction will be at the owner/applicants expense.

Melissa McCollum said their request is for a Conditional Use Permit (CUP) in accordance with Section 43.4 B and Section 33 of the Zoning Ordinance, as requested by Bebb Francis, for a lease area of 0.06 acres behind Bastrop Marketplace for a 70 foot cell tower where the height of the tower must meet the maximum height of the zoning district, being commercial building height regulations of 35 feet. The subject property is an existing shopping center and the proposed tower would be located behind the existing main structure near the area used for employee parking. The lease area would contain a fenced 42' by 46' enclosed area with the possibility for collocation for additional antennas in the future. This lease area is adjacent to a 30 foot drive/access easement that serves this shopping center and the vacant property to the north.

Ten (10) adjacent property owner notifications were mailed. Six (6) public comments have been received, two (2) in favor/support (one from the property owner) of the CUP request and four (4) opposed. Staff recommends denial of the Conditional Use Permit (CUP) to Section 43.4 Special Height Regulations for structures to increase maximum height for a commercial antenna to not allow the proposed 70 foot tall cell tower within the C-2, Commercial-2 (Heavy) district where 35 feet is allowed. This proposed 70' foot height is not consistent with the existing shopping center area and staff feels the height of the tower does not meet the CUP requirements and the additional standards applied to special height regulations. If Planning and Zoning Commission feels the tower does meet the CUP and Special Height Regulations to allow the increased height for the tower up to 70' the commission may apply additional conditions.

Bebb Francis with the Francis Law Firm, representing Capital Telecom Acquisition LLC, and Tom Waniewski, a representative of Capital Telecom Acquisition, LLC gave presentations to the Commission. Both presentations covered the necessity of a telecommunications tower in this particular location in order to assist AT&T users by decreasing the number of dropped calls.

During public comments Robert Jenkins, a citizen of Bastrop came before the Commission on behalf Stanberry and Associates, Chicken Express, and the Jenkins. He expressed their opposition to this proposed development. He also expressed a fear that by allowing this tower to be built, would open doors to more inner city cell towers.

Tom Waniewski discussed why the other cell towers, as well as alternate locations for this tower, such as the Bastrop Industrial Park would not be suitable or able to meet the capacity demands that AT&T was seeking to satisfy by erecting this particular tower; the main reason being that the location of this proposed tower was strategically placed at the center of the dropped calls location.

Lisa Patterson closed the Public Hearing.

Kristi Koch stated she felt one of the main areas of difficulty facing the cell towers recommendation to Council was the lack of Staff approval. Melissa McCollum stated to be fair the applicant had gone to great lengths to try and present a tower that would be well acclimated to the surrounding location, and would still be open to modifying any other aesthetic hindrances in order to erect a tower that would be complimentary to the surrounding uses. She also stated ideally she would have loved to have seen the cell tower go into an existing sign at the front of the property, however going that route would require so much additional work it would end up costing them more than simply erecting a new tower, plus none of the existing sign structures possessed the minimum height the applicant stated they would need.

Christy Kosser stated the three problems she had were its location, the fact that the proposed location area is leased not owned, and finally she felt there was a lack of sufficient data to prove this tower was truly necessary. Discussion commenced between Bebb Francis and the Commission.

Lisa Patterson noted that on the site plan there appeared to be four pad sites, and wanted to know if the intention of Capital Telecom Acquisition was to erect three more towers on those vacant pad sites. Bebb Francis replied no, those additional pad sites would function as an area for their equipment shelters.

The Commission asked Tom Waniewski if AT&T was already located on the cell tower in the Bastrop Industrial Park and if so then why was that not a sufficient location. He replied AT&T was not one of the cellular companies utilizing that tower. Conversation commenced between the Commission and Tom Waniewski about why other potential locations would not work.

The Commission asked if there were any health issues that would be associated with this proposed cellular tower. Tom Waniewski replied there are no health risks associated with cell towers.

Kristi Koch said the city probably needed a cell tower, and that she was not necessarily opposed to the cell tower. Cecil Meyer said he was not fully opposed to it either, however he would prefer for it to not have a flag on it, and to be enclosed by some sort of brick wall.

Lisa Patterson called for a motion.

Bryan Whitten made a motion to deny CUP11-01 a request for a Conditional Use Permit to allow the construction of a 70 foot commercial antenna support structure. Christy Kosser seconded that motion. The motion to deny carried 4 (four) to 2 (two) with Kristi Koch and Cecil Meyer in favor of the request.

6. AO11-04: Public Hearing: Amend the following section within Chapter 3, Building Regulations, Article 3.20 Sign Ordinance, Section 3.20.009 – Prohibited Signs and Activities.

Melissa McCollum addressed the Commission stating the Sign Ordinance was adopted in its current version in 2006, and revised in April, 2011.

City Council has identified an alternative to non-profit banners posted on the Old Iron Bridge. An alternative area for posting of banners/pennants will be located adjacent to Chestnut right-of-way (ROW) next to the Old Iron Bridge, which will be viewed as you enter downtown from

SH71, Loop 150 or Old Austin Hwy. The proposed language modification will prohibit signs from being placed on the Old Iron Bridge and clarifies/identifies the new location. The City of Bastrop, through the Public Works Department, will continue to post and permit the banners at the new desired location. Staff supports the current proposed amendment to the sign regulations to add the addition of the prohibited signs for Chapter 3, Building Regulations Article 3.20 Signs. Staff recommends approval of the ordinance change to recommend to City Council to change/amend Chapter 3, Building Regulations Article 3.20 Sections 3.20.009 – Prohibited Signs and Activities, of the City of Bastrop Code of Ordinances relating to the regulation of signs.

The Commissioners asked if the City would consider making the angle of the sign structure perpendicular to the road instead of the chosen forty-five degree angle. Lisa Patterson replied that to have it perpendicular would probably create glare issues. Cecil Meyer then suggested that perhaps it be positioned at a thirty degree angle facing the road. Lisa Patterson then mentioned that the suggestions would not be included as part of the ordinance change.

The Commissioners also asked how many banners would be able to be displayed at once on the sign structure. Melissa McCollum replied that there could be a maximum of three banners displayed at one time.

Lisa Patterson asked if this would replace the banners that sometimes stretch across the street. Melissa McCollum replied it would replace that way of displaying banners.

The Commission asked if there would be any way to get another one of the banner sign structures at the Highway 95 and Chestnut Street intersection into Bastrop. Mike Talbot, the City Manager, replied he was not confident that TXDOT would be in favor of that going in their right-of-way. Melissa McCollum also added that by placing one in the right-of-way might cause issues with visibility within the sight triangle. The Commission asked if perhaps one of these could be integrated into the Way Finding Sign Program. Melissa McCollum said she would look into that.

Richard Kindred asked if Melissa McCollum could give a date of when change this would go into effect. She said it would still need to go before Council, but if it gets approved by Council it would be built shortly after.

Lisa Patterson closed the public hearing.

Christy Kosser made a motion to recommend AO11-04: an amendment to the following section within Chapter 3, Building Regulations, Article 3.20 Sign Ordinance, Section 3.20.009 – Prohibited Signs and Activities. Richard Kindred seconded the motion and the motion carried unanimously.

7. Director of Planning and Development report.

Melissa McCollum briefly told the Commissioners about the annexation process the City of Bastrop would be undergoing. A total of twenty parcels of land are being looked at for annexation.

She also gave status updates on Buc-ees, the newly approved fence ordinance changes, the upcoming full team visit in November for the Sustainable Design Assessment Team (SDAT), the term limits for board members, the Hunters Crossing Planned Development Workshop, and the Land Use Plan and Thoroughfare Plan Workshop in September.

8. Adjourn.

Christy Kosser made a motion to adjourn. Richard Kindred seconded the motion and the meeting adjourned at 7:31 p.m.


Lisa Patterson, Chair

Christy Kosser, Co-Chair

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 18, 2012

MEETING DATE: January 24, 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 the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06+/- of an acre lease space, out of a parent tract of 3.75 +/- acres in Bastrop West Commercial Section One, Lot 2, Block A in an area zoned C2, Commercial being located in the city limits of Bastrop, Texas; setting out conditions; and providing an effective date.**

2. Party Making Request: **Bebb Francis, The Francis Law Firm**

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 denial of the Conditional Use Permit (CUP) to Section 43.4 Special Height Regulations for structures to increase maximum height for a commercial antenna to not allow the proposed 70 foot tall cell tower within the C-2, Commercial -2 (Heavy) district where 35 feet is allowed. This proposed 70' height is not consistent with the existing shopping center area and staff feels the height of the tower does not meet the CUP requirements and the additional standards applied to special height regulations.**

9. Advisory Board: _____ Recommended Approval XXXXXX Recommended Denial _____ None

The Planning and Zoning Commission conducted a public hearing August 25, 2011 and voted 4-2 to recommend denial of a request for a Conditional Use permit to allow for a 70 foot tall commercial antenna tower in an area zoned C2, Commercial.

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A 70 FOOT TALL COMMERCIAL CELL TOWER ANTENNA, WHERE 35 FEET IS ALLOWED, WITH THE CONSTRUCTION TO BE LOCATED ON 0.06 +/- OF AN ACRE LEASE SPACE, OUT OF A PARENT TRACT OF 3.75 +/- ACRES IN THE BASTROP WEST COMMERCIAL, SECTION ONE, LOT 2, BLOCK A, AN AREA ZONED C2, COMMERCIAL LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Bebb Francis, The Francis Law Firm (hereinafter referred to as the “Applicant”), filed a request for a Conditional Use Permit on July 6, 2011 to allow for the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06+/- of an acre lease space, out of a parent tract of 3.75 +/- acres in Bastrop West Commercial Section One, Lot 2, Block A in an area zoned C2, Commercial being located in the city limits of the City of Bastrop as shown on the site survey attached hereto as Exhibit “A”; and

WHEREAS, pursuant to Section 43.4 B, Special Height Regulations in the Zoning Ordinance of the City of Bastrop, Texas, to allow a 70 foot tall commercial antenna tower in an area zoned C2, Commercial, zoning district where the maximum allowable height of a structure is 35’; 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 25, 2011, 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 25, 2011 and consideration of the evidence and testimony presented therein, the Commission recommended denial 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 January 24, 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 70 foot tall commercial antenna tower, 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 Bastrop Marketplace, LTD to allow the construction of a 70 foot tall commercial cell tower antenna, where 35 feet is allowed, with the construction to be located on 0.06+/- of an acre lease space, out of a parent tract of 3.75 +/- acres in Bastrop West Commercial Section One, Lot 2, Block A in an area zoned C2, Commercial being located within the city limits of the City of Bastrop, Texas, is hereby approved, subject to compliance with the following conditions:

1. Construction shall be in conformance with the City of Bastrop regulations and shall meet the special requirements of Section 42, Site Development.
2. All necessary permits for the proposed development shall be acquired prior to construction of the 70 foot tall commercial antenna tower on the subject property.
3. A Site Development Permit shall be applied for and secured within one (1) year from the date the Conditional Use Permit is granted (second reading of the ordinance).

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 24th day of January 2012.

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

APPROVED:

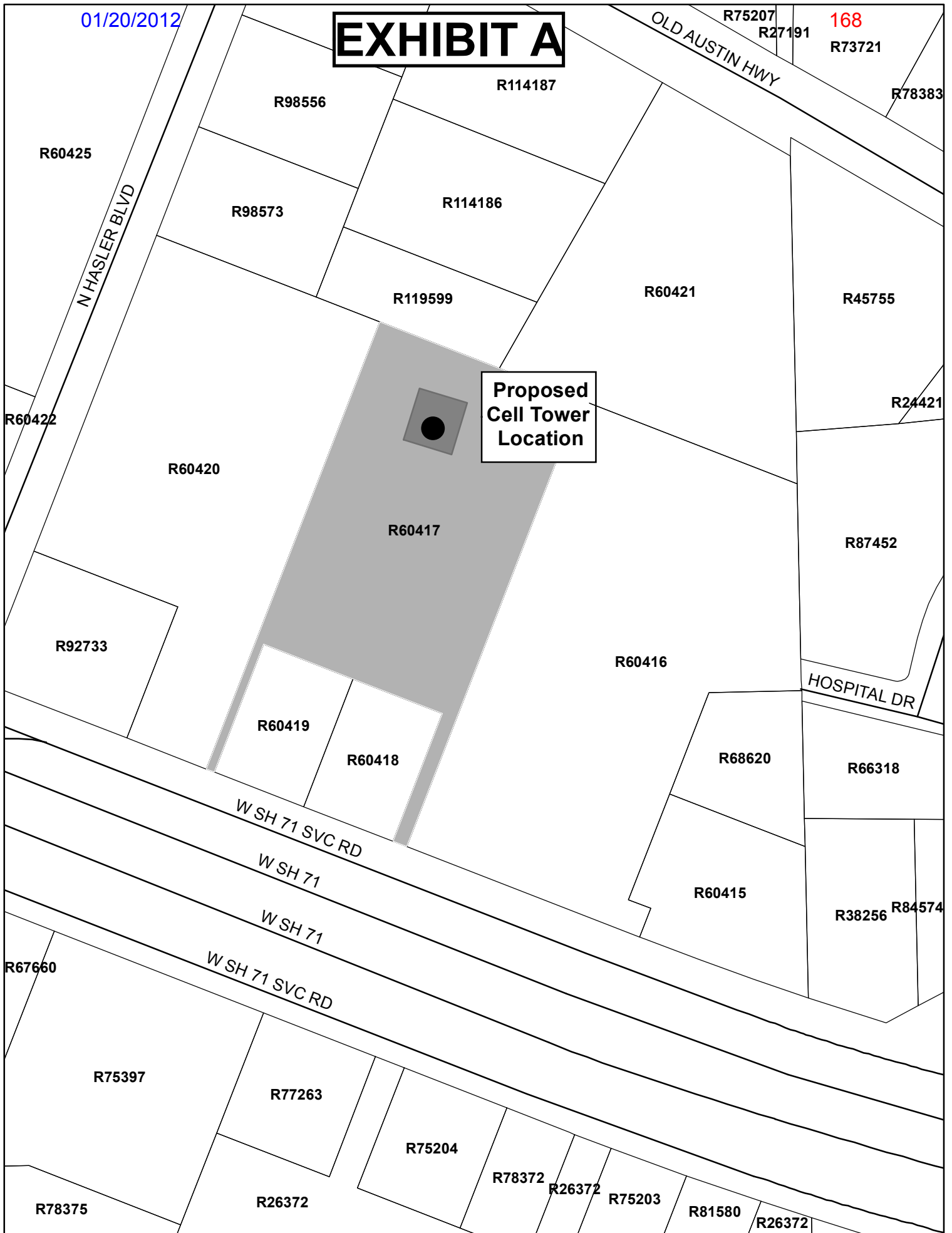
ATTEST:

Terry Orr
Mayor

Teresa Valdez
City Secretary

01/20/2012

EXHIBIT A



CITY OF BASTROP

AGENDA ITEM **D.1****STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: January 13, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Consideration, discussion and possible action on acceptance of Monthly Financial Reports for the period ending of December 31, 2011 and Quarterly Investment Report.**

2. Party Making Request: **Karla Stovall**

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

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

01/20/2012

TO: MAYOR & CITY COUNCIL MEMBERS

170

FROM: KARLA STOVALL, CHIEF FINANCIAL OFFICER

DATE: JANUARY 11, 2012

MONTHLY FINANCIAL REPORTS FOR PERIOD ENDING DECEMBER 31, 2011 AND QUARTERLY INVESTMENT REPORT

SUMMARY OF REVENUES AND EXPENDITURES AS OF DECEMBER 31, 2011

Fiscal year 2012 is 3 month or 25% completed as of December 31, 2011.

- General Fund revenues reflect 28.01% collected or \$2,255,632. Revenues during this same time period last year reflected \$2,060,668 recognizing an increase of 9.46% over last year. Expenditures represent 22.13% spent or \$1,781,471.
- Water/ Wastewater Fund revenues reflect 27.42% collected or \$884,703. Revenues continue to appear slightly greater than in comparison to this same time last year. Expenditures represent 21.73% spent or \$690,101.
- The Electric Fund revenues reflect 27.22% collected or \$1,901,826. Revenues during this same time period last year reflected \$1,705,213 recognizing an increase of 11.53% over last year. Expenditures represent 20.84% spent or \$1,458,871.
- The Hotel /Motel Fund revenues reflect 27.50% collected or \$570,888. Revenues during this same time period last year reflected \$460,138. Expenditures represent 25.29% spent or \$531,725.

Revenues

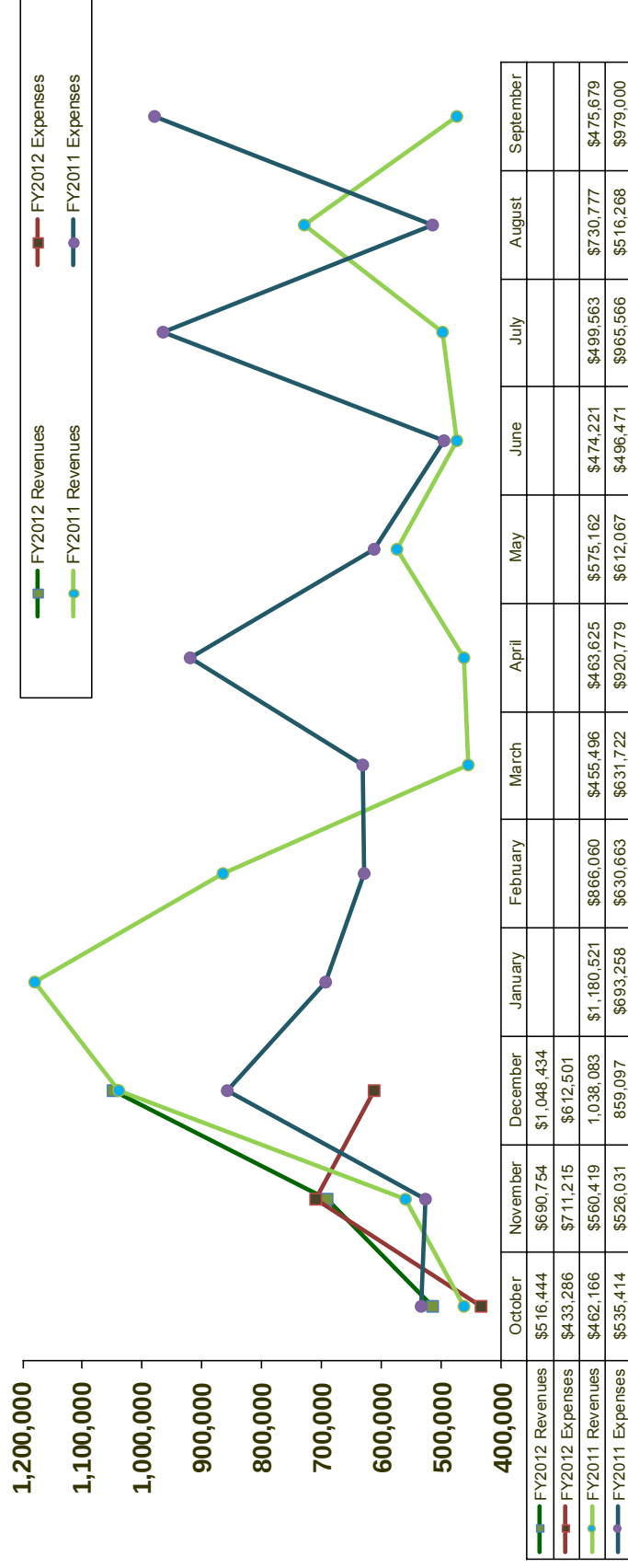
Expenditures

	FY 2012 Budget	FY 2012 Actual	% of FY2012 Budget	FY 2012 Budget	FY 2012 Actual	% of FY2012 Budget
General Fund	\$ 8,051,848	\$ 2,255,632	28.01%	\$ 8,049,090	\$ 1,781,471	22.13%
W/WW Fund	\$ 3,226,700	\$ 884,703	27.42%	\$ 3,175,873	\$ 690,101	21.73%
Electric Fund	\$ 6,986,560	\$ 1,901,826	27.22%	\$ 6,998,816	\$ 1,458,871	20.84%
Hotel Motel Fund	\$ 2,075,600	\$ 570,888	27.50%	\$ 2,102,180	\$ 531,725	25.29%

GENERAL FUND REVENUE & EXPENDITURES

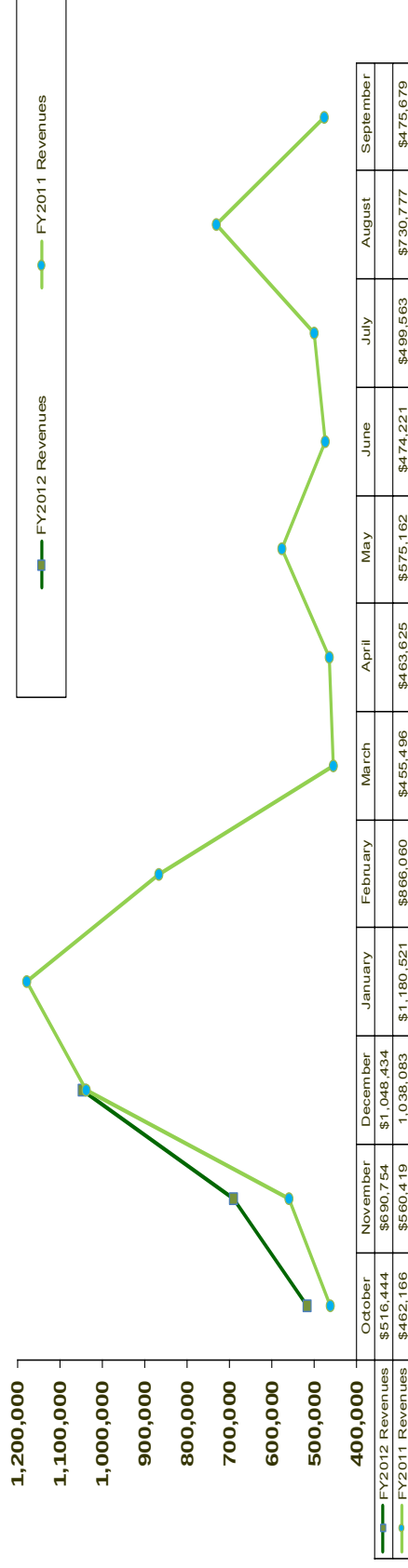
DECEMBER 31, 2011

- Revenues will increase in December, January, and February due to collection of the Ad Valorem Taxes.
- Expenditures recognized an increase due to the timing of expenses processed through accounts payable.

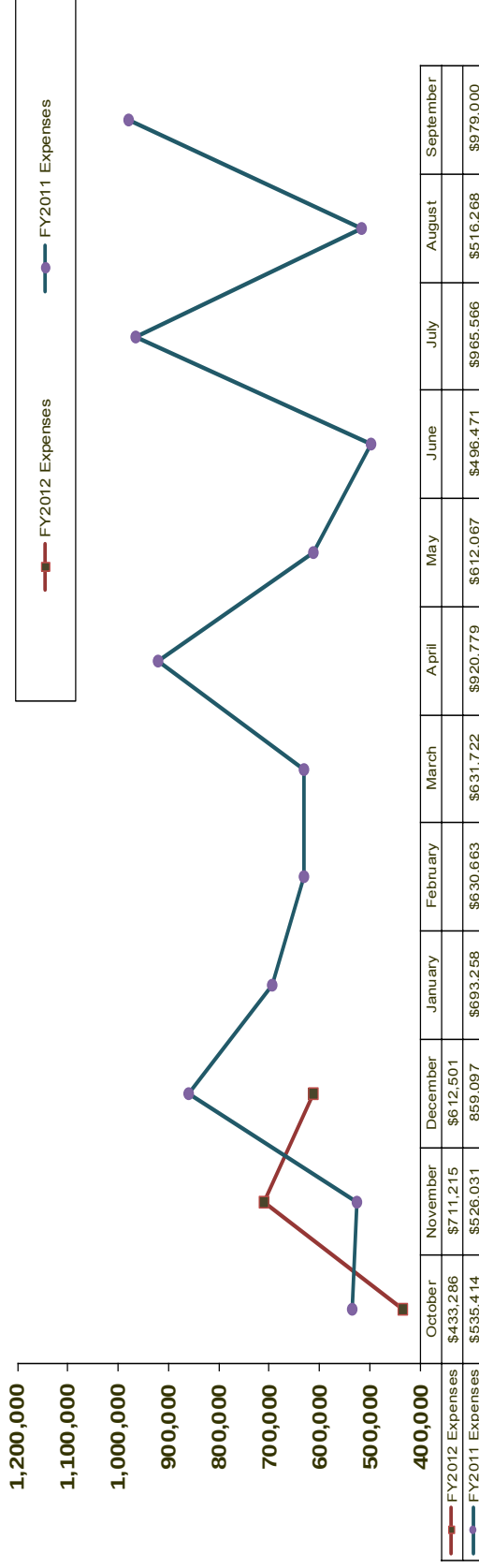


DECEMBER 31, 2011

FY 2011 & 2012 Revenues



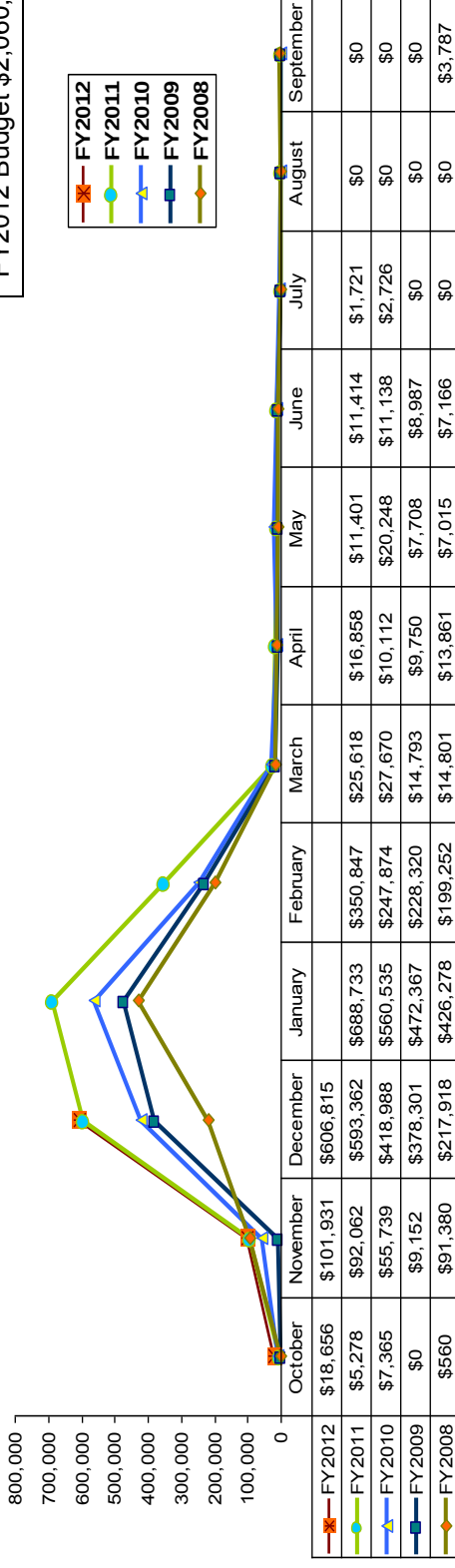
FY 2011 & 2012 Expenditures



Current Ad Valorem Taxes (no I&S)

FY2012 December YTD \$727,402

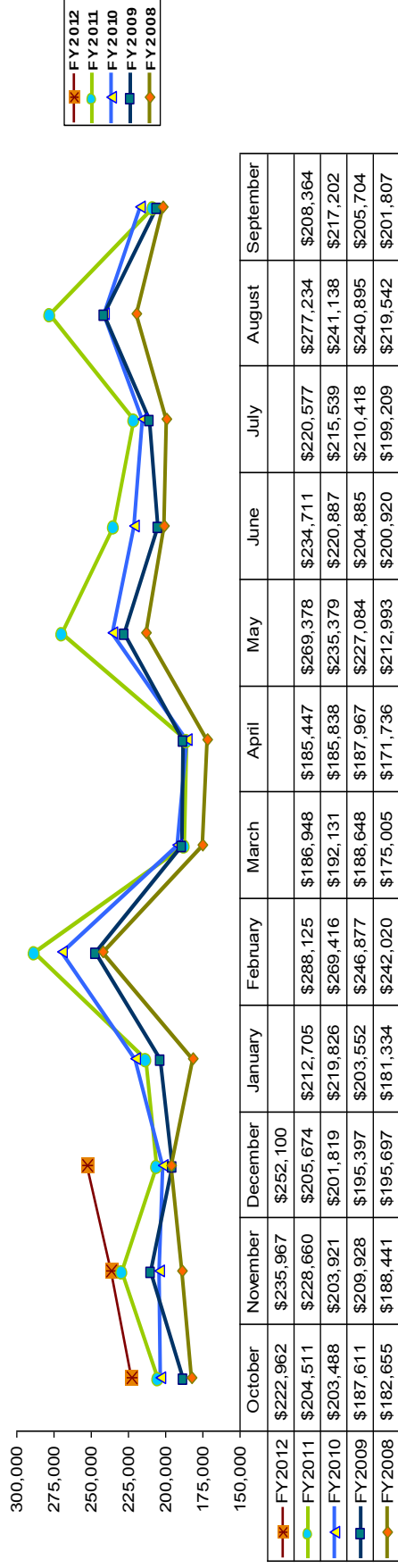
FY2012 Budget \$2,060,743



Sales Tax

FY2012 December YTD \$711,029

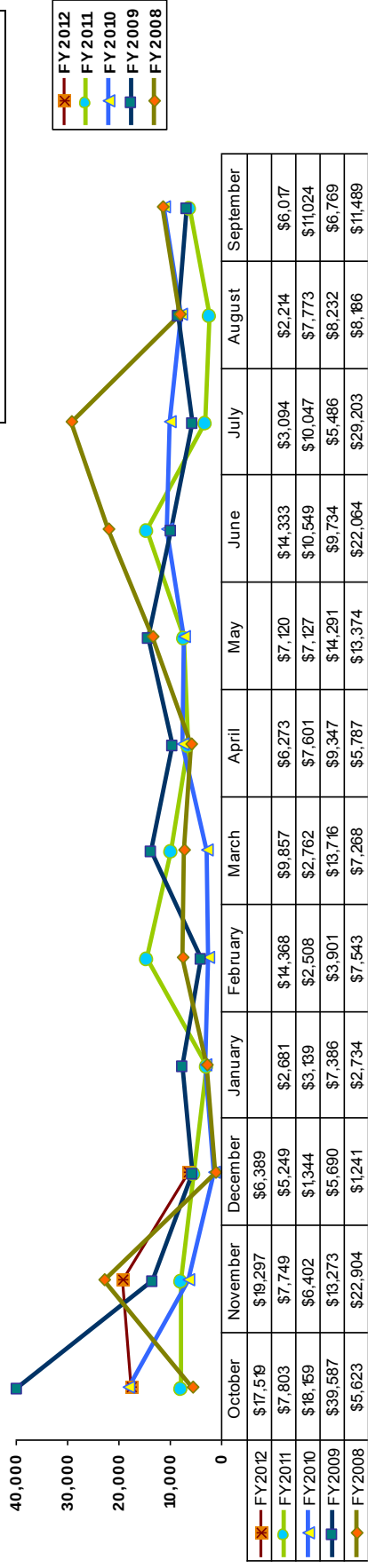
FY2012 Budget \$2,785,120



FY2012 December YTD \$43,205

FY2012 Budget \$100,000

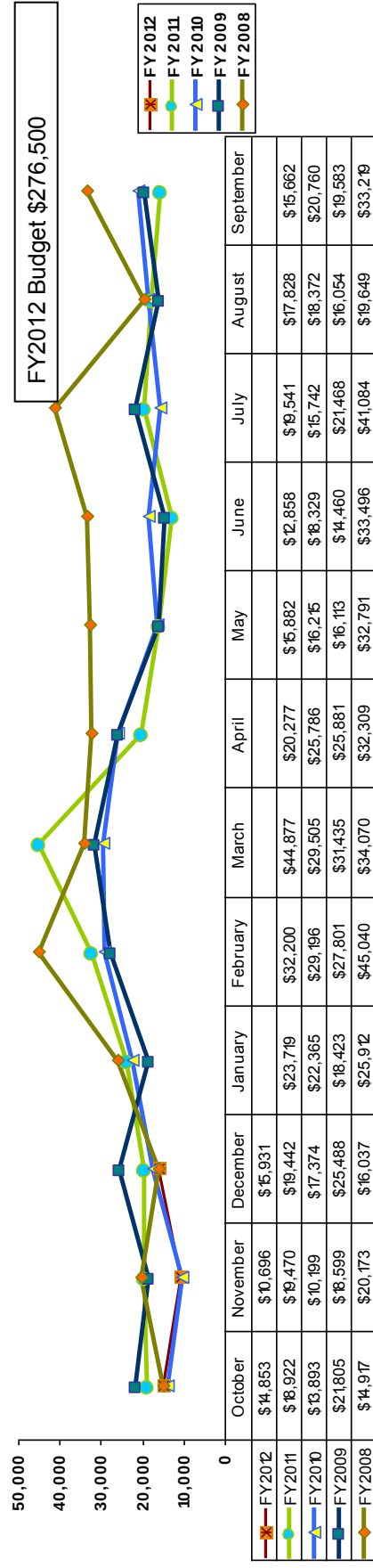
Building Permits



Court Fines

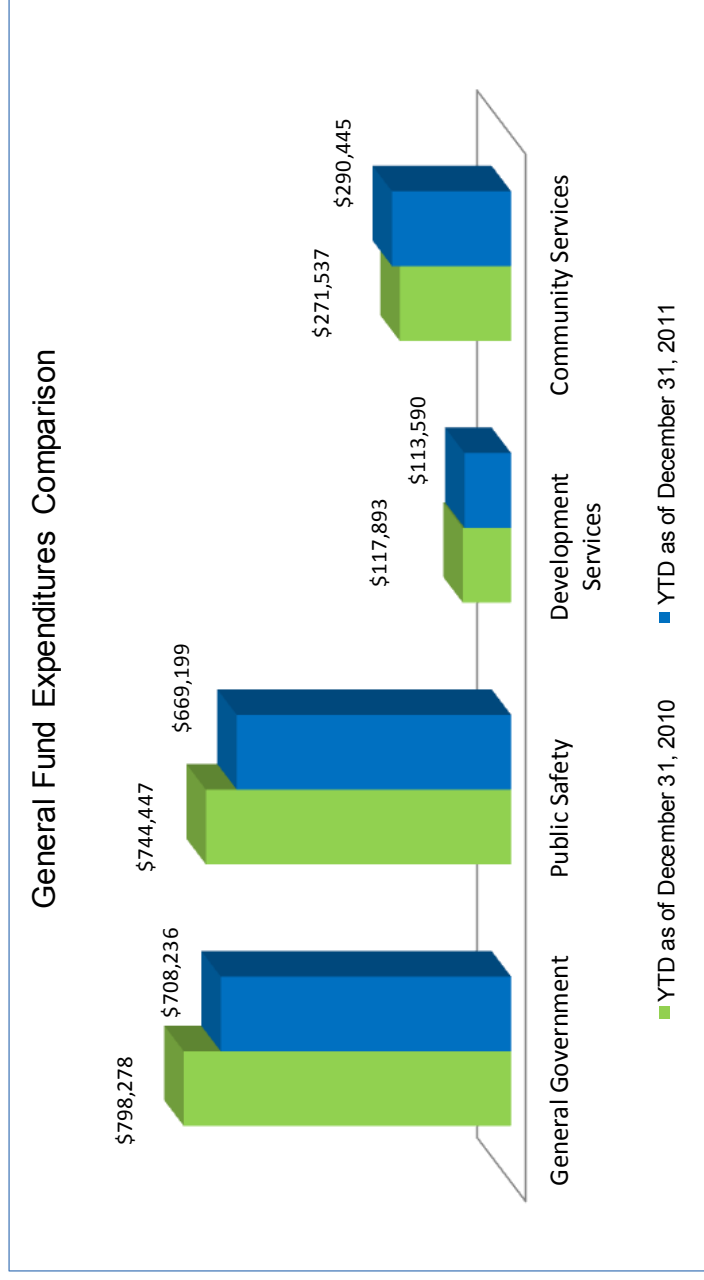
FY2012 December YTD \$ 41,479

FY2012 Budget \$276,500



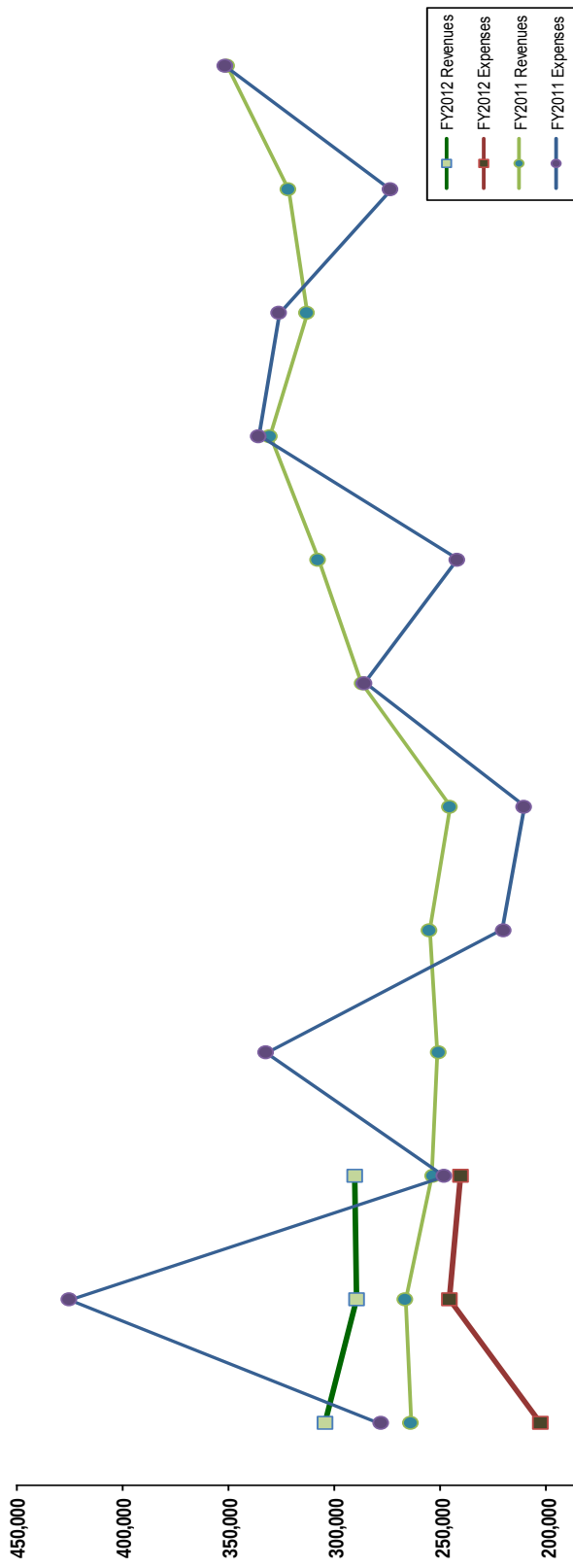
GENERAL FUND EXPENDITURES

DECEMBER 31, 2011



- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, Construction Manager, and Building Maintenance.
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes Planning and Building Inspections
- Community Services includes Recreation, Parks, and Library

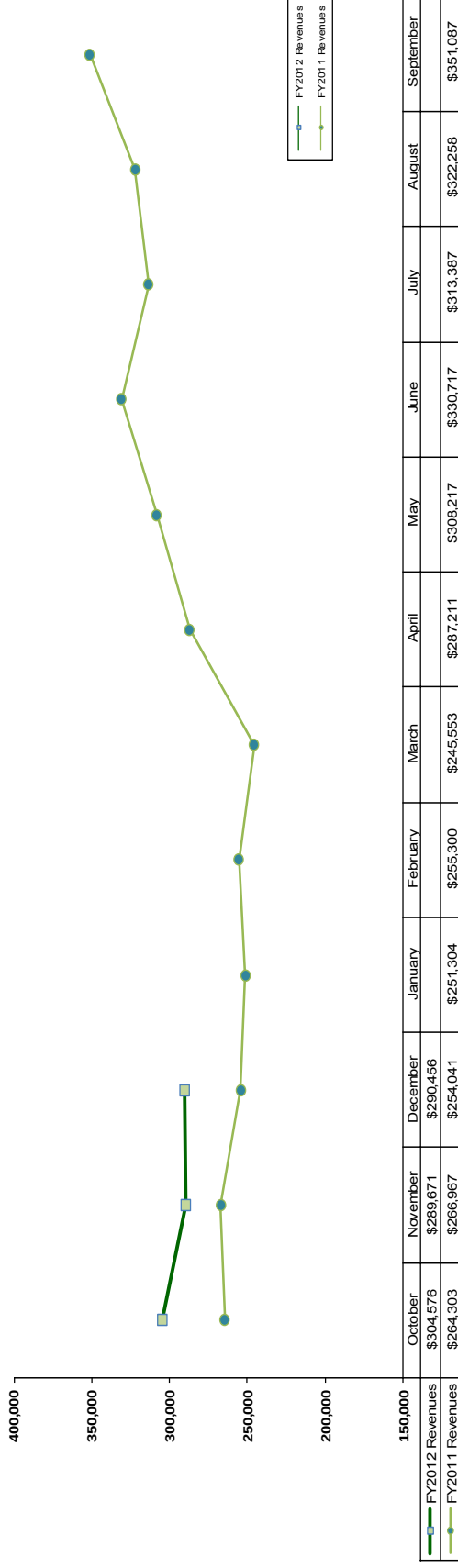
- Water/ Wastewater Fund Revenues Year-to-date (YTD) as of December 31, 2011 are \$884,702.46 or 27.42% of the year. In comparison to last year YTD revenue, as of December 31, 2010, was \$785,310.85, the revenues appear to identify gains in water and wastewater sales, penalties and septic tank dump fees.
- Expenditures appear reduced in December 2011 in comparison to this same time last year due to a Loop 150 capital expenditure identified within Water Distribution made in October and November 2010.



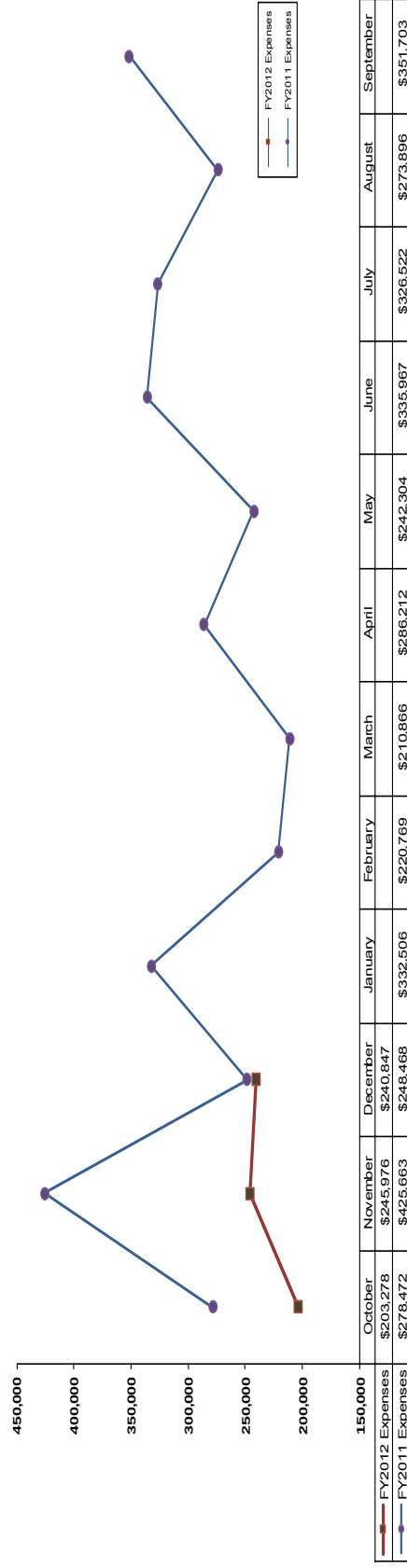
	October	November	December	January	February	March	April	May	June	July	August	September
FY2012 Revenues	\$304,576	\$289,671	\$290,456									
FY2012 Expenses	\$203,278	\$245,976	\$240,847									
FY2011 Revenues	\$264,303	\$266,967	\$254,041	\$251,304	\$255,300	\$245,553	\$287,211	\$308,217	\$330,717	\$313,387	\$322,258	\$351,087
FY2011 Expenses	\$278,472	\$425,663	\$248,468	\$332,506	\$220,769	\$210,866	\$286,212	\$242,304	\$335,967	\$326,522	\$273,896	\$351,703

WATER WASTEWATER FUND REVENUE & EXPENDITURES DECEMBER 31, 2011

FY 2011 & 2012 Revenues



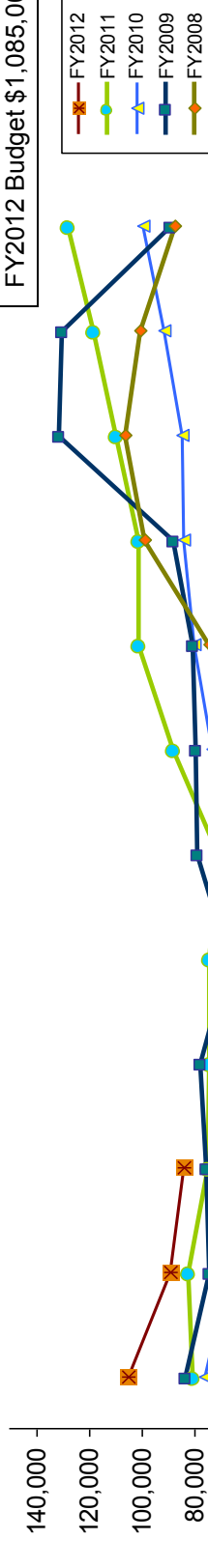
FY 2011 & 2012 Expenditures



Water Sales Residential

FY2012 December YTD \$278,441

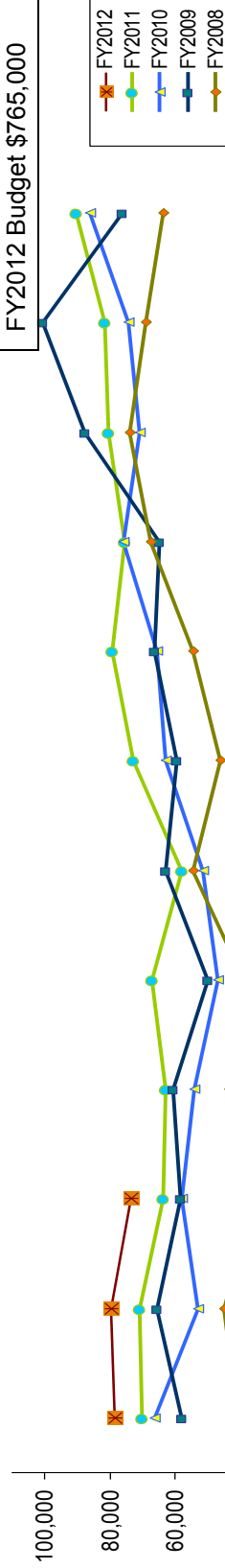
FY2012 Budget \$1,085,000



Water Sales Commercial

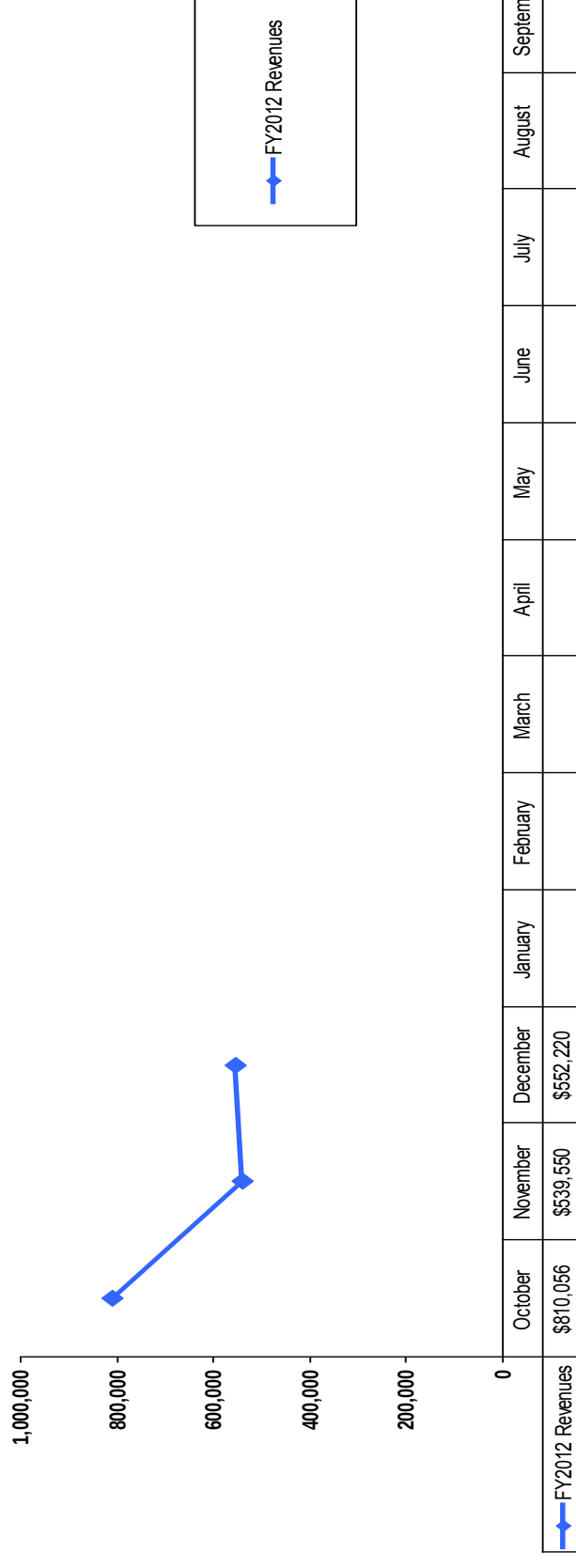
FY2012 December YTD \$231,051

FY2012 Budget \$765,000



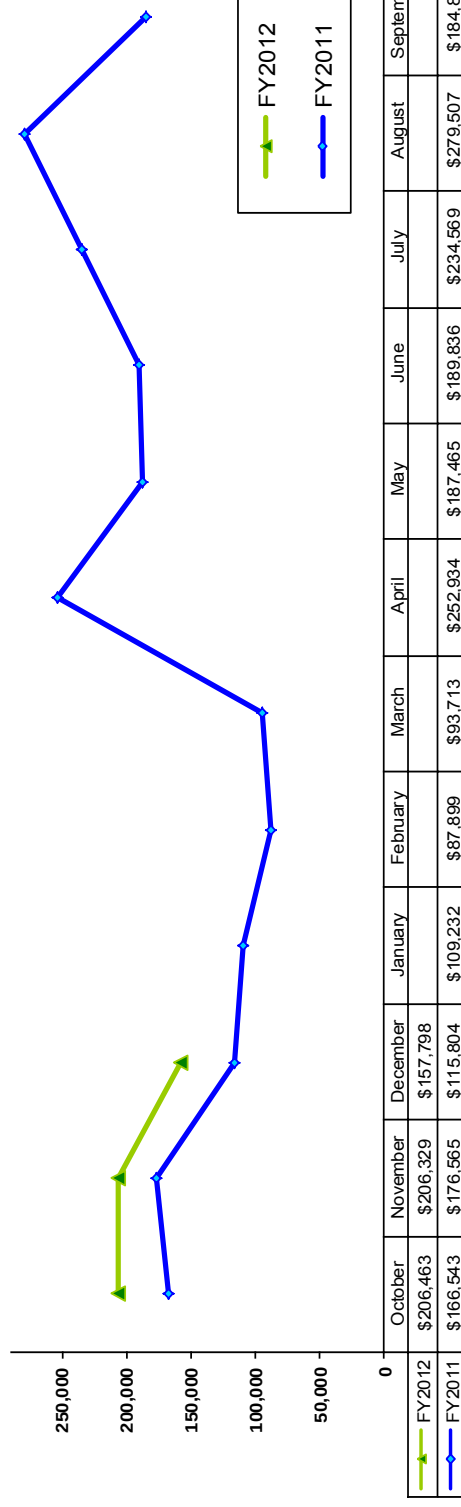
ELECTRIC FUND
01/20/2012DECEMBER 31, 2011¹⁸⁰

- ❑ Electric Fund Revenues Year-to-date (YTD) as of December 31, 2011 are \$1,901,826 or 27.22% of the FY2012 adopted budget. Revenues during this same time period last year reflected \$1,705,213 recognizing an increase of 11.53% over last year. Expenditures represent 20.84% spent or \$1,458,871.

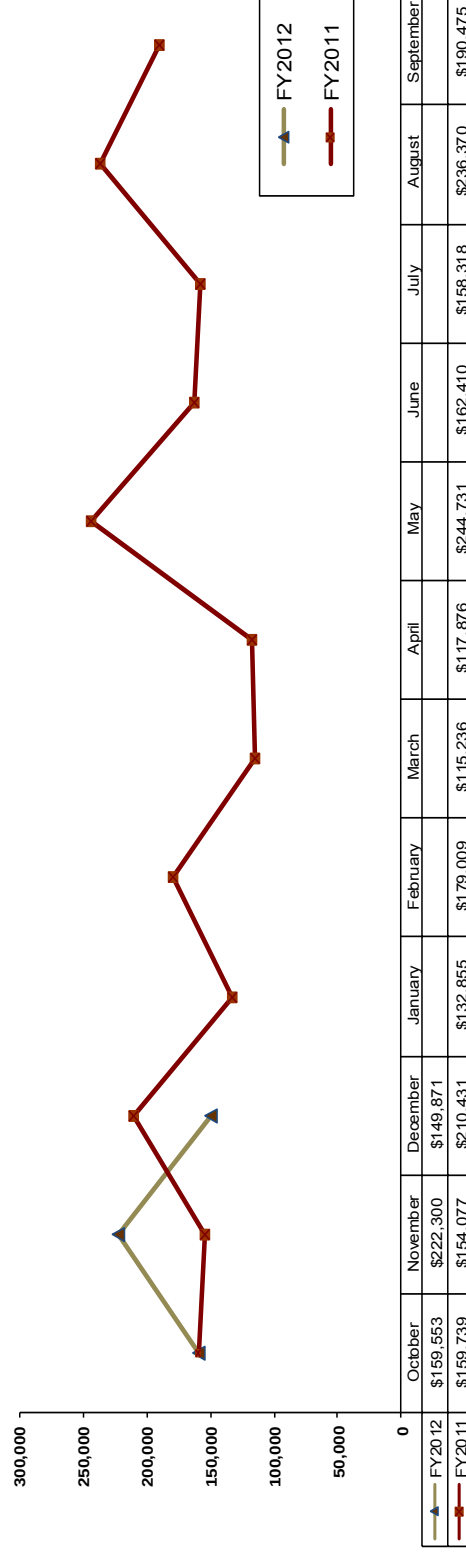


- ☐ Hotel Motel Fund Revenues Year-to-date (YTD) as of December 31, 2011 are \$570,888 or 27.50% of the year. Expenditures represent 25.29% spent or \$531,725. The expenditures YTD as of December 31, 2011 appear to be slightly greater than last year. This is attributable to the timing of payments made to organizations.

Hotel / Motel Tax Receipt Revenue



Hotel / Motel Fund Expenses



City of Bastrop
Quarterly Investment Report
As of December 31, 2011

TEXPOOL

12/31/11 Current Balance \$14,501,314.23
Average monthly yield is .1125%
QTD Interest \$3,094.01

Certificates of Deposit- General Operating

12/31/11 Current Balance \$1,500,000.00
Maturity Date: 04/29/2012
Term Date: 365 days
APY: 1.26%

Financial Statement reports are attached for the FOUR major funds.

- General Fund
- Water/ Wastewater Utility Fund
- Electric Fund
- Hotel Motel Fund

FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TAXES & PENALTIES</u>						
00-00-4000 BEGINNING FUND BALANCE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4001 CURRENT TAXES M&O	690,700.54	2,060,743.00	606,814.57	727,402.13	1,333,340.87	35.30
00-00-4002 DELINQUENT TAXES M&O	7,574.60	35,690.00	8,559.98	38,975.81	(3,285.81)	109.21
00-00-4003 PENALTIES & INTEREST M&O	6,022.70	24,705.00	4,902.37	23,880.69	824.31	96.66
00-00-4004 FRANCHISE TAX	94,850.09	385,000.00	13,736.17	95,167.81	289,832.19	24.72
00-00-4006 CITY SALES TAX	638,844.93	2,785,120.00	252,100.35	711,029.04	2,074,090.96	25.53
00-00-4008 OCCUPATION TAX	530.00	5,000.00	2,235.00	3,505.00	1,495.00	70.10
00-00-4009 MIXED BEVERAGE TAX	5,906.02	25,000.00	0.00	4,994.71	20,005.29	19.98
TOTAL TAXES & PENALTIES	1,444,428.88	5,321,258.00	888,348.44	1,604,955.19	3,716,302.81	30.16
<u>LICENSES & PERMITS</u>						
00-00-4020 BUILDING PERMITS	20,801.29	100,000.00	6,389.31	43,205.15	56,794.85	43.21
00-00-4021 ZONING FEES	984.00	3,000.00	0.00	1,710.00	1,290.00	57.00
00-00-4022 PLATTING FEES	0.00	6,000.00	0.00	1,400.00	4,600.00	23.33
00-00-4023 SPECIAL EVENT PERMIT FEE	500.00	2,000.00	700.00	725.00	1,275.00	36.25
00-00-4024 ELECTRICAL PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4025 PLUMBING PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4026 MECHANICAL PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4027 OTHER PERMITS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4030 LICENSE FEES	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL LICENSES & PERMITS	22,285.29	111,000.00	7,089.31	47,040.15	63,959.85	42.38
<u>CHARGES FOR SERVICES</u>						
00-00-4040 ANIMAL SERVICE RECEIPTS	10.00	200.00	55.00	75.00	125.00	37.50
00-00-4041 LEOSE - PD TRAINING	4.34	0.00	0.72	2.46	(2.46)	0.00
00-00-4042 PD SPECIAL REVENUE	0.00	2,000.00	0.00	0.00	2,000.00	0.00
00-00-4043 PARKS RECEIPTS	350.00	1,600.00	0.00	225.00	1,375.00	14.06
00-00-4044 PD ACCIDENT REPORTS	618.00	1,800.00	108.00	424.00	1,376.00	23.56
00-00-4045 DRUG DOG VISITS	0.00	8,250.00	0.00	0.00	8,250.00	0.00
00-00-4046 SPECIAL EVENTS HOT REIMB	13,410.16	40,000.00	0.00	0.00	40,000.00	0.00
00-00-4049 TRANSFER STATION RECEIPTS	0.00	0.00	60.00	430.00	(430.00)	0.00
TOTAL CHARGES FOR SERVICES	14,392.50	53,850.00	223.72	1,156.46	52,693.54	2.15
<u>FINES & FORFEITURES</u>						
00-00-4070 MUNICIPAL COURT FINES	57,833.80	276,500.00	15,931.09	41,479.37	235,020.63	15.00
00-00-4071 BOND FORFEITURE	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4072 SANITATION PENALTIES/RECONNEC	1,808.16	8,000.00	637.34	2,122.71	5,877.29	26.53
00-00-4073 ADMINISTRATION OF JUSTICE (MC	0.00	2,250.00	0.00	0.00	2,250.00	0.00
00-00-4074 MUNICIPAL COURT BLDG SECURITY	23.40	6,000.00	10.27	32.65	5,967.35	0.54
00-00-4075 TECHNOLOGY ACCOUNT - (MC)	9.44	7,000.00	1.26	4.16	6,995.84	0.06
00-00-4076 LIBRARY RECEIPTS	4,055.80	18,000.00	776.73	3,255.42	14,744.58	18.09
00-00-4077 SANITATION PROCEEDS	7,230.03	40,000.00	3,412.67	6,855.75	33,144.25	17.14
00-00-4078 JUVENILE CASE MANAGER-M/C	0.00	5,100.00	0.00	0.00	5,100.00	0.00
TOTAL FINES & FORFEITURES	70,960.63	362,850.00	20,769.36	53,750.06	309,099.94	14.81

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

REVENUES	PRICR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>OTHER REVENUE</u>						
00-00-4381 GTG SETTLEMENT TRUST FUNDS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4391 STREET/ROW VACATIONS	0.00	5,000.00	0.00	0.00	5,000.00	0.00
TOTAL OTHER REVENUE	0.00	5,000.00	0.00	0.00	5,000.00	0.00
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	1,924.34	9,500.00	422.88	1,190.09	8,309.91	12.53
TOTAL INTEREST INCOME	1,924.34	9,500.00	422.88	1,190.09	8,309.91	12.53
<u>INTERGOVERNMENTAL</u>						
00-00-4411 BASTROP CO/LIBRARY	0.00	8,500.00	0.00	8,500.00	0.00	100.00
00-00-4412 BASTROP CO/WC FIREMEN	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4413 BISD PROJECT RECEIPTS	0.00	72,420.00	0.00	0.00	72,420.00	0.00
00-00-4414 DEPT OF JUSTICE GRANT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4415 EMERGENCY MANAGEMENT	11,943.93	24,170.00	0.00	0.00	24,170.00	0.00
00-00-4419 PROPERTY LIEN PAYMENTS	0.00	0.00	0.00	3,945.29	(3,945.29)	0.00
00-00-4423 PD STATE/FEDERAL SEIZURES	6.53	3,000.00	1.63	5.12	2,994.88	0.17
00-00-4424 PADDLE TRAIL GRANT RIEMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4435 FIRE DEPT/INSURANCE REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4490 ELECTRIC IN-KIND	128,132.49	516,280.00	43,023.33	129,069.99	387,210.01	25.00
00-00-4491 WATER/WASTEWATER IN-KIND	132,087.48	531,020.00	44,251.66	132,754.98	398,265.02	25.00
00-00-4492 WASTEWATER IN-KIND	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4493 BEDC IN-KIND	8,749.98	50,000.00	4,166.66	12,499.98	37,500.02	25.00
00-00-4495 CONVENTION CENTER IN-KIND	0.00	174,120.00	14,510.00	43,530.00	130,590.00	25.00
TOTAL INTERGOVERNMENTAL	280,920.41	1,379,510.00	105,953.28	330,305.36	1,049,204.64	23.94
<u>MISCELLANEOUS</u>						
00-00-4501 LIBRARY GRANT'S	7,796.00	0.00	0.00	2,500.00	(2,500.00)	0.00
00-00-4503 FIRE DEPT GRANT'S	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4507 175TH ANNIVERSARY DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4508 MEMORIAL DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4511 BANNER FEES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4512 SALE OF FIXED ASSETS	0.00	2,500.00	0.00	0.00	2,500.00	0.00
00-00-4515 GRANTS - MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4519 SNOW PLAYDAY	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4521 LCRA-FISHERMAN PARK FLAGS	0.75	0.00	0.17	0.75	(0.75)	0.00
00-00-4522 WORKERS COMP. REIMBURSE	0.00	1,000.00	0.00	0.00	1,000.00	0.00
00-00-4523 TML REGION X MEETING	0.00	2,000.00	0.00	0.00	2,000.00	0.00
00-00-4524 SPLASHPARK DONATIONS	2,000.00	0.00	0.00	0.00	0.00	0.00
00-00-4525 SUMMER REC/FILM DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4526 DOG BARK PARK DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4527 CLEAN SWEEP	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4535 PLANNING DEPT MISC RECEIPTS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4536 MISCELLANEOUS	4,879.38	35,300.00	(35,046.27)	18,192.04	17,107.96	51.54
00-00-4537 INSURANCE PROCEEDS	29,935.00	40,000.00	0.00	14,521.57	25,478.43	36.30
00-00-4538 BEVERAGE PROCEEDS	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4540 HUNTERS CROSSING REIMB	0.00	0.00	0.00	0.00	0.00	0.00

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
00-00-4543 PINEY CREEK SUBDIVISION REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4544 PERSONAL PROPERTY ACQ DEBT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4553 FIRE DEPT CALLS - REIMB	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4554 KERR PARK PROJECT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4557 FEMA DISASTER RELIEF REIMBURS	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	44,611.13	80,800.00	(35,046.10)	35,214.36	45,585.64	43.58
<u>TRANSFERS-IN</u>						
00-00-4702 TRANSFERS IN - W/WW #202	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4703 TRANSFERS IN - ELECTRIC FUND	150,000.00	613,500.00	51,125.00	153,375.00	460,125.00	25.00
00-00-4706 TRANSFERS IN - BEDC	31,144.95	114,580.00	9,548.32	28,644.96	85,935.04	25.00
00-00-4710 TRANS IN - GENERAL CIP #150	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4717 TRANS IN-HOTEL TAX-CIVIC CENT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4718 TRANSFER-IN SPECIAL PROJECT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4725 TRANS IN - TAX NOTE #714	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4726 TRANS IN-C OF O'S 2006 #713	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4731 TRANS IN-LIMITED TAX NOTE #71	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4736 TRANSFER IN -LIBRARY BOARD 50	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	181,144.95	728,080.00	60,673.32	182,019.96	546,060.04	25.00
<u>** TOTAL REVENUE **</u>						
	2,060,668.13	8,051,848.00	1,048,434.21	2,255,631.63	5,796,216.37	28.01

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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NON-DEPARTMENT

<u>00-NON-PROGRAM</u>						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00

LEGISLATIVE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	1,006.18	4,045.00	322.96	997.22	3,047.78	24.65
SUPPLIES & MATERIALS	1,195.79	5,250.00	19.96	643.00	4,607.00	12.25
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	519.25	8,030.00	832.52	2,090.50	5,939.50	26.03
CONTRACTUAL SERVICES	490.00	3,092.00	225.00	1,467.00	1,625.00	47.45
OTHER CHARGES	2,065.85	13,138.00	650.93	2,718.93	10,419.07	20.70
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	5,277.07	33,555.00	2,051.37	7,916.65	25,638.35	23.59
TOTAL LEGISLATIVE	5,277.07	33,555.00	2,051.37	7,916.65	25,638.35	23.59

ORGANIZATIONAL

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	18,221.56	81,900.00	6,629.54	19,888.62	62,011.38	24.28
SUPPLIES & MATERIALS	6,281.70	5,160.00	499.96	1,257.24	3,902.76	24.37
MAINTENANCE & REPAIRS	1,214.00	500.00	0.00	0.00	500.00	0.00
OCCUPANCY	123.15	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	101,146.81	488,014.00	34,104.91	101,665.52	386,348.48	20.83
OTHER CHARGES	29,288.93	266,620.00	2,077.07	9,178.76	257,441.24	3.44
CONTINGENCY	0.00	139,350.00	0.00	0.00	139,350.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	156,276.15	981,544.00	43,311.48	131,990.14	849,553.86	13.45
TOTAL ORGANIZATIONAL	156,276.15	981,544.00	43,311.48	131,990.14	849,553.86	13.45

CITY MANAGER

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	57,832.50	265,338.00	22,081.64	61,839.47	203,498.53	23.31
SUPPLIES & MATERIALS	3,412.68	4,640.00	514.75	2,553.53	2,086.47	55.03
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	1,856.85	7,700.00	676.90	1,929.73	5,770.27	25.06
CONTRACTUAL SERVICES	111.32	350.00	93.28	113.28	236.72	32.37
OTHER CHARGES	3,819.46	9,140.00	2,088.87	4,880.55	4,259.45	53.40
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	67,032.81	287,168.00	25,455.44	71,316.56	215,851.44	24.83
TOTAL CITY MANAGER	67,032.81	287,168.00	25,455.44	71,316.56	215,851.44	24.83

CITY OF BASTROP
FINANCIAL STATEMENT
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CITY SECRETARY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	16,329.56	66,865.00	6,182.65	16,423.72	50,441.28	24.56
SUPPLIES & MATERIALS	347.22	1,290.00	51.55	71.80	1,218.20	5.57
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	142.68	1,350.00	134.36	332.85	1,017.15	24.66
CONTRACTUAL SERVICES	455.00	5,450.00	895.00	895.00	4,555.00	16.42
OTHER CHARGES	2,369.96	30,450.00	7,300.96	9,375.96	21,074.04	30.79
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	19,644.42	105,405.00	14,564.52	27,099.33	78,305.67	25.71
TOTAL CITY SECRETARY	19,644.42	105,405.00	14,564.52	27,099.33	78,305.67	25.71

FINANCE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	67,143.28	297,165.00	26,218.27	71,347.26	225,817.74	24.01
SUPPLIES & MATERIALS	2,985.33	12,120.00	924.92	1,025.24	11,094.76	8.46
MAINTENANCE & REPAIRS	0.00	38,440.00	12,159.49	12,609.49	25,830.51	32.80
OCCUPANCY	1,687.92	7,020.00	671.44	1,595.41	5,424.59	22.73
CONTRACTUAL SERVICES	300.62	32,840.00	109.56	129.56	32,710.44	0.39
OTHER CHARGES	3,951.73	8,090.00	461.72	1,428.15	6,661.85	17.65
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	76,068.88	395,675.00	40,545.40	88,135.11	307,539.89	22.27
<u>METER SERVICE</u>						
PERSONNEL SERVICES	79,451.55	326,370.00	28,941.85	76,853.10	249,516.90	23.55
SUPPLIES & MATERIALS	6,790.48	30,985.00	1,637.08	5,065.90	25,919.10	16.35
MAINTENANCE & REPAIRS	2,042.73	7,000.00	12.00	47.99	6,952.01	0.69
OCCUPANCY	1,058.69	10,500.00	1,018.65	2,539.70	7,960.30	24.19
CONTRACTUAL SERVICES	2,286.46	10,440.00	895.93	1,766.14	8,673.86	16.92
OTHER CHARGES	450.07	3,840.00	43.88	405.06	3,434.94	10.55
CAPITAL OUTLAY	20,028.34	0.00	0.00	0.00	0.00	0.00
TOTAL METER SERVICE	112,108.32	389,135.00	32,549.39	86,677.89	302,457.11	22.27
TOTAL FINANCE	188,177.20	784,810.00	73,094.79	174,813.00	609,997.00	22.27

HUMAN RESOURCE

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	19,052.54	88,260.00	7,798.01	21,036.53	67,223.47	23.83
SUPPLIES & MATERIALS	334.33	1,925.00	55.92	218.09	1,706.91	11.33
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	240.61	3,320.00	232.68	700.05	2,619.95	21.09
CONTRACTUAL SERVICES	98.25	360.00	11.55	11.55	348.45	3.21
OTHER CHARGES	4,568.96	9,650.00	6,045.87	5,711.68	3,938.32	59.19
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	24,294.69	103,515.00	14,144.03	27,677.90	75,837.10	26.74

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CITY OF BASTROP

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FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
TOTAL HUMAN RESOURCE	24,294.69	103,515.00	14,144.03	27,677.90	75,837.10	26.74
<u>INFORMATION TECHNOLOGY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	20,472.39	89,251.00	7,541.38	21,185.41	68,065.59	23.74
SUPPLIES & MATERIALS	1,955.59	2,350.00	485.86	2,576.86	(226.86)	109.65
MAINTENANCE & REPAIRS	0.00	6,000.00	549.00	1,952.13	4,047.87	32.54
OCCUPANCY	201.67	6,400.00	890.82	2,078.88	4,321.12	32.48
CONTRACTUAL SERVICES	0.00	36,600.00	1,044.35	2,744.35	33,855.65	7.50
OTHER CHARGES	100.00	2,760.00	121.70	121.70	2,638.30	4.41
TOTAL 00-NON-PROGRAM	22,729.65	143,361.00	10,633.11	30,659.33	112,701.67	21.39
TOTAL INFORMATION TECHNOLOGY	22,729.65	143,361.00	10,633.11	30,659.33	112,701.67	21.39
<u>POLICE</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	83,308.06	336,296.00	27,693.10	77,306.69	258,989.31	22.99
SUPPLIES & MATERIALS	3,745.77	22,060.00	1,370.57	4,717.03	17,342.97	21.38
MAINTENANCE & REPAIRS	1,736.37	9,550.00	1,056.13	1,706.87	7,843.13	17.87
OCCUPANCY	5,134.41	43,644.00	4,152.00	9,313.63	34,330.37	21.34
CONTRACTUAL SERVICES	33,618.96	191,267.00	0.00	48,205.01	143,061.99	25.20
OTHER CHARGES	3,469.63	28,890.00	2,599.44	8,940.66	19,949.34	30.95
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	131,013.20	631,707.00	36,871.24	150,189.89	481,517.11	23.78
<u>CODE ENFORCEMENT</u>						
PERSONNEL SERVICES	10,656.52	45,070.00	3,929.28	10,850.79	34,219.21	24.08
SUPPLIES & MATERIALS	501.13	1,900.00	6.00	291.25	1,608.75	15.33
MAINTENANCE & REPAIRS	0.00	300.00	0.00	0.00	300.00	0.00
OCCUPANCY	336.96	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	330.00	1,350.00	0.00	0.00	1,350.00	0.00
OTHER CHARGES	0.00	10,700.00	4.32	660.78	10,039.22	6.18
TOTAL CODE ENFORCEMENT	11,824.61	59,320.00	3,939.60	11,802.82	47,517.18	19.90
<u>EMERGENCY MANAGEMENT</u>						
SUPPLIES & MATERIALS	137.48	800.00	0.00	4.33	795.67	0.54
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	0.00	1,000.00	0.00	0.00	1,000.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	6,802.16	(6,802.16)	0.00
TOTAL EMERGENCY MANAGEMENT	137.48	1,800.00	0.00	6,806.49	(5,006.49)	378.14

CITY OF BASTROP
FINANCIAL STATEMENT
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101-GENERAL FUND

EXPENDITURES	PRICR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>POLICE-CID</u>						
PERSONNEL SERVICES	50,488.51	235,282.00	18,145.53	63,662.32	171,619.68	27.06
SUPPLIES & MATERIALS	925.55	3,800.00	18.00	313.17	3,486.83	8.24
MAINTENANCE & REPAIRS	173.56	1,590.00	14.50	139.19	1,450.81	8.75
OCCUPANCY	1,550.88	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	141.69	3,300.00	0.00	256.99	3,043.01	7.79
OTHER CHARGES	122.20	6,995.00	0.00	0.00	6,995.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL POLICE-CID	53,402.39	250,967.00	18,178.03	64,371.67	186,595.33	25.65
<u>POLICE-PATROL</u>						
PERSONNEL SERVICES	253,275.76	1,066,603.00	85,321.61	240,716.74	825,886.26	22.57
SUPPLIES & MATERIALS	13,839.63	72,200.00	1,457.02	11,052.07	61,147.93	15.31
MAINTENANCE & REPAIRS	2,651.12	29,200.00	3,279.43	7,401.06	21,798.94	25.35
OCCUPANCY	5,874.02	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	1,784.80	6,000.00	0.00	1,465.24	4,534.76	24.42
OTHER CHARGES	722.49	9,460.00	1,392.06	2,785.69	6,674.31	29.45
CAPITAL OUTLAY	82,611.04	0.00	0.00	0.00	0.00	0.00
TOTAL POLICE-PATROL	360,758.86	1,183,463.00	91,450.12	263,420.80	920,042.20	22.26
<u>ANIMAL SERVICES</u>						
PERSONNEL SERVICES	9,280.77	39,330.00	3,353.27	9,466.18	29,863.82	24.07
SUPPLIES & MATERIALS	924.20	4,810.00	6.00	652.34	4,157.66	13.56
MAINTENANCE & REPAIRS	0.00	1,200.00	0.00	0.00	1,200.00	0.00
OCCUPANCY	347.76	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	2,025.00	0.00	0.00	2,025.00	0.00
OTHER CHARGES	1,000.00	12,720.00	0.00	0.00	12,720.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ANIMAL SERVICES	11,552.73	60,085.00	3,359.27	10,118.52	49,966.48	16.84
TOTAL POLICE	568,689.27	2,187,342.00	153,798.26	506,710.19	1,680,631.81	23.17
<u>FIRE-VOLUNTEER</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	2,264.91	10,000.00	0.00	1,720.58	8,279.42	17.21
SUPPLIES & MATERIALS	6,514.64	49,875.00	9,573.93	15,707.79	34,167.21	31.49
MAINTENANCE & REPAIRS	34,439.75	34,300.00	5,048.62	12,150.15	22,149.85	35.42
OCCUPANCY	8,145.32	29,646.00	2,135.33	6,833.27	22,812.73	23.05
CONTRACTUAL SERVICES	10,996.78	22,119.00	10,999.90	10,999.90	11,119.10	49.73
OTHER CHARGES	2,726.72	18,125.00	2,104.46	6,446.36	11,678.64	35.57
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	65,088.12	164,065.00	29,862.24	53,858.05	110,206.95	32.83
TOTAL FIRE-VOLUNTEER	65,088.12	164,065.00	29,862.24	53,858.05	110,206.95	32.83

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>MUNICIPAL COURT</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	63,540.58	273,437.00	23,460.68	65,555.11	207,881.89	23.97
SUPPLIES & MATERIALS	2,505.77	12,550.00	635.74	1,102.53	11,447.47	8.79
MAINTENANCE & REPAIRS	10,144.61	12,680.00	0.00	11,768.40	911.60	92.81
OCCUPANCY	1,760.93	9,700.00	997.87	2,414.91	7,285.09	24.90
CONTRACTUAL SERVICES	10,658.79	31,190.00	2,972.65	6,011.10	25,178.90	19.27
OTHER CHARGES	4,302.83	8,261.00	561.35	4,023.44	4,237.56	48.70
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	92,913.51	347,818.00	28,628.29	90,875.49	256,942.51	26.13
TOTAL MUNICIPAL COURT	92,913.51	347,818.00	28,628.29	90,875.49	256,942.51	26.13

PLANNING & DEVELOPMENT

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	74,893.77	313,541.00	28,279.36	77,233.13	236,307.87	24.63
SUPPLIES & MATERIALS	1,211.88	8,100.00	463.98	1,864.34	6,235.66	23.02
MAINTENANCE & REPAIRS	284.00	2,000.00	0.00	12.00	1,988.00	0.60
OCCUPANCY	3,810.82	8,500.00	867.19	2,028.44	6,471.56	23.86
CONTRACTUAL SERVICES	35,175.58	83,600.00	5,512.87	29,289.54	54,310.46	35.04
OTHER CHARGES	2,516.63	40,975.00	823.25	3,162.75	37,812.25	7.72
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	117,892.68	456,716.00	35,946.65	113,590.20	343,125.80	24.87
TOTAL PLANNING & DEVELOPMENT	117,892.68	456,716.00	35,946.65	113,590.20	343,125.80	24.87

HEALTH

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	17,756.49	71,050.00	5,918.83	17,756.49	53,293.51	24.99
TOTAL 00-NON-PROGRAM	17,756.49	71,050.00	5,918.83	17,756.49	53,293.51	24.99
TOTAL HEALTH	17,756.49	71,050.00	5,918.83	17,756.49	53,293.51	24.99

CONSTRUCTION MANAGER

<u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CONSTRUCTION MANAGER	0.00	0.00	0.00	0.00	0.00	0.00

CITY OF BASTROP
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>PUBLIC WORKS</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	135,750.78	582,445.00	42,704.77	123,501.06	458,943.94	21.20
SUPPLIES & MATERIALS	20,256.33	81,965.00	411.67	8,106.37	73,858.63	9.89
MAINTENANCE & REPAIRS	12,142.79	33,000.00	1,551.54	9,351.56	23,648.44	28.34
OCCUPANCY	2,878.95	13,600.00	1,773.31	3,956.10	9,643.90	29.09
CONTRACTUAL SERVICES	1,946.49	12,860.00	4,082.38	12,258.01	601.99	95.32
OTHER CHARGES	21,134.90	71,900.00	4,940.12	17,342.32	54,557.68	24.12
CAPITAL OUTLAY	65,103.57	81,295.00	0.00	0.00	81,296.00	0.00
TOTAL ADMINISTRATION	259,213.81	877,066.00	55,463.79	174,515.42	702,550.58	19.90
<u>CONSTRUCTION MANAGER</u>						
PERSONNEL SERVICES	22,935.70	87,750.00	8,137.83	23,113.82	64,636.18	26.34
SUPPLIES & MATERIALS	1,074.63	3,800.00	2.16	651.08	3,148.92	17.13
MAINTENANCE & REPAIRS	0.00	500.00	54.96	91.72	408.28	18.34
OCCUPANCY	238.05	1,560.00	198.55	716.08	843.92	45.90
CONTRACTUAL SERVICES	83.66	600.00	0.00	102.96	497.04	17.16
OTHER CHARGES	20.00	1,400.00	10.00	30.00	1,370.00	2.14
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CONSTRUCTION MANAGER	24,352.04	95,610.00	8,403.50	24,705.66	70,904.34	25.84
<u>RECREATION</u>						
PERSONNEL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	39,500.00	107.00	227.19	39,272.81	0.58
OTHER CHARGES	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL RECREATION	0.00	39,500.00	107.00	227.19	39,272.81	0.58
<u>PARKS</u>						
PERSONNEL SERVICES	101,765.98	461,688.00	39,172.52	110,141.88	351,546.12	23.86
SUPPLIES & MATERIALS	7,888.80	38,470.00	444.87	5,407.49	33,062.51	14.06
MAINTENANCE & REPAIRS	13,398.56	49,950.00	2,087.29	7,046.26	42,903.74	14.11
OCCUPANCY	10,181.68	43,800.00	4,890.39	12,837.39	30,962.61	29.31
CONTRACTUAL SERVICES	1,602.11	10,880.00	275.35	2,341.67	8,538.33	21.52
OTHER CHARGES	682.44	4,650.00	461.32	652.30	3,997.70	14.03
CAPITAL OUTLAY	0.00	0.00	0.00	5,250.00	(5,250.00)	0.00
TOTAL PARKS	135,519.57	609,438.00	47,331.74	143,676.99	465,761.01	23.58
<u>BUILDING MAINTENANCE</u>						
PERSONNEL SERVICES	27,208.26	145,871.00	12,761.87	35,106.06	110,764.94	24.07
SUPPLIES & MATERIALS	2,135.92	8,300.00	21.00	1,448.72	6,851.28	17.45
MAINTENANCE & REPAIRS	1,616.40	4,450.00	334.86	542.12	3,907.88	12.18
OCCUPANCY	10.80	472.00	28.93	102.59	369.41	21.74
CONTRACTUAL SERVICES	308.63	1,690.00	79.99	342.39	1,347.61	20.26

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CITY OF BASTROP

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FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
OTHER CHARGES	0.00	110.00	0.00	0.00	110.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL BUILDING MAINTENANCE	31,280.01	160,893.00	13,226.65	37,541.88	123,351.12	23.33
TOTAL PUBLIC WORKS	450,365.43	1,782,507.00	124,532.68	380,667.14	1,401,839.86	21.36
 <u>LIBRARY</u>						
 <u>00-NON-PROGRAM</u>						
PERSONNEL SERVICES	103,416.11	474,494.00	42,089.60	112,588.57	361,905.43	23.73
SUPPLIES & MATERIALS	15,164.75	51,450.00	3,392.11	12,648.67	38,801.33	24.58
MAINTENANCE & REPAIRS	2,163.29	12,180.00	275.50	2,329.58	9,850.42	19.13
OCCUPANCY	6,499.35	31,580.00	2,711.89	8,536.44	23,043.56	27.03
CONTRACTUAL SERVICES	6,855.10	19,180.00	1,466.00	8,887.80	10,292.20	46.34
OTHER CHARGES	1,918.44	11,350.00	624.69	1,549.65	9,800.35	13.65
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	136,017.04	600,234.00	50,559.79	146,540.71	453,693.29	24.41
TOTAL LIBRARY	136,017.04	600,234.00	50,559.79	146,540.71	453,693.29	24.41
 *** TOTAL EXPENSES ***						
	1,932,154.53	8,049,090.00	612,501.48	1,781,471.18	6,267,618.82	22.13
 =====						
REVENUES OVER/ (UNDER) EXPENDITURES	128,513.60	2,758.00	435,932.73	474,160.45	(471,402.45)	7,192.18

*** END OF REPORT ***

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FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CHARGES FOR SERVICES</u>						
00-00-4046 SPECIAL EVENTS HOT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CHARGES FOR SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
<u>WATER REVENUES</u>						
00-00-4101 WATER SALES-RESIDENTIAL	237,805.86	1,085,000.00	83,997.27	278,440.84	806,559.16	25.66
00-00-4102 WATER SALES-COMMERCIAL	203,911.56	765,000.00	73,452.93	231,050.55	533,949.45	30.20
00-00-4103 WATER SALES-PUBLIC AUTH	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4150 PENALTIES	6,718.68	28,000.00	2,853.19	9,634.05	18,365.95	34.41
00-00-4152 WATER TAPPING FEES	0.00	7,600.00	600.00	600.00	7,000.00	7.89
00-00-4154 WATER SERVICE FEES	7,792.50	21,000.00	3,015.00	7,785.00	13,215.00	37.07
00-00-4156 OTHER	136.88	100.00	0.00	0.00	100.00	0.00
00-00-4161 SPECIAL PROJECT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WATER REVENUES	456,365.48	1,906,700.00	163,918.39	527,510.44	1,379,189.56	27.67
<u>WASTEWATER REVENUES</u>						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	159,179.37	630,000.00	60,873.65	175,569.44	454,430.56	27.87
00-00-4202 WASTEWATER SALES-COMMERCIAL	120,443.00	500,000.00	46,528.11	133,477.91	366,522.09	26.70
00-00-4203 WASTEWATER SALES-PUBLIC AUTHO	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4250 PENALTIES	4,102.38	19,000.00	1,557.87	5,621.48	13,378.52	29.59
00-00-4252 SEWER TAPPING FEES	0.00	5,200.00	0.00	0.00	5,200.00	0.00
00-00-4253 SEPTIC TANK DUMP FEES	23,111.19	78,500.00	10,140.75	21,017.30	57,482.70	26.77
00-00-4256 OTHER	843.43	100.00	0.00	0.00	100.00	0.00
TOTAL WASTEWATER REVENUES	307,679.37	1,232,800.00	119,100.38	335,686.13	897,113.87	27.23
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	781.78	3,200.00	114.42	423.75	2,776.25	13.24
00-00-4401 INTEREST RECEIPTS	781.79	3,200.00	114.42	423.74	2,776.26	13.24
TOTAL INTEREST INCOME	1,563.57	6,400.00	228.84	847.49	5,552.51	13.24
<u>MISCELLANEOUS</u>						
00-00-4501 GRANT PROCEEDS	0.00	0.00	1,337.14	6,761.48	(6,761.48)	0.00
00-00-4512 SALE OF FIXED ASSETS	0.00	1,000.00	0.00	0.00	1,000.00	0.00
00-00-4519 BACKFLOW TESTING COST	190.00	3,000.00	0.00	47.50	2,952.50	1.58
00-00-4522 WORKER'S COMPENSATION REIMB	0.00	500.00	0.00	0.00	500.00	0.00
00-00-4528 CONSERVATION PROGRAM	18.48	100.00	250.00	500.00	(400.00)	500.00
00-00-4544 PERSONAL PROPERTY ACQ DEBT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4545 REGULATORY FEES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4546 SPECIAL PROJECT REIMBURSEMENT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4547 BY THE WAY CAMPGROUND	2,690.95	10,200.00	1,212.19	3,531.87	6,668.13	34.63
00-00-4548 LCRA/WCID	16,803.00	66,000.00	4,408.95	9,817.95	56,182.05	14.88
00-00-4549 DON STEWART/VICTORIA BANK REI	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	19,702.43	80,800.00	7,208.28	20,658.80	60,141.20	25.57

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TRANSFERS-IN</u>						
00-00-4707 TRANSERS IN - W/WW CIP 250	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4731 TRANS IN-LIMITED TAX NOTE #71	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4733 TRANSFERS IN - DEBT SERV 120	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4734 TRANS IN - ACCELERATION #304	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	0.00	0.00	0.00	0.00	0.00	0.00
** TOTAL REVENUE **	785,310.85	3,226,700.00	290,455.89	884,702.86	2,341,997.14	27.42
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CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CHARGES FOR SERVICES</u>						
00-00-4046 SPECIAL EVENTS HOT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL CHARGES FOR SERVICES	0.00	0.00	0.00	0.00	0.00	0.00
<u>WATER REVENUES</u>						
00-00-4101 WATER SALES-RESIDENTIAL	237,805.86	1,085,000.00	83,997.27	278,440.84	806,559.16	25.66
00-00-4102 WATER SALES-COMMERCIAL	203,911.56	765,000.00	73,452.93	231,050.55	533,949.45	30.20
00-00-4103 WATER SALES-PUBLIC AUTH	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4150 PENALTIES	6,718.68	28,000.00	2,853.19	9,634.05	18,365.95	34.41
00-00-4152 WATER TAPPING FEES	0.00	7,600.00	600.00	600.00	7,000.00	7.89
00-00-4154 WATER SERVICE FEES	7,792.50	21,000.00	3,015.00	7,785.00	13,215.00	37.07
00-00-4156 OTHER	136.88	100.00	0.00	0.00	100.00	0.00
00-00-4161 SPECIAL PROJECT REIMB	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WATER REVENUES	456,365.48	1,906,700.00	163,918.39	527,510.44	1,379,189.56	27.67
<u>WASTEWATER REVENUES</u>						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	159,179.37	630,000.00	60,873.65	175,569.44	454,430.56	27.87
00-00-4202 WASTEWATER SALES-COMMERCIAL	120,443.00	500,000.00	46,528.11	133,477.91	366,522.09	26.70
00-00-4203 WASTEWATER SALES-PUBLIC AUTHO	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4250 PENALTIES	4,102.38	19,000.00	1,557.87	5,621.48	13,378.52	29.59
00-00-4252 SEWER TAPPING FEES	0.00	5,200.00	0.00	0.00	5,200.00	0.00
00-00-4253 SEPTIC TANK DUMP FEES	23,111.19	78,500.00	10,140.75	21,017.30	57,482.70	26.77
00-00-4256 OTHER	843.43	100.00	0.00	0.00	100.00	0.00
TOTAL WASTEWATER REVENUES	307,679.37	1,232,800.00	119,100.38	335,686.13	897,113.87	27.23
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	781.78	3,200.00	114.42	423.75	2,776.25	13.24
00-00-4401 INTEREST RECEIPTS	781.79	3,200.00	114.42	423.74	2,776.26	13.24
TOTAL INTEREST INCOME	1,563.57	6,400.00	228.84	847.49	5,552.51	13.24
<u>MISCELLANEOUS</u>						
00-00-4501 GRANT PROCEEDS	0.00	0.00	1,337.14	6,761.48	(6,761.48)	0.00
00-00-4512 SALE OF FIXED ASSETS	0.00	1,000.00	0.00	0.00	1,000.00	0.00
00-00-4519 BACKFLOW TESTING COST	190.00	3,000.00	0.00	47.50	2,952.50	1.58
00-00-4522 WORKER'S COMPENSATION REIMB	0.00	500.00	0.00	0.00	500.00	0.00
00-00-4528 CONSERVATION PROGRAM	18.48	100.00	250.00	500.00	(400.00)	500.00
00-00-4544 PERSONAL PROPERTY ACQ DEBT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4545 REGULATORY FEES	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4546 SPECIAL PROJECT REIMBURSEMENT	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4547 BY THE WAY CAMPGROUND	2,690.95	10,200.00	1,212.19	3,531.87	6,668.13	34.63
00-00-4548 LCRA/WCID	16,803.00	66,000.00	4,408.95	9,817.95	56,182.05	14.88
00-00-4549 DON STEWART/VICTORIA BANK REI	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	19,702.43	80,800.00	7,208.28	20,658.83	60,141.20	25.57

C I T Y O F B A S T R O P
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TRANSFERS-IN</u>						
00-00-4707 TRANSERS IN - W/WW CIP 250	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4731 TRANS IN-LIMITED TAX NOTE #71	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4733 TRANSFERS IN - DEBT SERV 120	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4734 TRANS IN - ACCELERATION #304	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL TRANSFERS-IN	0.00	0.00	0.00	0.00	0.00	0.00
** TOTAL REVENUE **	785,310.85	3,226,700.00	290,455.89	884,702.86	2,341,997.14	27.42
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CITY OF BASTROP

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FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
CO-NON-PROGRAM						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
<u>WATER-ADMINISTRATION</u>						
ADMINISTRATION						
PERSONNEL SERVICES	31,028.60	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	984.08	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	128.25	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	913.80	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	90,173.53	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	396.03	0.00	30.33	0.00	0.00	0.00
CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	49,597.50	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	173,221.79	0.00	30.33	0.00	0.00	0.00
TOTAL WATER-ADMINISTRATION	173,221.79	0.00	30.33	0.00	0.00	0.00
<u>WATER-DISTRIBUTION</u>						
WATER DISTRIBUTION						
PERSONNEL SERVICES	32,148.65	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	2,431.41	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	8,345.98	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	702.78	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	473.21	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	389.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	307,097.07	0.00	0.00	0.00	0.00	0.00
TOTAL WATER DISTRIBUTION	351,588.10	0.00	0.00	0.00	0.00	0.00
TOTAL WATER-DISTRIBUTION	351,588.10	0.00	0.00	0.00	0.00	0.00
<u>WATER-PRODUCTIONS</u>						
WATER PRODUCTION						
PERSONNEL SERVICES	11,767.12	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	993.04	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	9,971.27	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	8,799.05	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	10,138.39	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	74.75	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	389.10	0.00	0.00	0.00	0.00	0.00
TOTAL WATER PRODUCTION	42,132.72	0.00	0.00	0.00	0.00	0.00

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

EXPENDITURES	PRICR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
TOTAL WATER-PRODUCTIONS	42,132.72	0.00	0.00	0.00	0.00	0.00
<u>WATER/WASTEWATER DEPT.</u>						
<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	0.00	802,603.00	62,162.11	177,706.11	624,896.89	22.14
SUPPLIES & MATERIALS	0.00	53,705.00	1,279.81	8,001.34	45,703.66	14.90
MAINTENANCE & REPAIRS	0.00	24,200.00	191.98	4,077.08	20,122.92	16.85
OCCUPANCY	0.00	16,200.00	2,283.19	5,305.73	10,894.27	32.75
CONTRACTUAL SERVICES	0.00	616,220.00	55,612.74	170,849.61	445,370.39	27.73
OTHER CHARGES	0.00	35,700.00	638.80	2,451.84	33,248.16	6.87
CONTINGENCY	0.00	15,100.00	0.00	0.00	15,100.00	0.00
CAPITAL OUTLAY	0.00	40,000.00	0.00	0.00	40,000.00	0.00
TRANSFERS OUT	0.00	610,000.00	50,833.32	152,499.96	457,500.04	25.00
TOTAL ADMINISTRATION	0.00	2,213,728.00	173,001.95	520,891.67	1,692,836.33	23.53
<u>W/WW DISTRIBUT/COLLECT</u>						
SUPPLIES & MATERIALS	0.00	8,600.00	27.30	1,249.61	7,350.39	14.53
MAINTENANCE & REPAIRS	0.00	195,850.00	26,932.64	41,830.45	154,019.55	21.36
OCCUPANCY	0.00	34,000.00	3,465.70	9,889.28	24,110.72	29.09
CONTRACTUAL SERVICES	0.00	16,875.00	801.50	1,172.80	15,702.20	6.95
OTHER CHARGES	0.00	1,870.00	0.00	0.00	1,870.00	0.00
CAPITAL OUTLAY	0.00	38,500.00	0.00	0.00	38,500.00	0.00
TOTAL W/WW DISTRIBUT/COLLECT	0.00	295,695.00	31,227.14	54,142.14	241,552.86	18.31
<u>WATER PRODUCTION/TREAT</u>						
SUPPLIES & MATERIALS	0.00	28,500.00	27.32	3,722.44	24,777.56	13.06
MAINTENANCE & REPAIRS	0.00	116,050.00	5,011.00	8,347.44	107,702.56	7.19
OCCUPANCY	0.00	90,000.00	6,068.08	23,305.26	66,694.74	25.89
CONTRACTUAL SERVICES	0.00	89,000.00	210.00	21,310.36	67,689.64	23.94
CAPITAL OUTLAY	0.00	88,500.00	8,126.16	8,126.16	80,373.84	9.18
TOTAL WATER PRODUCTION/TREAT	0.00	412,050.00	19,442.56	64,811.66	347,238.34	15.73
<u>WW TREATMENT PLANT</u>						
SUPPLIES & MATERIALS	0.00	29,800.00	2,502.50	5,164.38	24,635.62	17.33
MAINTENANCE & REPAIRS	0.00	99,100.00	6,794.74	11,092.86	88,007.14	11.19
OCCUPANCY	0.00	65,000.00	4,663.82	16,969.87	48,030.13	26.11
CONTRACTUAL SERVICES	0.00	60,000.00	3,184.00	17,028.50	42,971.50	28.38
CAPITAL OUTLAY	0.00	500.00	0.00	0.00	500.00	0.00
TOTAL WW TREATMENT PLANT	0.00	254,400.00	17,145.06	50,255.61	204,144.39	19.75
TOTAL WATER/WASTEWATER DEPT.	0.00	3,175,873.00	240,816.71	690,101.08	2,485,771.92	21.73

WATER-TREATMENT

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>WATER TREATMENT</u>						
PERSONNEL SERVICES	11,767.56	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	6,566.07	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	15,102.12	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	11,214.69	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	8,109.12	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	114.75	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WATER TREATMENT	52,874.31	0.00	0.00	0.00	0.00	0.00
TOTAL WATER-TREATMENT	52,874.31	0.00	0.00	0.00	0.00	0.00

WW-ADMINISTRATION

<u>ADMINISTRATION</u>						
PERSONNEL SERVICES	31,028.33	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	916.39	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	695.15	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	919.76	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	70,527.48	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	1,070.37	0.00	0.00	0.00	0.00	0.00
CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	49,597.50	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	154,754.98	0.00	0.00	0.00	0.00	0.00
TOTAL WW-ADMINISTRATION	154,754.98	0.00	0.00	0.00	0.00	0.00

WW-COLLECTION

<u>WW COLLECTION</u>						
PERSONNEL SERVICES	32,204.11	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	2,363.87	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	22,572.81	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	404.46	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	283.22	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	531.20	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	9,999.88	0.00	0.00	0.00	0.00	0.00
TOTAL WW COLLECTION	68,359.55	0.00	0.00	0.00	0.00	0.00
TOTAL WW-COLLECTION	68,359.55	0.00	0.00	0.00	0.00	0.00

WW-LIFT STATIONS

01/20/2012

1-13-2012 03:44 PM

201

PAGE: 6

CITY OF BASTROP

FINANCIAL STATEMENT

AS OF: DECEMBER 31ST, 2011

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>WW LIFT STATIONS</u>						
PERSONNEL SERVICES	11,712.16	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	1,464.13	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	13,636.87	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	7,152.77	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	108.91	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	152.25	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WW LIFT STATIONS	34,227.09	0.00	0.00	0.00	0.00	0.00
TOTAL WW-LIFT STATIONS	34,227.09	0.00	0.00	0.00	0.00	0.00
<u>WW-TREATMENT PLANT</u>						
<u>WW TREATMENT PLANT</u>						
PERSONNEL SERVICES	11,767.24	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	6,524.94	0.00	0.00	0.00	0.00	0.00
MAINTENANCE & REPAIRS	22,100.10	0.00	0.00	0.00	0.00	0.00
OCCUPANCY	16,833.86	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	18,954.43	0.00	0.00	0.00	0.00	0.00
OTHER CHARGES	574.73	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL WW TREATMENT PLANT	76,755.30	0.00	0.00	0.00	0.00	0.00
TOTAL WW-TREATMENT PLANT	76,755.30	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENSES ***	953,913.84	3,175,873.00	240,847.04	690,101.08	2,485,771.92	21.73
REVENUES OVER/ (UNDER) EXPENDITURES	(168,602.99)	50,827.00	49,608.85	194,601.78	(143,774.78)	382.87

*** END OF REPORT ***

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

501-HOTEL/MOTEL TAX FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TAXES & PENALTIES</u>						
00-00-4007 MOTEL/HOTEL TAX RECEIPTS	458,911.95	2,070,600.00	157,509.60	569,967.79	1,500,632.21	27.53
TOTAL TAXES & PENALTIES	458,911.95	2,070,600.00	157,509.60	569,967.79	1,500,632.21	27.53
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST EARNED	1,225.84	5,000.00	288.73	920.05	4,079.95	18.40
TOTAL INTEREST INCOME	1,225.84	5,000.00	288.73	920.05	4,079.95	18.40
<u>INTERGOVERNMENTAL</u>						
00-00-4418 TEXAS YES GRANT	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00
<u>MISCELLANEOUS</u>						
00-00-4514 MISCELLANEOUS INCOME	0.00	0.00	0.00	0.00	0.00	0.00
00-00-4529 LCRA HISTORICAL VIDEO GRANT	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00
** TOTAL REVENUE **	460,137.79	2,075,600.00	157,798.33	570,887.84	1,504,712.16	27.50
	=====	=====	=====	=====	=====	=====

CITY OF BASTROP
FINANCIAL STATEMENT
AS OF: DECEMBER 31ST, 2011

501-HOTEL/MOTEL TAX FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL 00-NON-PROGRAM	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00
<u>HOTEL/MOTEL TAX FUND</u>						
<u>00-NON-PROGRAM</u>						
CONTRACTUAL SERVICES	264,532.69	1,033,500.00	64,564.13	275,804.59	757,695.41	26.69
OTHER CHARGES	14,841.16	45,000.00	0.00	0.00	45,000.00	0.00
CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS OUT	244,872.99	1,023,680.00	85,306.66	255,919.98	767,760.02	25.00
TOTAL 00-NON-PROGRAM	524,246.84	2,102,180.00	149,870.79	531,724.57	1,570,455.43	25.29
TOTAL HOTEL/MOTEL TAX FUND	524,246.84	2,102,180.00	149,870.79	531,724.57	1,570,455.43	25.29
*** TOTAL EXPENSES ***	524,246.84	2,102,180.00	149,870.79	531,724.57	1,570,455.43	25.29
REVENUES OVER/(UNDER) EXPENDITURES	(64,109.05)	(26,580.00)	7,927.54	39,163.27	(65,743.27)	147.34-

*** END OF REPORT ***

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: January 19, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Consideration, discussion and possible action concerning authorizing the City Manager to proceed forward with a pipe bursting project for the sanitary wastewater main running from Covert Chevrolet running east on the south side of State Highway 71 service road and then running southward to the general area between Comfort Suites/Taco Bell.**

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

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

The current sanitary wastewater main running from Covert Chevrolet eastwardly on the southside of S.H. 71 Service Road and then southwardly to the general area of Comfort Suites/Taco Bell and connecting to 15-inch gravity main is a 10-inch wastewater main. This year's Capital Improvements Program calls for "Pipe Bursting" this line to 12-inch main. After reviewing this wastewater main and considering the growth occurring in west Bastrop the City staff and I are proposing increasing the capacity of this line from 12-inch main to pipe bursting to a 15-inch main. Increasing the main this additional size will provide for abundance of "Wastewater Collection Capacity" in the western quadrant of the City. The original budget for this project is \$518,318.00 and increasing the size of the main from 12-inch to 15-inch will cost an additional \$336,682.00 for total cost of \$852,000.00. The only reason the City was able to consider increasing the size of this Main is that the Well H project came in approximately \$300,000.00 below budget. I also had Mickey Fishbeck run the City's "Water & Wastewater Rate Model" to see if the additional cost of this wastewater project would significantly impact the proposed future rates increases for the City's Five Year (5) Capital Improvements Program. As you will note from Ms. Fishbeck attached memo it will only have a minor impact on the rates.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

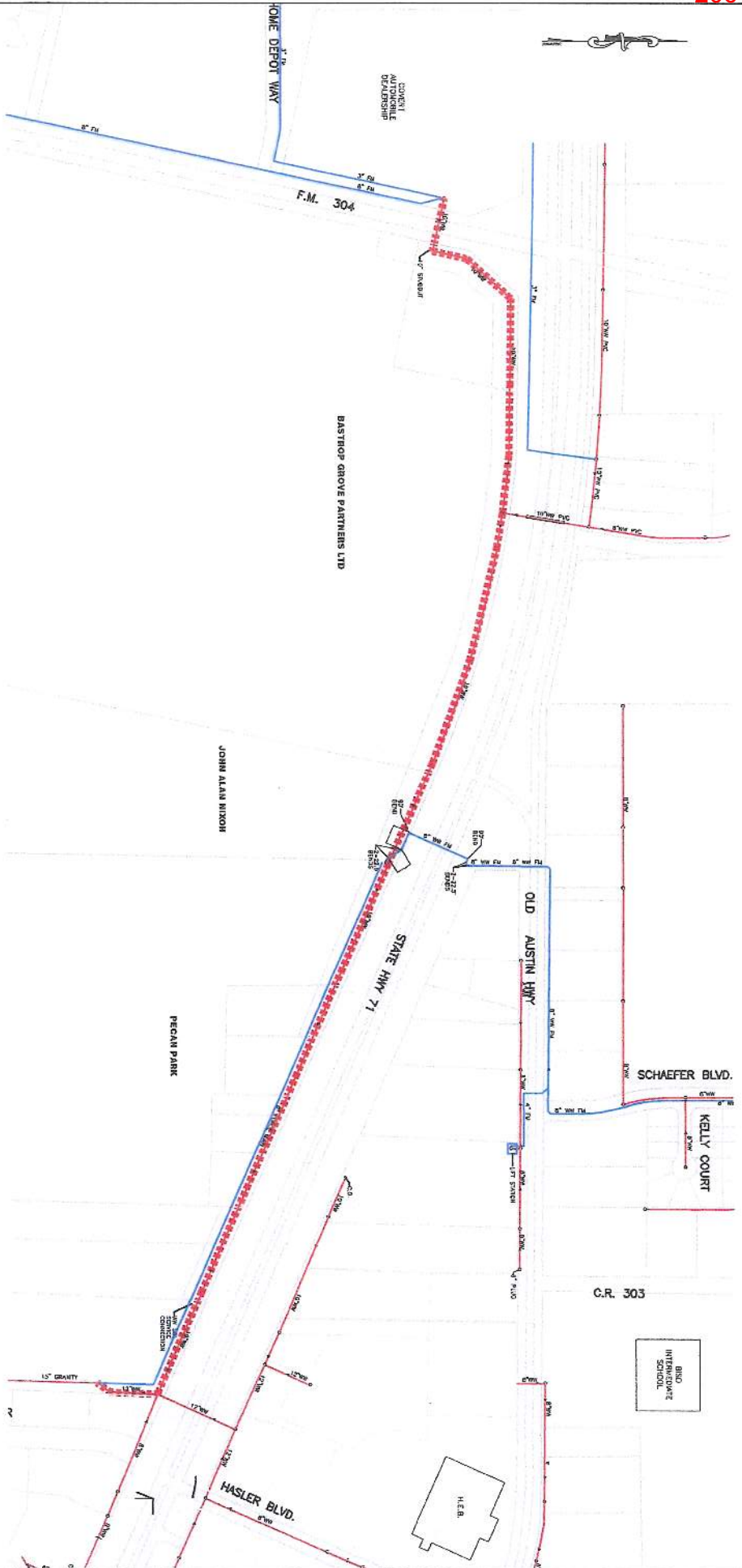
8. Staff Recommendation:

9. Advisory Board: _____Approved _____Disapproved _____None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

F:\JULIANA\LAND PROJECTS 3\MISCELL\PROJECTS\DWG\PROP 15IN SEWER LINE.DWG



PROPOSED 15" PIPE BURSTING SECTION

CITY OF BASTROP
WASTEWATER
IMPROVEMENTS
SCALE 1" = 600'



BEFCO ENGINEERING, INC.

P. O. Box 615
Logansport, Texas 78945
(979) 968-6474

F-2011

CITY OF BASTROP
WESTSIDE WASTEWATER FACILITIES

Generally, as shown on the plans and drawings, the City of Bastrop has gravity lines on both sides of SH 71. In this report, we are discussing the wastewater line on the south side of SH 71. It should be noted that the flow from the north will cross SH 71 and enter the south collection system and flow towards Central Lift Station.

The existing gravity wastewater line from Comfort Suites/Taco Bell to Covert is 10" PVC, SDR-35 laid on 0.25% grade. This is the minimum grade for a 10" wastewater line according to TCEQ Chapter 217. According to calculations for a 10" line laid on a 0.25% grade and a Manning roughness coefficient "n" of 0.013, the flow is about 486 gpm. The Manning roughness coefficient "n" value is based on TCEQ Chapter 217 Rules – "The minimum acceptable "n" value for design and construction is 0.013. The "n" value must take into consideration the slime, grit, and grease layers that will affect hydraulics or hinder flow as a pipe ages." It is important to note that the "n" factor changes with time. New pipe will flow more wastewater; however, age will reduce its ability. Therefore, it is important to maintain and clean your troubled lines on a routine basis.

Listed below are the existing contributors of wastewater to the 10" line along SH 71 and 304:

Hunters Crossing Lift Station
Existing 522 gpm
Future 893 gpm

Home Depot Lift Station
80 gpm

Covert Service - 1,000 gpd

Burleson Crossing – 17,500 gpd

McCoy's & RV Park – 7,500 gpd

Business SE Quadrant 304/71 – 10,000 gpd

Services along SH 71 – 28 wastewater services

As the City of Bastrop continues to grow towards the west, this line will become more vital to the system and operations. Upon construction of WWTP #3 in the future, wastewater will be able to be re-directed and alleviate some of the flow issues.

The City of Bastrop has experienced problems at the manhole located at SH 304 and 71. The problem was a wastewater backup in the Covert service line. In addition, the flow rates with various combinations could cause manholes to overflow. To counter act these potential problems, the City has placed a sensor in the manhole at SH 304 & 71 for monitoring the flows and levels within the manhole. Also, the City has installed variable frequency drives at the Hunter's Crossing Lift Station. As noted above, the existing flow rates could cause operational and customers problems and exceed the flow capability of the gravity line with certain flow conditions.

There are several options available to increase wastewater flow along SH 71. They are: install new larger gravity lines by conventional methods; directionally bore a new larger line along the route; or pipe burst the existing line to a larger size. There are advantages and disadvantages for each option. The most advantageous option is to pipe burst and connect the existing services. The only drawback would be the line would remain at the same grade and can not be deepened. Based on the existing plans from Central Lift Station to SH 304, the lines are laid at minimum grade and can not be deepened.

To increase the flow in the 10" PVC laid on the minimum grade, BEFCO recommends to pipe burst the line to either a 12" or 15". The flow through a 12" line on 0.25% grade is 800 gpm. Also, the flow through a 15" line on 0.25% grade is 1,449 gpm. The cost is about \$30 per foot for 81% increase in flow. Therefore, the additional cost of \$30 per foot is worth the cost for the extra flow.

The estimated cost to increase the size of line from 10" to 15" along SH 71 and install a new crossing of SH 304 is as follows:

Gravity Line – 5,500 linear feet @\$120/lf	\$660,000
Cased Crossing of SH 304 – 120 linear feet @ \$250/lf	\$ 30,000
Services – 28 @ \$750/each	\$ 21,000
Subtotal	\$711,000
Cont. 10%	\$ 71,000
Engineering/Surveying	\$ 70,000
TOTAL	\$852,000

Please note that all manholes are expected to remain in place. During the engineering phase, each manhole will be opened and evaluated for structural integrity. It should be noted that the three options stated above are approximately the same total price.

BEFCO has received the construction plans from TxDOT showing the planned improvements along SH 304. I have sent these plans to Mr. James Miller for his records. According to the plans, SH 304 will be widened to 64 feet back to back of curb with a turn lane and three lanes. There is no increase in right-of-way widths.

BEFCO recommends the trenchless pipe bursting method due to the businesses and congestion along the frontage road. This method should be the least disturbing and the cost will be approximately the same for all three options.

December 9, 2011
GK



F-2011

Mike Talbot

From: Mickey Fishbeck <rimrok@earthlink.net>
Sent: Thursday, January 19, 2012 1:56 PM
To: Mike Talbot
Subject: Revised FY2012 Revenue Requirements
Attachments: Option A CIP 2012 1 19.xls; Option B CIP 2012 1 19.xls; Comparison of Options A and B Revised 2012 1 19.xls

Hi Mike,

I reran the two rate alternatives changing the wastewater pipebursting line item to \$852,000. It made a slight difference in times coverage over the years, but the only year for which I needed to adjust the rate was FY14, changing the rate increase from 6.3% to 6.8% (Option B only; no changes were needed for Option A). This was needed to bring the coverage for FY14 up to at least 1.3 for Option B, and wouldn't need to be changed at all if you were comfortable with coverage of 1.29 instead of 1.30.

Additionally, it shows that at the end of FY13, it would be necessary to draw down reserves by about \$12,000 to cover all costs. That is such a small amount that I thought it was insignificant and any slight variation in demand or costs could make that deficit disappear.

So I would say that you are fine for now, and as we look at conditions in future years when we update this study, we can reassess whether any further changes are needed. Particularly if growth exceeds 1.5% you are likely to be fine with the rate adjustments that we looked at with Council in October.

Mickey

CITY OF BASTROP

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

CITY COUNCIL

DATE SUBMITTED: January 15, 2012

MEETING DATE: January 24, 2012

1. Agenda Item: **Consideration, discussion and possible action on appointment by Mayor and confirmation by Council of member to the Central Texas Clean Air Coalition of the Capital Area Council of Governments.**

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

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

The City Secretary received an email from the Capital Area Council of Governments (CAPCOG) asking the City to once again appoint a representative to serve as a representative to the Clean Air Coalition. According to the Central Texas Clean Air Coalition Bylaws (copy attached) the representative shall be elected officials representing local governments. Mayor Orr was the City's representative for the past two years.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

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

a) _____

b) _____

c) _____

8. Staff Recommendation: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

Teresa Valdez

From: Hoekzema, Andrew <ahoekzema@capcog.org>
Sent: Wednesday, January 11, 2012 3:10 PM
To: Teresa Valdez
Cc: Gill, Bill
Subject: City of Bastrop Clean Air Coalition Representative
Attachments: 2009-08-31 CAC By laws.pdf

All of the members' terms expired on December 31, 2011, so I am calling each jurisdiction asking them to put an item on the next available agenda to appoint a representative to the CAC. The attached bylaws indicate when terms expire and that the governing bodies must appoint a representative.

Please let me know if you have any questions, and if you could please e-mail Bill and/or me when the City has appointed a representative, that would be great.

Thanks,

Andrew Hoekzema
Air Quality Program Specialist
Capital Area Council of Governments (CAPCOG)
Phone: (512) 916-6043 * Fax: (512) 916-6001
ahoekzema@capcog.org ~ www.capcog.org

www.austinairquality.com

No electronic communication by a CAPCOG employee may legally obligate the agency.

**Central Texas Clean Air Coalition
of the
Capital Area Council of Governments**

Article I – Name, Purpose, Responsibilities

The Central Texas Clean Air Coalition, herein after known as the “CLEAN AIR COALITION”, is a voluntary, unincorporated association which became linked with the Capital Area Council of Governments (CAPCOG) by a resolution that was adopted November 13, 2002.

The purpose of the CLEAN AIR COALITION is:

- To develop, adopt and implement a clean air plan to achieve and maintain compliance with federal ground-level ozone standards for the counties of Bastrop, Caldwell, Hays, Travis and Williamson
- To establish and monitor a regional effort toward the improvement of air quality
- To develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas
- To work cooperatively to achieve clean air standards that will protect public health and yet allow local governments the flexibility to select measures best-suited to each community's needs and resources

Article II - Membership

Initial Membership

The initial CLEAN AIR COALITION is composed of elected officials from the existing five (5) county Austin-Round Rock Metropolitan Statistical Area (MSA) and are represented by the governmental agencies that are signatories to the Central Texas One-Hour Ozone Flex Agreement, which is the area's first regional air quality plan. Each agency's governing body appoints one elected official to serve on the Coalition by written notification to the CAPCOG staff liaison.

The following are governmental agencies that are signatories to the Central Texas One-Hour Ozone Flex Agreement:

- The City of Austin
- The City of Round Rock
- The City of San Marcos
- The City of Elgin
- The City of Bastrop
- City of Luling
- City of Lockhart
- Bastrop County
- Caldwell County
- Hays County
- Travis County
- Williamson County

Terms

1. The term of appointment for a member of the CLEAN AIR COALITION shall begin on the date of appointment by the member's governing body, and will terminate December 31st in odd numbered years.
2. There is no limit to the number of times that a member may be re-appointed.
In the case of a vacancy, the CAPCOG staff liaison shall notify the member's governing body and that body shall appoint a replacement

Vacancy

A vacancy occurs when

1. A member dies; or
2. A member's term expires and the member is not reappointed; or
3. A member is no longer an elected official; or
4. A member resigns; or
5. A member is removed

Attendance

1. Members are expected to attend all meetings.
2. Attendance records documenting CLEAN AIR COALITION member absences will be maintained by the CAPCOG liaison. If a member is unable to attend a scheduled meeting, notification must be provided to the liaison prior to the meeting and the member may send a representative who assumes all rights and responsibilities of the member.
3. If within one calendar year a member misses (and does not send a representative) two (2) consecutive meetings the member's governing body will be notified in writing. The member's governing body will have the option of replacing the member, if appropriate.

New Members

Membership may be expanded by majority vote of the CLEAN AIR COALITION. There are two categories of membership for new members, general members and supporting members. If new members are eligible for more than one membership category, new members may choose the membership category they wish to participate under.

General members shall be elected officials representing local governments or Independent School Districts within the Austin/Round Rock MSA and shall have all the rights and responsibilities of initial members. General members must ratify the current clean air plan and commit to implementing selected emission reduction measures.

Supporting members shall act within their individual jurisdictions or agencies to support the purpose of the CLEAN AIR COALITION and report their actions to the CLEAN AIR COALITION or CAPCOG liaison upon request. Supporting members are not required to attend meetings and are not allowed to vote.

New members may change their membership category if they meet eligibility requirements and are endorsed by a majority vote of the CLEAN AIR COALITION.

Article III - Officers

Election

Election of a Chair and up to two (2) Vice-Chairs will occur at the first meeting of each odd-numbered calendar year, with the following representation:

- One (1) from local governing bodies in Travis County; or
- One (1) from either local governing bodies in Williamson or Hays Counties; or One (1) from local governing bodies in any of the MSA counties.

Terms

1. Officers serve two-year terms.
2. Officers may serve a maximum of two (2) consecutive terms.

Vacancy

In the event an Officer is unable to fulfill his/her term, the remaining Officers move up to fill open positions. The CLEAN AIR COALITION may elect a replacement, at a regular or specially called meeting, to ensure a full complement of Officers for the remainder of the unexpired term

Duties

1. The Chair shall preside at all meetings of the CLEAN AIR COALITION.
2. Vice-Chairs shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the CLEAN AIR COALITION.
3. In case the Chair and Vice-Chairs are absent or unable to perform their duties, the CLEAN AIR COALITION may appoint a Chair pro tem.

Other Officers

The CLEAN AIR COALITION may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the CLEAN AIR COALITION members at any regularly scheduled meeting where a quorum is present

Article IV - Meetings

Regular Meetings

1. The CLEAN AIR COALITION shall meet on a day, time and place specified by the Chair of the CLEAN AIR COALITION.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CLEAN AIR COALITION liaison and mailed, or electronically transmitted, or hand-delivered to each CLEAN AIR COALITION member at least five (5) business days before the meeting date.
3. The Chair has the discretion to allow meetings to be conducted via teleconference or video conference.

Special Meetings

1. The CLEAN AIR COALITION shall meet specially, if called by the CLEAN AIR COALITION Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the CLEAN AIR COALITION.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describing the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

Quorum and Action

1. Members or designated representatives present from a majority of the Counties in the Austin-Round Rock MSA constitute a quorum for conducting CLEAN AIR COALITION business.
2. A majority vote of the members or designated representatives present at an established quorum meeting is necessary for action by the CLEAN AIR COALITION for the entire meeting.

Open Meetings and Records

1. All meetings of the CLEAN AIR COALITION shall be open to the public. It is the intention of the CLEAN AIR COALITION that meetings be open to the public.
2. Minutes or meeting notes of the CLEAN AIR COALITION meetings, documents distributed and other records will be kept at CAPCOG. The CAPCOG liaison shall be the recording clerk. The recording clerk shall keep recordings of all CLEAN AIR COALITION meetings for a period of one (1) year after each meeting; print copies of summary minutes for each meeting shall be permanently maintained on file. These materials are available for public view, at the CAPCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of CLEAN AIR COALITION meetings.

Professional Conduct

CLEAN AIR COALITION members should maintain objectivity and professionalism when carrying out business of the CLEAN AIR COALITION.

Sub-Committees:

The CLEAN AIR COALITION may create ad hoc committees or technical sub-committees as deemed appropriate.

Article V – Amendments by the Clean Air Coalition

Authority of the CLEAN AIR COALITION

CLEAN AIR COALITION may amend these bylaws at a regular or specially called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An Amendment to the bylaws takes effect when approved by the CLEAN AIR COALITION unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to CLEAN AIR COALITION members by the CAPCO liaison.

Bylaws History

Adopted January 9, 2002

Amended October 15, 2003

Amended June 26, 2009