

Bastrop City Council
January 24, 2017 at 6:30 pm



Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on January 24, 2017, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. INVOCATION
- 4. PRESENTATIONS
 - A. Update on Bastrop Economic Development Corp. – Executive Director, Shawn Kirkpatrick
 - B. Required notification of the Bastrop Police Department’s racial profile report. – Director of Public Safety, Steve Adcock (Information page 1)
- 5. PROCLAMATIONS
- 6. ANNOUNCEMENTS, INFORMATION AND REQUESTS BY COUNCIL MEMBERS
 - A. Distribution of Items to Council (If Necessary) – Ann Franklin
 - B. Items Targeted for Future Meetings.
 - C. Requests by Council Members for items on future agendas and requests for information from City Manager.
 - D. Report on search for city manager – Mayor Kesselus
- 7. CITIZEN COMMENTS

 EXECUTIVE SESSION: *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon’s TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters

A. **CONSENT AGENDA** - *All of the following items are considered to be self-explanatory by the Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.*

		<u>TAB</u> <u>PG</u> <u>REQUESTOR</u>
A.1	Approval of minutes from regular council meeting of January 10, 2017.	A.1 PG2 City Secretary, Ann Franklin

AGENDA- REGULAR COUNCIL

JANUARY 24, 2017

- A.2 Consideration, discussion and possible action on acceptance of the Quarterly Investment Report for the period ending December 31, 2016. A.2 PG11 Chief Financial Officer, Tracy Waldron
- A.3 Approval of Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop, Texas. A.3 PG15 City Secretary, Ann Franklin
- A.4 Approval of a Bastrop County Agreement to Conduct a Joint Election between the City of Bastrop and the Bastrop Independent School District for the May 6, 2017 Election. A.4 PG32 City Secretary, Ann Franklin
- A.5 Approval of a resolution calling for and establishing procedure for a General and Special Election In Bastrop, Texas for the May 6, 2017 Election. A.5 PG38 City Secretary, Ann Franklin

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

C. OLD BUSINESS

- C.1 **SECOND READING OF AN ORDINANCE REVISING THE CITY CODE OF ORDINANCES, CHAPTER 13, "UTILITIES", BY ADDING ARTICLE 13.12, "LICENSING AGREEMENT FOR ATTACHMENTS TO UTILITY FACILITIES"; ADDING SECTION 13.12.001, "GENERAL PROVISIONS"; ADDING SECTION 13.12.002 "STANDARD LICENSING AGREEMENT FOR ATTACHMENTS TO UTILITY FACILITIES"; ADDING SECTION 13.12.003 "APPLICATION OF FEES AND CHARGES"; AMENDING APPENDIX "A" "FEE SCHEDULE," ADDING SECTION A16.01.001 "ATTACHMENTS TO UTILITY FACILITIES FEES AND CHARGES"; AND PROVIDING AN EFFECTIVE DATE AND DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF A STANDARD LEASING AGREEMENT FOR ATTACHMENTS TO UTILITY FACILITIES.** C.1 PG47 Director of Information Technology, Andres Rosales
- C.2 **SECOND READING OF AN ORDINANCE AMENDING CHAPTER 15, "FAIRVIEW CEMETERY", TO THE CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.** C.2 PG52 Chief Financial Officer, Tracy Waldron
- C.3 Investigation Report to Mayor and Members of City Council. C.3 PG66 City Attorney, David Bragg

D. NEW BUSINESS

- D.1 Consideration of the following actions related to establishing a destination marketing organization. D.1 PG77

 - 1. Report about the city’s current tourism marketing program in place of marketing previously carried out by the Bastrop Marketing Corporation – Sarah O’Brien
 - 2. Consideration discussion and possible action, regarding the following report from the recently established DMO Advisory Committee:
 The committee advises to Council to:
 - a. Hire DMOproz at its requested \$36,000 fee to work with the City on phase two of the plan to move toward creating a DMO.
 - b. Choose the following individuals to work as a starting board, representing the following categories:
 - i.) Hiren Patel – Hotels
 - ii.) Rick Brackett – Dining and Night Life
 - iii.) Anne Smarzik – Retail
 - iv.) Clint Howard – Arts, Culture and Heritage
 - v.) Sarah O’Brien – City
 - 3. Consideration discussion and possible action in response to the DMO Advisory Committee report.

- D.2 Consideration, discussion and possible action on the recommendation of the Ethics Commission that its membership be increased from 3 to 5 members. The proposed change will alter the quorum provision to require 4 members of the Commission to be present for any hearing. The proposed ordinance amendment will also eliminate several duplicate paragraphs. D.2 PG78 Interim City Manager, Marvin Townsend

- D.3 Consideration and possible action for the approval of Bastrop Art in Public Places to award a general service contract to Burditt and Associates for the design of the Culture Walk as part of phase one of a multiple year project. D.3 PG81 Director of Public Works, Parks & Utilities, Trey Job

- D4 **FIRST READING OF AN ORDINANCE REVISING THE CITY CODE OF ORDINANCES, CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF BASTROP, “BASTROP REGULATIONS”, ARTICLE 4.03 “TAXICABS, SHUTTLES AND TOURING VEHICLES,” TO ADD DEFINITIONS OF TERMS, ADD EXEMPTIONS FROM COVERAGE, ADD REGULATIONS PERTAINING TO PEDICABS, HORSE-DRAWN CARRIAGES, LOW SPEED VEHICLES (“LSV”), NEIGHBORHOOD ELECTRIC VEHICLES (“NEV”),** D.4 PG88 City Attorney, David Bragg

**PROVIDING ADDITIONAL REMEDIES FOR VIOLATIONS;
AND AMENDING APPENDIX A4.03.001 – “LICENSE” OF
THE CODE OF ORDINANCES OF THE CITY OF BASTROP,
CONCERNING INSPECTION AND DRIVERS’ FEES FOR
SAME; PROVIDING FOR PENALTIES; AND
ESTABLISHING AN EFFECTIVE DATE.**

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| D.5 | Consideration, discussion, and possible action on the Final Plat and Development Agreement for the Buttonwood Subdivision, being ±0.611 acres of land out of Farm Lots 19 and 20, east of Main Street, located within the Bastrop city limits. | D.5 PG107 | Director of Planning and Engineering, Wesley Brandon |
| D.6 | Consideration and possible action for the approval of a policy that provides criteria for infill development within designated areas of the City Of Bastrop. | D.6 PG117 | Director of Public Works, Parks & Utilities, Trey Job |
| D.7 | Consideration, discussion and possible action by the City Council for approval and adoption of the Resolution adding Texas Term, a Local Government Investment Pool, thus creating a program for diversification of the City of Bastrop’s investments in accordance with the Public Funds Investment Act, Texas Government Code, Section 2256.001 et seq. and the City of Bastrop’s Investment Policy. | D.7 PG123 | Chief Financial Officer, Tracy Waldron |
| D.8 | Consideration, discussion and possible action on a recommendation by the Fairview Cemetery Advisory Board that the City Council either Grant or Deny a variance request to allow for the cemetery plot(s) legally described as being (A) Block 8, Row N, Lots 16-18 (3 spaces) or (B) only Block 8, Row N, Lot 16, to have fencing erected around the perimeter of the plot(s) as prohibited in CHAPTER 15, “FAIRVIEW CEMETERY”, Code of Ordinance of the City of Bastrop, Texas, Section 15.01.15 (a) “Prohibited Activities”. | D.8 PG125 | Chief Financial Officer, Tracy Waldron |
| D.9 | Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending December 31, 2016 | D.9 PG132 | Chief Financial Officer, Tracy Waldron |
| D.10 | Consideration, discussion, and possible action on a resolution approving the renewal of an existing Municipal Maintenance Agreement (MMA) between the City of Bastrop and the Texas Department of Transportation. | D.10 PG159 | Director of Planning and Engineering, Wesley Brandon |

- D.11 Consideration, discussion, and possible action on a Letter of Commitment regarding a TxDOT “Green Ribbon” Landscape project to install landscaping improvements within the city limits.

D.11 PG167

Director of Planning and Engineering,
Wesley Brandon
- D.12 Discussion and possible action on authorizing Bastrop Fire Department to apply for four firefighters through the Staffing for Adequate Fire and Emergency Response Grant.

D.12 PG170

Public Safety Director, Steve Adcock
- D.13 Consideration, discussion and possible action on resolution granting the request of petitioners desiring to establish Travis County ESD #15 which will be an overlay district generally following the boundaries of Travis County ESD #11. One district will provide fire services and the other emergency medical services. Bastrop’s ETJ was extended into Travis County at several locations when in the 1980’s property owner signed contracts with Bastrop to join Bastrop’s ETJ and thus avoided feared annexation by Austin. The proposed district needs the consent of Bastrop to include area outside of Bastrop County but in Bastrop’s ETJ. Both county appraisal districts report that only Travis County property will be assessed by the new district and only Bastrop County property is being assessed by Bastrop County’s ESD. Consent by the City of Bastrop is recommended.

D.13 PG171

Interim City Manager,
Marvin Townsend
- D.14 Discussion and possible action regarding resolution authorizing Bastrop Police Department to apply for storage space under the body worn camera grant through the Bureau of Justice Assistance.

D.14 PG177

Public Safety Director, Steve Adcock
- D.15 Discussion and possible action on awarding a contract to the low bidder of Royce Construction Company Inc. for the remodel of the police/court building. The following bids were received: Royce Construction-\$304,650, Ichor Construction-\$323,146, Gaeke Construction-\$323,537, ASD Consultants-\$329,300, LMC Corporation-\$372,705, HCS Inc-\$373,200, Tegrity-\$385,331, Allbrite Construction-\$420,000, Don Kruger Construction-\$431,000, Lyness Construction-\$590,000

D.15 PG179

Public Safety Director, Steve Adcock
- D.16 Discussion and possible action regarding resolution approving the police department to apply for a grant through the Office of the Governor to staff the Austin Regional Intelligence Center.

D.16 PG193

Public Safety Director, Steve Adcock
- D.17 Consideration and possible action approving the solicitation of bids for the removal of the radio tower located at Mayfest Park.

D.17 PG195

Director of Public Works, Parks & Utilities, Trey Job

- D.18 **FIRST READING OF AN ORDINANCE REVISING THE CITY CODE OF ORDINANCES, CHAPTER 12 - ESTABLISHING A THREE-HOUR PARKING TIME LIMIT ON MAIN STREET AND STRIKING THE PORTION OF PARKING ON CHESTNUT STREET THAT IS NO LONGER APPLICABLE; AND ESTABLISHING AN EFFECTIVE DATE.** D.18 PG197 Public Safety Director, Steve Adcock
- D.19 **FIRST READING OF AN ORDINANCE CONTRACTUALLY ANNEXING TRACT 1 AND TRACT II, TRINIDAD BUSINESS PARK TO THE CITY OF BASTROP AND PROVIDING AN EFFECTIVE DATE. (January 10, 2017 Council meeting Item D.8: Recommendation that the annexation process be completed regarding Trinidad Business Park Phase I, Lots 1 AND 2, being an approximately 8 acre Tract on the south side of highway 71 west of its intersection with FM 20. Public hearings were held on September 27, 2011 and October 11, 2011. On October 24, 2011, Mr. Richard Welch and Mr. Jason Alleyas the owners of the above described property, presented an executed contract for voluntary annexation with such voluntary annexation to occur no sooner than 3 years after the 2011 annexation was completed. The 2011 annexation was effective on November 8, 2011, the service plan presented in 2011 is still timely.)** D.19 PG204 Interim City Manager, Marvin Townsend

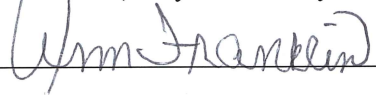
E. ANNOUNCEMENT – City Manager

F. EXECUTIVE SESSION - NONE

G. ADJOURNMENT

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 20, Day of January 2017 at 5:00 pm



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