

Bastrop City Council  
September 13, 2016 at 6:30 pm



\*\*\*\*\*

*In compliance with the requirements of Chapter 551 of the Texas Government Code, the public is hereby provided notice that it is possible that a quorum, or more, of the membership of the Bastrop Economic Development Corporation may be in attendance, to observe and/or participate in the above-referenced meeting of the Bastrop City Council.*

\*\*\*\*\*

Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on September 13, 2016, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **PRESENTATIONS**
  - A. Announcement of the winners for the “Culture Walk Concept Design”, and presentation of cash prize. (Information on page 1)
  - B. Presentation by County Judge Paul Pape regarding alternate sites for the County shelter. One possible site is at Mayfest Hill Park.
5. **PROCLAMATIONS**
6. **ANNOUNCEMENTS AND INFORMATION**
  - A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
  - B. Distribution of Items to Council (If Necessary) – Ann Franklin
  - D. Items Targeted for Future Meetings.
7. **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, Ch. 551 Govt. Code, Vernon’s TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters

\*\*\*\*\*

**A. CONSENT AGENDA** - *All of the following items 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 requests.*

	<u>TAB</u>	<u>PG</u>	<u>REQUESTOR</u>
A.1			
Approval of minutes from regular council meeting of January 26, 2016 and special called meetings of May 17, 2016, June 7, 2016 and August 16, 2016.	A.1	Pg3	City Secretary, Ann Franklin
A.2			
Approval of the statutory denial for a period of 180 days from the date of Council action on a Replat of Lot 1 within the Bastrop Station Addition, Lot 1A being +/-1.465 acres and Lot 1B being +/-1.635 acres out of the Nancy Blakey Survey, A-98, N.W. corner of Agnes and Childers within the city limits.	A.2	Pg17	Director of Planning and Development, Melissa McCollum
A.3			
Approval of the Final Plats for Woodrun Subdivision, Section Two, Phase I and Phase II. Section Two, Phase I being +/-24.927 acres and Phase II being +/-25.889 acres out of the Stephen F. Austin Survey Abstract No. 3, located on Smith Road approximately 2/3 of a mile from Reid's Bend within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).	A.3	Pg19	Director of Planning and Development, Melissa McCollum

**B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION**

B.1			
<b>PUBLIC HEARING</b> on the proposed closing of portions of the following unopened streets:	B.1	Pg28	Director of Public Works, Parks and Utilities, Trey Job
1) Mill Street (Blocks 20,21,97 and 98 generally running east/west from Paul C Bell/Pecan to Hill Street			
2) South Street (Blocks 98,97) generally running east/west from old city limits to Hill Street/Lovers Lane			
3) Paul C Bell/Pecan (Blocks 98, 99) generally running north/south from Mill Street to old city limits			
4) Jefferson Street (Blocks 20, 21, 97, 98) generally running north/south from Jasper to South Street			
B.2			
<b>FIRST READING OF AN ORDINANCE AUTHORIZING THE VACATION, ABANDONMENT, AND CONVEYANCE OF A PORTION OF UNOPENED PAUL C. BELL STREET, JEFFERSON STREET, MILL STREET, AND SOUTH STREET AT THE INTERSECTION OF BUILDING BLOCKS 20, 21, 99, 98, AND 97; AUTHORIZING THE CONVEYANCE OF A PART OF THE NORTH AND SOUTH PORTION OF BLOCK 20 AND PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH; AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS; AND PROVIDING FOR AN EFFECTIVE DATE.</b>	B.2	Pg29	Director of Public Works, Parks and Utilities, Trey Job

- B.3 **PUBLIC HEARING:** Conduct a public hearing to receive citizens input on a request for a CUP, Conditional Use Permit to allow a distillery at 601 Chestnut Street, Suite #E. The property to be known as Copper Shot Distillery, consists of +/- 2.69 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street, an area zoned DMU, Downtown Mixed Use within the City Limits of Bastrop, Texas **B.3 Pg37** Director of Planning and Development, Melissa McCollum
- B.4 **FIRST READING OF AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW A DISTILLERY AT 601 CHESTNUT STREET, SUITE #E CONSISTING OF +/-2.69 ACRES OUT OF AND A PART OF BUILDING BLOCKS NINE AND FOURTEEN AN AREA ZONED DMU, DOWNTOWN MIXED USE WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS;AND PROVIDING AN EFFECTIVE DATE.** **B.4 Pg52** Director of Planning and Development, Melissa McCollum
- B.5 **PUBLIC HEARING:** Conduct a public hearing to receive citizens input on a request to adopt revised fees related to Planning and Development Department Fees, for building, subdivision and zoning applications. **B.5 Pg56** Director of Planning and Development, Melissa McCollum
- B.6 **FIRST READING OF AN ORDINANCE GRANTING AN AMENDMENT TO PORTIONS TO THE “FEE SCHEDULE” APPENDIX “A” OF THE CODE OF ORDINANCES RELATED TO CHAPTER 3, BUILDING REGULATIONS, CHAPTER 10, SUBDIVISIONS, AND CHAPTER 14, ZONING, AND THE ARTICLES WITHIN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.** **B.6 Pg 64** Director of Planning and Development, Melissa McCollum
- B.7 **PUBLIC HEARING:** The City Council will conduct the second “Public Hearing “on the Proposed Property Tax Rate for the City of Bastrop for Fiscal Year 2017. **B.7 Pg73** Chief Financial Officer, Tracy Waldron
- B.8 **PUBLIC HEARING:** The City Council will conduct a “Public Hearing on the Proposed Budget for the City of Bastrop for Fiscal Year 2016-2017. **B.8 Pg75** Chief Financial Officer, Tracy Waldron

**C. OLD BUSINESS - NONE**

**D. NEW BUSINESS**

- D.1 Consideration, discussion, and possible action regarding calling a workshop session to discuss ways to create a five-year plan regarding recreational activities in Bastrop and coordination among all interested entities, including but not limited to the following: Bastrop Parks and Recreation Department (in reference to all facilities and **D.1 Pg77** Council Member Jones



- programs); YMCA, Boys and Girls Club; Bastrop State Park (swimming pool and discontinued golf course); trail to state park from downtown; new Community Center/shelter at Jewel's Park and adjacent land; volunteer sports programs for baseball, basketball, etc; and BISD.
- D.2

Consideration, discussion and possible action on the City Council casting an official ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

D.2 Pg78

City Secretary,  
Ann Franklin
  - D.3

**FIRST READING OF AN ORDINANCE ON RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE ANNUAL BUDGET FOR THE FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017.**

D.3 Pg85

Chief Financial  
Officer, Tracy  
Waldron
  - D.4

**FIRST READING OF AN ORDINANCE FIXING THE TAX RATE AND LEVY FOR THE CITY OF BASTROP, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, AND FOR THE FURTHER PURPOSE OF CREATING A SINKING FUND TO RETIRE THE PRINCIPLE AND INTEREST OF THE BOND INDEBTEDNESS OF THE CITY; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

D.4 Pg245

Chief Financial  
Officer, Tracy  
Waldron
  - D.5

**FIRST READING OF AN ORDINANCE SETTING THE CONTRACTUAL RATES PAID TO PROGRESSIVE WASTE SOLUTIONS FOR RESIDENTIAL AND COMMERCIAL GARBAGE COLLECTION SERVICE PERFORMED BY PROGRESSIVE WASTE SOLUTIONS; AMENDING THE RATE OF RESIDENTIAL AND COMMERCIAL GARBAGE SERVICE CHARGED TO THE CITIZENS OF BASTROP, TEXAS FOR ADMINISTRATIVE COSTS AND SOLID WASTE DISPOSAL SERVICE RATES; AND PROVIDING AN EFFECTIVE DATE.**

D.5 Pg249

Chief Financial  
Officer, Tracy  
Waldron
  - D.6

**FIRST READING OF AN ORDINANCE ADDING CHAPTER 16 "BASTROP CONVENTION AND EXHIBIT CENTER" TO THE BASTROP CODE OF ORDINANCES; CREATING ARTICLE A16.01 "BASTROP CONVENTION CENTER AND EXHIBIT CENTER", AND ADDING SECTION A16.01.001 "FEE SCHEDULE" TO APPENDIX A TO REFLECT FEES FOR USE; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

D.6 Pg263

Chief Financial  
Officer, Tracy  
Waldron
  - D.7

Consideration, discussion and possible action on the Preliminary Plat for Pecan Park, Section 3A being +/-12.181 acres within the Mozea Rousseau Survey A-56, located west of Childers Drive (proposed

D.7 Pg279

Director of  
Planning and  
Development,

- |      |  |            |  |
|------|--|------------|--|
|      | extension) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas.  |            | Melissa McCollum                                       |
| D.8  | Consideration, discussion and possible action on the Preliminary Plat for Pecan Park Section 6A being +/-10.961 acres within the Mozea Rousseau Survey A-56, located east of Childers Drive (Childers Drive to be extended) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas. | D.8 Pg284  | Director of Planning and Development, Melissa McCollum |
| D.9  | Consideration, discussion and possible action regarding the approval of four photographs by photographer Billy Moore depicting landscapes in the Bastrop area.   | D.9 Pg294  | Director of Public Works/Board Liaison, Trey Job       |
| D.10 | Consideration, discussion and possible action on Approving the proposed funding allocation for requesting Community Support Funding for Fiscal Year 2016-17.   | D.10 Pg297 | Chief Financial Officer, Tracy Waldron                 |
| D.11 | Consideration, discussion and possible action on approving the proposed funding allocation for requested Hotel Motel Funding for Fiscal Year 2016-17 and addressing the average funding proposed calculation exceeding the organizations requested funding.  | D.11 Pg299 | Chief Financial Officer, Tracy Waldron                 |

\*\*\*\*\*

*Pursuant to Texas Government Code §551.071 the City Council will meet in Executive Session to consult with its attorney to seek his advice about pending or contemplated litigation, or settlement offers. The City Council also will meet with its attorney to discuss legal issues related to the Texas Open Meetings Act and Texas Public Information Act. The City Council also will meet with its attorney pursuant to Texas Government Code §551.071(2) to consult on matters in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.*

\*\*\*\*\*

**E. EXECUTIVE SESSION**

E1. The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, to discuss the following:

1. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney concerning:
  - (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or

settlement/mediation, including (*but not limited to*) the following: municipal water supply, pending and/or potential code enforcement, litigation related to subdivision development and water permit, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.

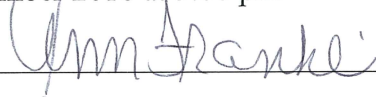
2. **SECTION 551.074** – Personnel matters: search for City Manager and consideration of proposals for City Manager selection consultant.

E2. The Bastrop City Council will reconvene into open (public) session to discuss, consider and/or take any actions necessary related to the executive session(s) items noted herein, or regular agenda items, noted above, and/or related agenda items.

**F. ADJOURNMENT**

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 9th, Day of September 2016 at 5:00 pm

  
\_\_\_\_\_

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS; THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND A MEETING AND WHO MAY NEED ASSISTANCE ARE ENCOURAGED TO CONTACT THE CITY SECRETARY AT 512-332-8800. PLEASE PROVIDE A FORTY-EIGHT (48) HOUR NOTICE. Confirmed by **TC**