

**Council Member Kay Garcia McAnally
1505 Main Street
Bastrop
Texas 7602**

10/18/2016

To: Mr. Marvin Townsend, Interim City Manager
Mayor Ken Kesselus
Mr. David Bragg, Interim City Attorney

Dear Sirs,

When I made my remarks at the last Council meeting about resigning from office I was basing an effective date on the understanding that a special election would not be required if that date was within 180 of the scheduled election in mid May of 2017. Unfortunately I now understand that the City Charter calls for 120 days rather than 180. It has never been my intention to cause the city the unnecessary expense of a special election to replace me. Fortunately this will not be necessary.

During a meeting with our Interim City Attorney Mr. Bragg yesterday I was informed that because I failed to sign the remarks I made and have not submitted an official letter of resignation, there is in fact no resignation at this point.

I have been contacted by a large number of constituents who have expressed great concern at my leaving Council before May of 2017. I will therefore remain in my office, continue to serve the people of Bastrop and not force the City into a spending money on a special election.

I apologize for any confusion caused by my misunderstanding of the 180 v 120 day rule.

Sincerely



Kay Garcia McAnally

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October 18, 2016

City of Bastrop
Bastrop City Council
City Hall
1316 Chestnut
Bastrop, Texas 78602

Dear Mayor Kesselus & the City Council:

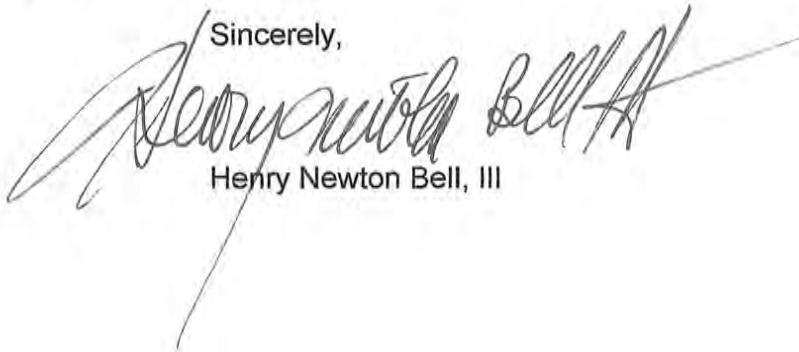
I want to again thank you for allowing me to have my mother's grave reinterred and buried in a crypt above ground at Fairview Cemetery.

I invite you to visit the monument and crypt. I believe it is a marvelous addition to Fairview Cemetery.

In that regard, I am requesting that Davis Rosa be allowed to clean up and remove the brush and weeds from the entire front of the hill which could make the hill much more attractive! If you want me to pay for Mr. Rosa's services, I will do so.

Thank you for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry Newton Bell, III". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Henry Newton Bell, III

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **APPROVAL OF MINUTES FROM REGULAR COUNCIL MEETINGS OF JUNE 14, 2016, AUGUST 9, 2016 AND SEPTEMBER 13, 2016 AND SPECIAL CALLED MEETINGS OF JUNE 20, 2016, JUNE 21, 2016 AND JULY 5, 2016.**
2. Party Making Request: **City Secretary, Ann Franklin**
3. Nature of Request: (Brief Overview)
4. Attachments: Yes X No _____
5. Motion Requested: **Approval of minutes for June, 14, June 20, June 21, July 5, August 9, and September 13, 2016 meetings.**

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
JUNE 14, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, June 14, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem DeLaRosa, and Council Members, Jones, McAnally, and Schiff.

CALL TO ORDER

At 6:33 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Peterson was absent. (Council Member Peterson's absence was approved by Council as excused.)

PLEDGE OF ALLEGIANCE

Reverend C.A. Williams, Macedonia Baptist Church led the Pledge.

INVOCATION

Mayor Kesselus gave the invocation.

PRESENTATIONS

- A. The Baron de Bastrop video,

PROCLAMATIONS

- A. Juneteenth Celebration

CITIZEN COMMENTS

Barbara Clemons - Spoke in concern of recent flooding and wanted to know if there would be a public hearing for citizens regarding the flood and how FEMA money would be distributed and whether or not the City would provide tips to help citizens in case of a flood.

Richard Kindred – Spoke in concern of the continued flooding and the City not providing basic maintenance to the creeks.

Belinda Williams – Spoke concerning recent flooding.

Anne Beck – Spoke regarding the lack of volume when listening to the meetings at home and ask that everyone contact Time Warner to ask for more power to increase the volume.

Becki Womble – Complimented the City staff and gave thanks to them for hanging banners purchased by the Chamber of Commerce to decorate the City poles up and down Main Street.

Jan Hewett – Requested that the Council help the less fortunate citizens that were affected by the flood.

Pamela Aldridge – Stated the homes on MLK have been flooded many times and the City is not doing all that they can to help the residents on MLK.

ANNOUNCEMENTS

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally

Council Member McAnally referred to the City Manager's Comprehensive Plan, "A draft future land use map has been reviewed by staff and modified for inclusion in Chapter 5 Land Use and Community Image, Chapter 6 Transportation and Chapter 8 Cultural Arts Tourism are being drafted concurrently by the consultant's team and will be released to staff for review over the next few weeks." The next Comprehensive Plan Steering meeting will be scheduled following the staff level review of Chapter 5.

- B. Juneteenth activities. – Bill Peterson
- C. Items Targeted for Future Meetings.
- D. City Manager Mike Talbot made the announcement that there was a public notice in the newspaper that the City Council was going to hold a public hearing at the meeting tonight, June 14, 2016 regarding the public improvement district to be created at XS Ranch, the hearing will not be held tonight it has been rescheduled for the June 28, 2016 City Council meeting.

City Manager's Informational Report for the June 14, 2016 City Council Meeting:

I. Meetings and Events Attended:

- A. Texas Department of Transportation Pre-Construction Meeting for the S.H. 71 – S.H. 95 Overpass Project.
- B. Monthly Meeting of the Zoning Board of Adjustment on June 1, 2016
- C. Special City Council Meeting of June 7, 2016

II. Update on City Projects and Issues:

- A. Discussion and Review of Water Usage for the period of April 1, 2016 through June 12, 2016.
- B. Update on the Chestnut Fire Station Renovation Project.
- C. Review and Update of the creation of Creating "Destination Marketing Organization".
RFQ was issued on June 1, 2016, scheduled to be returned by June 21, 2016. Since sending out the RFQ the City Manager has been contacted by three potential responders asking for clarification on some minor points related to the RFQ. The three who have submitted inquiries did express a concern that this was a very compressed time frame in which to respond to an RFQ.
- D. Update on the Texas Department of Transportation "Tahitian Village Overpass Project.
- E. Update on the Texas Department of Transportation "S.H.71 – S.H. 95 Overpass Project."
- F. Update and Review of the Storm Event of May 26th & 27th 2016.
Approximately 39 homes were damaged. (Not inferring that the City has got all of the damaged properties, those are the ones that had some type of service the night of the flood or have consequently contacted the City regarding damage to their homes.) Bastrop was not included in the Presidents initial declaration for Federal disaster or FEMA funding but it is believed that Bastrop will eventually fall into this category.
- G. Update on the Bus Shelter Project.
The Bus Shelter is complete and operational as of mid-May.
- H. Update on the Comprehensive Plan
- I. Update and Discussion regarding the "Boiled Water Notice" issued by the City during the Week of May 2, 2016.
- J. Discussion and Review of the Gills Branch Wastewater Improvements Project.
- K. Review and Discussion regarding the FY-17 Budget.
- L. Zika Virus – Mosquito Management
The heavy rain has left bodies of standing water and a spraying schedule and action plan has been created and on the web tips are provided for citizens.
- M. Management/Administrative Activities

III. Other City Activities:

- A. City of Bastrop Convention Center Activities.**
- B. The City of Bastrop Main Street Program.**
- C. Planning Department – Inspection Report.**
- D. Update on the YMCA Program**

Inviting input from the City 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 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.*

- A.1** Consideration, discussion and possible action regarding approval of minutes from the regular Council Meeting of May 24, 2016.
- A.2** Consideration, discussion and possible action regarding approval of the SECOND READING of a Resolution of the City Council of Bastrop approving a (AEI Technologies Project) using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding \$10,000. (FROM THE MAY 24TH MEETING ITEM D.9)
- A.3** Approval of Bastrop Marketing Corporation’s request for reimbursement of funds for April 2016 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.
- A.4** Correction of term end dates for BEDC members Drusilla Rogers and Camillo Chavez.
- A.5** Approval of the statutory denial for a period of 180 days from the date of Council action on a request for the Amending Plat of Tahitian Village, Unit 2, Block 16, Lots 2-1402, 2-1403, 2-1404, 2-1405, 2-1460, 2-1461 and 2-1462 located within the Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).
- A.6** Approval of the statutory denial for a period of 180 days from the date of Council action on a request for the Administrative Plat of XS Ranch Fund Subdivision being +/- 1.317 acres out of The Jose Manuel Bangs Survey A-4 within Area A of the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).
- A.7** Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of the following:
 - A.7a** Kristi Koch Bastrop Art in Public Places
Place 2 2016 - 2019
 - A.7b** Corporal Wuthipong Tantaksinuaikij Ethics Commission
Place 3 2016 - 2019

A.7c	Kathryn Lang Place 6	Historic Landmark Commission 2016 – 2019
A.7d	Robbie Sanders Place 7	Historic Landmark Commission 2016 – 2017
A.7e	Dan Hays-Clark Place 2	Historic Landmark Commission 2016 – 2019
A.7f	Dan Hays-Clark Place 2	Zoning Board of Adjustment 2016 – 2018
A.7g	Carolyn Smith Place 4	Hunters Crossing LGC 2016 – 2018
A.7h	Becki Womble Place 4	Bastrop Vision Task Force 2016 – 2017
A.7i	Nancy Wood Place 6	Bastrop Vision Task Force 2016 – 2017
A.7j	Tresha Silva Place 7	Bastrop Vision Task Force 2016 - 2017

Mayor Pro Tem DeLaRosa made the motion to approve the consent agenda, seconded by Council Member Schiff. The motion was approved on a vote of 4-0. Council Member Peterson was absent.

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

- B.1 PUBLIC HEARING: Receive public input on a request for Amendment to the Zoning Ordinance, Chapter 14, Section 36.11, Zoning Use Charts, Section 43.9(B) Supplemental Regulations and A-3, Definitions.
- Section 43 Supplemental Regulations, Section 43.9 (B) Uses classified as sexually oriented business or as tattoo studio or body piercing studios, to modify phrasing referencing “tattoo studio or body piercing studios”; and
 - Section 36 Use Regulation (Charts) Section 36.11 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and
 - Section A-3 Definitions to update definitions for 270.2 Tattoo Studio, to reference micropigmentation (permanent makeup) as an allowable incidental/accessory use in definition #75, Custom Personal Service Shop definition.

The public hearing was closed.

- B.2 FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING SECTIONS 36.11 RELATED TO ZONING TO ADD USES FOR TATTOO STUDIOS AND BODY PIERCING STUDIO TO ALLOW TATTOO AND BODY PIERCING STUDIOS TO BE LOCATED IN DISTRICTS ZONED C-2, IP, LI AND PD,; SECTION 43.9(B) RELATED TO AMEND LOCATIONS FOR PIERCING AND TATTOO

STUDIOS, AND AMENDING DEFINITION #75 AND #270.2 IN APPENDIX A-3 OF THE CITY OF BASTROP ZONING ORDINANCE, FOR THE TERM "CUSTOM PERSONAL SERVICE SHOPS" TO INCLUDE PERMANENT MAKEUP SERVICES AS ACCESSORY USE TO BARBER/BEAUTY SHOP USES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Schiff made the motion to refer the ordinance back to staff for amendments, seconded by Council Member Jones. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

- B.3 PUBLIC HEARING: Receive public input on Variances to the Subdivision Ordinance, Suburban Subdivision Standards Section 7.10.2 Layout Requirements A. Minimum lot width shall be one hundred and twenty five feet and Section 7.10.2 G. Lot depth to width ratio shall not exceed 3 to 1. The proposed 512 House Group Subdivision is +/-0.997 acres within the Stephen F. Austin Survey Abstract No. 3 located on Phelan Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).

The public hearing was closed.

- B.4 Consideration, discussion and possible action on Variances to the Subdivision Ordinance, , Suburban Subdivision Standards Section 7.10.2 Layout Requirements A. Minimum lot width shall be one hundred and twenty five feet and Section 7.10.2 G. Lot depth to width ratio shall not exceed 3 to 1. The proposed 512 House Group Subdivision is +/-0.997 acres within the Stephen F. Austin Survey Abstract No. 3 located on Phelan Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).

No action was taken on this item.

- B.5 PUBLIC HEARING: Receive public input on a request for Amendments to the Consent Agreement for The Colony Municipal Utility District No. 1 and Successor Districts to the Created by Division of the Colony Municipal Utility District No. 1 being +/-1,491.04 acres in the Jose Manuel Bangs Survey A-5 within Area A of the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

The public hearing was closed.

The staff coordinated discussion with the County at Mayor Pro Tem DeLaRosa's request, as a result the County engineering documented that she had no comments or concerns on this matter.

- B.6 Consideration, discussion and possible action on the proposed Amendment #1 to the Consent Agreement for The Colony Municipal Utility District No. 1 and Successor Districts to the Created by Division of the Colony Municipal Utility District No. 1, being +/-1,491.04 acres in the Jose Manuel Bangs Survey A-5 within the City of Bastrop Extra Territorial Jurisdiction (ETJ).

Council Member Schiff made the motion to approve the amendment to the consent agreement for the Colony Municipal Utility District No. 1 as defined in this item, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

The staff coordinated discussion with the County at Mayor Pro Tem DeLaRosa's request, as a result the County engineering documented that she had no comments or concerns on this matter.

OLD BUSINESS - NONE**NEW BUSINESS**

D.1 Consideration discussion and possible action regarding setting the start time for all Council meetings at 6:30 p.m.

Council Member Schiff made the motion to set the start time for all Council meetings at 6:30 p.m. with the exception of weekend workshops, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

D.2 Election of City Council Member to fill Place 6 on the Hunters Crossing Local Government Corporation.

Council Member Schiff made the motion to elect Council Member Peterson to fill Place 6 on the Hunters Crossing Local Government Corporation, seconded by Council Member Jones. The motion was approved on a 5-0 vote. Mayor Kesselus voted due to the motion being an election. Council Member Peterson was absent.

D.3 Consideration discussion and possible action regarding the follow up on charter changes.

Council Member Schiff made the motion to postpone this item to June 28, 2016 and instructed the City Manager to develop language for an item to be place on the next agenda for discussion of the following suggested charter changes, seconded by Council Member Jones. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

Suggested Charter changes:

- **Amend the way the quorum is configured for Council. He would like to have the Charter state that the Council is five people and the Mayor is a separate entity from the Council in order to have the voting amount on the Council as five.**
- **Have separate term limits for the office of Council Member and separate term limits for the office of Mayor.**

D.4 Consideration discussion and possible action regarding the process for selecting consultant for DMO process.

Council Member Schiff made the motion to create a schedule as follows, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

Deadline Dates (If adjustment is necessary it will be done.)

June 28, 2016 – Conduct interviews

July 5, 2016 – Conduct selection

D.5 Consideration, discussion and possible action on a proposal to partner with various entities in promoting a celebration entitled "Bastrop County Remembers" by offering the convention center for the event with the waiver of fees as the city's contribution.

Council Member Schiff made the motion to waive the event fees for the "Bastrop County Remembers", seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

D.13 Consider and take possible action on resolutions regarding 921 Main Street from the Downtown Business Association and the Main Street Advisory Board.
Council Member McAnally made the motion to thank, acknowledge and consider the information given from Downtown Business Association and Main Street, seconded by Council Member Jones. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

D.8 Consideration, Discussion and possible action for the City Council to offer to grant free of charge, the property at 921 Main to prospective developers who submit proposals for the best use of the property that justifies such a grant.
Council Member Schiff made the motion as follows, seconded by Council Member DeLaRosa. The motion was to have Council authorize the City Manager to advertise that the City is willing to grant free of charge to the developer or individual the property at 921 Main Street, the City reserves the right to select the Grantee (or not select any Grantee) based upon what it feels in its sole judgment is the best use of this space. Grantee would be subject to claw-back provisions (to be developed) ensuring that the Grantee performs what is proposed by Grantee. The grant announcement must be advertised by July 1, 2016 and proposals must be received no later than August 15, 2016.

Council Member Schiff revised his motion above to read as follows, seconded by Mayor Pro Tem DeLaRosa.

The motion was to have Council authorize the City Manager to advertise that the City is willing to grant an incentive to the developer, individual, non-profit or government the property at 921 Main Street, the City reserves the right to select the Grantee (or not select any Grantee) based upon what it feels in its sole judgment is the best use of this space. Grantee would be subject to claw-back provisions (to be developed) ensuring that the Grantee performs what is proposed by Grantee. Have the City Manager create a schedule and bring before Council at the June 28, 2016 meeting. Council Member Schiff, the maker of the motion withdrew his motion.

The question was asked of the City Attorney if it is legal for the City Council to give away property that belongs to the City. The City Attorney stated that Cities are required to get value for the sale of their property, the value may be established through certain things that the City gets in return the sale may be incentivized to some extent. It would require that the City determine the value of the property to set the standards for what would be received in exchange for any incentive provided.

No Action Was Taken.

D.6 Consideration, discussion and possible action on a proposed change in the type of parking on Main Street from the intersection of Pine Street traveling south for approximately 225 feet.
This item was postponed to June 28, 2016.

D.7 Consideration, discussion and possible action regarding use of city attorney's time and reporting on legal fees.
This item was withdrawn.

- D.9 Discussion, consideration and possible action on the Final Plat for The Colony MUD 1D, Section 1, Phase A being +/-23.301 acres out of Manuel Bangs Survey A-5 within Area A of the Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).
Mayor Pro Tem DeLaRosa made the motion to approve the final plat for the Colony MUD, Section 1, Phase A, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Peterson was absent.
- D.10 Discussion, consideration and possible action on the Final Plat for The Colony MUD 1D, Section 1, Phase B being +/- 30.654 acres out of the Manuel Bangs Survey A-5 within Area A of the Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).
Mayor Pro Tem DeLaRosa made the motion to approve the final plat for the Colony MUD, Section 1, Phase B, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Peterson was absent.
- D.11 Discussion, consideration and possible action on the Final Plat for The Colony MUD 1E, Section 2 Phase A being +/-15.626 acres out of the Manuel Bangs Survey A-5 within Area A of the Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).
Mayor Pro Tem DeLaRosa made the motion to approve the final plat for the Colony MUD 1E, Section 2 Phase A, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Peterson was absent.
- D.12 Discussion, consideration and possible action on the Final Plat for The Colony MUD 1E, Section 2, Phase B being +/-23.918 acres out of the Manuel Bangs Survey A-5 within Area A of the Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).
Council Member Schiff made the motion to approve the final plat for the Colony MUD 1E, Section 2, Phase B, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

EXECUTIVE SESSION

E1. The Bastrop City Council met at 9:21 p.m. 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/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 551.071(1)(A) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending threatened and/or contemplated litigation or claims, including but not limited to and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda. 911 Farm Street.
3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City, and/or to deliberate the potential offer of economic incentives to a business prospect, as note herein.

4. SECTION 551.074 – Personnel Matters: City Manager

This item was withdrawn.

E2. The Bastrop City Council reconvened at 11:38 p.m. 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.

ACTION TAKEN

Mayor noted for the public that the Council had discussed all items identified on the Ex. Session Agenda with the exception of the Public Utilities, which was not discussed.

The City Manager made the following comments and recommended that the council consider a Motion related to Economic Development negotiations to the following effect:

“The City’s Agreement with Hyatt, which provides for certain economic incentives to the Hyatt, expires on its own term on June 30, 2016. The City has spoken with representatives of the Hyatt about an extension of this current agreement and has provided a proposed draft of same to the Hyatt back in March of 2016, but, to date, the Hyatt has not been satisfied with the terms or willing to execute the proposed extension agreement as submitted by the City and an alternate agreement has not been mutually agreed upon. Accordingly, the existing Agreement will expire, as set forth in the Agreement, on June 30, 2016.

Nevertheless, the City continues to be open to consider an alternate proposal from the Hyatt, after it has been approved at the Hyatt’s Corporate level, should Hyatt determine it desires to submit same to the City.

Council Member Jones left the Chambers at 11:40 p.m.

Council Member Schiff made the motion as follows, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council member Jones was off the dais. The City agrees that the existing agreement between the City and the Hyatt shall expire at close of business on June 30, 2016, but that the City is open to consider and evaluate an alternate proposal from the Hyatt, to the amendment provided by the City, after the Hyatt’s alternative proposal has been approved at Hyatt’s Corporate level, should Hyatt determine it desires to submit same to the City.

ADJOURNMENT

Mayor Pro Tem DeLaRosa made the motion to adjourn the meeting at 11:42 p.m., seconded by Council Member Schiff. The motion was approved on a 3-0 vote. Council Member Jones was off the dais. Council Member Peterson was absent.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes _____ were approved on (Mon/Date/Year) by Council Member _____ motion, Council Member _____ second. The motion was approved on a _____ vote.

**MINUTES OF SPECIAL CALLED MEETING
BASTROP CITY COUNCIL
JUNE 20, 2016**

The Bastrop City Council met in a Special Meeting on Monday, June 20, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Kesselus, Mayor Pro Tem DeLaRosa, and Council Members, Peterson, Schiff, Jones and McAnally.

A. CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present.

C. EXECUTIVE SESSION

C1. The City of Bastrop met at 6:35 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et.seq.*, to discuss the following:

1. SECTION 551.074 – Personnel Matters: City Manager

C2. The Bastrop City Council reconvened at 7:00 p.m. 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.

ACTION FROM EXECUTIVE SESSION

Council Member Schiff made the motion to appoint the Mayor to work out a transitional plan with the City Manager by June 28, 2016 of a plan on how to operate the city manager’s position between now and when the permanent position is filled, seconded by Council Member Peterson. The motion was approved on a 5-0 vote.

B. Discussion, consideration and possible action regarding the hiring special Legal Council for the purpose of reviewing city manager’s employment contract.
This item was withdraw.

ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 7:15 p.m., seconded by Council Member Jones. The motion was approved on a 5-0 vote.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

**MINUTES OF SPECIAL WORKSHOP MEETING
BASTROP CITY COUNCIL
JUNE 21, 2016**

The Bastrop City Council met in a Special Workshop Meeting on Tuesday, June 21, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem DeLaRosa and Council Members Peterson, McAnally and Jones.

CALL TO ORDER

At 6:53 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Schiff was absent. (Council Member Schiff's absence was approved by Council as excused.)

B. EXECUTIVE SESSION

B1. The Bastrop City Council met at 6:55 p.m. 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) & SECTION 551.071(2)** – Consultation with Attorneys, by video conference, telephone and/or in person concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to pending City permits, status of settlement(s) and court actions in pending lawsuit(s), threatened or potential litigation, or claims, and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. **SECTION 551.072** - Deliberations concerning Real Property related to potential acquisition, sales, or lease by or to the City.

B2. The Bastrop City Council reconvened at 9:06 p.m. 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.

ACTION ITEMS FROM EXECUTIVE SESSION (If any are needed.)

City Manager Mike Talbot explained that the City is in three separate litigations:

- 1) **Out of Forth Worth it involves the City's Red Light Camera District. The City of Bastrop along with several other cities installed camera lights and there is a lawsuit that says those are unconstitutional. The litigation is now in the court in which it started and this is a rather complex issue. The City Manager's recommendation was that a motion to instruct Mr. Charles Bundren, the litigator to continue with the activities in the class action case remanded back to the Tarrant County State Court reference Red Camera Light suit and to notify the company that the contract with the City for this program that the indemnification provision in the contract with the City is being triggered.**
- 2) **The City is in with the other taxing entities, Bastrop County and Bastrop Independent School District. The Council received an update as to where the litigation is since the District Judge ruling back in May. There are a few outstanding items, at this time the wait is to see what is filed with the judge.**

- 3) **City of Bastrop vs. Rhonda VanDiver, pending in State Court it is on hold and a mediation settlement has been in the works but not able to reach as of yet.**

B2.1 SECTION 551.071(1)(A) & SECTION 551.071(2) – Consultation with Attorneys, by video conference, telephone and/or in person concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to pending City permits, status of settlement(s) and court actions in pending lawsuit(s), threatened or potential litigation, or claims, and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.

Mayor Pro Tem DeLaRosa made the motion to instruct Mr. Bundren to continue with the litigation, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

Council Member Jones made the motion to instruct Charles Bundren, Attorney to contact Ms. VanDiver’s attorney to instruct him that the City is open to any recommendation that Ms. VanDiver has for Council to hear and determine a decision to finalize this case and Council Member Jones asked to be allowed to work with Mr. Bundren to facilitate as a Council Member. This motion died for lack of a second.

Council Member Jones made the motion to instruct Charles Bundren, Attorney to contact Ms. VanDiver’s attorney to find out where the offer stands and to inform him that the City is open to hear any recommendation that Ms. VanDiver has, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

B2.2 SECTION 551.072 - Deliberations concerning Real Property related to potential acquisition, sales, or lease by or to the City.

C. WORKSHOP SESSION

- C.1. Discussion regarding the Capital Budget – Bond Election.
This item was withdrawn.
- C.2 2016-2017 Budget – A review and discussion with the City Manager regarding the Development of the FY 2017 Budget regarding a review and discussion.
This item was withdrawn.

ADJOURNMENT

Mayor Pro Tem DeLaRosa made the motion to adjourn the meeting at 9:20 p.m., seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

WORKSHOP MINUTES

JUNE 21, 2016

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

**SPECIAL WORKSHOP/BUDGET MEETING
BASTROP CITY COUNCIL
JULY 5, 2016**

The Bastrop City Council met in a Special Workshop/Budget Meeting on Tuesday, July 5, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Pro Tem DeLaRosa, and Council Members, Schiff, McAnally and Jones.

1. CALL TO ORDER
At 6:33 p.m. Mayor Pro Tem DeLaRosa called the Meeting to order with a Quorum being present. Mayor Kesselus and Council Member Peterson were absent.
2. WORKSHOP SESSION - The Bastrop City Council convened at 6:34 p.m. into a Workshop Session with the Interim City Manager to discuss the following:
 - A. The Proposed 2016-2017 Budget – A review and discussion with the Interim City Manager regarding the proposed General Fund Budget for fiscal year 2017 as well as the proposed tax rate.
Senior Advisor, Mike Talbot gave a review of the Fiscal Year 2016-2017 General Fund.

Council Member Jones asked that the Council take a look at authorizing the directive of some of the sales tax money.

Senior Advisor, Mike Talbot asked if the City Council would be open to a \$2 million CO to go out with operating funds and debt funds and hit it hard and fast to really make a difference. Mayor Pro Tem DeLaRosa stated once the Senior Advisor brought the numbers for the drainage issue to Council he would be willing to look at the \$2 million for the CO. Council Members Schiff and McAnally were in agreement.

Council Member Jones stated that there have been studies that have been provided to the Council, the two recent ones were: 921 study done by the Downtown Business Association and the study done by the BEDC for the proposal for 921, Council Member Jones requested copies of those. The Senior Advisor stated that there had been two or three developed in house and he would put them together for Council, he will try to obtain a copy of the Downtown Business Association report and put them all together for Council.
3. The Bastrop City Council adjourned the Workshop Session at 7:39 p.m. and reconvened into Special Session to take any necessary action(s).
4. EXECUTIVE SESSION WAS NOT HELD- The Bastrop City Council will adjourn the Special Meeting and convene into closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.086 (Certain Public Power Utilities: Competitive Matters) to discuss the following:
 - A. SECTION 551.074 – Personnel Matters: Interim City Manager
This item was withdrawn.

ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 7:40 p.m., seconded by Council Member Jones. The motion was approved on a 3-0 vote. Mayor Kesselus and Council Member Peterson was absent.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
AUGUST 9, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, August 9, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Kesselus, Mayor Pro Tem DeLaRosa, and Council Members, Peterson, Schiff and Jones.

CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member McAnally was absent.

PLEDGE OF ALLEGIANCE

Mary Huber Led the Pledge.

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS - NONE**PROCLAMATIONS - NONE****ANNOUNCEMENTS**

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
- B. Celebration for Mike Talbot – September 7, 2016, 5:00 p.m. at the Bastrop Convention Center
- C. Bastrop County Remembers – Commemoration of the Bastrop County Complex Wildfire
- D. Signing up for reverse 911 with cell phone
- E. Distribution of Items to Council (If Necessary) – Ann Franklin
- F. Resignation of David Bragg from Planning and Zoning Commission
- G. Explanation of purchase of property, a part of which is the concrete slab known as 921 Main Street, and the majority of which is now included in the parking lot known as Alley D. – City Manager Townsend
- H. Items Targeted for Future Meetings.
- I. Future Meetings:
Special Called Meeting – August 16, 2016

7. City Manager's Informational Report for the August 9, 2016 City Council Meeting:

- A. Meetings and Events Attended:
 1. Met with Staff on fee structure
 2. DMO Proz phone conference
 3. City Council 8-2-16
 4. Livewire Communications meeting
 5. Joint meeting with County Judge, DA and Sheriff
 6. JLUS Meeting
 7. Sculpture dedication at City Hall
 8. FirstNet Meeting
 9. Attended Ethics Board Meeting

B. Updates on City Projects and Issues:

1. Sarah O'Brian, Mike Talbot and I met with DMO Proz late last week for the initial contract and scope of work process. We will be meeting with them towards the end of this week to finalize the scope of work and present it to council for approval. We will then need to finalize a contract.
2. Tanya Cantrell and Sarah O'Brian are working on a program that all employees of the City will be required to attend. The training will be over customer service. I feel that our staff does an outstanding job on customer service but we can always improve.
3. I have turned over pressing needs to our newly appointed City Attorney for review. We are prioritizing these needs. Several ORR's are taking priority at the moment.

Inviting input from the City 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.

CONSENT AGENDA - *All 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 so requests.*

A.1 Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Patrick Connell to Place 8 on the Parks Board/Public Tree Advisory Board with a term of 2016 - 2018.

This item was withdrawn without objection.

A.1a Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Bob Rogers to Place 4 on the Zoning Board of Adjustment/Municipal Sign Review Board with a term of 2016 - 2018. (Bob Rogers is being moved up to Place 4 from his current position as Alternate 1 on the Zoning Board of Adjustment/Municipal Sign Review Board.)

A.1b Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Marvin Townsend to Place 1 on the Hunters Crossing Local Government Corporation.

A.2 Approval of the statutory denial for a period of 180 days from the date of Council action on a Administrative Plat for Block 48 N.E. ¼ Subdivision being +/- .645 acres out of Building Block 48, East of Main Street, South of Chestnut Street, within the city limits.

A.3 Approval of the statutory denial for a period of 180 days from the date of Council action on an Amended Plat of Lots 34 and 35, Block A, Riverside Grove Subdivision, Phase 1, being +/- 2.254 acres west of Hassler Shores Dr. within the city limits.

A.4 Second reading of an ordinance of the City Council of the City of Bastrop, Texas AMENDING DEFINITIONS #75 AND #270.1 AND ADDING A NEW DEFINITION #77.1 IN APPENDIX A-3 IN CHAPTER 14 OF THE CITY OF BASTROP ZONING ORDINANCE FOR THE TERM "CUSTOM PERSONAL SERVICE SHOPS TO INCLUDE DERMAPIGMENTATION SERVICES AS ACCESSORY USE TO BARBER/BEAUTY

SHOP USES AND ADD DEFINITION OF DERMAPIGMENTATION (a/k/a PERMANENT MAKEUP); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- A.6 Approval of acceptance of the Quarterly Investment Report for the period ending in June 30, 2016.
- A.7 Approval of a resolution and adopting the Investment Policy for the City of Bastrop, Texas, and making various provisions related to the subject.
- A.8 Approval of acceptance of the Revised Utility Policy.

Council Member Schiff made the motion to approve the consent agenda, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 4-0. Council Member McAnally was absent.

DISCUSSION ITEM

- A.5 Approval of request to accept the Public Improvements for Pecan Park, Section 4 located west of Childers Drive within the City limits of Bastrop, Texas.
Mayor Pro Tem DeLaRosa made the motion to approve the public improvements for Pecan Park, Section 4, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

CITIZEN COMMENTS

SPEAKERS

JUDY HOOVER - Stated Bastrop needed a local attorney.

JOE GRADY TUCK – Congratulated the City on hiring David Bragg.

SHAWN PLETSCH- Commented on Mr. Bragg being a friend of the Mayor and asked the question as to whether the Mayor should recuse himself on everything now. She also wanted to know what happened to the funds for the YMCA.

JILL HELMCAMP – Stated that she would like to keep the City Council more transparent and thanked the Council for what they do.

VICTOR GONZALES – Thanked Council for the hard work they have done in the last few months and for trying to make the City of Bastrop a better place.

LEE HARLE – Stated that he noticed there had not been a mention of the YMCA in the budget. He stated that it appears that Council is moving away from a partnership with the YMCA and moving more towards handling recreation in house. He suggested that Council look at what neighboring communities are doing.

MICHELL HARDEN – Asked how much is going to the YMCA from the budget; what are the tradeoffs for the cuts; if a cost benefits analysis has been done please make it public; and if it is a policy change who is going to be responsible for implementing it.

DEBBIE MOORE – Stated that the City needs to move on from the change of City Attorney. Asked that discussions be had openly and honest.

EXECUTIVE SESSION

E1. The Bastrop City Council met at 7:00 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, to discuss the following:

5. **SECTION 551.074 – Personnel Matters: City Attorney**
Terms of a Letter of Engagement and Duties of
Interim City Manager

E2. The Bastrop City Council reconvened at 7:10 p.m. 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.

ACTION

Council Member Schiff made the motion to adopt the letter (EXHIBIT A) into record as being the new agreement terms for the City Attorney, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

PUBLIC HEARINGS, ORDINANCES, & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION CONTINUED - NONE

OLD BUSINESS - NONE

NEW BUSINESS

- D.1** Consideration, discussion and possible action on the first reading of an ordinance of the City Council of the City of Bastrop, Texas, amending City Code, Chapter 7, Article 7.01, Section 7.01.10, related to Municipal Court prosecutions by City Attorney(S); Chapter 9, Article 9.04, related to appointment and powers and duties of the City Attorney; and Chapter 11, Article 11.04, Section 11.04.008, related to City Attorney's authority to bring suit to collect the tax imposed by the City; repealing conflicting ordinances; including a severability clause; and establishing an effective date.

Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

- D.9** Consideration, discussion and possible action on a variance request submitted by owner (and family members) of the cemetery plots legally described as being Block 1, Section 2, Lots 98 & 98A to allow the placement of polished pebbles (over commercial weed control fabric) as prohibited in City of Bastrop Ordinance No. 2009-31, Section 15.15 (e) Prohibited Activities. **Council Member Jones made the motion to approve the variance request, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member McAnally was absent.**

Council Member Schiff suggested that staff take a look at some weed control measures and encourage the assembly of the new technique in a way that has the longest lasting anti-weed care characteristics.

- D.3** Consideration, discussion and possible action regarding request from the Planning and Zoning Commission regarding the creation of development agreements.
Council Member Schiff made the motion to instruct the City Manager to work with the Planning and Zoning Commission to put together a means of collaborating on the development agreements, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.2** Consideration, discussion and possible action regarding approval of a resolution regarding the creation of a Sign Ordinance review process.
Mayor Pro Tem DeLaRosa made the motion to approve the resolution with Council Member Schiff as the leader of this group, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.4** Consideration, discussion and possible action regarding the City Secretary's submission of a Charter amendment petition to the City Council and certifying as to the sufficiency and compliance of the petition with the provisions in Article X of the City Charter.
The City Secretary submitted the information certifying the petition to the City Council.
- D.5** Consideration, discussion and possible action on the first reading of an ordinance of the City of Bastrop, Texas, calling for a Special Election to be held in the City of Bastrop, Texas on November 8, 2016 for the purpose of submitting charter amendments to the voters; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing for publication in a newspaper of general circulation; and providing an effective date.
Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.6** Approval of a contract for Election services between the Elections Administrator of Bastrop County and the City of Bastrop for the November 8, 2016 Election.
Council Member Schiff made the motion to approve the contract for Election services between the Elections Administrator of Bastrop County and the City of Bastrop for the November 8, 2016 Election, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.7** Consideration, discussion and possible action regarding postponement of process to create a Charter Review Committee as a result of the successful filing of a petition to cause a Charter amendment election in November thereby prohibit any future such elections prior to November 2018, which if passed by the voters will leave thereby.
Council Member Schiff made the motion to postpone the process to create a Charter Review Committee as a result of the successful filing of a petition to cause a Charter amendment election in November thereby prohibit any future such elections prior to November 2018, if passed by the voters, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

- D.10** Consideration, discussion and possible action on the first reading of a proposed ordinance by the City Council of the City of Bastrop Texas, amending the budget for the Fiscal Year 2016 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.
Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.8** Consideration, discussion and possible action on the first reading of a proposed ordinance by the City Council of the City of Bastrop, Texas: revising the City Code of Ordinances, Chapter 13, "Utilities," by: amending Section 13.02.008 "Billing; Discontinuance of Service" by adding Subsection 13.02.008(B) "Average Monthly Payment Plan" and by amending Section 13.07.005 by adding Subsection 13.07.005(H) "Average Monthly Payment Plan" and providing an effective date.
Council Member Schiff made the motion to approve the first reading of the ordinance, seconded by Council Member Jones. The motion was approved on a 4-0 vote. Council Member McAnally was absent
- D.11** Consideration, discussion, and possible action regarding XS Ranch / City of Bastrop Contract for water.
Mayor Pro Tem DeLaRosa made the motion that the City exercise its option under Section 6.3, seconded by Council Member Peterson. The motion was later withdrawn by Mayor Pro Tem DeLaRosa, the maker of the motion.
- No Action Was Taken.**
- D.12** Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Daniel Ducloux to Place 8 on the Parks Board/Public Tree Advisory Board with a term of 2016 - 2018.
Mayor Pro Tem DeLaRosa made the motion to approve the appointment of Daniel Ducloux to Place 8 on the Parks Board Public Tree Advisory Board, seconded by Council Member Schiff. The motion was approved on a 3-0 vote. Council Member Jones recused herself. Council Member McAnally was absent.
- D.13** Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Kevin Plunkett to Place 4 on the Bastrop Economic Development Corporation Board.
Council Member Schiff made the motion to appoint Kevin Plunkett to Place 4 on the Bastrop Economic Development Corporation Board, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.
- D.14** Consideration, discussion and possible action regarding the approval of an Interlocal Agreement between Bastrop County and the City of Bastrop regarding the Disaster Recovery Grant Program Project.
Council Member Schiff made the motion to approve the interlocal agreement between Bastrop County and the City of Bastrop, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

EXECUTIVE SESSION

E1. The Bastrop City Council met at 8:45 p.m. 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/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 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, negotiations or value of real property.
This item was withdrawn.
- 3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City, and/or to deliberate the potential offer of economic incentives to a business prospect, as note herein.
This item was withdrawn.
- 4. **SECTION 551.086** – To discuss Certain Public Power Utilities: Competitive Matters – Bastrop Power & Light Budget, and/or related electric public power utility information and matters.
This item was withdrawn.

E2. The Bastrop City Council reconvened at 9:25 p.m. 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.

NO ACTION AS A RESULT OF THE EXECUTIVE SESSION

ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 9:26 p.m., seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member McAnally was absent.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes _____ were approved on (Mon/Date/Year) by Council Member _____ motion, Council Member _____ second. The motion was approved on a _____ vote.

EXHIBIT A

LAW OFFICES OF DAVID F. BRAGG
A PROFESSIONAL CORPORATION

MAILING ADDRESS:
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BASTROP, TEXAS 78602-2047

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EMAIL: dfbragg@sbcglobal.net

AUSTIN METRO:
TELEPHONE: (512) 581-0061
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Via hand delivery

August 4, 2016

The Honorable Ken Kesselus
Mayor
City of Bastrop
Bastrop City Hall

Dear Mayor Kesselus:

I am honored that the City Council selected me to serve as the interim City Attorney. Thank you and members of the Council.

Although the City Council hired me at my standard hourly rate of \$275, I am a citizen of this wonderful town and feel obligated to approach this job as much as a public service as a professional undertaking. Accordingly, I will reduce my hourly rate to \$200 for each hour of legal work done and will make an additional adjustment as described below.

With respect to billing, I bill a "standard" hourly rate (now \$200) only for actual legal work. And, I do not bill for the initial meeting with a client which, in this case, will be the meeting this afternoon with you and Steve Adcock. I also do not bill for my own education. For example, although I have worked with the Open Records Act and Open Meetings Act for years in my capacity as outside general counsel for the Texas Health Reinsurance System, I will need to get back up to speed on both of them (and other laws and ordinances as well, especially certain provisions of the Local Government Code). This type of work will be on my tab, not that of the City.

In addition, below are some preliminary suggestions on the duties of the City Attorney. In making these suggestions, my purpose is to suggest means by which the legal fees paid by the City of Bastrop might be reduced while maintaining the level of quality that is required.

As you know, Bastrop's City Charter § 3.10 and Code of Ordinances, City of Bastrop § 9.04.005 describe the duties of the City Attorney. It is obvious that some of the duties can be delegated or adjusted and paid for at a much lower hourly rate. Although the Charter broadly mandates that the City Attorney serve as attorney for "all officers of the city acting in their official capacities," for the purposes of this letter, I will list those specific duties as set forth in the Code of Ordinances to illustrate this suggested approach:

The Honorable Ken Kesselus
Mayor
City of Bastrop
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(1) Attend the municipal court and conduct all prosecutions brought in the court.

It is my understanding that the City has contracted with an attorney independently to handle all municipal court proceedings; therefore, my expectation is that no fees will be incurred by the City Attorney for this work other than a periodic review. I do not know whether there is a contract with this attorney. If there is not one, a contract should be executed.

(2) Attend all meetings of the City Council and, upon request of the Council or any member thereof, pass upon all questions of law relating to any business upon consideration by the Council.

The Code of Ordinances requires that the City Attorney attend all meetings of the City Council. My initial assessment is that it is unnecessary for the City Attorney to be present for the duration of all Council meetings; instead, my suggested approach (and least expensive) would be to structure Council meetings so that legal issues (planned and anticipated) are grouped in close proximity to the Executive Session. If this is done, the City Attorney can attend only that part of the meeting and then leave. In my opinion, this approach could be implemented immediately; however, if there is a desire to amend the Ordinance to make a specific reference to it, the Council has the power to amend the Ordinance relatively easily:

- **Sec. 1.03.064 - Plenary power.**

Unless prohibited by the Texas Constitution or state statute the governing power and authority of the City Council is plenary. Consistent with this authority, when the Council finds after due consideration that it is reasonable, necessary and in the best interest of the city and its citizens, the City Council may grant a variance from any provision of this code.

Such an amendment could specify that the City Attorney attend meetings only if requested to do so. Attendance would be based on the need for legal advice during the Council meeting or Executive Session.

Whether a revised approach works or not, there will be a transition time. It seems both unfair and improper for me to be paid a full hourly rate when, for the most part, I will be sitting in a chair. For this reason, my suggestion is that I attend the first two or three council meetings (from start to finish at the pleasure of the Council) but my fee for that will be \$125 an hour. After the first few council meetings, it will be possible to assess whether the approach which is suggested here would be more efficient and effective.

(3) Take affidavits against any person charged with violating any of the ordinances of the city and prepare and draw up all complaints against persons so charged.

EXHIBIT A

The Honorable Ken Kesselus
Mayor
City of Bastrop
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I have taken many affidavits and prepared numerous petitions and complaints which typically are standard in form. If the matter truly is of a routine nature, then with proper instruction, the taking of affidavits probably can be delegated by the City Attorney to a city staff member or law enforcement officer, depending on the violation(s). Also, if it is a matter to be handled in municipal court, then the attorney who already is performing that work should be capable of taking the lead. Barring unusual circumstances, my recommendation is that the City Attorney would perform a limited supervisory role.

(4) Draft all ordinances passed by the Council when requested to do so.

The drafting of ordinances should be a collaborative effort by the City Manager and staff and the City Attorney. This may be the current practice, but if not, I would suggest that the primary role of the City Attorney should be to take a proposed ordinance that has been worked up by the City Manager and staff, and (1) determine whether it is in conflict with the Charter, any existing ordinances, the Local Government Code or other relevant local, state or federal laws; (2) make sure the proposed ordinance is written so that it accomplishes its purpose; and (3) put the ordinance in proper form. This is standard legal work for which my hourly rate would be charged; however, by focusing the City Attorney on the legal work that is required, the process should be as efficient and economical as possible.

(5) Draw up all contracts to which the city may be a party.

This is standard legal work for which my hourly rate would be charged. My suggested approach for drafting contracts is for the contracting City Manager, City representative (or Council) and the person with whom a contract is to be executed provide a list of specific terms that are to be included in the contract, for example, a development agreement. Those terms should be reviewed by the City Manager and any appropriate boards or commissions. The job of the City Attorney would be to create a legally enforceable document(s) that includes each of those terms (and all other necessary standard provisions) which would then be circulated back to the interested parties for review and approval. The vetted document would then be presented to the Council for approval if necessary. It is impossible to predict the amount of time that would be required; however, my goal would be to focus the City Attorney's attention on actual legal work necessary to bring a legally enforceable agreement into existence.

(6) Represent the city in all suits filed by or against the city.

This is standard legal work for which my hourly rate would apply. I have a strong litigation background. Assuming the permanent City Attorney has similar experience, there are very few cases that would require that an outside attorney be retained. An exception to this general statement is a class action. Although I have handled several class action cases, they pose special management problems that usually require an additional attorney. In the event it is necessary to hire outside counsel for a particular case, my suggestion would be to utilize the talents of several

EXHIBIT A

The Honorable Ken Kesselus
Mayor
City of Bastrop
Page 4

highly skilled attorneys currently practicing in Bastrop, Elgin and Smithville and to hire attorneys from outside the area only when absolutely necessary.

(7) Institute suits on behalf of the city whenever in his opinion such proceedings are necessary to protect the rights or interests of the city.

My suggestion here is the same as that in the preceding paragraph. Obviously, no lawsuits will be instituted without City Council approval.

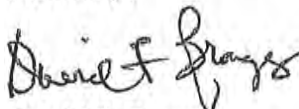
I understand that this is an interim appointment. I also understand that during this interim my client is the City of Bastrop and whatever work I do must be in the City's best interest. Rather than serve as a placeholder, if the Council agrees, my preference would be to use this period of transition to refine and more clearly specify the duties and functions of the City Attorney if such refinements will produce efficient, effective and economical legal representation.

The comments made above are suggestions only. It is possible that when the permanent City Attorney is hired, he or she will have different ideas about how things should be done. For now, these are my preliminary thoughts.

If there are any questions, I will be happy to answer them.

Again, thank you and the Council for the honor of serving as interim City Attorney. I look forward to working during this transition time with and for you and the City Council, City Manager and staff.

Sincerely,



David F. Bragg

cc: Steve Adcock
City Manager
Via hand delivery

Members of the City Council
Via email

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
SEPTEMBER 13, 2016**

The Bastrop City Council met in a Regular Meeting on Tuesday, September 13, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem DeLaRosa, and Council Members, Peterson, Schiff and McAnally.

CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Jones was absent.

PLEDGE OF ALLEGIANCE

Steve Adcock, Public Safety Director
Chief of Police led the Pledge.

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS

- A. Announcement of the winners for the “Culture Walk Concept Design”, and presentation of cash prize.
Presentation was made by Deborah Johnson, Chair, Bastrop Art in Public Places
 - 1st Winner – Falyn Mihalic, Landscape Architect, Houston, TX
 - 2nd Winner – Sarah Gamble, Landscape Architect, Austin, TX

- B. Presentation by County Judge Paul Pape regarding alternate sites for the County shelter. One possible site is at Mayfest Hill Park.
Presentation was made by Judge Pape and Mike Fisher.

PROCLAMATIONS - NONE**ANNOUNCEMENTS**

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
- B. Distribution of Items to Council (If Necessary) – Ann Franklin
- C. Items Targeted for Future Meetings.

7. CITIZEN COMMENTS

Glenn Johnson – Expressed concern for not being allowed to speak on executive session items at the Council meeting.

Becki Womble – Thanked Council for use of the Convention Center for “Bastrop Remembers” event.

Conor McAnally – Requested Council provide the Citizens with the schedule and timetable of finding a City Manager and how it is going to be done.

CONSENT AGENDA - *All 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 so requests.*

- 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.
This item was withdrawn without objection.
- 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.
Council Member Schiff made the motion to approve the statutory denial for a period of 180 days from the date of Council action on Replat of Lot 1, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- 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).
Council Member Schiff made the motion to approve the final plats for Woodrun Subdivision, Section Two, Phase I and Phase II, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.

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

- B.1 **PUBLIC HEARING** on the proposed closing of portions of the following unopened streets:
- 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
- The public hearing was conducted.**
- B.2 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.
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member Jones was absent.

- 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
The public hearing was closed.
- B.4** First reading of an ordinance granting a conditional 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.
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- 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.
The public hearing was closed.
- 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.
No action was taken on this item.
- 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.
The public hearing was closed.
- 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.
The public hearing was closed.

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 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.
Council Member Schiff made the motion to schedule a workshop session for recreation led by Council Member Jones and organized with the interim City Manager, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a vote of 4-0. Council Member Jones was absent.

- 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.
Council Member Schiff made the motion to direct the Interim City Manager, Marvin Townsend to put together suggested candidates and bring back to the Council on September 27, 2016. The motion passed on a 4-0 vote. Council Member Jones was absent.
- 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.
Mayor Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- 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.
Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- 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.
Pro Tem DeLaRosa made the motion to approve the first reading of the ordinance, seconded by Council Member Schiff. The motion was approved on a 3-0 vote. Council Member McAnally abstained due to being off the dais during the discussion of this item. Council Member Jones was absent.
- 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.
Council Member Schiff made the motion to approve the ordinance on the first reading with the following amendments, seconded by Council Member Peterson. The amendment was to leave the fees as is at this time with the exception of leaving the \$1.00 charge for catering. The maker of the motion, Council Member Schiff later withdrew his motion.

Council Member Schiff made the motion to deny the ordinance and approve a published price list with the current rate schedule in place and to change the catering fee to \$.50 per plate, seconded by Council Member Peterson. (No ordinance was needed.)
- 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 extension) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas.

Council Member McAnally made the motion to approve the preliminary plat for Pecan Park, Section 3A, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member Jones was absent.

- 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.
No action was taken on this item.
- D.9** Consideration, discussion and possible action regarding the approval of four photographs by photographer Billy Moore depicting landscapes in the Bastrop area.
Council Member Schiff made the motion to approve the four photographs by photographer Billy Moore depicting landscapes in the Bastrop area, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 4-0 vote. Council Member Jones was absent.
- D.10** Consideration, discussion and possible action on Approving the proposed funding allocation for requesting Community Support Funding for Fiscal Year 2016-17.
Council Member Schiff made the motion to approve the proposed funding allocation for requesting Community Support Funding for Fiscal Year 2016-17, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 3-1 vote. Council Member McAnally voted nay. Council Member Jones was absent.
- 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.
Council Member Schiff made the motion to approve 100% of requested amount for everyone other than Tough Mudder who would get \$18,989. The motion was approved on a 4-0 vote. Council Member Jones was absent.

EXECUTIVE SESSION- WAS NOT HELD

E. EXECUTIVE SESSION

E1. The Bastrop City Council met at 9:33 p.m. 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 reconvened at 10:00 p.m. 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.

ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 10:03 p.m., seconded by Council Member Peterson. The motion was approved on a 5-0 vote.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were _____ approved on (Mon/Date/Year) by Council Member _____ motion, Council Member _____ second. The motion was approved on a _____ vote.

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **BOARD APPOINTMENT BY MAYOR KEN KESSELUS AND CONFIRMATION BY THE BASTROP CITY COUNCIL MEMBERS ON THE APPOINTMENT OF JOHN LANDWEHR TO PLACE 3 OF THE BASTROP VISION TASK FORCE.**

2. Party Making Request: **Mayor Kesselus**

3. Nature of Request: (Brief Overview)
Reappointment to Mr. Landwehr to the Vision Task Force.

4. Attachments: Yes X No _____

5. Motion Requested: Appointment of John Landwehr to the Bastrop Vision Task Force.



CITY OF BASTROP

City Secretary's Office
 1311 Chestnut Street
 Bastrop, Texas 78602
 (512) 332-8800
<http://www.cityofbastrop.org>

Application for City Board/Commission/Committee Please Print or Type Clearly.

New Appointment:

Request for Re-Appointment:

SECTION A: APPLICANT INFORMATION			
Last Name	Landwehr	First	John
Middle	Christopher		
Street Address	1325 Hwy 304		Mailing Address 1325 Hwy 304
Apt/Unit #	City	State	TEXAS
	Bastrop	ZIP Code	78602
Phone	(512) 638-6682	E-mail Address	jlandwehr@cr-invests.com
Date Available	1-1-16	I have lived in Bastrop	4 years.
		Place of Employment	Coast Range Investments
Have you filed an application here before?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If so, when? 2015 for EDC Board	
Have you ever been convicted of a crime?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If so, when?	
Do you reside within the City Limits of Bastrop?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Currently Employed	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<i>Note: Various boards, commissions and committees of the City either allow for or require appointments of persons who reside in the County, the City's Extra Territorial 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 the By-Laws, upon request.</i>			

SECTION B: REFERENCES	
<i>Please list three professional references.</i>	
Full Name	David Armbrust
Relationship	Lead Real Estate Attorney
Company	Armbrust and Brown
Phone	(512) 435-2300
Full Name	Joseph Longaro
Relationship	Lead Real Estate Attorney
Company	Longaro and Clarke
Phone	(512) 306-0228
Full Name	James Wood
Relationship	Executive VP (Retired)
Company	Coast Range Investments
Phone	(505) 533-1951

SECTION C: ADDITIONAL INFORMATION
<i>Do you currently serve on any other boards, commissions, or committees? Please list any below:</i> Currently Serving on the Vision Task Force
<i>What qualifies you to serve on the board(s) you are applying for?</i> Since 2006, I have been working as a developer of the XS Ranch Master Planned Community, during that time I've had numerous interactions with City Boards, Officials and Staff.
<i>Why do you want to serve on the board(s) you are applying for?</i> I see an opportunity to serve on a board that can have a significant impact on growth of the community.

SECTION D: BOARDS/COMMISSIONS/COMMITTEES

Please indicate the Boards, Commissions or Committees you are interested in serving. List in order of preference.

<input type="checkbox"/> Bastrop Parks Board	<input type="checkbox"/> Bastrop Economic Development Corporation	<input type="checkbox"/> Bastrop Housing Authority
<input type="checkbox"/> Planning and Zoning Commission	<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Construction Standards Board of Adjustments
<input type="checkbox"/> Main Street Advisory Board	<input type="checkbox"/> Fairview Cemetery Advisory Board	<input type="checkbox"/> Art in Public Places Board
<input type="checkbox"/> Hunters Crossing Local Government Corporation Board	<input type="checkbox"/> Bastrop Library Board (<input type="checkbox"/> City Resident / <input type="checkbox"/> BISD Area Resident)	
<input type="checkbox"/> Automated Red Light Advisory Committee	<input checked="" type="checkbox"/> Other: VTF	
<input type="checkbox"/> Historic Landmark Commission	<p>*Please indicate which position(s) you are qualified to serve under.</p> <input type="checkbox"/> Architect, Planner, Designer <input type="checkbox"/> Licensed Real Estate Professional <input type="checkbox"/> Own Commercial Historic Structure/Property <input type="checkbox"/> Own Residential Historic Structure/Property <input type="checkbox"/> General Resident of City of Bastrop <input type="checkbox"/> Planning and Zoning Member <input type="checkbox"/> Bastrop County Historic Society Member	

DISCLAIMER AND SIGNATURE

- It is understood and agreed upon that any misrepresentation by me on this application will be sufficient cause for cancellation of this application and/or separation from the board/commission/committee.
- I give the City of Bastrop the right to investigate all references and to secure additional information about me, if related. I hereby release from liability the City of Bastrop and its representatives for seeking such information and all other persons, corporations or organizations for furnishing such information.
- This application is kept on active file at the City Secretary's Office for 1 year. At the conclusion of this time, if I have not heard from the City Secretary and still wish to be considered for a board/commission/committee, it will be necessary to fill out a new application.
- I understand that just as I am free to resign at any time, the City of Bastrop reserves the right to terminate my status as member at any time, with or without cause and without prior notice. I understand that no representative of the City of Bastrop has the authority to make any assurances to the contrary.
- I understand it is the City of Bastrop's policy not to refuse to hire a qualified individual with a disability because of this person's need for an accommodation that would be required by the ADA.
- I agree to participate and complete any required training the city deems necessary, such as Open Meetings Act training, as a condition of my board service, and I agree to submit a copy of completion documentation on file with the City Secretary.
- If selected, I agree to adhere to the City of Bastrop's Ethics Ordinance and to represent the City's business ethically at all times.

Signature 	Date 3-30-16
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WRITTEN NOTICE

A hardcopy of this application with the original signature must be printed and mailed to be officially accepted for a board/commission/committee. Please return by mail or in person to:

City of Bastrop, TX
 City Secretary's Office
 1311 Chestnut Street
 Bastrop, Texas 78602

OFFICE USE ONLY

Date Application Received:		Application Received by:	
Position Appointed:		Date Appointed:	
Term Starts:		Term Expires:	

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **APPROVAL OF A JOINT RESOLUTION OF THE COUNTY OF BASTROP AND CITY OF BASTROP, HONORING OUR VETERANS, NOVEMBER 11, 2016.**

2. Party Making Request: **Mayor Kesselus**

3. Nature of Request: (Brief Overview)

4. Attachments: Yes X No

5. Motion Requested: **Approval of a joint resolution.**

DRAFT

**Joint Resolution
Of the
County of Bastrop and City of Bastrop**

Veterans Day, November 11, 2016

Whereas, we are pleased and honored that the Bastrop City Council and the Bastrop County Commissioners Court come together on Veterans Day to pay tribute to the men and women who have served our great nation with such distinction in the United States Armed Forces, both in peace time and in war; and

Whereas, Americans across this land celebrate our veterans who served in the Army, Navy, Air Force, Marines, and Coast Guard, whether Active Duty, Reserve, or National Guard; and

Whereas, on Veterans Day, our community has a continuing sense of gratitude to those who have given so much in the defense of the freedoms which we all continue to enjoy; and

Whereas, to honor all our nation's Armed Forces Veterans, local veterans' organizations along with the Bastrop Area Cruisers' Veterans Day Classic Car Show and Red, White, and Blue Veterans Banquet on November 12 joint together in paying tribute to our veterans.

Now, therefore, be it resolved that the Bastrop County Commissioners Court and the Bastrop City Council hereby encourage all citizens to join in the celebrations.

Paul Pape
Bastrop County Judge

Ken Kesselus
Mayor, City of Bastrop

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. Agenda Item: **Approval of the revised City of Bastrop Purchasing Card Policy.**
2. Party Making Request: Tracy Waldron, Chief Financial Officer
3. Nature of Request: (Brief Overview)

The Purchasing Card Policy provides for management of the Purchasing Card Program and gives guidelines for the use of City issued purchasing cards by staff. This Policy update expands the use of purchasing cards by all departments to reduce the amount of POs and checks that are being processed for smaller purchases.

4. Attachments: Yes X No

5. Motion Requested: Motion that we approve the purchasing card policy as presented.

City of Bastrop

PURCHASING CARD POLICY

I. Purpose

The purpose of the Purchasing Card Program is to provide the City with an efficient and controllable method of making small dollar commodity, service, and travel purchases. This program is to be used to procure low-value maintenance, repair and operational expense items. By using the purchasing card, it will simplify the payment process and take advantage of the rebate program the card provider offers. The City will issue cards via the provider of its choice. This card policy is not intended to replace, but rather supplement existing purchasing, travel, and other City policies.

II. Eligibility

Department heads will be issued a credit card in their name. Department cards will be issued to each department and be the responsibility of the Department head or his designee. Criteria for determining which departments should be issued a department card:

- Will the use of a Credit Card enhance productivity?
- Will the use of a Credit Card reduce paperwork?
- Will the Credit Card be utilized regularly for the purchasing of authorized (budgeted) goods, supplies and services?

III. Usage

IV.

Each card will have a daily and monthly limit. The daily limit on the Department head cards are set by the City Manager. The Department heads will provide to the Program Administrator in writing, the limits for Supervisors individual cards. The daily limit for the department cards are \$500.00.

The card will be used for the following:

Credit Cards may be used for small dollar purchases which do not exceed the daily transaction limit established by the purchasing policy and that do not exceed the cards maximum limit.

Acceptable purchases are:

- Maintenance and repair of equipment
- Operational expense items
- Registration Fees
- Travel expenses (must adhere to the Travel Policy)
- Other items that fit the purpose of the program

A. — Travel related purchases in compliance with the City of Bastrop Travel Policy.

~~B. Any other City related business related purchase as long as:~~

- ~~1. The vendor accepts credit cards, and the goods/services purchased are not covered under a City supply contract. The Finance Department will periodically update staff via email of any commodities that cannot be purchase with the purchasing card.~~
- ~~2. The vendor is not subject to receive a 1099 Form. If you are unsure if a vendor is subject to a 1099 Form, then please contact the Finance Department.~~

Purchases made on the card will be for City business only. The card is not a personal line of credit and must never be used for personal or private purchases of any nature. When in doubt as to whether a purchase is allowable under the City policy, the Cardholder should either contact the Program Administrator before making the purchase, or make payment personally and seek reimbursement from the City afterwards. Please remember that reimbursement for any out-of-pocket purchase made without authorization is subject to the City Manager's approval. Unauthorized purchases or use of the card in violation of this or other City policies are prohibited and purchaser will be subject to disciplinary action.

III.IV. Duties and Responsibilities

A. Cardholder

1. The employee who is issued a card is called a "Cardholder" whether it was issued in their name or just in their custody (ie. department card). The purchasing card has daily transaction limits ~~for the maximum account of each transaction~~ as well as ~~the a~~ maximum monthly limits transaction total, and the type of merchant where the card may be used.
2. Every transaction made using the purchasing card must be entered into the Purchase Order system in accordance ~~to~~with the Purchasing and Materials Control Policy and all other City of Bastrop policies. Only one (1) PO should be created, per month for each card account. When available, the cardholder can utilize the online export feature, from the card provider, and download the transactions directly into the Accounting software. The Cardholder is responsible for ensuring the P.O. balances to the card statement is correct prior to submitting it for approval and payment.
3. Each Cardholder shall use the card only for authorized purchases. A hardcopy itemized receipt must be obtained from the vendor each time the card is used and be signed by the Cardholder. Online and telephone charges must also be documented by a receipt, so the Cardholder shall request the vendor send them a receipt.
4. The Cardholder is responsible for immediately notifying the Purchasing Card provider, their supervisor, and the Program Administrator if the card is lost or stolen.
5. Each Cardholder must acknowledge receipt of the purchasing card, understand the rules of usage, and sign the user agreement. Failure to abide by this Purchasing Card Policy may result in disciplinary action, up to and including termination of employee.

The Cardholder will be required to reimburse the City for any unauthorized transaction.

6. Upon resignation or termination of employment of a Cardholder, the Department Director shall notify the Program Administrator immediately, and the card shall be turned in to the Program Administrator.

~~7.1. The Program Administrator shall cancel the purchasing card for all persons leaving the employment of the City immediately after their termination, dismissal or resignation.~~

B. Program Administrator

The Program Administrator manages the Purchasing Card Program. The Administrator is the City's point of control for the Purchasing Card Program, monitors all usage of the purchasing cards, and is the point of contact for any Cardholder questions or problems.

The Program Administrator is also responsible for ensuring all Cardholders receive the Purchasing Card Policy and signs the Purchasing Cardholder Agreement.

The Program Administrator shall cancel the purchasing card for all persons leaving the employment of the City immediately after their termination, dismissal or resignation.

The Program Administrator will also report to ~~their~~ the Department Directors supervisor any Cardholder infractions or potential infractions.

Administrator:

~~Tracy Waldron~~

[Afton Figueroa](#)

Assistant Finance Director

Phone # (512) 332-8823 ~~512-332-8824~~

E-mail: ~~twaldron@cityofbastrop.org~~ afigueroa@cityofbastrop.org

C. Departmental Responsibility

~~The City of Bastrop's Chief Financial Officer is responsible for designating Cardholders. The Chief Financial Officer shall designate which employees will be issued a card, and what transaction and merchant limits shall apply to the card's use.~~ The Department Director determines who will be issued a card and the daily & monthly limits assigned. ~~The Department Director will also of the Cardholder~~ insure that purchases are authorized and adhere to within City policies. Departments may implement more stringent internal authorization procedures that its Cardholders must follow in order to make purchases with the card. Directors are responsible for approving receipts and making sure the statements for each card are reconciled and ~~turned in~~ turned in to the Finance Department within 15 days of the statement date promptly to facilitate timely payments.

IV.V. Purchasing Card Provider

The Purchasing Card Provider will send the Cardholder and the City's Finance Department a billing statement once each month for all transactions that have taken place in the previous month's statement cycle. The Cardholder is responsible for reconciling their respective statement, matching each transaction with a receipt, as soon as it is received. If a transaction is listed which is not known to the Cardholder, the Cardholder is responsible for immediately notifying the Purchasing Card Provider and the Program Administrator of the disputed charge. It is imperative that each Cardholder promptly process the transactions and forward receipts to their supervisor.

IV.VI. Transaction/Card Limits

Each individual purchasing card will have transaction and/or spending limits. The Chief Financial Officer in coordination with Department Director has the ability authority to limit types of purchases, places of purchases, and hours of day purchases can be made on individual cards. The total purchase price as printed on the individual credit card receipt is known as the "transaction amount". The purchasing card may be limited by the merchant type, transaction amount, and monthly transaction limit. Each Cardholder will be set up with limits for each of these categories and will be made aware of the limits. A card transaction will be denied when swiped if the transaction exceeds any of the limits. The card transaction limits may not exceed those set in the policy guidelines.

IV.VII. Sales Tax

As a tax-exempt government agency, the City of Bastrop does not pay sales tax. Cardholders will be provided a copy of the City's tax exemption certificate when requested. Cardholders are responsible for insuring that the merchant does not include sales tax in the transaction if at all possible. ~~If tax is included, the Cardholder shall be requested to contact the vendor directly to correct the issue and obtain a credit slip for any taxes assessed on a tax exempt purchase, or be responsible for reimbursing the tax amount to the City.~~

IV.VIII. Returns

Each Cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the Cardholder's account. **Cash refunds are not allowed.**

IV.IX. Restrictions and Exemptions

- A. Employees may **not** use the card for the following:
1. Any purchases of items for personal use.
 2. Cash refunds or advances.
 3. Any purchase of goods/services or from a merchant type not considered prudent or of good judgment.

4. Any purchases set up as reoccurring.

3-5. No purchases are to be processed through the employee's personal account online. You must establish a City account to process the purchase.

4-6. Any transaction amount greater than the Cardholder's transaction limit.

5-7. Items under contract, unless an emergency exception is granted.

6-8. Alcohol or liquor of any kind. Patronization of bars, drinking places, and package stores ~~should~~ must not be paid for with the purchasing card.

7-9. Separate, sequential, and component purchases or any transaction made with intent to circumvent the City Purchasing Policy or state law.

8-10. Any transaction that may cause or be perceived to cause damage to the City of Bastrop's reputation and goodwill, and/or reflect poorly on the ethical and moral decision-making of the Cardholder, staff, and elected officials.

9-11. Any other purchase specifically excluded in the City Purchasing Policy.

B. Documentation

Supporting documentation must accompany each transaction including an itemized receipt signed by the Cardholder. If a receipt is not obtained, a memo explaining the purchase must accompany the card statement.

C. Personal Use Restrictions

The card may not be used to pay spouse/family expense incurred while traveling. Only City business expenses are allowable and the Cardholder ~~should~~ must pay personal expenses separately.

IX.X. Obtaining a Purchasing Card

A. Steps:

1. Department Director submits in writing requests ~~for a~~ -purchasing card and ~~meets with Chief Financial Officer to~~ determines the appropriate daily and monthly transaction limits.

2. The Program Administrator will request the Purchasing Card Provider to issue purchasing cards.
3. Upon receipt of the card, the Program Administrator will have the Cardholder sign the Purchasing Cardholder Agreement.
4. The new Cardholder receives copies of:
 - a. Purchasing Cardholder Agreement
 - b. Purchasing Card Policy
 - c. Purchasing ~~and Materials Control~~ Policy
 - d. Travel Policy

XI. Revocation of the Purchasing Card

The purchasing card is subject to revocation at any time at the discretion of the Department Director or Chief Financial Officer. When a card is revoked, changes are made on-line and take effect immediately. The Program Administrator is further authorized to temporarily suspend use of the card via electronic methods if unauthorized use is discovered and such use poses a threat to internal financial controls.

Tracy Waldron, Chief Financial Officer

Marvin Townsend, Interim City Manager

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. Agenda Item: **Approval of a Bank Depository Agreement Extension between the City of Bastrop and First National Bank of Bastrop.**

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

The current City of Bastrop and First National Bank depository agreement will expire on October 31, 2016. The proposed extension will extend the term from November 1, 2016 until October 31, 2018.

4. Attachments: Yes X No

5. Motion Requested: Motion to approve the bank depository extension agreement with First National Bank.

BANK DEPOSITORY AGREEMENT EXTENSION

The City of Bastrop, Texas, and the First National Bank of Bastrop, hereby agree to extend the term of the current depository agreement.

WHEREAS, By action of the City Council meeting on October 8, 2013 the City did designate First National Bank as the City's depository.

WHEREAS, The current term of the Depository Agreement became effective on November 1, 2013 and continue into effect until October 31, 2016.

NOW THEREFORE, the parties agree that the agreement will be extended from November 1, 2016 until October 31, 2018.

FIRST NATIONAL BANK OF BASTROP

By Amanda L Wickliffe
Signature

9/23/14
Date

AMANDA L WICKLIFFE
Print Name

CFO
Title

CITY OF BASTROP, TEXAS

By: _____
Marvin Townsend,
Interim City Manager

Date

ATTEST

By: _____

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **SECOND READING OF AN ORDINANCE REQUESTING TRAFFIC MODIFICATIONS ALONG ALLEY A AND B, LIMITING VEHICLES TRAVELING SOUTH ON ALLEY A TO RIGHT TURNS ONLY AND ALLEY B, TRAFFIC HEADING NORTH RIGHT TURN ONLY.**

2. Party Making Request: **Mayor Kesselus**

3. Nature of Request: (Brief Overview)

4. Attachments: Yes X No _____

5. Motion Requested: **Approval of second reading of ordinance.**

ORDINANCE NO. 2016-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING ARTICLE 12.04 OF THE CITY CODE, ENTITLED "DAY CARE CENTER SCHOOL ZONES", DIRECTING THAT SOUTH TRAFFIC ON ALLEY A PROCEED TO THE RIGHT.

WHEREAS, because of traffic congestion in Downtown traffic, parking in Alley A is an important thorough fare relieving congestion on Main Street; and

WHEREAS, because of the potential bottleneck at the intersection of Alley A and Chestnut Street; and

WHEREAS, the City Council of the City of Bastrop, Texas ordains that vehicles traveling south on Alley A be prohibited from making a left turn or proceeding straight through the intersection thereby making the only legal movement a right hand turn onto Chestnut Street leading west and appropriate signage be installed.

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

Part 1: That Section 12.04.007 titled "Day care center school zones" is amended to read as follows:

Sec. 12.04.007 – ~~Day care center school zones.~~ Other Zone Restrictions

(a) *No change*

(b) *No change*

(c) The City Council shall cause signs to be erected at such locations deemed necessary to provide reasonable notice of vehicles traveling south on Alley A and vehicles traveling north on Alley B are only allowed a right hand turn onto Chestnut Street/Loop 150.

READ and ACKNOWLEDGED on First Reading on the 11th day of October, 2016.

READ and APPROVED on the Second Reading on the 25th day of October, 2016.

APPROVED:

ATTEST:

Kenneth Kesselus
Mayor

Ann Franklin
City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: OCT. 17, 2016

MEETING DATE: OCT. 25, 2016

1. Agenda Item: **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING THE RECOMMENDATION THAT INTERIM CITY MANAGER MARVIN TOWNSEND BE DESIGNATED PUBLIC INFORMATION COORDINATOR. THE INTERIM CITY MANAGER HAS COMPLETED THE TRAINING REQUIREMENTS AND HAS SUBMITTED A COPY OF THE ATTORNEY GENERAL'S CERTIFICATE REGARDING SUCH TRAINING TO THE CITY SECRETARY. IF THE CITY'S PUBLIC INFORMATION COORDINATOR HAS RECEIVED PUBLIC INFORMATION ACT TRAINING, THE LAW DOES NOT REQUIRE EACH MEMBER OF THE CITY COUNCIL TO ALSO TAKE THE SAME TRAINING.**

2. Party Making Request: **CM MARVIN TOWNSEND**

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

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/17/16

MEETING DATE: 10/25/16

1. Agenda Item: **Consider approving the Vision Task Force Bylaw's**

2. Party Making Request: Sarah O'Brien, Main Street Program Director

3. Nature of Request: The Vision Task Force was established by a resolution passed by City Council in November of 2015. The organization has not had any governing documents since its inception. These By-Laws were approved by the Vision Task Force at their October 17th meeting and will help guide the group in the future.

4. Attachments: Yes No

5. Motion Requested: Approve Bylaw's

Vision Task Force

Draft Bylaws

Draft By Laws

BY-LAWS OF THE CITY OF BASTROP VISION TASK FORCE

The City of Bastrop Vision Task Force is appointed and serves in an advisory capacity to the City Council of the City of Bastrop, Texas and shall conduct its affairs in accordance with the requirements, rules and regulations of the City of Bastrop and these By-Laws.

ARTICLE I – PURPOSES

The City of Bastrop Vision Task Force serves to foster a vision for Bastrop's future that:

1. Safeguards Bastrop's unique character and honors its distinguished history,
2. Nurtures a vibrant business climate,
3. Enhances the quality of life for its citizens, and
4. Facilitates collaboration and optimizes initiatives and resources among local governmental entities, nonprofit organizations and the business community, to achieve the above stated objectives.

ARTICLE II – TASK FORCE MEMBERSHIP

1. The Task Force shall consist of seven Regular Voting Members ("Regular Member"), which does not include additional *ex officio*, non-voting, members/participants on the Task Force, such as (i) the *ex officio*, non-voting, Council member named by the Mayor, and approved by the Council, (ii) the City Manager (or his/her designee) who shall serve as City's liaison and provide staff support to the Task Force, and (iii) other *ex officio* members identified and added, if any, in the future.

2. The initial terms of the Regular Members are numbered and the numbered 'places' for Task Force Regular Members shall be 'staggered', in accordance with City Ordinance Sec. 1.04.002, through drawing of lots at the first meeting following Council approval of these By-Laws, and the Regular Members' terms shall result as is shown in Box No. 1

Box No. 1

Places 1, 2, 3 Each Regular Member drawing such places shall serve an initial term of three years, expiring May 31, 2019.
Places 4, 5, 6 Each Regular Member drawing such places shall serve an initial term of two years, expiring May 31, 2018.
Places 7 The Regular Member drawing this place shall serve an initial term of one year, expiring May 31, 2017.

Each incumbent Regular Member of the Task Force, serving in a numbered place at the time of adoption.

After the initial term shown above for each numbered place has been fulfilled, terms shall be for a period of three years.

3. Appointment of Regular Members shall be in accord with Bastrop Code of Ordinances Section 1.04.001-2. No later than April of each year, the Task Force shall present to the Mayor its list of recommended nominees for appointment to Task Force place, for which terms expire on May 31 of that year.

In the event that a vacancy arises in a Task Force place, more than 120 days before the expiration of the term of that place, the Task Force shall promptly formulate and submit to the Mayor its list of recommended nominees for a successor to serve for the remainder of the unexpired term for that place. The appointment to fill that vacancy expires, at the end of the unexpired term left.

4. Resignation from the Task Force, other than by death or disability, of any Regular Member shall be presented, to the Chair in writing. The Chair shall promptly advise the City Secretary or their designee of any such resignation.

5. All Task Force Members shall serve without compensation..

ARTICLE III – POWERS & DUTIES

1. Authority shall be vested in the Task Force as a whole, rather in members individually.

All deliberations of the Task Force or any its subcommittees, involving a quorum or more of the Task Force's Regular Members, shall be held in accordance with all City regulatory requirements, including applicable provision of the Texas Open Meetings Act.

ARTICLE IV – ORGANIZATION

1. Except at the initial formation of the Task Force, the Task Force shall elect a Chair, Vice-Chair and Secretary. Election of any officer shall be by a majority vote of the quorum present at the meeting during which officers are elected, which shall be the first meeting held in June of each even numbered calendar year.
2. Each officer shall serve a period of two years.
3. In the event the position of the Chair becomes vacant, the Vice-Chair shall succeed to the office of the Chair for the remainder of the vacating Chair's two-year term. If the offices of both the Chair and Vice-Chair become vacant concurrently, an election shall be conducted to fill those offices for the remainder of the vacating officers' two-year terms. In the event the position of Secretary becomes vacant, a new election shall be conducted to fill that position for the remainder of the vacating Secretary's two-year term.
4. The duties and powers of the officers shall be as follows:

Chair: The Chair shall preside at all meetings of the Task Force; shall communicate to the Task Force in compliance with the Open Meetings' Act, such matters and make such suggestions as, in the Chair's discretion, may increase the effectiveness of the Task Force; shall appoint all subcommittees, with the concurrence of the Task Force, and shall perform such other duties as are incident to the office of Chair.

Vice-Chair: The Vice-Chair shall assist the Chair in the executive duties of the Task Force; serve as presiding officer in the absence of the Chair or in the Chair's inability to act, and perform any and all other duties as assigned by the Chair.

Secretary: The Secretary shall attend all meetings of the Task Force and produce the official record of the meetings; be the keeper of the By-Laws of the Task Force, and maintain a list of Task Force members including, current contact information, and shall perform any and all other duties as assigned by the Chair or Vice-Chair.

ARTICLE V – MEETINGS

1. The Task Force shall hold regular quarterly meetings.
2. Special meetings may be called by the Chair or at the request of three or more Task Force members.

3. All Task Force meetings shall be conducted and held in compliance with the Open Meet's Act of Texas.
4. There shall be no proxy representation or proxy votes allowed at any Task Force meeting.
5. A quorum shall be defined as a simple majority of the then appointed and serving Task Force Regular Members, exclusive of *ex officio* member(s) and the City liaison.

ARTICLE VI – COMMITTEES AND REPORTING

1. The Task Force may form subcommittees to work on specific initiatives identified by the Task Force. Each subcommittee will work with representatives of other entities within the community toward the accomplishment of specific initiatives.
2. Each initiative subcommittee shall regularly update the Task Force, orally or in writing, about the work of the subcommittee. Relevant information from any of the subcommittee report will be incorporated in quarterly Task Force reports to the City Council.
3. From time to time, as the need arises, the Chair may appoint *ad hoc* committees to address special needs that are beyond the scope of an initiative subcommittee.

ARTICLE VII – PARLIAMENTARY PROCEDURES

Unless otherwise provided for in these By-Laws, or as approved by the Task Force, Robert's Rules of Order shall govern the conduct of any and all meetings of the Task Force and subcommittees.

ARTICLE VIII – AMENDMENTS

These By-laws may be amended, repealed, or altered in whole or in part by a two-third (or nearest whole number thereto) majority vote of the then serving Regular Members of the Task Force, exclusive of *ex officio* member(s) and the City liaison. The proposed changes shall be emailed to the last recorded email address of each Regular Member at least five (5) days prior to the time of the Task Force agenda meeting at which the change(s) will be considered for possible action by the Task Force. By-laws changes approved by the Task Force shall be presented to the City Council for approval and shall become effective only after approval by the City Council.

ARTICLE IX – MISCELLANEOUS

1. These By-Laws shall be effective after the approval of the By-Laws by a majority vote of the Regular Members of the Task Force and final approval by the City Council.

2. The operations of the City of Bastrop Vision Task Force shall also be governed by the following City Ordinances, herein adopted by reference:

- a. Section 1.09 Unlawful Discrimination
- b. Section 1.02.002(b) Attendance
- c. Section 1.02.002(c) Uniform Quorum
- d. Section 1.02.002(d) Uniform Training
- e. Section 1.04.001 Attendance
- f. Section 1.04.002 Membership, Terms and Filling Vacancies
- g. Section 1.07 Records Management
- h. Section 1.15 Code of Ethics

3. Any word, phrase, paragraph, or section of these By-Laws deemed unconstitutional, illegal, invalid or incompatible with a City Ordinance shall not affect the validity of this document as a whole or any part or provision thereof, other than the part determined to be unconstitutional, illegal, invalid, or incompatible with a City Ordinance.

BYLAWS FIRST ADOPTED BY THE TASK FORCE this ____ day of _____ 2016.
(date)

Task Force Chair _____

ACCEPTED BY COUNCIL this ____ day of _____ 2016

Mayor of the City of Bastrop _____

ATTEST: _____

City Secretary

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. Agenda Item: **Consideration, discussion and possible action on approval of the revised City of Bastrop Financial Management Policy.**

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

The Financial Management Policy provides guidelines for the financial management staff in planning and directing the City's day-to-day financial affairs. The scope of the policies spans accounting, auditing, financial reporting, internal control, budgeting, expenditure control, asset management and debt management.

4. Attachments: Yes X No

5. Motion Requested: Motion that we approve the Financial Management Policy as presented.

City of Bastrop

Financial Management Policies

2016-2017

DRAFT FOR APPROVAL

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I. PURPOSE STATEMENT

The overriding goal of the Financial Management Policies is to enable the city to achieve a long-term stable and positive financial condition while conducting its operations consistent with the Council-Manager form of government established in the City Charter. The watchwords of the city's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure.

The purpose of the Financial Management Policies is to provide guidelines for the financial management staff in planning and directing the city's day-to-day financial affairs and in developing recommendations to the City Manager.

The scope of the policies spans accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, cash management, expenditure control and debt management.

II. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

A. **ACCOUNTING** – The City of Bastrop finances shall be accounted for in accordance with generally accepted accounting principles as established by the Governmental Accounting Standards Board. The fiscal year of the City shall begin on October first of each calendar year and shall end on September thirtieth of the following calendar year. This fiscal year shall also be established as the accounting and budget year. Governmental fund types use the modified accrual basis of accounting, revenues are recognized when susceptible to accrue (i.e., when they are measurable and available. Expenditures are recognized when the related funds liability is incurred, if measurable, except for principle and interest on general long-term debt, which are recorded when due. ~~city's Finance Department is responsible for establishing the chart of accounts, and for properly recording financial transactions.~~

Proprietary fund types are accounted for on a full accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

A.B. **FUNDS** – Self-balancing groups of accounts are used to account for city financial transactions in accordance with generally accepted accounting principles. Each fund is created for a specific purpose except for the General Fund, which is used to account for all transactions not accounted for in other funds. Governmental funds are used to account for the government's general government activities and include the General, Special Revenue, Debt Service and Capital Project funds.

B.C. **EXTERNAL AUDITING** – The city will be audited annually by outside independent auditors. The auditors must be a CPA firm of national reputation, and must demonstrate that they have the breadth and depth of staff to conduct the city's audit in accordance with generally accepted auditing standards, generally accepted government auditing standards, and contractual requirements. The auditors' report on the city's financial statements

including any federal grant single audits will be completed within 120 days of the city's fiscal year end, and the auditors' management letter will be presented to the city staff within 150 days after the city's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The city staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.

- C.D. EXTERNAL AUDITORS RESPONSIBLE TO CITY COUNCIL** - The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the city staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.
- D.E. EXTERNAL AUDITOR ROTATION** – The city will not require external auditor rotation, but will circulate requests for proposal for audit services periodically, normally at five-year intervals or less.
- E.F. EXTERNAL FINANCIAL REPORTING** – The city will prepare and publish a Comprehensive Annual Financial Report (CAFR). The CAFR will be prepared in accordance with generally accepted accounting principles, and may be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The CAFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing and auditor availability limitations may preclude such timely reporting. In such case, the Chief Financial Officer will inform the City Manager and the City Manager will inform the City Council of the delay and the reasons therefore.

III. INTERNAL CONTROLS

- A. WRITTEN POLICIES & PROCEDURES** – The Finance Department is responsible for developing city-wide written policies & procedures guidelines on accounting, cash handling, and other financial matters. The Policies will be reviewed by the City Manager and approved by the City Council. The procedures-which will only need be approved by the City Manager.

The Finance Department will assist department managers as needed in tailoring these guidelines into detailed written procedures to fit each department's requirements.

- B. INTERNAL AUDIT** – The Finance Department may conduct reviews of the departments to determine if the departments are following the written guidelines-procedures as they apply to the departments.

Finance will also review the written guidelines-policies and procedures on accounting, cash handling and other financial matters. Based on these reviews Finance will recommend internal control improvements as needed.

- C. **DEPARTMENT MANAGERS RESPONSIBLE** – Each department manager is responsible to the City Manager to ensure that good internal controls are followed throughout his or her department, that all guidelines on accounting and internal controls are implemented, and that all independent and internal control recommendations are addressed.

IV. OPERATING BUDGET

- A. **PREPARATION** – The city’s “operating budget” is the city’s annual financial operating plan. It consists of governmental and proprietary funds, including the general obligation debt service fund. The budget is prepared by the City Manager with the assistance of the Chief Financial Officer and cooperation of all city departments. The City Manager transmits the document to the City Council. The budget should be enacted by the City Council prior to the fiscal year beginning. The operating budget may be submitted to the GFOA annually for evaluation and possible awarding of the Award for Distinguished Budget Presentation.
- B. **BALANCED BUDGETS** – An operating budget will be balanced, with current revenues, inclusive of beginning resources, greater than or equal to current operating expenditures/expenses.
- C. **PLANNING** – The budget process will begin with each Department Director submitting Expanded Level of Service (ELS) forms accompanied by a summary form ranking their requests by priority. The Chief Financial Officer will use the current budget as a base line and enter all ELS requests into the accounting system. Meetings are scheduled with the City Manager, Chief Financial Officer and Department Directors, to review their draft budgets. A summary of this draft budget is be coordinated so as to identify major policy issues for presented to City Council by the City Manager, at a Budget workshop. There will be several more Council budget workshops as the City Manager and staff work through estimating revenue and making the necessary expense cuts to prepare a balanced budget for final approval.
- D. **REPORTING** – Periodic financial reports are available within INCODE to enable the department managers to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Summary monthly financial reports will be presented to the City Council within 45 days after the end of each month, if council meetings do not interfere with reporting requirement. Such reports will include current year revenue and expenditure budgets and year-to-date actual figures for all major funds.
- E. **CONTROL** – Operating Expenditure Control is addressed in another section of the Policies.
- F. **PERFORMANCE MEASURES** – Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process, ~~and reported to the City Council at least quarterly.~~

V. CAPITAL BUDGET

- A. **PREPARATION** – The city’s capital budget will be included in the city’s operating budget. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required city departments.
- B. **APPROPRIATION** – An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; ~~the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed, or encumbered shall be deemed excess funds.~~
- C. **CONTROL** – All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.
- D. **ALTERNATE RESOURCES** – Where applicable, assessments, impact fees, or other user-based fees should be used to fund capital projects which have a primary benefit to certain property owners.
- E. **DEBT FINANCING** – Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.
- F. **REPORTING** – Financial reports will be available to enable the department managers to manage their operatingcapital budgets and to enable the finance department to monitor the capitaloperating budget as authorized by the City Manager.

VI. REVENUE MANAGEMENT

- A. **SIMPLICITY** – The city will strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay. ~~The city will avoid nuisance taxes, fees, or charges as revenue sources.~~
- B. **CERTAINTY** – An understanding of the revenue source increases the reliability of the revenue system. The city will try to understand its revenue sources, and enact consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.

- C. EQUITY** – The city will strive to maintain equity in the revenue system structure. ~~That is, the city will seek to minimize or eliminate all forms of subsidization between entities, funds, services, utilities and customers. However, it~~ is recognized that public policy decisions may lead to subsidies in certain circumstances, e.g., Over 65 property tax exemptions.
- D. ADMINISTRATION** – The benefits of revenue will exceed the cost of producing the revenue. The cost of collection will be reviewed annually for cost effectiveness as a part of the indirect cost, and cost of services analysis.
- E. REVENUE ADEQUACY** – The city will require that there be a balance in the revenue system. That is, the revenue base will have the characteristic of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.
- F. COST/BENEFIT OF ABATEMENT** – The city will use due caution in the analysis of any tax, fee, or water and wastewater incentives that are used to encourage development. A cost/benefit (fiscal impact) analysis will be performed as a part of such analysis and presented to the appropriate entity considering using such incentive.
- G. DIVERSIFICATION AND STABILITY** – In order to protect the government from fluctuations in revenue source due to fluctuations in the economy, and variations in weather (in the case of water and wastewater), a diversified revenue system will be ~~maintained~~sought.
- H. NON-RECURRING REVENUES** – One-time revenues will not be used for ongoing operations. Non-recurring revenues will be used only for non-recurring expenditures. Care will be taken not to use these revenues for budget balancing purposes.
- I. PROPERTY TAX REVENUES** – Property shall be assessed at 100% of the fair market value as appraised by the Bastrop Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 97% collection rate will serve as a minimum goal for tax collection, with the delinquency rate of 4% or less. The 97% rate is calculated by dividing total current year tax collections for a fiscal year by the total tax levy for the fiscal year.
- All delinquent taxes will be aggressively pursued by being turned over to an attorney, and a penalty assessed to compensate the attorney as allowed by State law, and in accordance with the attorney's contract.
- J. USER-BASED FEES** – For services associated with a user fee or charge, the direct and indirect costs of that service will be offset by a fee where possible. There will be an annual review of fees and charges to ensure that fees provide adequate coverage of costs and services. ~~User charges may be classed as “full cost recover,” “partial costs recover,” and “minimal cost recovery,” based upon City Council policy.~~
- K. GENERAL AND ADMINISTRATIVE CHARGES** – A method will be maintained whereby the General Fund can impose a charge to the enterprise/ proprietary funds for general and administrative services (indirect costs) performed on the funds' behalf. The

details will be documented and said information will be maintained in the Finance Department.

- L. UTILITY RATES** – The city will strive to review utility rates annually and, if necessary, adopt new rates to generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects.
- M. INTEREST INCOME** – Interest earned from investment of available monies, ~~whether pooled or not, that are pooled~~ will be distributed to the funds monthly in accordance with the ~~operating and capital budgets which, wherever possible, will be in accordance with the equity claim on cash~~ balance of the fund from which monies were provided to be invested.
- N. REVENUE MONITORING** – Revenues actually received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the appropriate budget report.

VII. EXPENDITURE CONTROL

- A. APPROPRIATIONS** – The level of budgetary control is the department level budget in all Funds. Transfers between expenditure accounts within a department may occur with the approval of the Chief Financial Officer. City Manager approval is required if transferring from a personnel or capital accounts within a department. When budget adjustments (i.e., amendments), are required among between departments and/or funds ~~are necessary~~, these must be approved by the City Council through an Ordinance.
- B. VACANCY SAVINGS AND CONTINGENCY ACCOUNT** – The General Fund Contingency Account will be budgeted at a minimal amount (\$35,000). The contingency account balance for expenditures may be increased quarterly by the amount of available vacancy savings.
- C. CONTINGENCY ACCOUNT EXPENDITURES** – The City Council must approve all contingency account expenditures over \$50,000. The City Manager must approve all other contingency account expenditures.
- D. CENTRAL CONTROL** – Significant vacancy (salary) and capital budgetary savings in any department will be centrally controlled by the City Manager.
- E. PURCHASING CONTROL**– All purchases shall be made in accordance with the city's ~~purchasing policies as defined in the~~ Purchasing Policy. Authorization levels for appropriations previously approved by the City Council are as follows: below Directors \$1,000 (Directors can request to have this amount raised by submitting a written request to the Finance Department), for Directors up to \$10,000,999, for Chief Financial Officer up to

~~\$15,000-14,999~~ and with any purchases exceeding \$15,000 to be approved by the City Manager.

F. PROFESSIONAL SERVICES – Professional services will generally be processed through a request for proposals process, except for smaller contracts. The City Manager may execute any professional services contract less than \$50,000 provided there is an appropriation for such contract.

G. PROMPT PAYMENT – All invoices will be paid within 30 days of receipt in accordance with the prompt payment requirements of State law. Procedures will be used to take advantage of all purchase discounts where considered cost effective. However, payments will also be reasonably delayed in order to maximize the city's investable cash, where such delay does not violate the agreed upon terms.

VIII. ASSET MANAGEMENT

A. INVESTMENTS – The city's investment practices will be conducted in accordance with the City Council approved Investment Policies.

B. CASH MANAGEMENT – ~~The city's cash flow will be managed~~The timing and amount of cash needs and availability shall be systematically projected in order to maximize ~~the cash available to invest~~ interest earnings from investments.

C. INVESTMENT PERFORMANCE – A quarterly report on investment performance will be provided by the Chief Financial Officer to the City Council.

D. FIXED ASSETS AND INVENTORY – These assets will be reasonably safeguarded ~~and~~ properly accounted for, and prudently insured. The City will perform an annual inventory of all assets with a value greater than \$1,000.

IX. FINANCIAL CONDITION AND RESERVES

A. NO OPERATING DEFICITS – Current expenditures should be paid with current revenues. Deferrals, short-term loans, or one-time sources should be avoided as budget balancing technique. Reserves will be used only for emergencies on non-recurring expenditures, except when balances can be reduced because their levels exceed guideline minimums.

B. OPERATING RESERVES – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted.

1. The General Fund ending fund balance will be maintained at an amount up to three months' worth of estimated expenditures or at a level of 25% of budgeted operating expenditures.

2. The Enterprise/ Proprietary Funds will be maintained at a minimum level of 35% of budgeted operating expenditures.

2-3. Fund balances which exceed the minimum level established for each fund may be appropriated for non-recurring capital projects.

C. RISK MANAGEMENT PROGRAM – The city will aggressively pursue every opportunity to provide for the public's and city employees' safety and to manage its risks.

D. LOSS FINANCING – All reasonable options will be investigated to finance losses. Such options may include risk transfer, insurance and risk retention. Where risk is retained, reserves will be established based on a calculation of incurred but not reported claims, and actuarial determinations and such reserves will not be used for any purpose other than for financing losses.

E. ENTERPRISE/ PROPRIETARY FUND SELF-SUFFICIENCY – The city's enterprise funds' resources will be sufficient to fund operating and capital expenditures. The enterprise funds will pay (where applicable) their fair share of general and administrative expenses, in-lieu-of-property taxes and/or franchise fees. If an enterprise fund is temporarily unable to pay all expenses, then the City Council may waive general and administrative expenses, in-lieu-of-property taxes and/or franchise fees until the fund is able to pay them.

X. DEBT MANAGEMENT

A. SELF-SUPPORTING DEBT – When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.

B. ANALYSIS OF FINANCING ALTERNATIVES – The city will explore all financing alternatives in addition to long-term debt including leasing, grants and other aid, developer contributions, impact fees, and use of reserves or current monies.

C. VOTER AUTHORIZATION – The city shall obtain voter authorization before issuing General Obligation Bonds as required by law. Voter authorization is not required for the issuance of Revenue Bonds and Certificates of Obligation. However, the city may elect to obtain voter authorization for Revenue Bonds.

D. BOND DEBT – The City of Bastrop will attempt to maintain base bond ratings of AA2 (Moody’s Investors Service) and AA (Standard & Poor’s) on its general obligation debt. In an attempt to keep the debt service tax rate flat, retirement of debt principal-will be structured to ensure constant annual debt payments when possible.

E. IRS COMPLIANCE – The City will have a written policy for monitoring compliance with IRS laws and regulations for tax exempt debt.

XI. STAFFING AND TRAINING

A. ADEQUATE STAFFING – Staffing levels will be adequate for the fiscal functions of the city to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Workload scheduling alternatives will be explored before adding staff.

B. TRAINING – The city will support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial issues. Staff will be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences, and related education efforts.

XII. GRANTS FINANCIAL MANAGEMENT

A. GRANT SOLICITATION – The City Manager will be informed about available grants by the departments. The City Council will have final approval over which grants are applied for. The grants should be cost beneficial and meet the city’s objectives.

B. RESPONSIBILITY – Departments will oversee the day to day operations of grant programs, will monitor performance and compliance, and will also keep the Finance Department informed of significant grant-related plans and activities. Finance Department staff members will serve as liaisons with grantor financial management personnel, will prepare invoices, and will keep the books of account for all grants.

XIII. ANNUAL REVIEW AND REPORTING

A. These Policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.

B. The Chief Financial Officer will report annually to the City Manager on compliance with these policies.

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. 1. Agenda Item: Consideration, discussion and possible action on acceptance of the unaudited Preliminary Monthly Financial Reports for the period ending September 30, 2016.

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

Provide City Council the monthly financial report overview for four major funds to include General Fund, Water-Wastewater Fund, Bastrop Power & Light and the Hotel Motel Fund.

4. Attachments: Yes X No _____

5. Motion Requested: Motion to accept the unaudited financial report for the period ending Sept. 30, 2016

PRELIMINARY REPORT

**CITY OF BASTROP, TEXAS
MONTHLY FINANCIAL REPORT
FOR PERIOD ENDING Sept. 30, 2016**



HIGHLIGHTS FOR THIS REPORTING PERIOD
AS OF SEPT. 30, 2016

General Fund:

- Revenue projections are on track to exceed budgeted revenue amount
- City Economic Development Incentives:

<u>Agreement with</u>	<u>Effective Date</u>	<u>Original Amount</u>	<u>Remaining Balance YTD</u>
Schulman Theaters	March 7, 2012	\$200,000 or 7 Years	\$75,243
Bastrop Retail Partners (Burlerson Crossing)	August 30, 2007	\$7,370,694 or 15 Years	\$3,539,750

- City Manager department is over budget due to Mr. Talbot's final check, and the cost of the Interim City Manager consultant fees
- Planning –the Comprehensive plan YTD is approx. \$140,000 out of a \$200,000 contract (the other \$200,000 is a traffic study and is grant funded)

Water/Wastewater Fund:

- Legal fees for the water permit were re-classified from this fund to the 2014 Bond fund. This was a credit to the Water/Wastewater fund of \$461,000.

Hotel/Motel Tax Fund:

- Revenue projections are on track to exceed budgeted revenue amount slightly



LEGAL FEES BY ATTORNEY / CATEGORY
AS OF SEPT. 30, 2016

FIRM	CASE	FY2015	FY2016		
JC BROWN					
	General Legal	\$ 335,518	\$ 279,242		
	Water permit	\$ 16,698	\$ 39,856		
	Vandiver	\$ 10,356	\$ 9,275		
BUNDREN					
	Pine Forest Interlocal	\$ 89,738	\$ 700,800		
	Vandiver	\$ 3,393	\$ 79,951		
	Aqua CCN	\$ 13,005	\$ 21,735		
	Red Light Camera Suit	\$ 5,822	\$ 60,279		
TERRELL LAW FIRM					
	Water permit	\$ 61,015	\$ 482,815		
DAVID BRAGGS					
	General legal	\$ -	\$ 8,603		
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP					
	Red Light Camera Suit	\$ -	\$ 1,246		
	Total Legal	\$ 535,544	\$ 1,683,801		

Row Labels	Sum of FY2015	Sum of FY2016
Aqua CCN	\$ 13,005	\$ 21,735
General Legal	\$ 335,518	\$ 287,845
Pine Forest Interlocal	\$ 89,738	\$ 700,800
Red Light Camera Suit	\$ 5,822	\$ 61,525
Vandiver	\$ 13,749	\$ 89,226
Water permit	\$ 77,713	\$ 522,671
Grand Total	\$ 535,544	\$ 1,683,801

Not all invoices have been received for services through 9/30/16



**CITY OF BASTROP
SUMMARY OF REVENUES AND EXPENDITURES
AS OF SEPT. 30, 2016**

Fiscal year 2016 is 12 month or 100% completed as of Sept. 30, 2016.

Revenues

Expenditures

	FY 2016 Budget*	FY 2016 YTD Actual	% of FY2016 Budget	FY 2016 Budget*	FY 2016 YTD Actual	% of FY2016 Budget
General Fund	\$ 9,654,723	\$ 9,678,731	100%	\$ 12,750,590	\$ 11,415,914	89.6%
W/WWW Fund	\$ 4,258,480	\$ 4,964,308	116%	\$ 6,960,286	\$ 4,558,482**	65.5%
Electric Fund	\$ 7,528,000	\$ 6,845,332	90.9%	\$ 8,436,474	\$ 7,153,131	84.8%
Hotel Motel Fund	\$ 2,801,500	\$ 2,529,487	90%	\$ 2,678,706	\$ 2,515,276	93.5%

*Budget amounts reflect any budget amendments approved by Council during the Fiscal Year

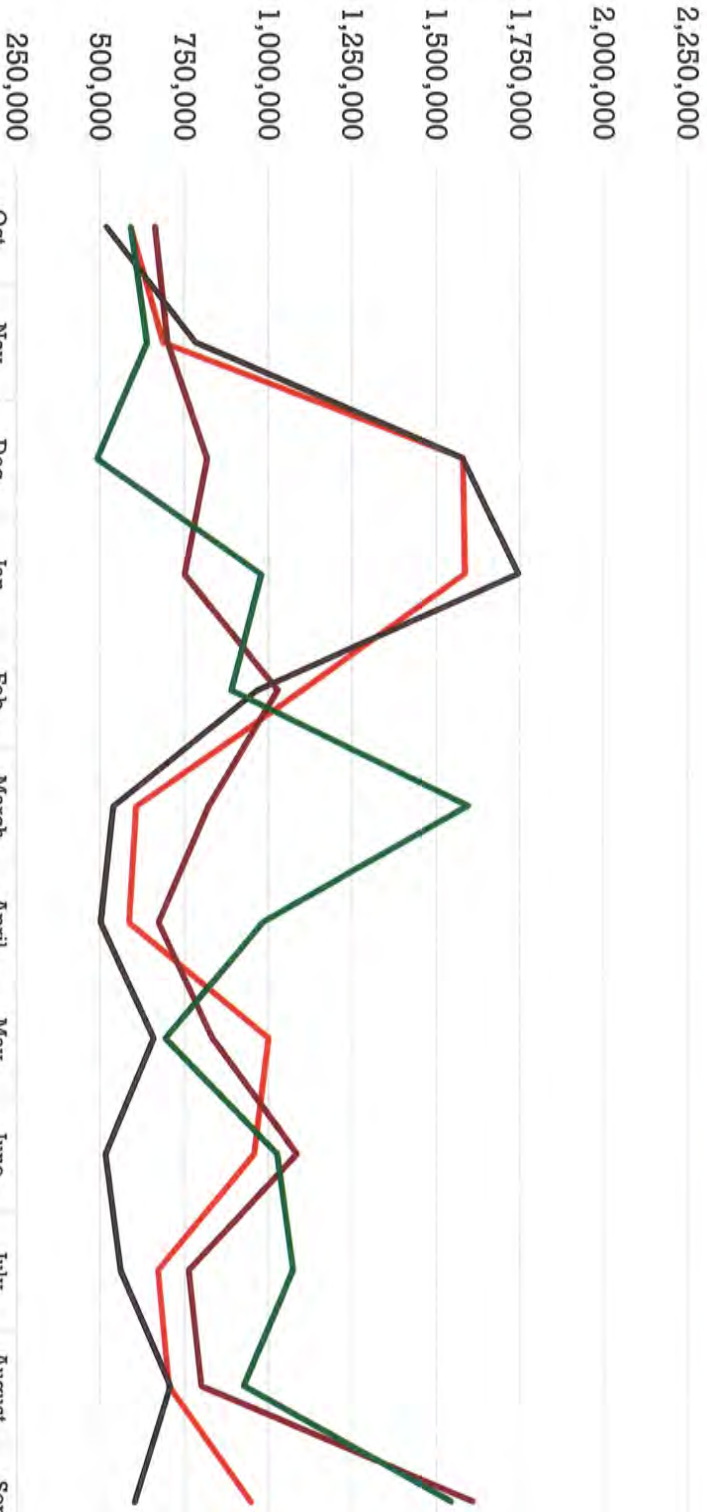
**Large Capital item in Budget that hasn't been expensed yet



GENERAL FUND REVENUE & EXPENDITURES

AS OF SEPT. 30, 2016

- ❑ Revenues will increase in December, January, and February due to collection of the Ad Valorem Taxes.
- ❑ Due to an audit adjustment that accrues our revenue into the period it was earned, the Sales Tax revenue earned in October and November are estimated.
- ❑ The Revenue spiked in May 2015 due to the transfer from BP&L of \$200,000 for the Comprehensive Plan and the donated land from BEDC of \$183,000 in-kind income
- ❑ FY2016 reflects a re-class of the overhead allocation from W/W/W, BP&L and Convention Center for Administrative Support. This use to come in as revenue but do to auditors adjustments, are being re-classed as a reduction of expense in each department. (This amounts to approximately \$86,500 a month)
- ❑ FY2016 March expenses reflect approved budget amendment to move \$625,000 out of General fund into Vehicle/Equip. Replacement fund, also 50% payment on new restrooms at Fisherman's Park

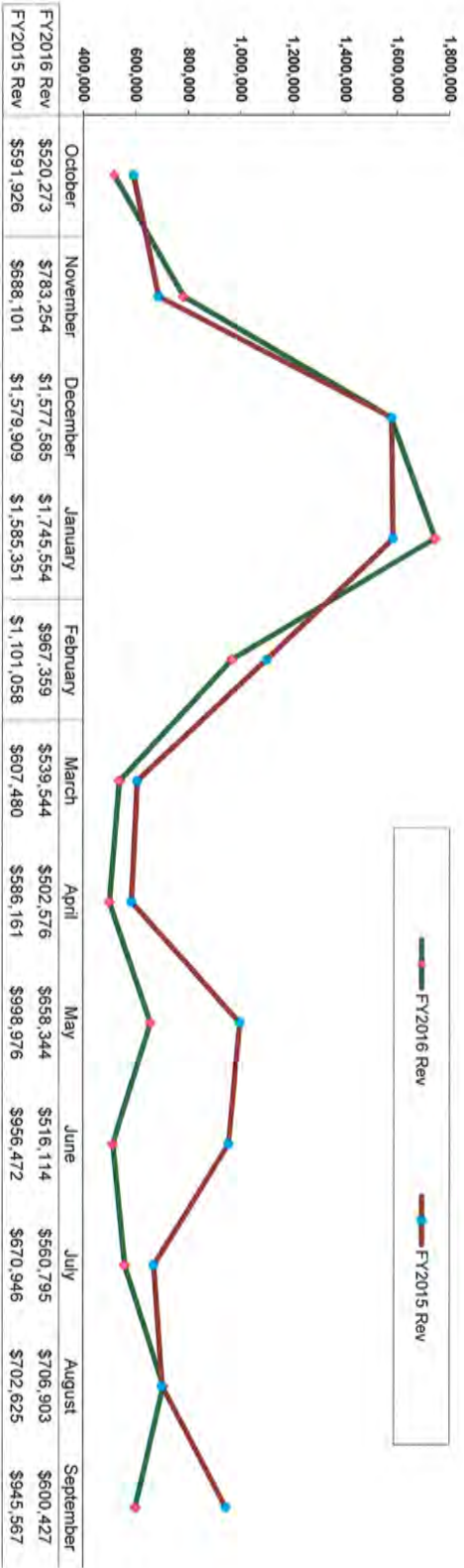


	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
FY2015 Revenues	\$591,926	\$688,101	\$1,579,909	\$1,585,351	\$1,101,058	\$607,480	\$586,161	\$998,976	\$956,472	\$670,946	\$702,625	\$945,567
FY2015 Expenses	\$663,660	\$700,904	\$818,271	\$751,303	\$1,027,451	\$822,206	\$672,916	\$832,928	\$1,084,109	\$761,772	\$798,934	\$1,607,829
FY2016 Revenues	\$520,273	\$783,254	\$1,577,585	\$1,745,554	\$967,359	\$539,544	\$502,576	\$658,344	\$516,114	\$560,796	\$706,903	\$600,427
FY2016 Expenses	\$592,109	\$640,105	\$492,501	\$978,544	\$889,284	\$1,594,857	\$983,706	\$693,410	\$1,024,616	\$1,072,779	\$924,315	\$1,543,269

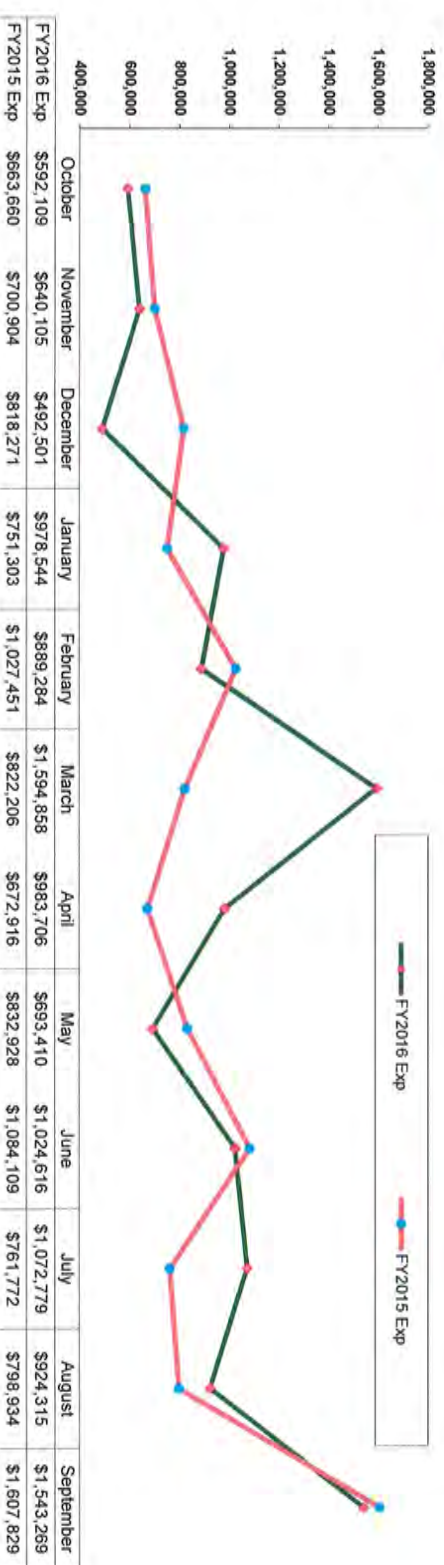


GENERAL FUND REVENUE & EXPENDITURES AS OF SEPT. 30, 2016

FY 2015 & 2016 Revenues



FY 2015 & 2016 Expenditures

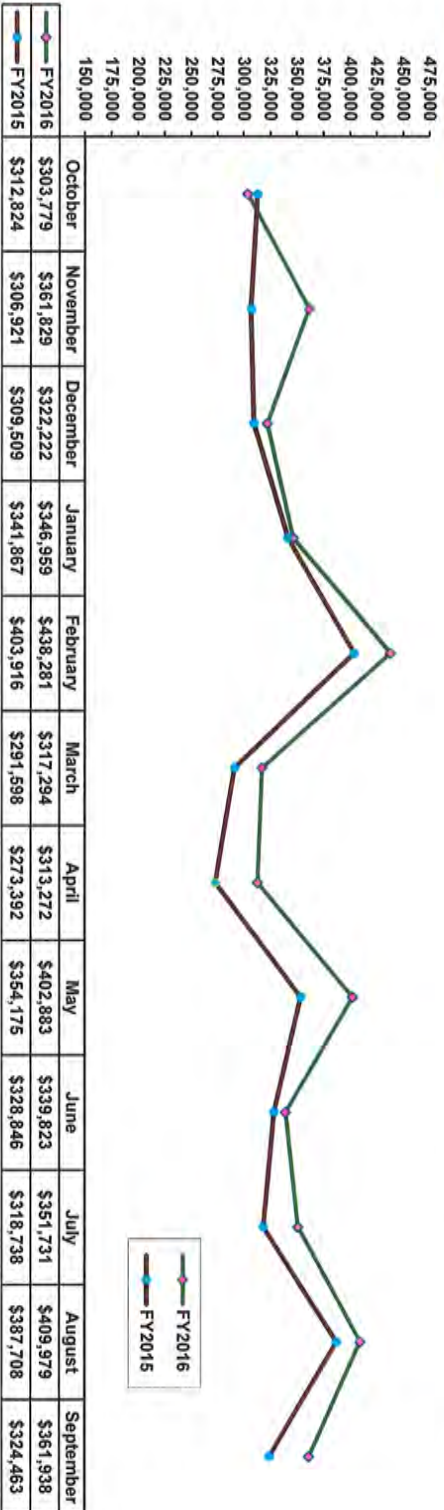


NEW in FY'16 expense reflects a credit amount in each fund for the allocated overhead for Admin. support from WMMW, BP&L and Convention Center instead of being recorded as revenue.



GENERAL FUND REVENUE
AS OF SEPT. 30, 2016

Sales Tax



FY2016 Budgeted \$4,228,237

FY2016 YTD \$4,269,988

Ad Valorem Taxes



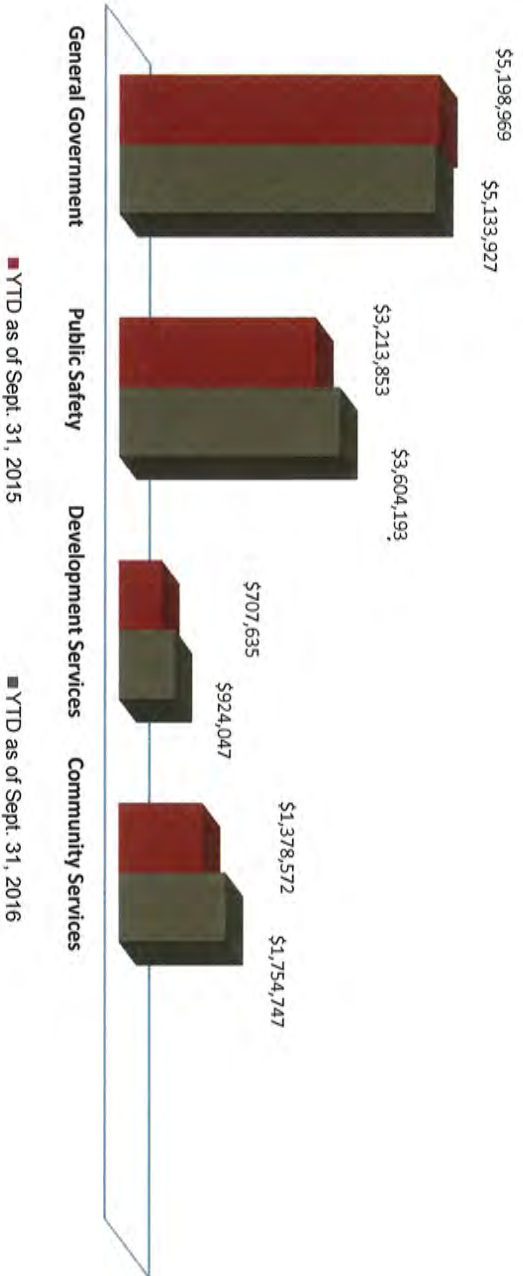
FY2016 Budget \$2,989,945

FY2016 YTD \$2,987,048



GENERAL FUND EXPENDITURES AS OF SEPT. 30, 2016

General Fund Expenditures Comparison

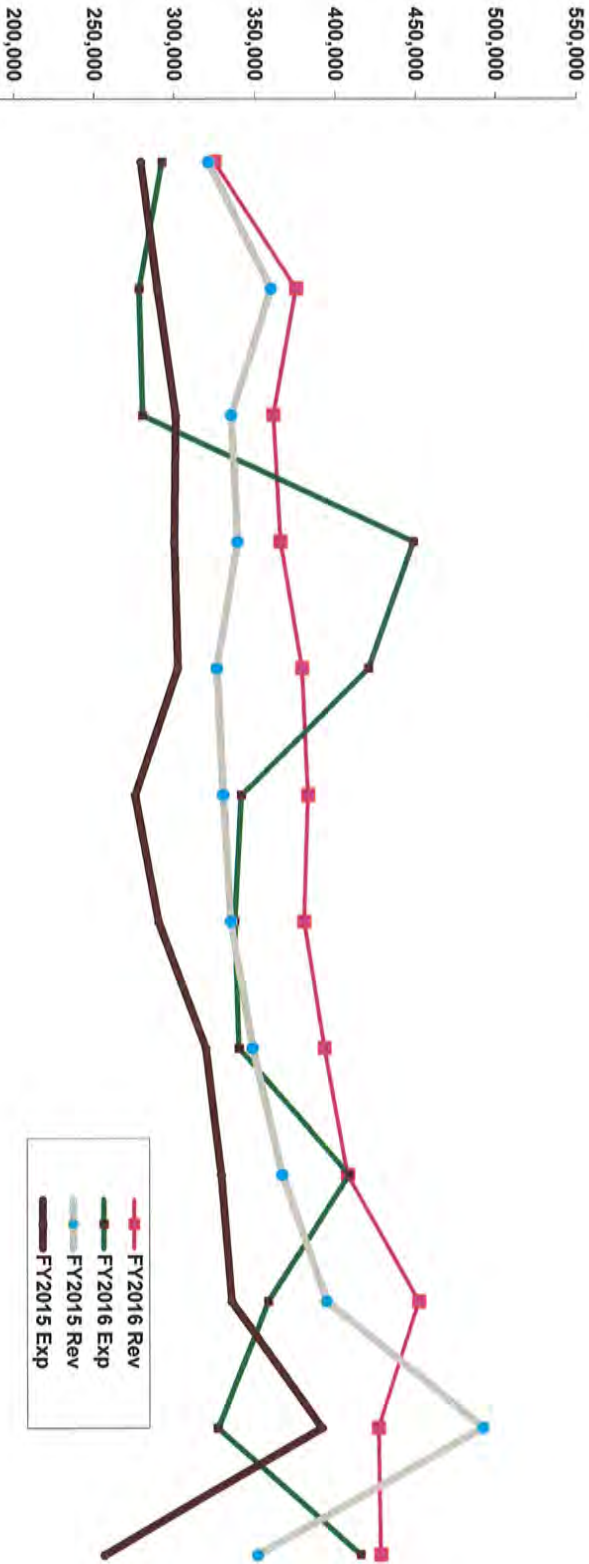


- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, and Building Maintenance
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes the Planning Department
- Community Services includes Recreation, Parks, and Library



WATER WASTEWATER FUND REVENUE & EXPENDITURES AS OF SEPT. 30, 2016

- Water/ Wastewater Fund Revenues Year-to-date (YTD) as of Sept. 30, 2016 are \$4,964,308 or 116% of the year.
- Jan 2016 expenses are higher due to additional maintenance and capital outlay for additional equipment of \$93,400
- Feb 2016 expense higher due to additional maintenance on Wells E, H & I
- Jun 2016 expense higher due to bond issuance cost and higher system maintenance costs
- Aug. 2016** legal fees for water permit were removed from W/WW fund and posted to the bond fund. The credit was applied back to the appropriate months that the original expenses were paid.

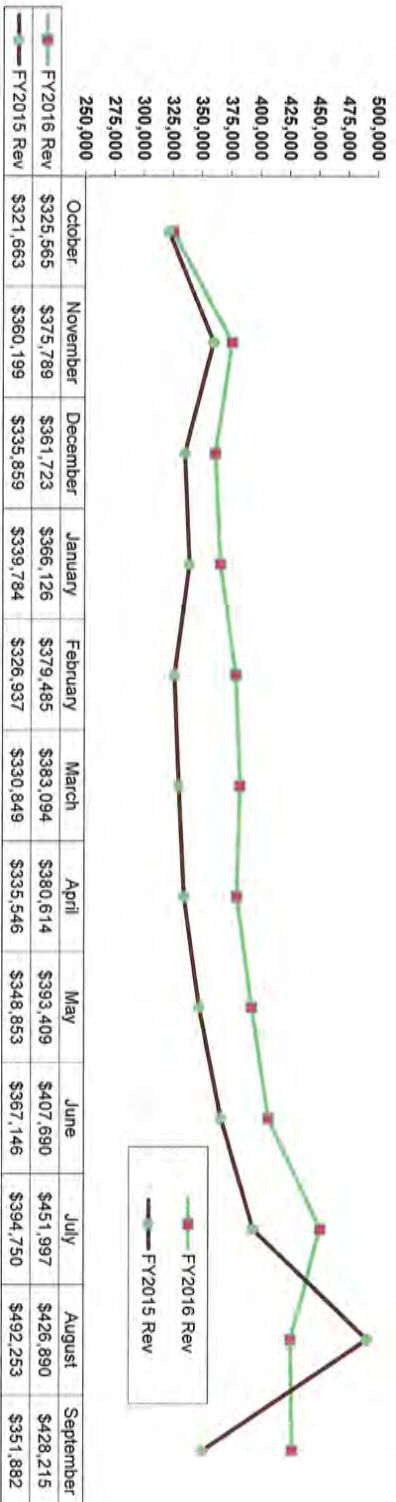


	October	November	December	January	February	March	April	May	June	July	August	September
FY2016 Rev	\$325,565	\$375,789	\$361,723	\$366,127	\$379,485	\$383,094	\$380,614	\$393,409	\$407,690	\$451,997	\$426,890	\$428,215
FY2016 Exp	\$292,650	\$278,412	\$280,664	\$448,892	\$420,893	\$342,048	\$338,054	\$340,526	\$408,722	\$358,562	\$327,517	\$415,753
FY2015 Rev	\$321,663	\$360,199	\$335,859	\$339,784	\$326,937	\$330,849	\$335,546	\$348,653	\$367,146	\$394,750	\$492,253	\$351,882
FY2015 Exp	\$279,403	\$289,841	\$301,317	\$300,431	\$302,572	\$275,911	\$290,436	\$320,178	\$329,507	\$335,886	\$391,738	\$256,335

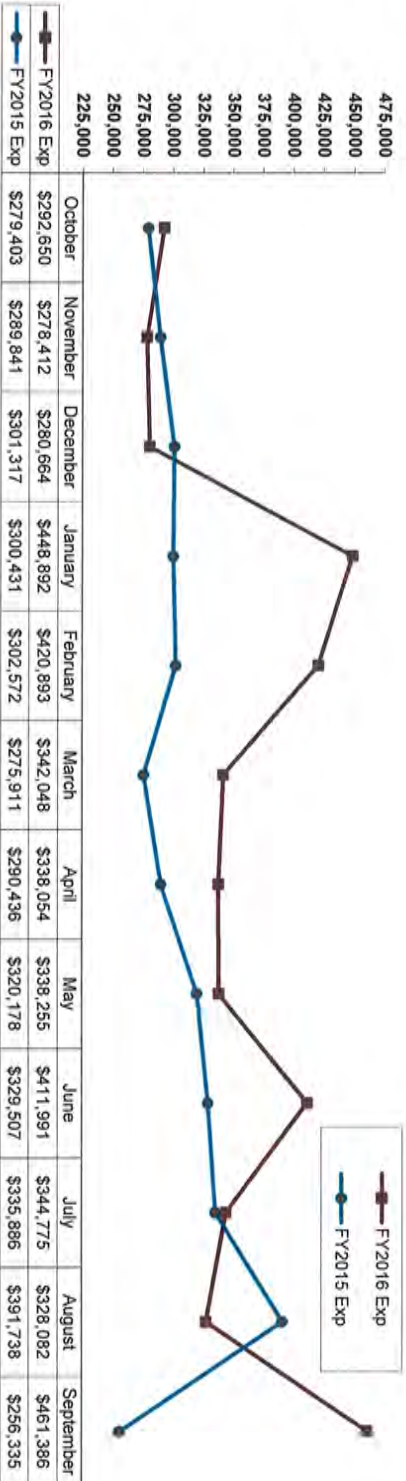


WATER WASTEWATER FUND REVENUE & EXPENDITURES AS OF SEPT. 30, 2016

FY 2015 & 2016 Revenues

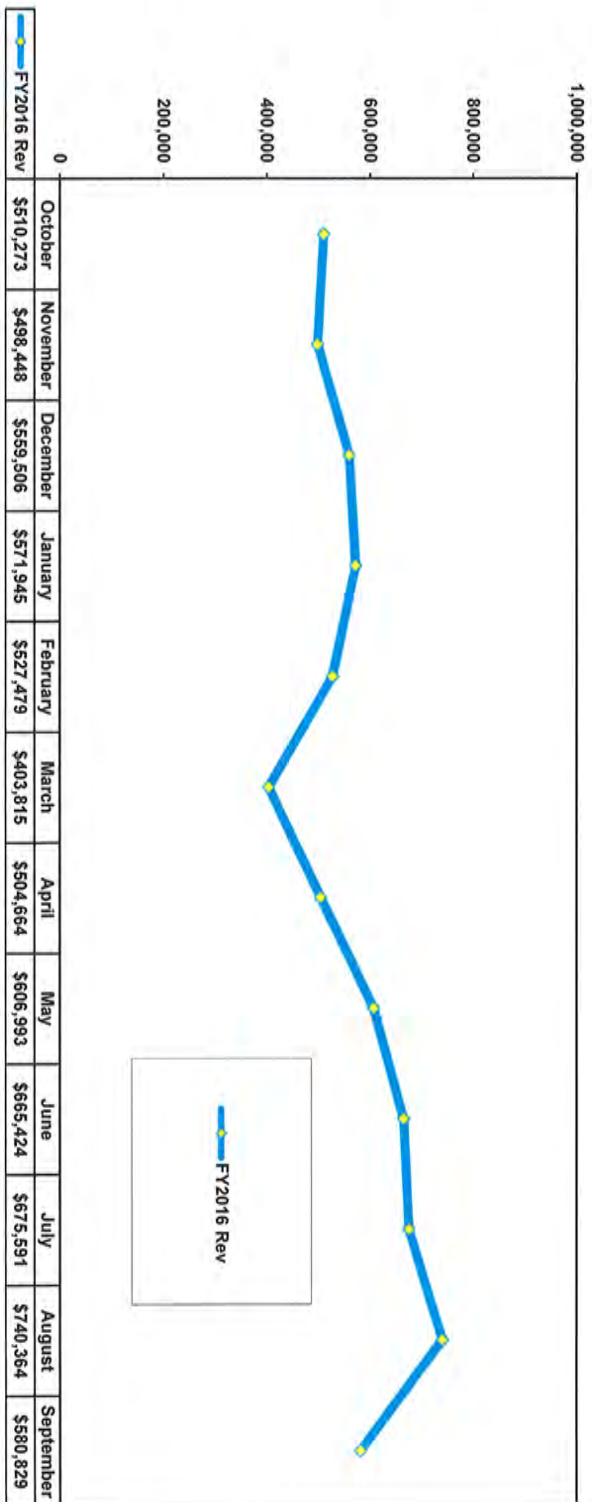


FY 2015& 2016 Expenditures



BASTROP POWER AND LIGHT / ELECTRIC FUND REVENUE
AS OF SEPT. 30, 2016

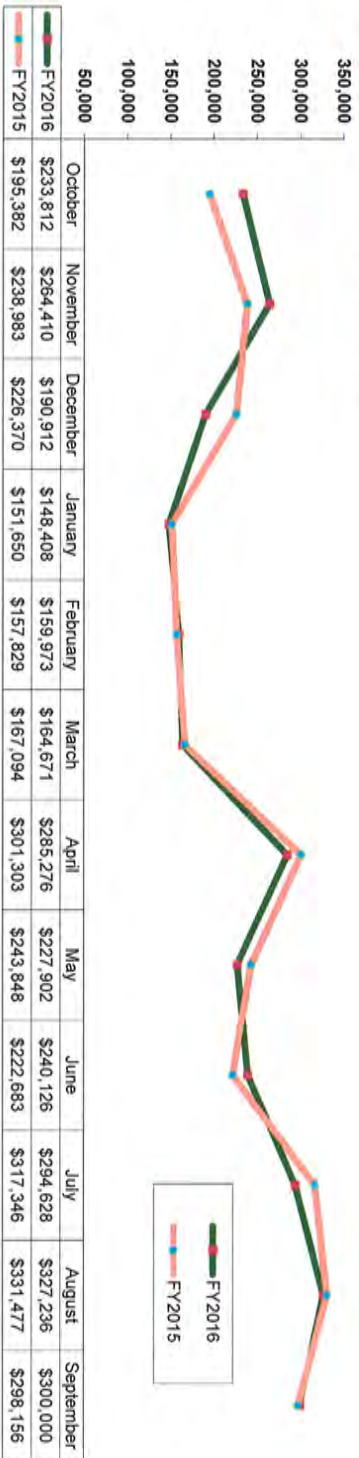
□ Electric Fund Revenues Year-to-date (YTD) as of Sept. 30, 2016 are \$6,845,332 or 91% of the FY2016 adopted budget.



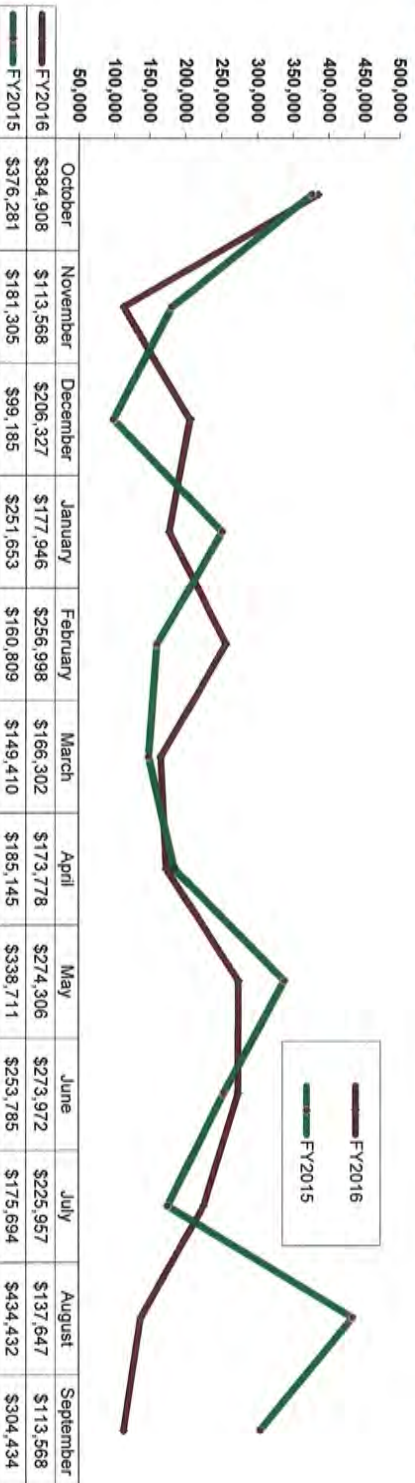
HOTEL MOTEL TAX REVENUE FUND REVENUE AND EXPENDITURES AS OF SEPT. 30, 2016

- Revenues as of Dec. 31, 2015 represent YTD earned revenue of \$689,134. Due to an audit adjustment that accrues our revenue into the period it was earned, the revenue earned in October is an estimate.
- Expenses in October are increased due to the one-time disbursement of funds to Hotel Motel funded organizations. The spike in August 2015 was the additional funding transfer to General Fund for Bastrop Art Guild and double payments to BMC.
- Sept 2016 is an estimated amount (Sept & 3Q payments have not been received yet)

Hotel / Motel Fund Revenue



Hotel / Motel Fund Expenses



FINANCIAL STATEMENT REPORTS ARE ATTACHED
- GENERAL FUND
- WATER/WASTEWATER UTILITY FUND
- HOTEL MOTEL FUND



FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	W-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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TAXES & PENALTIES						
00-00-4001 CURRENT TAXES M&O	2,764,197.00	2,989,945.00	(9,331)	2,987,048.78	2,896.22	99.90
00-00-4002 DELINQUENT TAXES M&O	23,530.82	35,750.00	3,552.34	27,010.69	8,739.31	73.55
00-00-4003 PENALTIES & INTEREST M&O	33,760.37	26,000.00	3,151.21	31,149.28	(5,149.28)	119.80
00-00-4004 FRANCHISE TAX	466,699.31	410,000.00	25,455.36	395,871.89	14,128.11	96.55
00-00-4006 CITY SALES TAX	3,961,135.20	4,228,237.00	361,937.59	4,269,988.26	(41,751.26)	100.99
00-00-4008 OCCUPATION TAX	7,253.78	8,000.00	(702.41)	4,780.00	3,220.00	59.75
00-00-4009 MIXED BEVERAGE TAX	48,863.00	48,000.00	0.00	39,893.18	8,106.82	83.11
00-00-4010 380 AGREEMENT PROP REFUND	(44,029.26)	(45,000.00)	0.00	(46,607.13)	1,607.13	103.57
TOTAL TAXES & PENALTIES	7,263,500.42	7,700,932.00	393,384.76	7,709,134.95	(8,202.95)	100.11

LICENSES & PERMITS						
00-00-4020 BUILDING PERMITS	140,298.17	120,000.00	10,622.29	110,375.38	9,624.62	91.98
00-00-4021 ZONING FEES	3,531.24	3,500.00	303.00	3,339.00	167.00	93.23
00-00-4022 PLATTING FEES	57,935.70	40,000.00	6,205.00	64,594.13	(24,594.13)	161.49
00-00-4023 SPECIAL EVENT PERMIT FEE	2,850.00	2,000.00	500.00	1,744.00	256.00	87.20
TOTAL LICENSES & PERMITS	204,715.11	165,500.00	17,630.29	180,048.51	(14,546.51)	108.79

CHARGES FOR SERVICES						
00-00-4040 ANIMAL SERVICE RECEIPTS	210.00	200.00	0.00	215.00	(15.00)	107.50
00-00-4043 PARK RENTALS & FEES	1,585.00	2,000.00	410.00	1,990.00	10.00	99.50
00-00-4044 PD ACCIDENT REPORTS	1,446.00	1,600.00	120.00	1,891.00	(91.00)	105.06
00-00-4046 SPECIAL EVENTS HOT REIMB	23,623.86	30,000.00	0.00	17,411.82	12,588.18	58.04
00-00-4047 PROJ ESCROW REIMB	16,832.98	0.00	3,276.75	9,813.13	9,813.13	0.00
00-00-4049 TRANSFER STATION RECEIPTS	8,208.80	5,000.00	1,407.00	8,811.62	(3,811.62)	176.23
00-00-4051 SANITATION REVENUE	474,079.64	475,000.00	40,228.90	480,812.56	(5,812.56)	101.22
00-00-4052 SANITATION PENALTIES	7,794.21	7,500.00	625.09	6,532.63	967.37	87.10
00-00-4055 FILMING/BROADCASTING FEES	0.00	0.00	0.00	126.00	(126.00)	0.00
TOTAL CHARGES FOR SERVICES	535,980.49	521,500.00	46,069.74	527,603.76	(6,103.76)	101.17

FINES & FORFEITURES						
00-00-4070 MUNICIPAL COURT FINES	258,764.84	270,000.00	23,520.60	299,773.49	(28,773.49)	111.03
00-00-4076 LIBRARY RECEIPTS	18,038.07	16,000.00	3,504.55	17,605.95	(1,605.95)	110.04
00-00-4078 JUVENILE CASE MANAGER-M/C	9,703.75	7,500.00	1,096.60	11,080.40	(3,580.40)	147.74
00-00-4080 TREM COURT (MCI)	921.69	1,000.00	0.00	886.90	113.10	88.69
TOTAL FINES & FORFEITURES	287,426.29	294,500.00	28,221.75	329,346.74	(34,846.74)	111.83

INTEREST INCOME						
00-00-4400 INTEREST RECEIPTS	5,216.77	24,000.00	1,472.06	23,302.43	697.57	97.09
TOTAL INTEREST INCOME	5,216.77	24,000.00	1,472.06	23,302.43	697.57	97.09

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	Y-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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INTERGOVERNMENTAL

00-00-4413 BISO PROJECT RECEIPTS	47,008.07	0.00	0.00	0.00	0.00	0.00
00-00-4414 DEPT OF JUSTICE GRANT REIMB	1,538.52	0.00	0.00	0.00	0.00	0.00
00-00-4415 EMERGENCY MANAGEMENT	43,686.35	30,000.00	24,279.33	31,931.59	1,931.59	106.44
00-00-4418 WCID REIMBURSEMENT	41,930.01	0.00	0.00	0.00	0.00	0.00
00-00-4419 PROPERTY LIEN PAYMENTS	7,705.00	0.00	0.00	0.00	0.00	0.00
00-00-4465 SERVICES TO OTHER FUNDS	0.00	0.00	20,004.64	20,004.64	0.00	0.00
00-00-4493 EDCG IN-KIND	204,079.76	189,000.00	24,543.52	114,261.59	74,738.41	60.46
00-00-4496 DONATION IN-KIND	183,000.00	0.00	5,000.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL	528,947.71	219,000.00	63,827.49	166,197.82	52,802.18	75.89

MISCELLANEOUS

00-00-4509 GENERAL DONATIONS	1,543.38	1,200.00	996.37	2,347.01	1,147.07	135.59
00-00-4512 SALE OF FIXED ASSETS	546.00	0.00	0.00	0.00	0.00	0.00
00-00-4522 WORKERS COMP. REIMBURSE	197.29	0.00	0.00	0.00	0.00	0.00
00-00-4536 MISCELLANEOUS	31,787.06	75,000.00	2,345.87	78,693.03	3,693.03	104.92
00-00-4537 INSURANCE PROCEEDS	10,904.03	35,341.00	0.00	51,757.13	16,416.13	146.45
00-00-4543 DEVELOPER REIMBURSEMENT	0.00	60,000.00	0.00	41,764.53	18,235.47	69.61
TOTAL MISCELLANEOUS	45,059.76	171,541.00	3,342.24	174,561.74	3,020.74	101.76

TRANSFERS-IN

00-00-4703 TRANSFERS IN - ELECTRIC FUND	555,049.40	557,750.00	46,479.13	557,750.00	0.00	100.00
00-00-4709 TRANSFERS IN - DESIGNATED	0.00	0.00	0.00	10,787.30	10,787.30	0.00
00-00-4718 TRANSFER-IN SPECIAL PROJECT	200,000.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	755,049.40	557,750.00	46,479.13	568,537.30	10,787.30	101.93

** TOTAL REVENUE **

5,625,895.95	9,654,723.00	600,427.46	9,678,731.25	(24,006.25)	100.25
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FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	Y-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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NON-DEPARTMENT

00-NON-PROGRAM

TOTAL

LEGISLATIVE

00-NON-PROGRAM

PERSONNEL COSTS

SUPPLIES & MATERIALS

OCCURRANCE

CONTRACTUAL SERVICES

OTHER CHARGES

TOTAL 00-NON-PROGRAM

TOTAL LEGISLATIVE

ORGANIZATIONAL

00-NON-PROGRAM

PERSONNEL COSTS

SUPPLIES & MATERIALS

MAINTENANCE & REPAIRS

CONTRACTUAL SERVICES

OTHER CHARGES

CAPITAL OUTLAY

TRANSFERS OUT

TOTAL 00-NON-PROGRAM

TOTAL ORGANIZATIONAL

CITY MANAGER

00-NON-PROGRAM

PERSONNEL COSTS

SUPPLIES & MATERIALS

OCCURRANCE

CONTRACTUAL SERVICES

OTHER CHARGES

TOTAL 00-NON-PROGRAM

TOTAL CITY MANAGER

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

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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CITY SECRETARY

00-NON-PROGRAM						
PERSONNEL COSTS	39,909.23	92,833.00	12,504.37	94,054.01	1,201.01	101.29
SUPPLIES & MATERIALS	2,595.80	5,975.00	1,416.65	1,300.54	2,674.46	59.24
OCCUPANCY	2,650.25	2,190.00	179.18	2,373.05	183.05	108.36
CONTRACTUAL SERVICES	25,812.00	5,600.00	8,994.00	5,436.03	3,885.03	168.50
OTHER CHARGES	24,588.36	(20,545.00)	2,130.50	(22,669.65)	2,124.65	110.34
TOTAL 00-NON-PROGRAM	115,555.64	86,073.00	20,963.70	86,493.98	420.98	100.49
TOTAL CITY SECRETARY	115,555.64	86,073.00	20,963.70	86,493.98	420.98	100.49

FINANCE

00-NON-PROGRAM						
PERSONNEL COSTS	310,456.87	349,248.00	49,386.66	364,890.48	15,442.48	104.42
SUPPLIES & MATERIALS	9,769.70	8,014.00	143.19	5,324.81	2,689.19	66.44
MAINTENANCE & REPAIRS	32,196.00	31,266.00	0.00	20,595.59	10,670.41	65.87
OCCUPANCY	7,633.00	6,750.00	527.42	6,526.16	223.84	96.68
CONTRACTUAL SERVICES	62,381.96	60,650.00	19,620.91	59,784.01	6,885.99	88.65
OTHER CHARGES	12,218.39	(221,477.00)	17,557.69	(221,870.56)	393.56	100.18
TOTAL 00-NON-PROGRAM	434,655.92	234,451.00	52,120.49	229,030.49	5,420.51	97.69

UTILITY CUSTOMER SERVICE						
PERSONNEL COSTS	333,707.05	251,587.00	32,954.56	266,343.70	4,756.70	101.82
SUPPLIES & MATERIALS	33,434.02	31,190.00	3,589.49	22,738.43	8,451.57	72.90
MAINTENANCE & REPAIRS	4,514.47	25,500.00	0.00	26,609.79	1,109.79	104.35
OCCUPANCY	9,549.78	9,620.00	561.70	10,520.08	900.08	109.36
CONTRACTUAL SERVICES	443,117.25	446,050.00	72,636.21	432,295.37	12,754.63	96.92
OTHER CHARGES	3,888.29	(321,443.00)	(26,977.55)	(323,550.71)	2,107.71	100.66
TOTAL UTILITY CUSTOMER SERVICE	829,210.86	452,504.00	82,764.41	434,956.66	17,547.34	96.12
TOTAL FINANCE	1,262,866.78	686,955.00	134,884.90	663,987.15	22,987.85	96.66

HUMAN RESOURCE

00-NON-PROGRAM						
PERSONNEL COSTS	101,450.02	126,021.00	18,067.89	120,770.35	5,250.65	95.83
SUPPLIES & MATERIALS	1,163.39	6,075.00	69.37	2,356.09	4,518.91	34.27
OCCUPANCY	3,554.48	3,445.00	197.35	3,304.53	140.47	95.92
CONTRACTUAL SERVICES	37.00	325.00	102.00	138.00	187.00	42.46
OTHER CHARGES	14,583.12	(11,783.00)	(1,144.69)	(18,575.18)	6,792.18	157.64
TOTAL 00-NON-PROGRAM	120,788.01	124,883.00	17,292.52	107,993.79	16,889.21	86.48
TOTAL HUMAN RESOURCE	120,788.01	124,883.00	17,292.52	107,993.79	16,889.21	86.48

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-F-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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INFORMATION TECHNOLOGY

00-NON-PROGRAM						
PERSONNEL COSTS	114,135.46	133,365.00	22,536.51	177,075.32	(3,710.32)	102.14
SUPPLIES & MATERIALS	17,923.85	15,100.00	139.96	14,800.24	299.76	96.01
MAINTENANCE & REPAIRS	87,618.66	142,982.00	(5,156.10)	142,319.49	662.51	99.54
OCCUPANCY	8,312.43	12,878.00	1,070.45	12,642.18	235.82	96.17
CONTRACTUAL SERVICES	9,912.76	3,591.00	0.00	3,584.00	7.00	99.81
OTHER CHARGES	5,855.33	(110,427.00)	(9,035.21)	(110,427.03)	0.03	100.00
CAPITAL OUTLAY	0.00	24,245.00	0.00	24,245.00	0.00	100.00
TOTAL 00-NON-PROGRAM	244,358.49	261,734.00	9,557.63	264,239.20	(2,505.20)	100.96
TOTAL INFORMATION TECHNOLOGY	244,358.49	261,734.00	9,557.63	264,239.20	(2,505.20)	100.96

FILMING/BROADCASTING

00-NON-PROGRAM

TOTAL

POLICE

ADMINISTRATION	438,259.19	469,325.00	63,402.37	481,713.08	(13,388.08)	102.86
PERSONNEL COSTS	26,539.56	28,145.00	1,560.57	27,283.56	861.42	96.94
SUPPLIES & MATERIALS	25,342.07	33,210.00	2,250.00	28,360.60	4,849.40	85.40
MAINTENANCE & REPAIRS	51,324.38	56,380.00	3,309.91	52,835.37	3,544.63	93.71
OCCUPANCY	198,385.07	193,345.00	73.38	191,751.60	1,593.40	99.18
CONTRACTUAL SERVICES	23,078.09	35,155.00	6,060.27	34,442.08	712.92	97.97
OTHER CHARGES	38,965.56	505,375.00	0.00	1,497.50	503,877.50	0.30
CAPITAL OUTLAY	801,893.92	1,319,935.00	76,656.50	917,883.81	502,051.19	61.96
TOTAL ADMINISTRATION						

CODE ENFORCEMENT

PERSONNEL COSTS	53,663.70	56,996.00	7,061.93	37,060.57	(64,571)	100.11
SUPPLIES & MATERIALS	972.83	5,200.00	969.78	4,083.69	1,116.31	78.53
MAINTENANCE & REPAIRS	145.56	1,950.00	14.00	1,436.27	513.73	73.65
CONTRACTUAL SERVICES	7,040.00	12,875.00	0.00	1,993.77	10,941.23	15.02
OTHER CHARGES	3,447.01	21,945.00	14.05	12,125.45	9,819.55	55.25
TOTAL CODE ENFORCEMENT	65,269.10	99,966.00	8,059.76	76,639.75	22,326.25	77.44

EMERGENCY MANAGEMENT

SUPPLIES & MATERIALS	511.32	2,160.00	0.00	29.49	2,130.51	1.37
MAINTENANCE & REPAIRS	1,280.73	1,640.00	0.00	1,631.97	8.03	99.51
OTHER CHARGES	725.48	2,000.00	41.21	1,609.35	390.65	80.47
TOTAL EMERGENCY MANAGEMENT	2,517.53	5,800.00	41.21	3,270.81	2,529.19	56.39

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	Y-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
POLICE-CID						
PERSONNEL COSTS	142,515.17	247,540.00	31,250.12	246,531.48	1,008.52	99.59
SUPPLIES & MATERIALS	2,885.35	4,400.00	753.54	3,236.38	1,163.62	73.55
MAINTENANCE & REPAIRS	467.17	3,360.00	0.00	630.98	2,729.02	18.78
CONTRACTUAL SERVICES	1,362.37	3,600.00	689.39	710.88	2,889.12	19.75
OTHER CHARGES	3,735.00	6,700.00	221.75	4,962.75	1,737.25	74.07
TOTAL POLICE-CID	150,965.06	265,600.00	32,914.79	256,072.47	9,527.53	96.41
POLICE-PATROL						
PERSONNEL COSTS	1,206,406.09	1,386,860.00	153,699.76	1,339,100.96	47,759.04	96.56
SUPPLIES & MATERIALS	109,465.40	108,986.00	8,980.17	94,346.40	14,639.60	86.57
MAINTENANCE & REPAIRS	24,033.24	24,741.00	337.42	20,834.96	3,926.04	84.13
CONTRACTUAL SERVICES	19,243.91	12,870.00	3,517.09	8,955.48	3,914.52	69.58
OTHER CHARGES	5,747.81	9,800.00	1,489.90	6,444.16	3,355.84	65.76
CAPITAL OUTLAY	119,324.90	198,939.00	49,524.00	218,051.38	19,122.38	109.61
TOTAL POLICE-PATROL	1,484,221.35	1,742,196.00	216,648.34	1,687,723.34	54,472.66	96.87
POLICE-CRIME PREVENTION						
PERSONNEL COSTS	82,650.06	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	2,695.04	2,650.00	1,037.38	2,251.35	388.65	85.33
MAINTENANCE & REPAIRS	447.01	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	972.37	900.00	0.00	773.94	126.06	85.99
OTHER CHARGES	613.85	1,150.00	71.00	877.31	272.69	76.29
TOTAL POLICE-CRIME PREVENTION	87,388.33	4,700.00	966.38	3,932.60	787.40	83.25
TOTAL POLICE	2,592,259.31	3,437,197.00	335,286.98	2,885,502.78	591,694.22	82.79
FIRE-VOLUNTEER						
00-NON-PROGRAM						
PERSONNEL COSTS	6,177.44	85,959.00	13,177.66	81,579.99	4,379.01	94.91
SUPPLIES & MATERIALS	28,358.03	62,847.00	2,718.55	61,288.50	1,558.50	97.52
MAINTENANCE & REPAIRS	51,838.37	192,561.00	1,872.69	189,923.62	2,637.38	98.63
OCCUPANCY	43,423.35	41,150.00	2,246.79	39,749.90	2,400.10	94.17
CONTRACTUAL SERVICES	28,746.96	21,486.00	88.49	21,483.20	2.80	99.99
OTHER CHARGES	26,247.11	22,764.00	287.28	22,413.56	350.44	98.46
CAPITAL OUTLAY	46,001.00	57,756.00	0.00	57,755.70	0.30	100.00
TOTAL 00-NON-PROGRAM	230,798.26	484,523.00	20,371.46	473,134.47	11,328.53	97.66
TOTAL FIRE-VOLUNTEER	230,798.26	484,523.00	20,371.46	473,134.47	11,328.53	97.66
MUNICIPAL COURT						
00-NON-PROGRAM						
PERSONNEL COSTS	299,477.09	221,530.00	29,354.08	222,606.93	4,923.07	97.84
SUPPLIES & MATERIALS	9,909.82	11,250.00	644.71	8,639.10	2,610.90	76.79
MAINTENANCE & REPAIRS	13,601.95	9,300.00	256.51	8,282.53	1,017.47	89.06
OCCUPANCY	10,200.42	10,310.00	681.36	8,838.88	1,471.12	85.73
CONTRACTUAL SERVICES	50,516.84	36,250.00	3,699.27	31,584.55	4,665.45	87.13

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR	CURRENT	M-F-D	Y-T-D	BUDGET	% OF
	Y-E-D	BUDGET	ACTUAL	ACTUAL	BALANCE	BUDGET
OTHER CHARGES	7,093.29	6,800.00	496.86	5,543.61	1,256.39	81.52
TOTAL 00-NON-PROGRAM	390,799.41	301,440.00	35,132.79	285,495.60	15,944.40	94.71
TOTAL MUNICIPAL COURT	390,799.41	301,440.00	35,132.79	285,495.60	15,944.40	94.71
PLANNING & DEVELOPMENT						
00-NON-PROGRAM						
PERSONNEL COSTS	467,399.48	497,558.00	66,899.13	495,636.08	2,041.92	99.59
SUPPLIES & MATERIALS	15,223.70	12,445.00	3,625.49	10,460.63	1,994.37	84.05
MAINTENANCE & REPAIRS	451.92	3,666.00	18.00	3,153.10	512.90	86.01
OCCUPANCY	11,114.89	10,800.00	796.18	9,870.75	929.25	91.40
CONTRACTUAL SERVICES	171,759.64	308,000.00	81,533.21	334,100.24	26,100.24	108.47
OTHER CHARGES	41,686.34	51,297.00	1,842.29	42,952.67	8,344.33	83.73
CAPITAL OUTLAY	0.00	73,000.00	27,893.75	27,893.75	45,106.25	38.21
TOTAL 00-NON-PROGRAM	707,635.47	956,866.00	182,808.11	924,047.22	32,818.78	98.57
TOTAL PLANNING & DEVELOPMENT	707,635.47	956,866.00	182,808.11	924,047.22	32,818.78	98.57
PUBLIC WORKS						
ADMINISTRATION						
PERSONNEL COSTS	647,543.86	683,850.00	69,809.35	616,607.32	67,242.68	90.17
SUPPLIES & MATERIALS	81,402.98	82,827.00	8,027.14	78,995.26	3,831.74	95.37
MAINTENANCE & REPAIRS	50,109.40	459,511.00	14,752.70	165,368.56	293,943.44	36.03
OCCUPANCY	11,114.16	14,016.00	742.12	11,152.12	2,857.88	79.60
CONTRACTUAL SERVICES	51,046.34	130,146.00	9,142.38	60,599.03	69,546.97	46.56
OTHER CHARGES	6,203.10	11,600.00	214.61	8,690.59	2,909.41	74.92
CAPITAL OUTLAY	155,000.00	425,700.00	50.78	358,757.60	266,942.40	37.29
TOTAL ADMINISTRATION	1,002,419.84	1,807,645.00	102,739.36	1,100,370.48	707,274.52	60.87
RECREATION						
CONTRACTUAL SERVICES	40,049.00	42,500.00	0.00	29,625.00	12,875.00	69.71
TOTAL RECREATION	40,049.00	42,500.00	0.00	29,625.00	12,875.00	69.71
PARKS						
PERSONNEL COSTS	443,946.73	546,885.00	80,201.34	552,508.58	4,376.42	99.21
SUPPLIES & MATERIALS	34,124.88	41,168.00	4,694.17	35,439.45	5,728.55	86.08
MAINTENANCE & REPAIRS	56,003.73	85,446.00	6,498.71	70,490.50	14,955.50	82.50
OCCUPANCY	65,093.64	56,340.00	6,361.81	63,348.88	6,408.88	111.26
CONTRACTUAL SERVICES	20,275.91	25,310.00	1,952.96	22,237.29	3,072.72	87.86
OTHER CHARGES	6,548.48	11,431.00	621.72	8,766.36	2,666.64	76.67
CAPITAL OUTLAY	61,447.31	388,000.00	30,804.00	286,094.78	101,905.22	73.74
TOTAL PARKS	697,440.68	1,165,180.00	131,134.71	1,036,883.84	126,296.16	98.16

101-GENERAL FUND

EXPENDITURES	Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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BUILDING MAINTENANCE	151,423.40	160,781.00	21,719.16	151,801.73	6,979.27	94.42
PERSONNEL COSTS	113,663.71	14,764.00	2,612.07	16,349.98	1,584.98	110.74
SUPPLIES & MATERIALS	913.97	1,825.00	1,104.68	2,105.47	280.47	115.37
MAINTENANCE & REPAIRS	458.26	964.00	35.05	414.64	549.36	43.01
OCCUPANCY	1,358.62	1,600.00	115.50	1,534.78	65.22	95.92
CONTRACTUAL SERVICES	365.56	(32,323.00)	2,712.84	32,323.21	0.21	100.00
OTHER CHARGES	0.00	30,000.00	0.00	0.00	30,000.00	0.00
CAPITAL OUTLAY	168,184.52	177,611.00	22,873.62	139,892.39	37,728.61	78.76
TOTAL BUILDING MAINTENANCE	1,898,094.04	3,192,936.00	256,747.69	2,308,761.71	884,174.29	72.31
TOTAL PUBLIC WORKS						
LIBRARY						

00-NON-PROGRAM	501,334.11	533,514.00	66,746.57	543,632.11	(10,118.11)	101.90
PERSONNEL COSTS	63,046.91	58,771.00	2,917.37	58,806.85	35.85	300.06
SUPPLIES & MATERIALS	16,053.52	16,018.00	1,328.12	14,604.98	1,413.02	91.18
MAINTENANCE & REPAIRS	42,997.87	42,224.00	2,921.49	37,186.42	5,037.58	88.07
OCCUPANCY	16,435.40	23,115.00	2,792.00	21,949.20	1,165.80	94.96
CONTRACTUAL SERVICES	9,614.66	11,461.00	355.87	10,058.44	1,402.56	87.76
OTHER CHARGES	0.00	88,000.00	0.00	0.00	88,000.00	0.00
CAPITAL OUTLAY	651,082.49	773,103.00	79,061.42	686,238.00	86,865.00	88.76
TOTAL 00-NON-PROGRAM	651,082.49	773,103.00	79,061.42	686,238.00	86,865.00	88.76
TOTAL LIBRARY						
BDC ADMINISTRATION						
00-NON-PROGRAM						
TOTAL						

*** TOTAL EXPENSES *** 10,499,029.76 12,750,589.56 1,538,079.32 11,416,914.07 1,331,675.49 89.54

REVENUES OVER/(UNDER) EXPENDITURES (873,133.81) (3,095,866.56) (937,647.86) (1,738,182.82) (1,357,683.74) 56.15

*** END OF REPORT ***

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	Y-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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CHANGES FOR SERVICES

TOTAL

WATER REVENUES						
00-00-4101 WATER SALES-RESIDENTIAL	1,332,856.09	1,362,500.00	127,642.90	1,395,753.48	33,253.48	102.44
00-00-4102 WATER SALES-COMMERCIAL	1,162,132.55	1,100,900.00	122,077.06	1,313,741.14	212,841.14	119.33
00-00-4150 PENALTIES	34,277.00	32,700.00	2,870.72	33,160.97	460.97	101.61
00-00-4152 WATER TAPPING FEES	9,850.00	5,000.00	5,400.00	11,900.00	6,900.00	238.00
00-00-4154 WATER SERVICE FEES	21,105.00	22,000.00	1,495.00	16,365.00	5,635.00	74.39
00-00-4156 OTHER	300.00	0.00	0.00	1,127.68	1,127.68	0.00
TOTAL WATER REVENUES	2,560,320.64	2,523,100.00	259,483.68	2,772,048.27	248,948.27	109.87

WASTEWATER REVENUES						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	888,404.01	904,700.00	82,057.48	943,134.00	38,434.00	104.25
00-00-4202 WASTEWATER SALES-COMMERCIAL	705,928.58	686,700.00	62,990.75	752,552.58	65,852.58	109.58
00-00-4250 PENALTIES	25,004.41	23,980.00	1,980.42	22,849.01	1,130.15	95.29
00-00-4252 SEWER TAPPING FEES	2,250.00	2,000.00	4,800.00	9,775.00	7,775.00	488.75
00-00-4256 OTHER	560.00	5,000.00	0.00	450.00	4,550.00	9.00
TOTAL WASTEWATER REVENUES	1,622,147.10	1,622,380.00	151,808.55	1,728,763.39	106,381.39	106.56

OTHER REVENUE

TOTAL

INTEREST INCOME						
00-00-4400 INTEREST RECEIPTS	3,631.77	3,000.00	2,038.09	20,825.77	17,825.77	694.19
TOTAL INTEREST INCOME	3,631.77	3,000.00	2,038.09	20,825.77	17,825.77	694.19

INTERGOVERNMENTAL

TOTAL

MISCELLANEOUS

00-00-4512 SALE OF FIXED ASSETS	9,541.00	0.00	0.00	0.00	0.00	0.00
00-00-4519 BACKFLOW TESTING COST	3,400.00	3,000.00	200.00	7,400.00	4,400.00	246.67
00-00-4547 BY THE WAY CAMPGROUND	22,527.01	22,000.00	4,340.38	25,919.34	3,919.33	117.82
00-00-4548 LCRA/WCID	96,925.65	85,000.00	10,341.95	125,201.02	40,201.02	147.30
TOTAL MISCELLANEOUS	132,393.66	110,000.00	14,882.33	158,520.35	48,520.35	144.11

TRANSFERS-IN

00-00-4732 TRANS IN - IMPACT FUND #303	0.00	0.00	0.00	246,683.55	246,683.55	0.00
00-00-4737 TRANS IN - FUND #725	0.00	0.00	0.00	37,026.59	37,026.59	0.00
TOTAL TRANSFERS-IN	0.00	0.00	0.00	283,710.14	283,710.14	0.00

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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OTHER SOURCES						
00-00-4810 INSURANCE PROCEEDS	0.00	0.00	0.00	441.85	441.85)	0.00
TOTAL OTHER SOURCES	0.00	0.00	0.00	441.85	441.85)	0.00

** TOTAL REVENUE **	4,318,493.17	4,258,480.00	428,214.75	4,964,307.77	(705,827.77)	316.57
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202-WATER/WASTEWATER FUND

EXPENDITURES	Y-T-D	PRIOR	CURRENT	M-T-D	Y-T-D	BUDGET	BALANCE	% OF
			BUDGET	ACTUAL	ACTUAL			BUDGET

NON-DEPARTMENT

00-NON-PROGRAM								
TOTAL								

WATER/WASTEWATER DEPT.

ADMINISTRATION	704,459.24	890,111.00	123,265.39	859,148.69	30,962.31	96.52
PERSONNEL COSTS	33,785.52	45,860.98	1,970.74	41,863.47	4,096.51	91.09
SUPPLIES & MATERIALS	10,382.57	16,930.00	781.84	11,174.65	5,755.35	66.01
MAINTENANCE & REPAIRS	20,798.00	23,470.00	1,380.38	18,172.30	5,297.70	77.43
OCCUPANCY	782,221.44	609,560.00	48,977.63	636,490.34	(26,930.34)	104.42
CONTRACTUAL SERVICES	49,264.59	33,500.00	7,156.66	46,138.18	(2,638.18)	137.73
OTHER CHARGES	0.00	10,000.00	0.00	0.00	10,000.00	0.00
CONTINGENCY	1,237,614.03	1,460,311.00	123,471.90	1,443,611.59	16,699.41	98.86
DEER SERVICE	0.00	275,000.00	0.00	275,000.00	0.00	100.00
TRANSFERS OUT	2,929,335.39	3,364,842.00	292,691.22	3,331,599.22	33,242.78	99.01
TOTAL ADMINISTRATION						

W/MW DISTRIBUT/COLLECT

SUPPLIES & MATERIALS	43,208.11	22,800.00	9,073.81	31,430.58	(8,630.56)	137.85
MAINTENANCE & REPAIRS	41,053.53	101,900.00	7,031.61	105,107.91	(3,207.91)	103.15
CONTRACTUAL SERVICES	9,039.95	5,340.00	283.15	4,730.55	609.45	88.59
OTHER CHARGES	1,271.70	1,500.00	0.00	752.15	747.85	50.14
CAPITAL OUTLAY	0.00	2,300,000.00	0.00	0.00	2,300,000.00	0.00
TOTAL W/MW DISTRIBUT/COLLECT	98,573.35	2,431,540.00	16,386.57	142,021.19	2,289,518.81	5.84

WATER PRODUCTION/TREAT

SUPPLIES & MATERIALS	34,680.84	32,500.00	1,745.72	33,078.25	(576.25)	101.78
MAINTENANCE & REPAIRS	82,320.65	274,212.00	26,927.20	269,844.12	4,367.88	98.41
OCCUPANCY	131,037.31	116,000.00	8,182.85	108,002.47	7,997.53	93.11
CONTRACTUAL SERVICES	106,849.26	128,750.00	24,604.00	126,699.79	2,050.21	98.41
CAPITAL OUTLAY	0.00	0.00	2,820.58	2,820.58	(0.00)	0.00
TOTAL WATER PRODUCTION/TREAT	354,888.07	551,462.00	64,280.35	540,445.21	11,016.79	98.00

WM TREATMENT PLANT

SUPPLIES & MATERIALS	30,414.97	29,950.00	2,572.85	27,637.24	2,712.76	92.95
MAINTENANCE & REPAIRS	146,552.70	209,800.00	19,610.52	162,323.44	47,476.56	77.37
OCCUPANCY	162,674.78	150,000.00	9,329.83	156,299.06	6,375.72	104.20
CONTRACTUAL SERVICES	62,946.54	77,000.00	6,533.00	55,557.11	21,442.89	72.15
CAPITAL OUTLAY	0.00	145,682.00	50,000.00	143,400.00	2,282.00	98.43
TOTAL WM TREATMENT PLANT	402,588.99	612,442.00	89,046.20	545,416.85	67,025.15	89.06
TOTAL WATER/WASTEWATER DEPT.	3,575,590.80	6,960,286.00	461,386.34	4,559,482.47	2,400,803.53	65.51

TOTAL EXPENSES

TOTAL EXPENSES	3,575,590.80	6,960,286.00	461,386.34	4,559,482.47	2,400,803.53	65.51
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FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-F-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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REVENUES OVER/(UNDER) EXPENDITURES	642,902.37	(2,701,806.00)	(33,171.59)	404,825.30	(3,106,631.30)	14.98-
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*** END OF REPORT ***

FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

501-HOTEL/HOTEL TAX FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	H-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	BUDGET BUDGET
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TAXES & PENALTIES						
00-00-4007 HOTEL/HOTEL TAX RECEIPTS	2,850,061.97	2,800,000.00	9,608.59)	2,521,244.76	278,755.24	90.04
TOTAL TAXES & PENALTIES	2,850,061.97	2,800,000.00	9,608.59)	2,521,244.76	278,755.24	90.04

INTEREST INCOME						
00-00-4400 INTEREST EARNED	1,905.45	1,500.00	934.23	8,242.37	6,742.37)	549.49
TOTAL INTEREST INCOME	1,905.45	1,500.00	934.23	8,242.37	6,742.37)	549.49

MISCELLANEOUS						
00-00-4514 MISCELLANEOUS INCOME	152.81	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	152.81	0.00	0.00	0.00	0.00	0.00

** TOTAL REVENUE **	2,852,120.23	2,801,500.00	8,674.36)	2,529,487.13	272,012.87	90.29
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FINANCIAL STATEMENT
AS OF: SEPTEMBER 30TH, 2016

501-HOTEL/MOTEL TAX FUND

EXPENDITURES	Y-T-D	PRETOR	CURRENT	M-T-D	Y-T-D	BUDGET	BALANCE	% OF
			BUDGET	ACTUAL	ACTUAL			BUDGET

NON-DEPARTMENT

00-NON-PROGRAM								
TOTAL								
TOTAL								

HOTEL/MOTEL TAX FUND

00-NON-PROGRAM								
CONTRACTUAL SERVICES	1,474,888.96	1,160,619.00	0.00	1,029,007.02	135,611.98	88.32		
OTHER CHARGES	26,175.77	62,274.00	0.00	24,455.62	37,818.38	39.27		
TRANSFERS OUT	1,484,039.06	1,455,813.00	113,567.75	1,455,813.00	0.00	100.00		
TOTAL 00-NON-PROGRAM	2,985,103.73	2,678,706.00	113,567.75	2,509,275.64	173,430.36	93.53		
TOTAL HOTEL/MOTEL TAX FUND	2,985,103.73	2,678,706.00	113,567.75	2,509,275.64	173,430.36	93.53		

*** TOTAL EXPENSES ***	2,985,103.73	2,678,706.00	113,567.75	2,509,275.64	173,430.36	93.53		
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REVENUES OTHER/(UNDER) EXPENDITURES	(132,983.50)	122,794.00	(122,242.11)	24,211.49	98,582.51	19.72		
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*** END OF REPORT ***

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. Agenda Item: **FIRST READING OF AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview)

This budget amendment to the FY15-16 budget is required due to unforeseen expenses during the year. In the General Fund amendment, we were able to find some budget savings and therefore not impacting the fund balance.

4. Attachments: Yes X No

5. Motion Requested: Motion that we approve the budget amendment for FY15-16 budget as presented.

ORDINANCE NO. 2016-31

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2016; and,

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

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

That the proposed budget amendments for the Fiscal Year 2016, as submitted to the City Council by the City Manager and which budget amendments are attached hereto as Exhibit "A" is hereby adopted and approved as the amended budget of said city for Fiscal Year 2016; and

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

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

READ and APPROVED on First Reading on the 25 day of October, 2016.

READ and ADOPTED on Second Reading on the 8 day of November, 2016.

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

Exhibit "A"

**City of Bastrop
Memorandum**

TO: Mayor & City Council Members
FROM: Tracy Waldron, Chief Financial Officer
SUBJECT: Ordinance Amending FY 2016 Budget
DATE: October 25, 2016

Recommendation:

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

Background:

The city charter requires that when the budget is amended that the amendment be by ordinance. The budget amendments do, in some funds, increase the budget appropriations for Fiscal Year 2016. Funds included in these amendments are detailed below:

- General Fund includes:
 - Account for insurance proceeds received and increase the budgets for the repairs/purchases were charged
 - Account for increase in Sales Tax collected that directly relates to the payout of sales tax reimbursement through various 380 Agreements
 - To increase the budget for Legal expenses to the projected amount
 - To increase the salary and professional accounts in City Manager budget to cover payout of previous City Manager and the contract rate of Interim City Manager
 - To increase salary account for Information Technology to cover overtime in this department
 - To decrease other accounts through various departments for salary savings or available amounts unspent (see detail on General Fund Budget Amendment)
- Hotel/Motel Fund includes:
 - To increase the transfer to Main St. Program to cover their negative fund balance
- Main Street Fund includes:
 - To increase the revenue transfer from Hotel/Motel Fund to cover the shortfall in fund balance due to salary increases and professional fees unbudgeted for director search

**FY 2016
BUDGET AMENDMENTS
GENERAL FUND**

Fund Balance as of 9-30-15	5,418,094
FY 2016 Budgeted Revenues	10,252,797
FY 2016 Budgeted Appropriations	(11,966,627)
2/2016 Budget Amendments (net)	(3,720)
3/2016 Budget Amendments (net)	(625,000)
4/2016 Budget Amendments (net)	(693,000)
8/2016 Budget Amendments (net)	0
9/2016 Budget Amendments (net)	0
Ending Fund Balance	<u>2,382,544</u>

	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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New Revenues:

Increase
Increase
Increase
Increase

Matching Revenues to Expenditures:

Police	Neutral	19,124	INSURANCE PROCEEDS	101-00-00-4537
Organizational	Neutral	42,000	SALES TAX	101-00-00-4006
	Neutral			

Total Revenues 61,124

Matching Expenditures to Revenues:

Police	Neutral	(19,124)	PATROL VEHICLE	101-09-22-6123
Organizational	Neutral	(42,000)	380 AGREEMENT REIMB SALES TAX	101-02-00-5644

New Expenditures:

Legislative	decrease	8,500	TRAVEL & TRAINING	101-01-00-5605
Organizational	Increase	(240,000)	LEGAL SERVICES	101-02-00-5525
City Manager	Increase	(30,000)	PROFESSIONAL FEES	101-03-00-5505
City Manager	Increase	(30,000)	OPERATIONAL SALARIES-CITY MANAGER	101-03-00-5101
City Secretary	Increase	(1,000)	CODIFICATION OF ORDINANCE	101-04-00-5508
Information Technology	Increase	(4,000)	OPERATIONAL SALARIES-INFO.TECH	101-07-00-5101
Public Works	decrease	67,000	OPERATIONAL SALARIES-PW	101-18-10-5101
Public Works	decrease	69,000	PROF SERVICES	101-18-10-5505
Parks	decrease	49,000	RIVERWALK PROJECT	101-18-19-6137
Building Maint.	decrease	8,000	OPERATIONAL SALARIES-BLDG MAINT	101-18-20-5100
Finance	decrease	10,000	CONTRACTUAL SERVICES	101-05-15-5561
Human Resources	decrease	5,000	OPERATIONAL SALARIES	101-06-00-5101
Police-Code Enforcement	decrease	8,650	CONTRACTUAL SERVICES	101-09-12-5561
Fire	decrease	4,300	OPERATIONAL SALARIES	101-11-00-5101
Public Works	decrease	5,000	VEHICLE MAINT	101-18-10-5340
Public Works	decrease	54,000	BUILDING	101-18-10-6050
Parks	decrease	8,000	LITTLE LEAGUE CAP OUTLAY	101-18-19-6105
Parks	decrease	8,550	CAPITAL OUTLAY/RIVERFRONT	101-18-19-6107

decrease
Total Expenditures (61,124)
Net Change 0

FY 2016
BUDGET AMENDMENTS
HOTEL/MOTEL TAX FUND

Fund Balance as of 9-30-15	2,015,833
FY 2016 Budgeted Revenues	2,801,500
FY 2016 Budgeted Appropriations	(2,517,706)
02/2016 Budget Amendments (net)	(93,000)
9/2016 Budget Amendments (net)	(30,968)
Ending Fund Balance	<u>2,175,659</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
New Expenditures:				
	Increase	(30,968)	Trans Out-Main St Program	501-80-00-8124
	Total Expense	<u>(30,968)</u>		
	Net Change	(30,968)		

FY 2016
BUDGET AMENDMENTS
MAINT STREET PROGRAM

Proj Fund Balance 9/30/15	1,506	<i>(project for ending 9/30/15 was 21,639)</i>
FY 2016 Budgeted Revenues	125,300	
FY 2016 Budgeted Appropriations	(149,939)	
9/2016 Budget Amendments (net)	<u>23,133</u>	
Ending Fund Balance	<u><u>0</u></u>	

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
New Revenues:				
	Increase	30,968	Transfer-In Hotel #501	503-00-00-4717
	Increase	<u>2,000</u>	Main St. Program Donations	503-00-00-4504
	Total Revenues	<u>32,968</u>		
New Expenditures:				
	Increase	(9,835)	Professional Services	503-00-00-5505
	Total Expense	<u>(9,835)</u>		
	Net Change	23,133		

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: 10/18/16

MEETING DATE: 10/25/16

1. Agenda Item: **FIRST READING OF AN ORDINANCE ADDING ARTICLE A1.18 “FILMING AND BROADCASTING”, TO CHAPTER 1 OF THE BASTROP CITY CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; ESTABLISHING A FEE SCHEDULE IN APPENDIX A SEC. A1.18; AND PROVIDING AN EFFECTIVE DATE. THIS WILL CREATE THE DEPARTMENT OF FILMING/BROADCASTING AND ESTABLISH THE FEES FOR THE SERVICES PROVIDED.**

2. Party Making Request: Andres Rosales, Director of Information Technology

3. Nature of Request: (Brief Overview)

This ordinance establishes the Filming/Broadcasting department that was funded in the FY16-17 budget. The services will be offered to local governments and businesses. This ordinance also establishes the fee schedule that will be used when invoicing for these services to the community.

4. Attachments: Yes X No

5. Motion Requested: Motion to approve the ordinance establishing the filming/broadcasting department and the rate schedule presented.

ORDINANCE NO. 2016-32

AN ORDINANCE ADDING ARTICLE A1.18 “FILMING AND BROADCASTING”, TO CHAPTER 1 OF THE BASTROP CITY CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; ESTABLISHING A FEE SCHEDULE IN APPENDIX A SEC. A1.18; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop recently assumed the operations of the Public Education Government channel “BTXN”; and

WHEREAS, the City Information Technology department has been producing spots to broadcast on the channel for internal departments and also external organizations, businesses, etc. for providing Public Service Announcements, and live streaming of City Council meetings; and

WHEREAS, the need to create a separate department to track these costs associated with producing and broadcasting for BTXN; and

WHEREAS, the need for City of Bastrop to establish rates for services provided to outside entities for production, editing and broadcasting services provided by City of Bastrop,

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

PART 1: That Chapter 1, Article A1.18 “Filming and Broadcasting” is hereby added to the City of Bastrop Code of Ordinances to read as follows:

Sec. A1.18 Filming and Broadcasting

Sec. A1.18.001 – Department Established

The City of Bastrop hereby establishes the department of “Filming and Broadcasting”, of the City.

Sec. A1.18.002 - Purpose & Duties

- (a) To produce video content for various departments to provide the citizens of Bastrop with information, news, government transparency through coverage of the City meetings, emergency alerts, and other programming that will promote, document, and celebrate the Bastrop community. This includes broadcasting on our Public Access Channel and other social media outlets. Our in-house services and production capabilities are available to local individuals, non-profits, government agencies, and business for reasonable fees.

PART 2: That the following section of the Fee Schedule in Appendix “A” of the Bastrop Code of Ordinances is added to read as follows:

Sec. A1.18.002

(a) BTXN FIELD PRODUCTION RATES

Studio Production Flat Rates per Shoot (3-hour min)

Preproduction (crew coordination, call sheet, and one meeting)	\$35
Raw Show Transfer	\$20*
Administration Charge	12% of total bill

* No charge if BTXN is editing

Requires approximately ½ hour each for set-up and breakdown

(b) BTXN STUDIO PRODUCTION RATES

BTXN Crew Member Studio Production Rates per Hour (2-hour min.)

Producer	\$50
Director/Technical Director	\$35
Audio Technician	\$35
Floor Manager	\$30
Camera Operator	\$30
Graphics and CG Technician/Teleprompter Operator	\$30
Audio Assistant	\$25
Production Assistant	\$20

Requires approximately ½ hour each for set-up and breakdown;

(c) BTXN STUDIO EDITING RATES

BTXN Studio Editing Rates per Hour (2-hour min.)

Editor	\$40
Graphics/audio mix/color correct	\$50

2-hour minimum

(d) BTXN STUDIO MISC RATES

Additional DVDs (first no charge with editing time)	\$15
Additional Video Files (one full quality high resolution file included with editing time)	\$15
Additional ½ Hour Editor Review Session (first one included with editing time)	\$20

PART 3: This Ordinance shall take effect upon the date of final passage noted below in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

PASSED AND ACCEPTED on FIRST READING on the 25th day of October, 2016

PASSED AND APPROVED on SECOND READING on the 8th day of November, 2016

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 11, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING REPLACEMENT OF THE FLAT AREAS OF THE LIBRARY’S ROOF. RECOMMENDATION THAT A CONTRACT BE AWARDED TO GARLAND / DBS, INC. OF CLEVELAND, OHIO FOR \$98,811.00 TO REPLACE THE FLAT AREAS OF THE LIBRARY ROOF. THE GARLAND COMPANY IS THE MANUFACTURER OF THE ROOFING MATERIAL. GARLAND WILL BE RESPONSIBLE FOR THE WORK WHICH WILL BE CARRIED OUT BY A SUBCONTRACTOR, Q.A. CONSTRUCTION SERVICES. PRICING HAS BEEN ESTABLISHED THROUGH A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH COBB COUNTY, GEORGIA AND U.S. COMMUNITIES, A COOP OF LOCAL GOVERNMENTS. THE ROOF REPAIRS WERE INCLUDED IN THE 2015/2016 BUDGET AT \$88,000. THE PROJECT HAS BEEN CARRIED FORWARD AND WILL BE SUPPLEMENTED FROM THE 2016/2017 BUDGET. THE TEN-YEAR OLD ROOF HAS DEVELOPED SIGNIFICANT LEAKS THAT CANNOT BE CORRECTED BY PATCHING. THE NEW ROOF WILL HAVE A 15 YEAR WARRANTY AS TO MATERIALS AND WORKMANSHIP WHICH CAN BE EXTENDED TO 30 YEARS IF CERTAIN CONDITIONS ARE MET.**

2. Party Making Request: Library Director, Mickey DuVall

3. Nature of Request: (Brief Overview)

The flat areas of the Library’s roof have begun to leak in a number of places.

4. Attachments: Yes X No _____

5. Motion Requested Approval of replacement of the flat areas of the Library’s roof.

CONTRACT FOR JOB #25-TX-160822

BETWEEN THE CITY OF BASTROP AND GARLAND/DBS, INC. FOR REPLACEMENT OF THE BASTROP PUBLIC LIBRARY ROOF.

- 1.) This CONTRACT is made at Cuyahoga County as of October 10th, 2016, ("Effective Date"), by and between The City of Bastrop located at 1100 Church St., Bastrop, TX 78602 (hereinafter designated the "CUSTOMER"), and Garland/DBS, Inc., located at 3800 East 91st Street Cleveland, OH 44105 (hereinafter designated the "CONTRACTOR").
- 2.) The CONTRACTOR shall furnish all material, labor, equipment, and tools necessary for the Roof Replacement located at 1100 Church St., Bastrop, TX 78602, as well as all work incidental and pertinent thereto, (hereinafter designated the "Project") all in accordance with the original proposal # 25-TX-160822 dated 9/26/2016 submitted by the CONTRACTOR (hereinafter together designated the "Specifications"), a copy of which is attached hereto as Exhibit A and incorporated herein. In the event of any conflict, ambiguity, or inconsistency between the terms contained in this CONTRACT and the Exhibits, the terms set forth in this CONTRACT shall govern and control.
- 3.) The term of the CONTRACT shall begin on the Effective Date first written above, and shall be completed 180 days thereafter, unless sooner terminated as permitted herein, or unless extended by agreement of the parties set forth in writing. The work shall commence within ten (10) days from the date that CONTRACTOR receives a copy or original of the fully executed CONTRACT, which receipt shall be considered Notice to Proceed. The project is scheduled to begin on November 2nd, 2016 and will be completed by December 19th, 2016. The CONTRACTOR is required to submit to the CUSTOMER a Certificate of Insurance and Performance and Payment bonds prior to commencing work. In addition, the work shall be scheduled as agreed upon by the parties.
- 4.) The sums to be paid to the CONTRACTOR shall be at the bid price(s) shown on the Specifications (Exhibit A), and the total to be paid to CONTRACTOR shall be a maximum of \$99,811.00 (Base Bid and Alternate #1), as set forth in the purchase order and Exhibit A. Invoices shall provide details of all Project expenses as permitted in this CONTRACT. CONTRACTOR shall apply no late charges, interest or penalties to any invoice or charges for services until 30 days from the CUSTOMER receipt of the invoice. If this CONTRACT is terminated for convenience for any reason, then the CONTRACTOR shall be paid pro rata for all services performed, materials purchased, and administrative costs incurred, including lost profit, to the effective date of termination.
- 5.) If the CUSTOMER wishes to terminate the CONTRACTOR for cause due to the failure of CONTRACTOR to perform as required under this CONTRACT and/or in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances, then the CUSTOMER must provide the CONTRACTOR with written notice of said failure to perform. The

CUSTOMER must give ten (10) working days from the CONTRACTOR's receipt of the Notice to Cure for the CONTRACTOR to cure or take reasonable action to commence to cure the performance concerns specified. If the CONTRACTOR does not take appropriate action within the ten (10) day period, the CUSTOMER may issue a Final Notice to Cure. The CONTRACTOR will have an additional five (5) working days from the receipt of the

Notice to Cure to cure or take reasonable action to commence to cure before the CUSTOMER can terminate the CONTRACT. If the CONTRACTOR is terminated for cause, the CUSTOMER may provide or employ any necessary labor and materials in lieu of CONTRACTOR to finish part or all of the work under the CONTRACT or to supplement the work of CONTRACTOR, and to deduct the cost thereof from any money, then due or thereafter to become due to the CONTRACTOR; and if such cost shall exceed the balance due to CONTRACTOR, then the CONTRACTOR shall pay the difference to the CUSTOMER.

- 6.) CUSTOMER may issue subsequent modifications to the Purchase Order(s) for additional work that was not known or included in the Specifications that is found to be needed during the work on the Project to complete the Project over and above the amount set forth in this paragraph four (4) and in Exhibit A. CONTRACTOR must seek approval from the CUSTOMER before performing any additional work. The CUSTOMER must provide the CONTRACTOR written documentation of the modification to the Purchase Order within three (3) business days of verbal approval. CONTRACTOR is not obligated to perform additional work until written modification has been received from the CUSTOMER, but may commence work based upon a reasonable assumption that written modification will be issued. Incidental additional work performed by the CONTRACTOR without CUSTOMER consent will be evaluated and considered for payment based upon the work's merit. If the CUSTOMER determines the incidental additional work was not included in the original scope of the project and required for the CONTRACTOR's uninterrupted performance in fulfillment of the contract, then the CUSTOMER will approve the CONTRACTOR's request for payment for incidental additional work.
- 7.) All the work done under this CONTRACT shall be performed under the oversight of Mickey DuVall, the CUSTOMER'S representative. This does not exclude inspections by a City Building Official when appropriate. All notices hereunder shall be (a) in writing; (b) delivered to the representatives of the parties at the addressees set forth in the Specifications, unless changed by either party by notice to the other party; and (c) effective upon receipt.
- 8.) The CONTRACTOR shall furnish the CUSTOMER with a performance or contract bond

and a labor and material bond, each in the amount of \$99,811.00 a Certificate of Workers' Compensation, and a Certificate of Insurance evidential of comprehensive general liability insurance and property insurance with minimum coverage in amounts reasonable to or exceeding what is normally expected for a comparable project in size and scope. Further, said Certificate of Insurance shall name The City of Bastrop, as an additional insured. Said Certificate of Insurance shall also provide that at least thirty (30) days written notice shall be given to the CUSTOMER of any material change in, or cancellation of, said insurance.

- 9.) Should the CONTRACTOR at any time refuse or neglect to supply a sufficiency of properly skilled workers or materials of the proper quality, or fail in any respect to prosecute the work herein described with promptness and diligence, or fail in the performance of any of the agreements contained herein, the CUSTOMER shall have the right to immediately suspend all work, or any part thereof under this CONTRACT, upon the CUSTOMER's issuance of a stop work notice to the CONTRACTOR and the CONTRACTOR's confirmed receipt of the stop work notice. The work shall continue to be suspended until such time as the CUSTOMER and CONTRACTOR have come to a mutual agreement on how the work under the CONTRACT shall proceed. Should the CONTRACTOR continue to refuse or neglect to supply a sufficiency of properly skilled workers or materials of the proper quality, or fail in any respect to prosecute the work herein described with promptness and diligence, or fail in the performance of any of the agreements contained herein, then the CUSTOMER may, after following the procedures listed in Section 5 above, terminate the CONTRACT for cause.
- 10.) The CONTRACTOR shall indemnify, save harmless, and defend the CUSTOMER from and against all losses, claims, demands, payments, suits, actions, recoveries, and judgments of every nature and description, made, brought, or recovered against the CUSTOMER by reason of any negligent act or omission of the CONTRACTOR, its agents, its subcontractors, or its employees, in the execution of the work herein contracted for.
- 11.) The CONTRACTOR or CUSTOMER has the right to request and be granted a Termination for Convenience from the CONTRACT obligations if there is a joint determination from both the CUSTOMER and the CONTRACTOR that the termination is in the best interests of both parties, or if the CONTRACTOR or CUSTOMER believes the Termination for Convenience to be in its best interests because a timely resolution, within ten (10) days from the CUSTOMER'S receipt of written notification, will not be provided with regard to requests for information (RFI), request for clarification, or requests for modification to the Purchase Order(s) due to differing site conditions, vague Specifications, or unforeseen circumstances. Under a Termination for Convenience, the CONTRACTOR or CUSTOMER shall be reimbursed for all justifiable costs including price of supplies, services delivered, and administrative expenses, including lost profit under the CONTRACT or Purchase Order.
- 12.) This CONTRACT shall be deemed to contain all the terms and conditions agreed to between the parties, who both agree that no representations or promises of any kind whatsoever have been made other than herein contained, and this CONTRACT shall be binding upon both parties and their respective heirs, administrators, executors, successors, and assigns.
- 13.) This CONTRACT is contingent upon receipt of a written purchase order from CUSTOMER. All terms must be agreed upon by both parties.
- 14.) CUSTOMER shall have the right to approve all subcontracts or assignments of work equal to or exceeding \$10,000. CUSTOMER shall not unreasonably withhold, delay or condition subcontracting or assignments, but may express final and binding disapproval of a proposed assignee or subcontractor. Should the CONTRACTOR be forced to choose a different subcontractor/assignee that is of higher cost than the initial subcontractor/assignee, due to the CUSTOMER's disapproval, the CONTRACTOR shall

be able to request and will receive approval from the CUSTOMER for a modification to the CONTRACT to cover the additional cost. CONTRACTOR shall remain responsible for the work of any agent or independent contractor to whom it assigns its Work, and any assignment or subcontract shall incorporate the terms of this Contract into its contract delegating its Work.

- 15.) If the Project involves construction of a public improvement at a cost exceeding the threshold for payment prevailing wage rates of pay, each laborer, workman or mechanic employed by the CONTRACTOR for performance of the Project herein described or by the subcontractor shall be paid not less than the minimum rate of pay for the applicable pay classification. The CONTRACTOR and their subcontractors who are subject to the requirements of paying prevailing wages shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. The CONTRACTOR and its subcontractors shall deliver to the CUSTOMER a certified copy of their respective payrolls, within two weeks of the CUSTOMER's request, for each pay period requested by the CUSTOMER.
- 16.) Payments to the CONTRACTOR shall be made at the rate of ninety-five percent (95%) of the approved partial payment estimate for each monthly progress billing. The CUSTOMER will retain five percent (5%) of every approved partial payment. The retained amount will be paid to the CONTRACTOR no later than thirty (30) days following Final Acceptance of the work. Upon completion and acceptance of the work, the CUSTOMER shall issue a certificate attached to the final payment request that the work has been accepted by it under the terms, promises and conditions of the CONTRACT.
- 17.) CONTRACTOR has been employed under this Contract as an independent contractor in order to construct its portion of the Project. CONTRACTOR agrees that no authority has been conferred upon it by CUSTOMER to hire any person(s) on behalf of CUSTOMER, and CUSTOMER undertakes no obligation of any sort to CONTRACTOR's employees or subcontractors. It is understood and agreed that the CONTRACTOR shall select, engage, and discharge its employees, agents, or servants and otherwise direct and control their services. CONTRACTOR will also comply with all laws concerning qualification to do business and engage in the work involved under this CONTRACT and will file all returns and reports required of it and pay all taxes and contributions imposed upon it.
- 18.) CONTRACTOR agrees not to discriminate against any employee or applicant for employment because of age, race, color, religion, sex, or national origin.
- 19.) The CUSTOMER shall not be considered to have accepted possession of the work under this CONTRACT until a notice of completion is issued to the CONTRACTOR by the CUSTOMER or CUSTOMER's representative, or payment of the full CONTRACT compensation is received by the CONTRACTOR, unless the Parties otherwise mutually agree.
- 20.) CONTRACTOR, at all times during its performance of its work under this CONTRACT, shall keep the work site, grounds, and roof tops surrounding the work site free from accumulation of waste materials or rubbish caused by its activities. Upon completion of the work under this CONTRACT, the CONTRACTOR shall promptly remove all its waste materials and rubbish from and about the work site, as well as, its

tools, construction equipment, machinery, and surplus materials, as to leave the work site "Broom Clean" or its equivalent. Damaged sod caused by construction operations will be replaced and lawn left as originally found.

- 21.) The law is hereby agreed to be the law of the State where the Project is situated. The parties agree that the proper venue for action, suit, or other litigation arising under this agreement shall lie in the courts of Bastrop County, Texas. In the event legal action is instituted to enforce this agreement, each party agrees to bear its own attorney fees and costs while waiving the right to collect attorney fees and costs from the opposing party. Each party also agrees to waive its right to have any pending action or trial heard by a jury.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, authorized representatives of each party to this CONTRACT, indicating their party's approval of the terms herein, have signed as of the dates set forth below.

WITNESSES:

- 1. _____
- 2. _____

GARLAND/DBS, INC.

By: _____

Printed Name

Title

Tax ID. No. _____

Date: _____

WITNESSES:

- 1. _____
- 2. _____

THE CITY OF BASTROP

By: _____

Date: _____

And

By: _____

Date: _____

Exhibit A



Garland/DBS, Inc.

3800 East 91st Street

Design-Build Solutions, Inc.

Cleveland, OH 44105

Phone: (800) 762-8225

A Subsidiary of Garland Industries, Inc. since 1995

DBS

Fax: (216) 889-2055

ROOFING MATERIAL AND SERVICES PROPOSAL

City of Bastrop

Library Roofing Project

Date Submitted: 9/26/2016

Proposal 25-TX-160822

MICPA # 14-5903

Purchase orders to be made to Garland/DBS, Inc.

Please Note: The following estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Cobb County, GA and U.S. Communities. This estimate should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered a competitive bid process for the project with the hopes of providing a lower market adjusted price whenever possible.

Scope of Work:

- A. The scope of work begins with removing the existing modified membrane cap sheet and roofing plies down to the existing perlite insulation. A new 1/2" Densdeck prime or securrock cover board is to be mechanically fastened over the existing tapered insulation assembly.
- B. The new roofing assembly will consist of one-ply C.I. Viking CIF 80 mil base sheet and one ply of mineral surface Versiply Mineral SBS modified cap sheet installed in Weatherking membrane cold adhesive.
- C. The scope of work includes the complete removal of the roof flashings. The contractor shall not remove more roofing than can be replaced on a daily basis or that can be made watertight by each days end.
- D. All base flashings will consist of one ply of C.I. Viking CIF 80 mil base sheet modified membrane base sheet and one ply of Versiply Mineral surface membrane in Flashing Bond adhesive. Roof membrane to be terminated with new termination bar. All laps in the base flashings shall be sealed with an additional 6" wide strip of specified mineral surfaced membrane.
- E. New metal counter flashing is to be installed at the roof to wall panel transitions.
- F. New coping cap metal is to be installed the two north low slope roof sections. The roof membrane is to extend over top of the wood nailers. The coping cap at the circle roof area is to be saved and reinstalled.

G. The project also includes keeping the existing conductor head and downspouts. New scupper inserts are to be installed.

H. Six new roof drain clamping rings and strainers are to be installed at the roof drain locations.

I. New roof drain sumps are to be installed at the 3 roof drain locations.

J. New hoods are to be installed at pipe boxes next to the HVAC units

K. New roof crickets are to be installed on back side of HVAC units.

L. A new larger roof cricket is to be installed at the scupper location.

M. Condensates are to be installed on new pipe supports

Line Item Pricing - Base Bid

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
2.62	Tear-off & Dispose of Debris: SYSTEM TYPE BUR w/ Mineral Surfacing to the Existing Insulation (Insulation to be Re-Used)	2.19	6600	SF	14,454
4.25	Insulation Recovery Board & Insulations Options: RECOVERY BOARD TYPE 1/2" Treated Gypsum Insulation Board with GlassMat (e.g. DensDeck / Securock / Equal) Installed Over an Existing Roof Mechanically Fastened to Roof Deck - Lightweight / Gypsum Deck	1.50	6600	SF	9,900
12.12.01	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply Modified Base Sheet Adhered in Cold Process Modified Asphalt: BASE PLY OPTION: - ASTM D 6163 SBS Fiberglass Reinforced Modified Bituminous Sheet Material Type I - 70 lbf/in tensile	3.01	6600	SF	19,866

12.32.02	<p>2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply Mineral Surfaced Cap Sheet Adhered in Cold Process Modified Asphalt: ROOFING MEMBRANE OPTION: - ASTM D 6163 SBS Fiberglass Reinforced Modified Bituminous Sheet Material Type III - Minimum of 220 lbf/in tensile</p>	4.69	6600	SF	30,954
20.11.01	<p>RESTORATION OPTIONS: ROOF FLASHINGS FOR MODIFIED & COAL TAR PITCH ROOF SYSTEMS: Minimum 1 Ply of Base Flashing and Mineral Cap Sheet Installed in Hot ASTM D 312 Type III or IV Asphalt:FLASHING OPTION: - BASE PLY: SBS Modified Fiberglass Reinforced Base Flashing Ply w/tensile strength 215 lbf/in tensile/ASTMD</p>	13.66	500	SF	6,830
Sub Total Prior to Multipliers					57,650
22.11	<p>JOB SITE SPECIFIC MULTIPLIERS APPLIED TO EACH LINE ITEM ON ASSOCIATE JOB: MULTIPLIER - LIMITED / OBSTRUCTED / DIFFICULT ROOF ACCESS Multiplier Applied when Access to the Roof is Limited to Specific Entry Points, Equipment & Materials Cannot be Lifted by Crane on the Roof, or Access is Dependent Upon Road Closure</p>				17,295
22.45	<p>JOB SITE SPECIFIC MULTIPLIERS APPLIED TO EACH LINE ITEM ON ASSOCIATE JOB: MULTIPLIER - ROOF SIZE IS GREATER THAN 5,000 SF, BUT LESS THAN 10,000 SF Multiplier Applied when Roof Size is Less than 10,000 SF, but Greater than 5,000 SF Fixed Costs: Equipment, Mobilization, Demobilization, Disposal, & Set-Up Labor are Not Completely Absorbed Across Roof Area</p>				17,295
Sub-Totals After Multipliers					92,240

Base Bid Total Maximum Price of Line Items under the MICPA: \$ 92,240

Base Bid Proposal Price Based Upon Market Experience: \$ 87,802

Competitive Bid Results: Base Bid

Q.A. Construction Services	\$ 87,802
Tri-Lam Roofing and Waterproofing	\$ 133,068

Competitive Bid Results: Add Alternate #1 - Canopy Sections

QA. Construction Services	\$ 12,009
Tri-Lam Roofing and Waterproofing	\$ 1,781

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid through 12/31/2016.

1. Sales and use taxes are excluded. Please issue a Tax Exempt Certificate.
2. Permits are excluded.
3. Bonds are included.
4. Plumbing, Mechanical, Electrical, and Masonry work is excluded.
5. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

Ron Seitz

Ron Seitz
Garland/DBS, Inc. (216)
430-3631
rseitz@garlandind.com

PCL XL Warning

IllegalMediaSize

The Garland Company, Inc.®

Thirty (30) Year High-Performance Built-Up Roofing System No Dollar Limit (NDL)

Warranty

Owner Name: _____	Contractor _____	Name:
Address: _____	Address: _____	
City: _____ State/Zip: _____	City: _____ State/Zip: _____	
Building Name: _____	Products: _____	
Roof ID: _____	Square _____	Footage: _____

MANUFACTURER RESPONSIBILITIES

The Garland Company, Inc. (hereinafter referred to as "Garland"), a Corporation of the State of Ohio, warrants to the above named Owner that the Garland roof system will not leak due to manufacturing defects or defective workmanship by the above mentioned installation contractor. Subject to receipt of proper notice as set forth below and the terms of this Warranty, Garland will pay all authorized costs of repairs to the roofing system necessary to stop any leaks caused by defective materials or workmanship that occur within thirty (30) years from the final completion date. In the event repairs to correct leaks caused by defective materials or workmanship require removal and replacement of the roof system in recover applications, Owner will be responsible for costs associated with the removal and replacement of the original roof system.

APPLICABILITY OF WARRANTY

In order for this Warranty to remain in effect, all repairs, changes, alterations, modifications and/or additions to the roofing system must be authorized in advance in writing by Garland. This Warranty is transferable, subject to Garland's approval of the payment of the transfer fee and applicable maintenance required. This Warranty shall not be applicable if, in the sole judgment of Garland, any of the following shall occur:

- A. The roofing system is damaged by natural disasters including, but not limited to, fire, floods, lightning, hail, earthquakes, wind damage in excess of 90 mph, etc.
- B. The roofing system is damaged by structural movement or failure or movement of any material underlying the roofing system or base flashing.
- C. The roofing system is damaged by acts of negligence, misuse or accidents including, but not limited to, use of roof for other than waterproofing the building, vandalism, civil disobedience or acts of war.
- D. Damage to the roofing system resulting from:
 - 1. Infiltration or condensation of moisture in, through, or around walls, copings, building structure or underlying or surrounding areas.
 - 2. Ponding water, defined as standing water 48 hours after rainfall.
 - 3. Chemical contaminate attacks on the roofing system which have not been approved or accepted by Garland.
 - 4. Defects in engineering or building design or construction.
 - 5. Traffic or storage of materials on roof.
 - 6. Defects in, failure or improper application of the underlying structural material used as a base upon which the roof is applied.
- E. Failure of Owner to properly notify Garland in writing and receive written approval of:
 - 1. Changes in the usage of the building.
 - 2. Modifications or additions to the roofing system.
- F. Failure of Owner to properly maintain the roof according to the High-Performance Roof Care & Maintenance Guide.
- G. Failure of Owner to provide Garland with timely written notice of a claim pursuant to the terms of this Warranty.

LIMITATIONS/EXCLUSIONS

Garland shall not be responsible for damages that occur to real or personal property as a result of leaks, including damage to the structure itself or contents therein. Instead, Garland's sole responsibility pursuant to this Warranty is for costs associated with repairs of leaks caused by defective materials or workmanship set forth above. Garland shall not be liable for any discoloration, cosmetic deterioration or change in the visual appearance of the roofing system or Garland's top coating, or the removal or replacement of any roof top equipment or systems to perform any repairs. Furthermore, Garland shall not be responsible for any incidental or consequential damages caused by leaks in the original roof system, including, but not limited to, loss of use or profits.

EXCEPT AS SET FORTH HEREIN, GARLAND MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

OWNER RESPONSIBILITIES

In the event of a leak, Owner shall provide written notice to Garland within seven (7) days of discovery of the leak and before any repairs are undertaken. The written notice shall be sent to 3800 East 91st Street, Cleveland, OH 44105. Owner, or its agent or representatives shall then provide Garland with adequate access to allow Garland to inspect the leak and roofing system. If it is determined that the roof leak is the direct result of defective materials or workmanship, Garland will perform the repairs required to correct the roof leaks at no cost to Owner. If Garland fails to have the repairs performed



within 72 hours after its inspection, emergency temporary repairs performed by others will not void this Warranty, as long as those repairs are approved by Garland.

To the fullest extent allowed by law, this Warranty shall be construed under and in accordance with the laws of the State of Ohio and any actions or suits to enforce this Warranty shall be brought in the State of Ohio. This Warranty constitutes the sole and exclusive Warranty of the parties hereto and supersedes any prior understandings or written or oral agreements or warranties between the parties respecting the subject matter within. In the event that any one or more of the provisions contained in this Warranty shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Warranty shall be construed as if the invalid, illegal or unenforceable provision had never been contained therein.

WARRANTY CONTINUATION

In the fifteenth (15) year of the Warranty period, Owner must request an inspection of the roof system any time between the sixth and tenth months of the year to determine the appropriate maintenance and surface treatment required for continuation of the Warranty. Upon receipt of such request, Garland will perform an inspection of the roofing system to determine whether any repairs or surface coatings are required to make the roof system eligible for continuation of this Warranty. After such inspection, Garland will submit a detailed inspection report to Owner that identifies the nature and extent of any such repairs and/or surface coatings over the field of the roof required to maintain this Warranty. After the Owner has coated the roof and/or caused any required repairs to be made (at its sole expense and by a contractor approved by Garland) and notifies Garland of the same in writing, this Warranty will remain effective for the remaining 15 years.

WARRANTY ACCEPTANCE: Owner hereby accepts and agrees to the terms and conditions set forth in this Warranty.

Owner: _____

By: _____

Signed By: _____

Title: _____

Date: _____

Date: _____

Ohio 44105

The Garland Company, Inc. | 3800 East 91st Street | Cleveland,

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **RESOLUTION ACCEPTING THE CAMP SWIFT JOINT LAND USE STUDY DOCUMENTS, BACKGROUND REPORT, REPORT, AND EXECUTIVE SUMMARY, ENDORSING AND SUPPORTING THE STRATEGIES DESCRIBED THEREIN THAT ARE INTENDED TO ENCOURAGE COMPATIBILITY OF DEVELOPMENT SURROUNDING CAMP SWIFT, MAXIMIZE CAMP SWIFT'S USEFULNESS TO THE TEXAS ARMY NATIONAL GUARD, AND ENSURE CAMP SWIFT'S LONG-TERM VIABILITY AS A CENTER FOR TRAINING EXCELLENCE.**

2. The Camp Swift Joint Land Use Study was initiated by City of Bastrop in a collaborative effort and partnered with the City of Elgin, Bastrop County, Department of Defense, and Texas Army National Guard. Bastrop received a grant from the Office of Economic Adjustment to conduct a cooperative planning effort that would bring partners together to understand Camp Swift Training Center and identify and address compatibility issues.

3. Party Making Request: Melissa McCollum. Director of Planning and Development

4. Attachments: Yes XX No _____
Slide Show and Executive Summary

5. Motion Requested: Approve Resolution

RESOLUTION NO. R-2016-31

RESOLUTION ACCEPTING THE CAMP SWIFT JOINT LAND USE STUDY (JLUS) DOCUMENTS, BACKGROUND REPORT, JLUS REPORT, AND EXECUTIVE SUMMARY AND ENDORSING AND SUPPORTING THE STRATEGIES DESCRIBED THEREIN THAT ARE INTENDED TO ENCOURAGE COMPATABILITY OF DEVELOPMENT SURROUNDING CAMP SWIFT, MAXIMIZE CAMP SWIFT'S USEFULNESS TO THE TEXAS ARMY NATIONAL GUARD, AND ENSURE CAMP SWIFT'S LONG-TERM VIABILITY AS A CENTER FOR TRAINING EXCELLENCE.

WHEREAS, the Camp Swift Joint Land Use Study (JLUS) is the result of a collaborative planning effort by the City of Bastrop, City of Elgin, and Bastrop County in Texas; and by; Camp Swift Training Center, Texas Army National Guard and representatives of local organizations and agencies; and

WHEREAS, the JLUS is sponsored by the U.S. Department of Defense and the Office of Economic Adjustment with the primary goal to study the development of strategies designed to safeguard the quality of life of residents, the growth and economic development of the community, and the mission of the military installation; and

WHEREAS, Camp Swift has been an integral part of Bastrop's community since World War II and has received over 2.6 million in construction contracts in 2011 alone; and

WHEREAS, the JLUS Report contains recommendations for the implementation of regional goals and local policies intended to promote cooperative and compatible land use planning, minimize the impact of military operations in terms of noise and accident potential on lands in close proximity to Camp Swift, and increase citizen awareness with the Texas Army National Guard training center and military missions; and

WHEREAS, the JLUS Policy Committee and Technical Committee have met numerous times over the past two years and have conducted no less than three public forums in Bastrop, Texas, to give citizens the opportunity to comment on and participate in the JLUS; and

WHEREAS, the JLUS Policy Committee unanimously approved and recommended for adoption by each governing body, the JLUS Report, JLUS Background Report and the JLUS Executive Summary at its July 28, 2016 meeting.

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

The attached Camp Swift Joint Land Use Study, Camp Swift Joint Land Use Study Background Report, and Camp Swift Joint Land Use Study Executive Summary attached hereto are accepted, and the City Council endorses and supports the strategies described therein that are intended to encourage the compatibility of development surrounding Camp Swift, maximize Camp Swift's usefulness to the Texas Army National Guard, and ensure Camp Swift's long term

viability as a center of training excellence.

PASSED AND APPROVED this the 25th day of October, 2016.

ATTEST:

MAYOR

Ann Franklin, City Secretary

Ken Kesselus



Camp Swift Joint Land Use Study



JLUS Resolution Adoption October 25, 2016



Objectives of JLUS Program



Understanding. Increase communication between the military, local jurisdictions, stakeholders, and the public to promote an understanding of the strong economic and physical relationship between the installation and its neighbors.

Collaboration. Promote collaborative planning between the military, local jurisdictions, and stakeholders to ensure a consistent approach in addressing compatibility.

Actions. Develop and apply recommended options for reducing the impacts of existing and future incompatible activities on the community and military operations.

Camp Swift JLUUS Approach



- ✓ Data collection
- ✓ Stakeholder interviews
- ✓ Identification of preliminary compatibility issues
- ✓ Assessment and prioritization of compatibility issues
- ✓ Identification of areas of concern
- ✓ Review and assessment of current processes and tools
- ✓ Develop appropriate recommended options
- ✓ Develop Draft JLUUS document
- ✓ Public Review (*June 3rd – July 8th*)
 - ✓ Received no public comments
- ✓ Accept Final JLUUS documents – **July 28, 2016**

Public Involvement Opportunities

Public input is crucial to the success of the Camp Swift JLUUS Process and Follow-on Actions



- Public Workshops
 - July 7, 2015
 - December 7, 2015
 - June 8, 2016
 - **Over 50 attendees**
- Public Review Period (June 3 – July 8, 2016)
- Project Website (updated regularly)
www.campswiftjlus.com

A handout for a public workshop. At the top, it says "Public Workshop #3 Held". Below this, there is a photograph of a scenic landscape with a lake and trees. The text on the handout includes the date "Friday, June 8, 2016" and the time "10:00 AM - 12:00 PM". It also mentions the location "Camp Swift JLUUS - Public Draft". The handout is titled "Public Workshop #3 Held" and includes a logo for "CAMP SWIFT JOINT LAND USE STUDY".

10/25/2016

Compatibility Assessment

17 relevant factors (topics) assessed



COMPATIBILITY FACTORS

AQ	Air Quality	LAS	Land / Air / Sea Spaces
AT	Anti-Terrorism / Force Protection	LU	Land Use
BIO	Biological Resources	LEG	Legislative Initiatives
CA	Climate Adaptation	LG	Light and Glare
COM	Coordination / Communication	MAP	Marine Environments
CR	Cultural Resources	NOI	Noise
DSS	Dust / Smoke / Steam	PT	Public Trespassing
ED	Energy Development	RC	Roadway Capacity
FSC	Frequency Spectrum Capacity	SA	Safety Zones
FSI	Frequency Spectrum Impedance / Interference	SNR	Scarce Natural Resources
HA	Housing Availability	VO	Vertical Obstructions
IE	Infrastructure Extensions	V	Vibration
		WQ	Water Quality / Quantity



II Compatibility Factor / Areas

25 Issues Identified

63 Recommendations

Actions Following Public Review Period



- Added the Camp Swift JLUUS Facebook page as a tool in the Background Report
- Added a **COMPLETED** stamp to the Camp Swift JLUUS Facebook Page Option (Option COM-3A) in the Recommended Options
- Developed 8-page Executive Summary
- Final QA / QC
- Final Production of Documents

10/25/2016

Camp Swift JLUS Documents



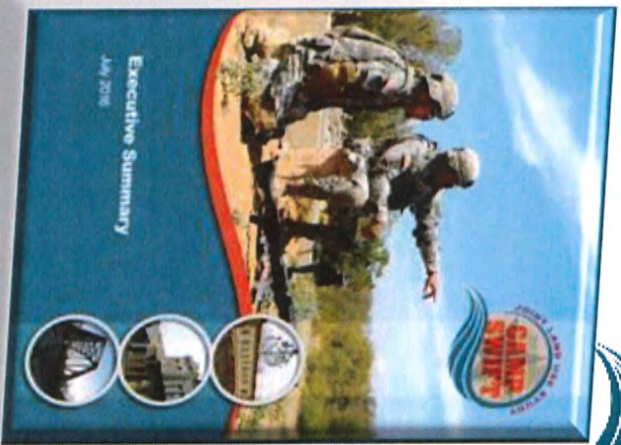
Background Report

1. Introduction
2. Community Profiles
3. Camp Swift Profile
4. Existing Tools
5. Compatibility Assessment – **25 issues identified & assessed**



JLUS Report

1. Introduction
2. Community Profiles
3. Camp Swift Profile
4. Key Existing Tools
5. Compatibility Issues
6. Recommended Options Plan – **63 recommended options developed**



Executive Summary

- What is a JLUS?
- Collaborative Planning
- JLUS Study Area & Partners
- JLUS Recommended Options / Key Options
- Military Awareness Areas / Military Awareness Overlay District
- JLUS Documents

Success in Meeting Objectives



- ✓ **Understanding.** Increase communication between the military, local jurisdictions, stakeholders, and the public to promote an understanding of the strong economic and physical relationship between the installation and its neighbors.
- ✓ **Collaboration.** Promote collaborative planning between the military, local jurisdictions, and stakeholders to ensure a consistent approach in addressing compatibility.
- ✓ **Actions.** Develop and apply recommended options for reducing the impacts of existing and future incompatible activities on the community and military operations.

For Questions...



Melissa McCollum, AICP, LEED-AP

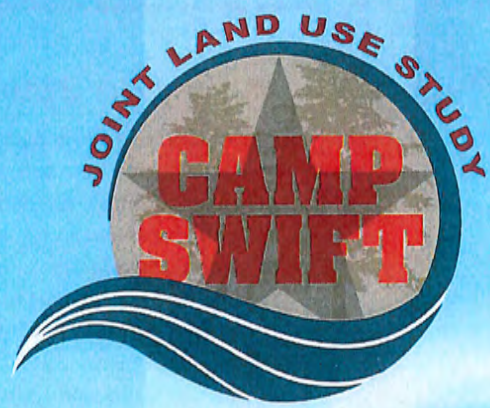
City of Bastrop

Planning & Development Department Director

(541) 332-8840

mmccollum@cityofbastrop.org

www.campswiftjilus.com



Executive Summary

July 2016



What Is A Joint Land Use Study?

A Joint Land Use Study (JLUS) is a cooperative planning effort conducted as a joint venture between an active military installation, surrounding cities and counties, state and federal agencies, organizations and the public to identify and address compatibility issues. These stakeholders are referred to as JLUS Partners. The Camp Swift JLUS was funded through a grant from the Department of Defense (DOD), Office of Economic Adjustment (OEA) and contributions by the City of Bastrop, the JLUS project manager.

The JLUS was developed under the guidance of three main objectives:

Understanding. Increase communication between the military, and other JLUS Partners to promote an understanding of the economic and physical relationship between Camp Swift and its neighbors.

Collaboration. Promote collaborative planning between the JLUS Partners in order to ensure a consistent approach in addressing compatibility issues.

Actions. Develop applicable options for avoiding or reducing the impacts of incompatible activities on the community and military operations.

Why Is It Important to Partner with Camp Swift?

Camp Swift provides unique and irreplaceable assets for the nation's military. The 11,746-acre Maneuver Training Center-Light (MTC-L) provides pre-mobilization and institutional training for the Texas Army National Guard / Texas Military Department (TMD). Camp Swift serves as the premier site for pre-mobilization training for the TMD. Training activities include basic infantry skills, combat engineering skills, maneuver exercises, helicopter operations, personnel/cargo air drops, small arms and pre-serving weapons firing and demolition training. Camp Swift provides these training capabilities through their training areas and ranges, including nine live-fire ranges, a Light Demolition Range, an Improvised Explosive Device Lane, an air assault course, a "gas chamber" for gas-mask training, and drop zones for airborne training. These training areas and facilities are available on a year-round basis to military and civilian organizations, and can accommodate up to a battalion size. A battalion comprises 300 to 1,000 soldiers.



It is important to partner with the installation on relevant and long-range planning projects to ensure the viability and sustainability of the economic impact and community benefit that Camp Swift provides to the local region. The JLUS process strives to deepen the understanding of the mutual benefit shared between the installation and the surrounding region.

25,000

Number of people employed by the Texas Military Department, which includes Camp Swift

140,000

Average number of military and civilian personnel who train at Camp Swift annually

\$2.6M

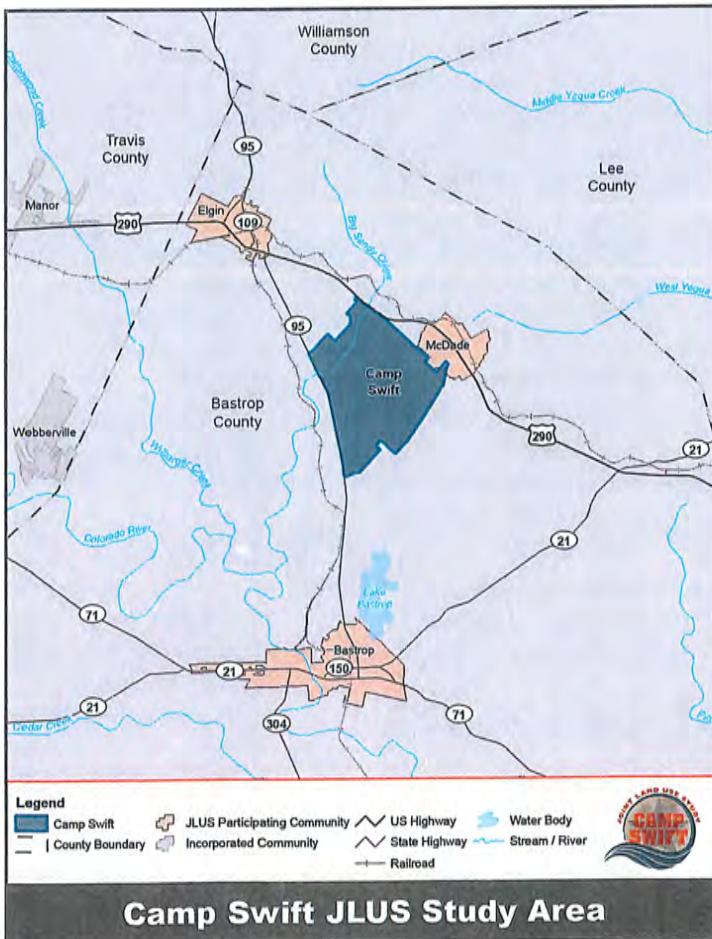
Annual economic benefit to the region provided by the Texas Military Department through Camp Swift

Compatibility Assessment

To provide a comprehensive assessment of potential compatibility issues, the Camp Swift JLUS process looked at 25 compatibility factors (topics), shown on the table to the right. Compatibility, as it relates to military readiness, can be defined as the balance or compromise between community needs and interests and military needs and interests. As a significant employer in Bastrop County, it is important to the health of the regional economy for Camp Swift and the local jurisdictions to work together as partners in compatibility. The goal of compatibility planning is to promote an environment where both community and military can coexist successfully. A number of compatibility factors influence whether community and military plans, programs, and activities are compatible or in conflict with the military mission.

25 Compatibility Factors

AQ	Air Quality	LAS	Land / Air / Sea Spaces
AT	Anti-Terrorism / Force Protection	LU	Land Use
BIO	Biological Resources	LEG	Legislative Initiatives
CA	Climate Adaptation	LG	Light and Glare
COM	Coordination / Communication	MAR	Marine Environments
CR	Cultural Resources	NOI	Noise
DSS	Dust / Smoke / Steam	PT	Public Trespassing
ED	Energy Development	RC	Roadway Capacity
FSC	Frequency Spectrum Capacity	SA	Safety Zones
FSI	Frequency Spectrum Impedance / Interference	SNR	Scarce Natural Resources
LHA	Local Housing Availability	VO	Vertical Obstructions
IE	Infrastructure Extensions	V	Vibration
		WQQ	Water Quality / Quantity



The Camp Swift JLUS Study Area was designed to address all lands near Camp Swift that may impact current or future military operations or be impacted by Camp Swift operations. The Camp Swift JLUS Study Area is located in central Texas, and includes land that is situated beneath all of the defined military mission footprints, such as the small arms and IED noise contours, unobstructed clearance area, drop zone obstruction-free area, and the flight corridor. The Study Area covers all of Bastrop County.

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Collaborative Planning

The JLUS planning process was designed to create a locally relevant study that builds consensus and obtains support from the stakeholders involved. The public was instrumental in the development of this JLUS by providing their perspective and feedback, both in the JLUS public workshops and through the use of the interactive project website: www.campswiftjlus.com

The development of the project was also guided by two committees composed of JLUS Partner representatives. The two committees were the **Policy Committee**, which provided project oversight, guidance, and decision-making, and the **Technical Committee**, which assisted in the identification and assessment of compatibility issues, development of recommended options, and overall report development.



The Camp Swift JLUS was conducted as a collaborative planning effort that included the following project partners:

- ◆ Bastrop County
- ◆ City of Bastrop
- ◆ City of Elgin
- ◆ Camp Swift / Texas Military Department (TMD)
- ◆ Texas National Guard (TXNG) / Texas Army National Guard (TXARNG)
- ◆ Bastrop Independent School District



JLUS Recommended Options

The heart of the Camp Swift JLUS is the set of 63 recommended options that address the 25 compatibility issues identified. Since the Camp Swift JLUS is the result of a collaborative planning process, the options represent a true consensus plan — a realistic and coordinated approach to compatibility planning developed with the support of stakeholders involved throughout the process. The options developed are uniquely tailored for this JLUS and respect the local context.

The key to the application of the options developed is the establishment of a JLUS Coordination Committee to oversee the JLUS performance after the completion of the study. Through this Committee, the JLUS Partners can continue their initial work together to establish procedures, recommend or refine specific actions, and make adjustments to options over time to ensure the JLUS continues to resolve key compatibility issues. Concurrent with the efforts of the JLUS Coordination

Committee, each JLUS Partner is responsible for establishing their own course of action to apply the options unique to them through collaboration of their leadership, planners, and the public.

The options developed during the JLUS process are described in detail in Chapter 6 of the JLUS Report. The following list provides a highlight of the key options that were developed and agreed to by the JLUS Partners.

Key Options Identified



Coordination / Communication

- ◆ Consider a Camp Swift JLUS Coordination Committee
- ◆ Provide Copies to Camp Swift as One of the Agencies that Review Pre-Development Applications / Proposals
- ◆ Establish Official Facebook and Other Social Media Webpages
- ◆ Develop an Official Website for Camp Swift
- ◆ Enhanced Public Education of the Camp Swift Mission

COMPLETED



Dust, Smoke, and Steam

- ◆ Enhance Notification of Prescribed Burns
- ◆ Communicate with Camp Swift Regarding Proposed Developments that Generate Dust, Smoke, or Steam Within the MAOD
- ◆ Consider Adopting Dust Control Ordinance



Energy Development

- ◆ Consider Coordinating with DOD Siting Clearinghouse
- ◆ “Red, Yellow, Green” Map



Land / Air / Sea Spaces

- ◆ Consider Sharing Unclassified Training Schedule Information with General Aviation (GA) and Personal Aircraft Operators
- ◆ Consider Developing and Sharing Range Avoidance Program
- ◆ Provide Notices to Airmen (NOTAMs) in the Area, Especially Airmen Entering Airspace Over the Installation from the South / Southeast

ON-GOING

Strobe Light for Nighttime Flight Training



Land Use

- ◆ Consider Including the Military Awareness Overlay District (MAOD) Information in Available Mapping and Communication Efforts
- ◆ Coordinate Roadway Improvements with TMD / TXNG / Camp Swift
- ◆ Develop An Army Compatible Use Buffer (ACUB) Plan

IN PROGRESS



Light and Glare

- ◆ Consider Amending Lighting Ordinance for Compatible Lighting
- ◆ Consider Developing a Lighting Ordinance



Noise

- ◆ Consider Amending Noise Ordinance
- ◆ Consider Encouraging the Inclusion of Sound Attenuation Building Standards for New Construction
- ◆ Enforce and Inform About the “Fly Neighbor-Friendly” Protocol



Safety

- ◆ Coordinate with Private Property Owners to Have a Boat in Nearby Water Body
- ◆ Red Flags Posted Around Ranges to Indicate “Hot” Status

ON-GOING



Vertical Obstructions

- ◆ Development Coordination

Military Awareness Areas (MAAs)

A key to guiding compatible development and activities without overregulation is the establishment of five Military Awareness Areas (MAAs) and a Military Awareness Area Overlay District (MAOD). The MAAs (described below) are used to define the geographic areas where specific JLUS options are to be applied. This technique ensures that options are applied to the appropriate area and that locations deemed not subject to a specific compatibility issue are not adversely impacted by regulations inappropriate for their location or circumstance.



The MAAs were designated to accomplish the following:

- 1 Promote an orderly transition between community and military land uses so that land uses remain compatible;
- 2 Protect public health, safety, and welfare;
- 3 Maintain operational capabilities of military installations and areas;
- 4 Promote an awareness of the size and scope of military training areas to protect areas separate from the actual military installation (e.g., helicopter flight paths) used for training purposes; and
- 5 Establish compatibility requirements within the designated area, such as requirements for coordination of activities and sound attenuation.

Military Awareness Area Overlay District (MAOD)

The Camp Swift MAOD is an area that incorporates all five of the MAAs below.



Unobstructed Clearance Area MAA

This MAA is a 20-foot area from the installation boundary in all directions. Land uses within this MAA should not obstruct the view into and off the installation. This will enable a clear, unobstructed view for Camp Swift to ensure compliance with AT/FP standards well into the future.



Small Arms / Improvised Explosive Device Noise MAA

This MAA is the modeled noise contours for the small arms caliber training area and the Improvised Explosive Device (IED) Lane Course. This MAA includes all land outside the installation within each set of noise zones (NZ). For the small arms range, the NZ III measured at >104 dB PK15(MET) is at the southern end of Camp Swift. For the IED Lane Course, the NZ II measured at 115 dB PK15(MET) and NZ III at 130 dB PK15(MET) areas are at the northeast and southeast areas of Camp Swift.



Demolition Noise MAA

This MAA includes all land under the 2-pound and 40-pound demolition noise contours that are outside the installation.



Vertical Obstruction MAA

This MAA comprises the flight corridor that various reservist units use to perform necessary aviation training operations. The map only shows the predominant flight corridor that is located in Bastrop County, which is the Study Area for the Camp Swift JLUS.

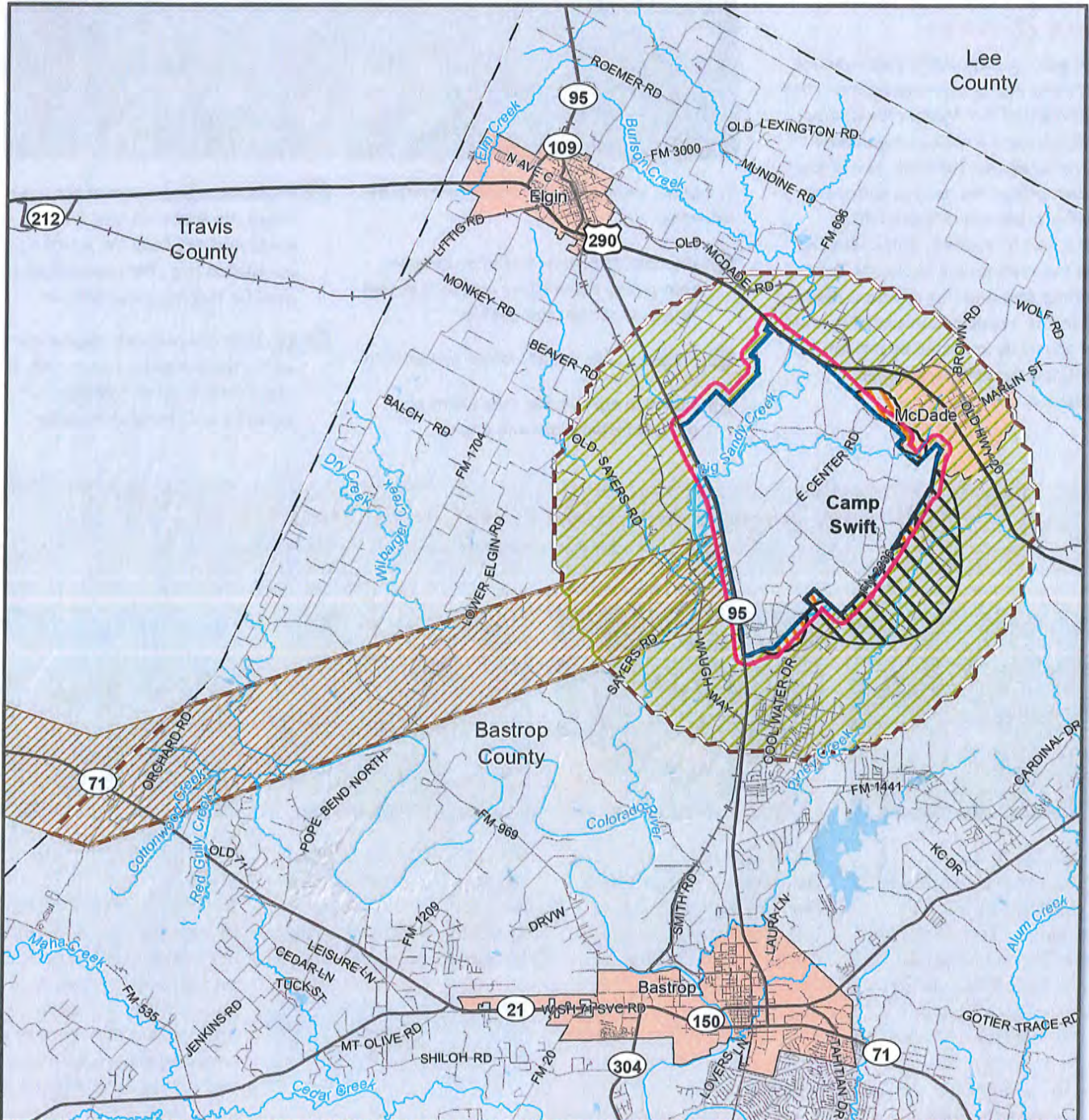


Drop Zone Obstacle-Free MAA

This MAA includes all land within 1,000 meters of the Blackwell DZ activity area that extends outside the installation.



EXECUTIVE SUMMARY



Legend

Military Awareness Overlay District

- Vertical Obstruction MAA
- Unobstructed Clearance Area MAA
- Small Arms / IED MAA
- Drop Zone Obstacle-Free
- Military Awareness Area (1,000 meters from the DZ Activity Area)

- Demolition Two Pound Charge Noise Contour**
- Moderate Complaint Risk 115 dB PK15(MET) Noise MAA Subzone
- Demolition 40 Pound Charge Noise Contour**
- Moderate Complaint Risk 115 dB PK15(MET) Noise MAA Subzone

- Camp Swift
- County Boundary
- JLUS Participating Community

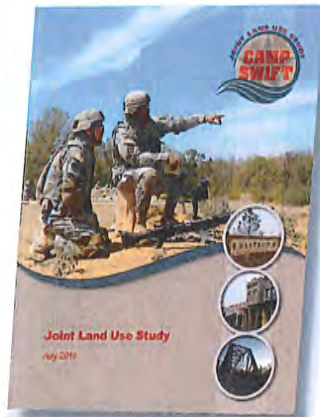
- Interstate
- US Highway
- State Highway
- Local Road
- Railroad
- Water Body
- Stream / River



Camp Swift JLUS Military Awareness Overlay District

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JLUS Report



JLUS Background Report



JLUS Executive Summary

JLUS Documents

Three JLUS documents, each providing different levels of information, are available to the public, elected and appointed officials, and the military. These documents provide an overview of the JLUS process, detailed information on Camp Swift and the overall Study Area, an assessment of existing compatibility issues, and recommended options in the Recommended Options Portfolio. These resource documents are as follows.

JLUS Report

The JLUS Report presents an overview of the JLUS planning process, purpose and objectives of the study and the Recommended Options Portfolio. The report presents a concise description of the following:

- ◆ JLUS project Study Area, including Camp Swift mission overview;
- ◆ Population profile and economic overview of the communities in the JLUS Study Area;
- ◆ Summary of the factors and compatibility issues identified during the JLUS process; and
- ◆ Set of recommended options to mitigate or prevent encroachment and proactively achieve land use compatibility.

JLUS Background Report

- ◆ The JLUS Background Report provides the technical background and detailed assessment of the compatibility issues identified as part of the JLUS project.

JLUS Executive Summary

- ◆ The JLUS Executive Summary serves as a quick reference describing the purpose of a JLUS and providing an overview of the key JLUS options and Military Awareness Areas.

For Additional Information Contact:



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www.cityofbastrop.org

This study was prepared under contract with the City of Bastrop, with financial support from the Office of Economic Adjustment, Department of Defense. The content reflects the views of the key JLUS Partners involved in the development of this study and does not necessarily reflect the views of the Office of Economic Adjustment.

JOINT LAND USE STUDY
CAMP SWIFT

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **DISCUSSION OF THE STATE PLATTING LAW AS IT RELATES TO THE ONE LOT PLAT CONSIDERED AS A VARIANCE REQUEST ON JUNE 14, 2016 AND AGAIN ON OCTOBER 11, 2016. THE BUYER OF THE LOT IS REQUESTING A VARIANCE TO A LOT ON PHELAN ROAD IN THE CITY'S ONE MILE EXTRA TERRITORIAL JURISDICTION. EVIDENCE PRESENTED AT THE CITY COUNCIL MEETING INDICATED A DRAINAGE PROBLEM THAT SHOULD HAVE BEEN RESOLVED BY THE OWNER WHO SUBDIVIDED THE PROPERTY.**

2. Party Making Request: Interim City Manager, Marvin Townsend

3. Nature of Request: (Brief Overview)

4. Attachments: Yes _____ No X _____

5. Motion Requested _____

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **DISCUSSION OF STATUS OF PLANS FOR IMPROVEMENT OF ALLEY D PARKING LOT (EXPANSION OF THE PINE STREET PARKING LOT).**

2. Party Making Request: Director of Public Works, Trey Job

3. Nature of Request: (Brief Overview)

4. Attachments: Yes No

5. Motion Requested _____

CITY COUNCIL

AGENDA COVER SHEET

DATE SUBMITTED: October 18, 2016

MEETING DATE: October 25, 2016

1. Agenda Item: **DISCUSSION OF STATUS OF ENGINEERING PLANS FOR ONE-MILLION-GALLON WATER ELEVATED STORAGE TANK AND THE EXTENSION OF THE 16" WATER MAIN (2 SEGMENTS APPROXIMATELY 5,700 FEET EACH).**

2. Party Making Request: Director of Public Works, Trey Job

3. Nature of Request: (Brief Overview)

4. Attachments: Yes _____ No X_____

5. Motion Requested _____

