

Bastrop, TX City Council Meeting Agenda

Bastrop City Hall City Council Chambers

1311 Chestnut Street

Bastrop, TX 78602

(512) 332-8800



December 11, 2018 at 6:30 P.M.

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE CARD TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE – Girl Scout Troop 557

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. INVOCATION – Phil Woods, Police Chaplain

4. PRESENTATIONS

4A. Mayor's Report.

4B. Councilmembers' Report.

4C. City Manager's Report.

4D. Present the 2018 Lost Pines Christmas Holiday Stroll, Wassail Fest, and Lighted Parade Winners.

4E. Recognition of retirement of Judge Charlotte Hinds and her service to Bastrop.

5. WORK SESSION/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

- 6A. Receive Quarterly Report on the Bastrop Convention & Exhibit Center.
- 6B. Receive report on the 2018 Veterans Day Weekend Car Show.
- 6C. Receive update on the Cultural Arts Master Plan Project.
- 6D. Receive presentation on the unaudited Monthly Financial Report for the period ending September 30, 2018.
- 6E. Receive presentation on the unaudited Monthly Financial Report for the period ending October 31, 2018.
- 6F. Receive report from Bastrop Economic Development Corporation.
- 6G. Receive Presentation and update from Verdunity regarding the development of a Fiscal Impact Analysis Model.

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the start of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the Council meeting.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 8A. Consider action to approve City Council minutes from the November 27, 2018 Regular Meeting.
- 8B. Consider action to approve Resolution No. R-2018-122 of the City Council of the City of Bastrop, Texas approving the 2019 Council Meeting Schedule, attached as Exhibit A; and providing an effective date.
- 8C. Consider action to approve Resolution R-2018-121 of the City Council of the City of Bastrop, Texas accepting the deed for the transfer of a 9,149 square foot Reserve Area in Pecan Park, Section 5B, located at the southwest corner of Headwaters Drive and Perkins Street, being located within Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action and approve Resolution No. R-2018-116 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules).
- 9B. Consider action to approve Resolution No. R-2018-123 of the City Council of the City of Bastrop, Texas adopting the Bastrop Election Calendar for the May 4, 2019, Election and possible run-off election on June 8, 2019, attached as Exhibit A; and providing an effective date.
- 9C. Hold public hearing and consider action to approve Resolution No. R-2018-119 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 900 State Highway 95 Suite 103, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a severability clause; and establishing an effective date.
- 9D. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2018-34 of the City Council of the City of Bastrop, Texas, providing for the abandonment, vacation, and closure of the segment of Poplar Street, located between Pecan Street and State Highway 95, located in the city limits of Bastrop, Texas, as shown in Exhibit A; providing for the following: Findings of Fact; the Terms and Conditions of Abandonment, Vacation, and Closure; Repealer; Severability; Codification; Effective Date and Proper Notice and Meeting, and move to include on the January 8, 2019 City Council Consent Agenda for a second reading.

- 9E. Consider action to approve Resolution No. R-2018-120 of the City Council of the City of Bastrop, Texas, approving the McElroy Acres Final Plat, being 8.415 acres out of Farm Lot 62, located between Pecan Street and State Highway 95, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.
- 9F. Consider action to approve Resolution No. R-2018-124 of the City Council of the City of Bastrop, Texas, endorsing the application for the designation of Bastrop, Texas as a Bird City; authorizing the City Manager to execute all necessary documents for the application; providing for a severability clause; and establishing an effective date.
- 9G. Consider action to approve Resolution No. R-2018-105 of the City Council of the City of Bastrop, Texas approving the City of Bastrop Purchasing Policy with the addition of Section III, Subsection D - Fleet Purchases and additional minor edits, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
- 9H. Consider action to approve Resolution No. R-2018-117 of the City Council of the City of Bastrop, Texas, approving an agreement for Depository and Banking Services between the City of Bastrop, Texas and First National Bank of Bastrop, to serve as the City's Primary Banking Services Depository for the deposit of certain City funds and provision of banking functions for designated funds of the City of Bastrop, Texas, for the period January 1, 2019 until December 31, 2024, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
- 9I. Consider action to approve Resolution R-2018-118 of the City Council of City of Bastrop, Texas supporting the Texas Municipal League's Legislative Program; establishing a repealing clause; and establishing an effective date.
- 9J. Consider action to approve Resolution R-2018-126 of the City Council of the City of Bastrop, Texas reducing mowing and other related liens filed by the City of Bastrop against 1002 Church Street to Two-Thousand and 00/100 Dollars (\$2,000.00) making it economically feasible to be purchased and maintained by the Calvary Episcopal Church as a part of their church campus, as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a severability clause; and establishing an effective date.

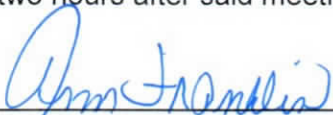
10. EXECUTIVE SESSION

- 10A. Consideration and action regarding the announced retirement of the Honorable Municipal Court Judge Charlotte Hinds and the resulting vacancy on the bench.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.074 to conduct an annual performance evaluation of the City Manager as required by her employment agreement.

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

12. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenience and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Friday, December 7, 2018 at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 4A

TITLE:

Mayor's Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

ATTACHMENTS:

- Power Point Presentation

Mayor's Report
December 11, 2018



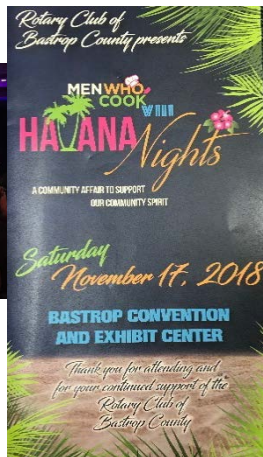
Latest Activities

November 16 - 30

Events in 2018: 351



**Bastrop Rotary
Men Who Cook**



**Building Bastrop
Design Rodeo**



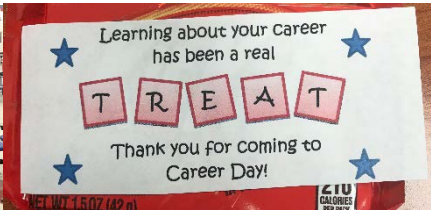
Thank you Wassail Fest Judges



Interviewed CRCA 9th Graders



Christmas Tree Lighting



**Mina
Elementary
Career Day
BHS Football**



It's Time Texas

- Contest for 2019 – January 7 to March 3
- Last Year
 - 209 communities
 - 21,300 registered users
- Register NOW for 200 extra points!
www.itstimetexas.org
- Join BISD for “double” points!



Planned Events

- December 1 *December 1 - 11*
 - Lavish Fest
- December 3 – Library Board Meeting
- December 4 – TML Region 10 Meeting
- December 6 –
 - Smithville ISD Life Skills Class
 - Community Relations Meeting w/FCI
 - TML Board Meeting
- December 7
 - TML Board Meeting
 - First Friday Art Walk
- December 8
 - Library Open House
 - Friendship Bible Baptist Church 8th Anniversary Celebration
 - Holiday Home Tour
 - Lighted Christmas Parade
 - Rendezvous
- December 9 - “Nuncrackers” (Bastrop Opera House)
- December 11 – City Council Meeting



Upcoming Events & City Meetings

- December 13
 - Code Rodeo Day 1
 - Guest Speaker for Area Realtors
 - KEYE Live Interview from the Hyatt
- December 14 – Code Rodeo Day 2
- December 17 – BEDC Board Meeting
- December 25 – Merry Christmas!
- January 2 – Chamber Luncheon
- January 3
 - Library Celebration
 - Farm Street Opry
- January 4
 - Texas Pride Ribbon Cutting
 - First Friday Art Walk
- January 7 – Library Board Meeting
- January 8 – City Council (Early Start)





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 4B

TITLE:

Councilmembers' Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

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- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 4C

TITLE:

City Manager's Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 4D

TITLE:

Present the 2018 Lost Pines Christmas Holiday Stroll, Wassail Fest, and Lighted Parade Winners.

STAFF REPRESENTATIVE:

Sarah O'Brien, Hospitality & Downtown Director

BACKGROUND/HISTORY:

The Lost Pines Christmas season is a collection of holiday happenings that is organized, promoted, and sponsored by the City of Bastrop, the Main Street Program, and volunteers. The month-long celebration promotes a variety of Christmas related events organized by businesses, community partners, and local organizations. The season hopes to dazzle visitors and residents with sparkling lights and small-town charm. The events aim to infuse an economic boost to the downtown economy, while balancing our desire to create lasting memories for people of ALL ages in historic downtown Bastrop. For the last several years, the City has spearheaded a variety of "signature" Lost Pines Christmas Events in addition to developing and marketing the season as a whole with volunteer support. This year, the inaugural Holiday Stroll, 3rd Annual Wassail Fest & Small Business Saturday, and the most popular event of the season, the Lighted Christmas Parade, will honor their respective "winners" at the December 11th City Council meeting. The participating businesses and organizations will receive recognition for helping to make the Lost Pines Christmas season even more memorable for our residents and visitors.

The 2018 Lost Pines Christmas season runs through Saturday, December 23rd. For a detailed list of events and activities, please visit www.lostpineschristmas.com

POLICY EXPLANATION:

Lost Pines Christmas is in line with the City's Mission and Vision Statements as well as our focus areas of Economic Vitality, Communication, Authentic Bastrop, Fiscal Sustainability, and Unique Environment. Comprehensive Plan 2036 Chapter 8.1, 8.3, 8.4, 8.5, and 8.6 also pair with the goals and outcomes of this month-long celebration. In an effort to institutionalize the FY 2018 Organizational Work Plan, this continued organization of special events and enhancement of seasonal light displays is an ongoing effort.

ATTACHMENTS:

- PowerPoint DRAFT Presentation*

*Since the December 8th Parade will occur after the publication of the Council packet, parade winners will be inserted and announced prior to the December 11th Council meeting.



LOST PINES CHRISTMAS

*Celebrate the entire holiday season in
Historic Downtown Bastrop*

Wassail Fest and Small Business Saturday

Saturday, November 24th – 1:00 pm – 4:00 pm

It's a Wonderful Lost Pines Christmas Lighting Party

Saturday, November 24th – 6:00 pm – 9:00 pm

Farm Street Opry – A Country Christmas

Thursday, December 6th – 5:00 pm

First Friday Artwalk – Lost Pines Christmas

Friday, December 7th – 5:30 pm – 8:30 pm

Snow Day at Fisherman's Park

Saturday, December 8th – noon until 5:00 pm

Holiday Homes Tour

Saturday, December 8th – noon until 5:00 pm

Lost Pines Christmas Lighted Christmas Parade

Saturday, December 8th – 6:00 pm

Stocking Stuffer Saturday

Saturday, December 15th – An all day event

New Year's Eve Masquerade Pub Crawl

Monday, December 31st – 6:00 pm – 9:00 pm

Visit www.LostPinesChristmas.com for full event calendar and details



The Carpenter Family from Redding, United Kingdom



2018 PUBLIC RELATIONS SNAPSHOT YTD

583K
ENGAGEMENTS
ON EVENTS



35,000
EVENT
RESPONSES

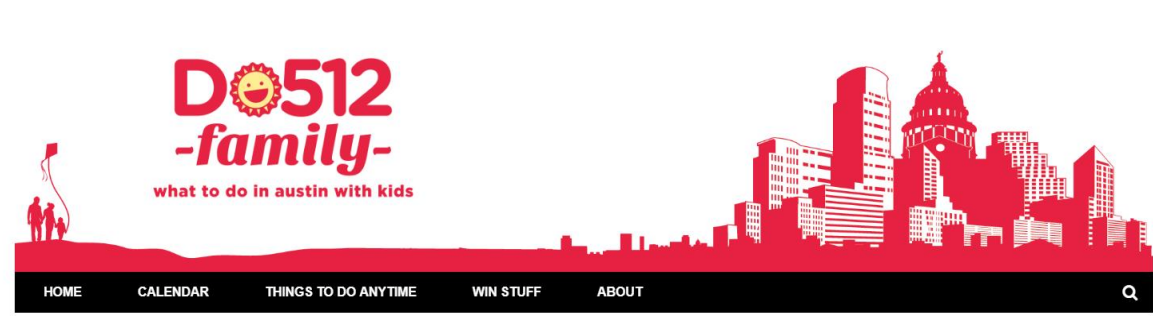


1.4 K
VIRTUAL LIVE VIDEO
VIEWS IN 24 HOURS



11,000
DIGITAL IMPRESSIONS
#SMALLBIZWEEK

@downtownbastrop &
 @cityofbastrop ONLY



Lost Pines Christmas - Holiday Charm in Bastrop, TX



SATURDAY NOVEMBER 24TH
 1 PM UNTIL 4 PM **WASSAIL FEST**
 AND SMALL BUSINESS SATURDAY

Celebrate the holiday season in Historic Downtown Bastrop



THE 2018 LOST PINES CHRISTMAS
LIGHTED CHRISTMAS PARADE
 SATURDAY, DECEMBER 8TH @ 6:00 PM

Visit LostPinesChristmas.com and DowntownBastrop.com



First Friday Art Walk - Lost Pines Christmas
 Downtown Bastrop
 Fri Dec 7, 5:30pm

Boost Event

2.3K

162



Lost Pines Christmas Snow Day
 Downtown Bastrop
 Sat Dec 8, 12:00pm

Boost Event

151.1K

9.2K



2018 Lost Pines Christmas Lighted Christmas Parade
 Downtown Bastrop
 Sat Dec 8, 6:00pm

\$2.31
 Spent of \$75.00

188.3K

11.5K

Special Thanks to Main Street Board Secretary Bonnie Coffey for coordinating this year's contest!



Our Esteemed Judges: Anne Grossman, Lisa Moguel, and Greg Sherry



THE DOWNTOWN BASTROP

Holiday Window Stroll

Third Place Best Window Display

presented to

RELICS JEWELRY & GIFT EMPORIUM

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE DOWNTOWN BASTROP

Holiday Window Stroll

Second Place Best Window Display

presented to

SPOILED SISTERS BOUTIQUE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE DOWNTOWN BASTROP

Holiday Window Stroll

First Place Best Window Display

presented to

BASTOP ART, ETC

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.

Our Esteemed Judges: Susan Smith, Visit Bastrop, Kaye Sapikas, BCHS, Kristi Lee, BISD, Sandra Williams



a Lost Pines Christmas Event



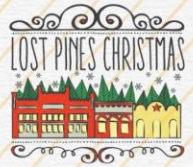
SHOP SMALL
WASSAIL FEST
AND SMALL BUSINESS SATURDAY
SATURDAY, NOVEMBER 24TH • HISTORIC DOWNTOWN BASTROP

Retail Champion Runner Up 2018

presented to

COPPER SHOT DISTILLERY

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



*By: Sarah O'Brien, Director
The Bastrop Main Street Program
November 24, 2018*



Retail Champion 2018
presented to
LOST PINES ART BAZAAR

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



*By: Sarah O'Brien, Director
The Bastrop Main Street Program
November 24, 2018*



Restaurant Champion Runner Up 2018
presented to
THE 602 ON MAIN

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



*By: Sarah O'Brien, Director
The Bastrop Main Street Program
November 24, 2018*



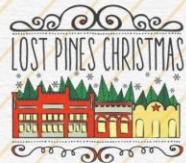
SATURDAY, NOVEMBER 24TH • HISTORIC DOWNTOWN BASTROP

Restaurant Champion 2018

presented to

THE GRACE MILLER

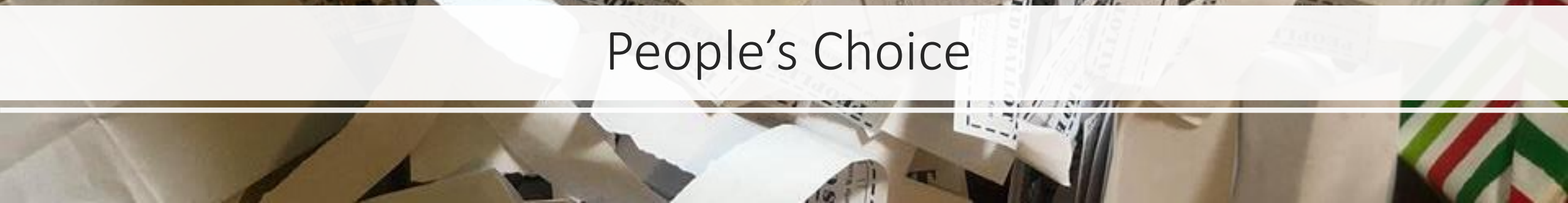
With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



By: Sarah O'Brien, Director
The Bastrop Main Street Program
November 24, 2018



People's Choice





WASSAIL FEST
AND SMALL BUSINESS SATURDAY
SATURDAY, NOVEMBER 24TH • HISTORIC DOWNTOWN BASTROP

The 2018 People's Choice Award
presented to
THE GRACE MILLER

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



*By: Sarah O'Brien, Director
The Bastrop Main Street Program
November 24, 2018*





Overall Best Lost Pines Christmas Entry

Commercial/Non-Commercial, presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE 2018 LOST PINES CHRISTMAS

LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018

Most Beautiful Lighted Float

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.





THE 2018 LOST PINES CHRISTMAS

LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018

Most Original Float

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.





Best Lighted Pedestrian Group

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE 2018 LOST PINES CHRISTMAS

LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018

Best Lighted Marching Group

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.





THE 2018 LOST PINES CHRISTMAS

LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018

Most Festive Group Riders

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.





Best Emergency Vehicle
presented to
BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE 2018 LOST PINES CHRISTMAS

LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018



Best Cyclist

presented to

BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.



THE 2018 LOST PINES CHRISTMAS

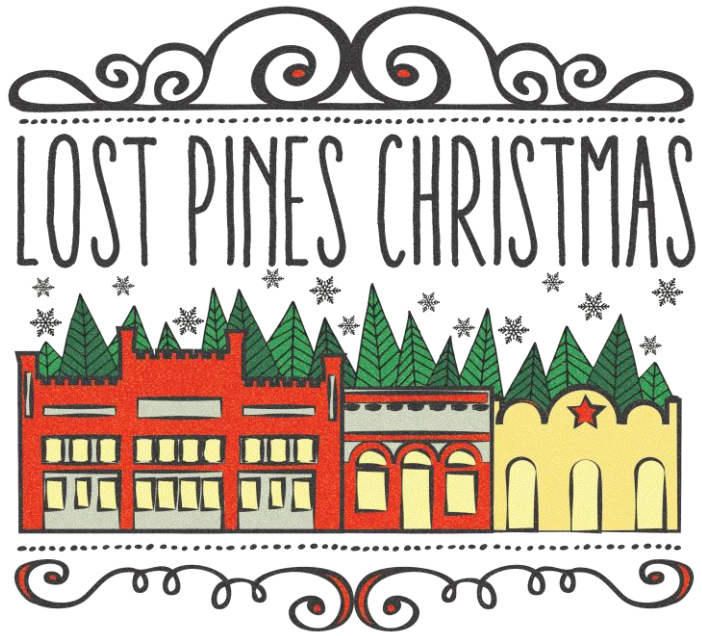
LIGHTED CHRISTMAS PARADE

SATURDAY, DECEMBER 8TH, 2018

Best Reason for the Season
presented to
BUSINESS NAME HERE

With sincerest gratitude for promoting the spirit of Lost Pines Christmas.







STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 4E

TITLE:

Recognition of retirement of Judge Charlotte Hinds and her service to Bastrop.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6A

TITLE:

Receive Quarterly Report on the Bastrop Convention & Exhibit Center.

STAFF REPRESENTATIVE:

Kathy Danielson, Bastrop Convention & Exhibit Center Director
Sarah O'Brien, Hospitality & Downtown Director

BACKGROUND/HISTORY:

Opened in the Spring of 2011, this full-service facility has changed directional courses over the last 18 months. Available to host conventions, trade shows, corporate meetings, weddings, concerts, art events, or banquets, the 26,000 square foot Bastrop Convention & Exhibit Center can accommodate up to 750 banquet-style seating or 800 theater-style seating in the flexible Main Ballroom. In October of 2017, the once standalone Bastrop Convention & Exhibit Center Department became a part of the Hospitality and Downtown Department. Highlights of the positive changes, efficiency, and increased economic benefit as a result of the restructuring are outlined below:

- Increased rentals at the Bastrop Convention & Exhibit Center by 50% in FY 2018 over FY 2017, with repeat conventions booked through FY 2020.
- Revised contracts, marketing materials, and time offerings making renting the Bastrop Convention & Exhibit Center competitive.
- Provide full-service rentals at the Bastrop Convention & Exhibit Center including catering services (through contractual services with outside vendors), room setups and teardowns, tablecloths, table decorations, and drink stations.
- Provide successful programming including the Farm Street Opry monthly and our annual Boogie Back to Bastrop Western Swing Festival and Red White & You Dance.
- FY 2019 marks the first year of quarterly reports to City Council.

POLICY EXPLANATION:

The Bastrop Convention and Exhibit Center revised its mission and vision statements in FY 2019 to align with the City Council's focus areas and strategic focus. As outlined in this year's organizational work plan, the following projects are underway:

- FY 2019 Work Plan Economic Vitality #2: Complete research regarding the Texas Alcoholic Beverage Commission license for potential alcohol permit at the Bastrop Convention Center. (Comp Plan - 8.3.2)
- FY 2019 Work Plan Economic Vitality #3: Continue increasing rental revenue of Convention Center by supporting local businesses, small conventions, and conferences. (Comp. Plan – 8.3.2)

ATTACHMENTS:

- FY 2019 1st Quarter Bastrop Convention & Exhibit Center PowerPoint Presentation Report




Bastrop Convention & Exhibit Center




FY 19 Q1 Quarterly Report
Kathy Danielson, Director

Hospitality & Downtown

 **PROGRAMS:** Main Street, Convention Center, Multi-Media Recreation & Special Events

 **BOARDS:** BAIPP, Main Street Advisory Board, Cultural Arts Master Plan Task Force, 1832 Farmer's Market, Chamber, DBA, & Visit Bastrop.

 **FUNDING:** HOT, EDC, Special Event Revenues, General Fund

 **ARMY:** Volunteers, Staff, Community Partners, Regional & State Networks



October 2017

Merged Convention Center and Main Street Departments

- Utilizing Convention Staff to assist with downtown events and beautification
- Increased focus on the customer experience
- Collaboration between downtown, convention center, and Visit Bastrop

Bastrop Convention & Exhibit Center

Mission

The Bastrop Convention & Exhibit Center is committed to serving our community and guests by working as a team to build local partnerships, enhance local and regional events and provide efficient results ensuring economic vitality for Bastrop.

Vision

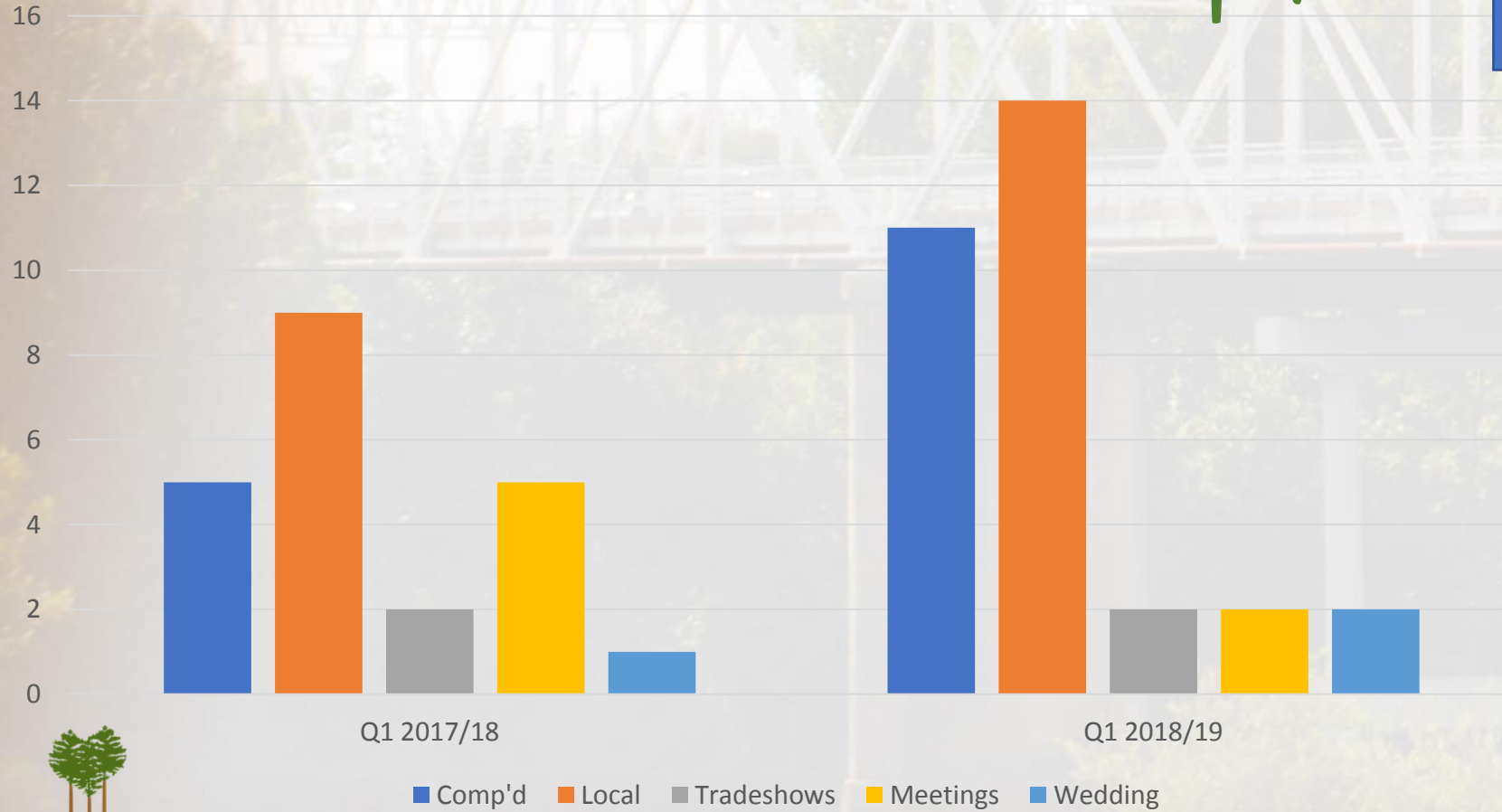
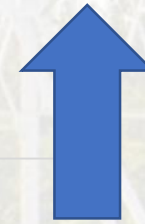
The Bastrop Convention & Exhibit Center will strive to showcase small town charm and hospitality within the local meetings and events industry. Focusing on customer service and exceptional experiences, the Bastrop Convention and Exhibit Center will provide a unique combination of local and non -local use creating a positive economic impact for our community and partners.



Bastrop Convention & Exhibit Center

Q1 Bookings

41 %

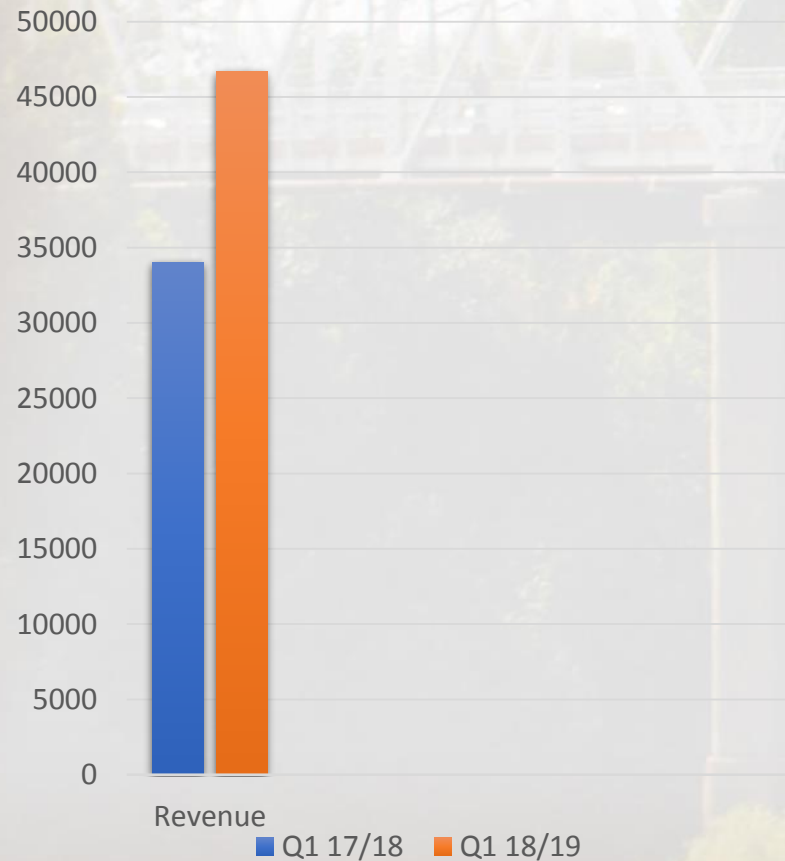


Bastrop Convention & Exhibit Center

Q1 Revenue



36%

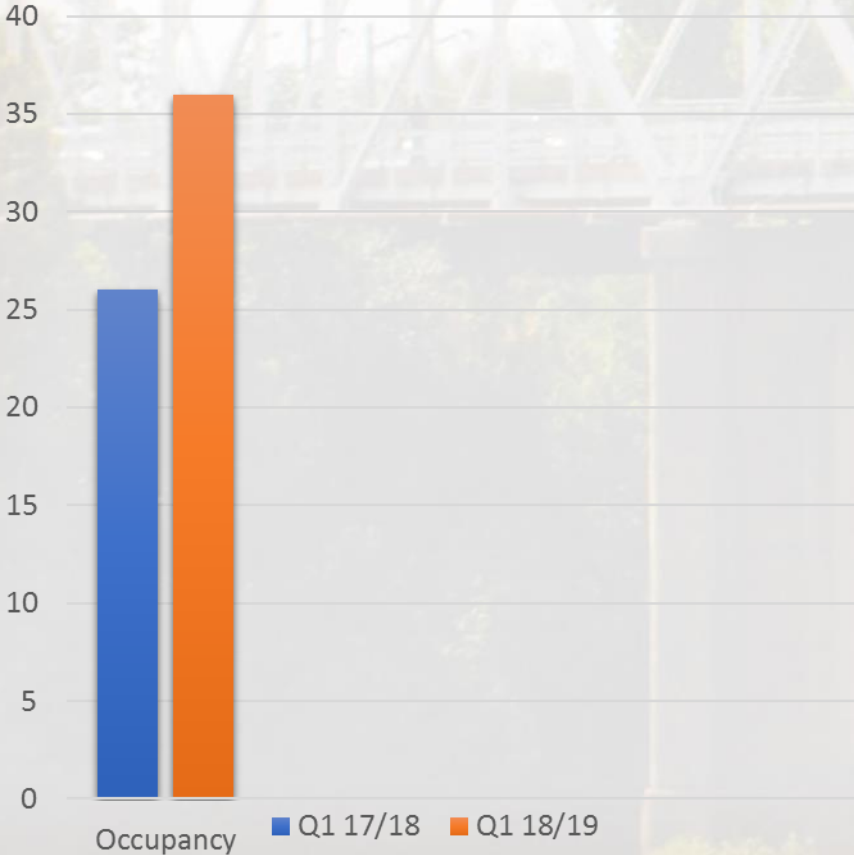


Bastrop Convention & Exhibit Center

Q1 Occupancy



36%



Farm Street Opry: Authentic Cultural Experiences



12%
Revenue

*3600 attendees annually

Red, White & You: Increased Tourism Dollars



- New destination event created to enhance or extend tourist stays
- Attendees: 150 – 175
25% local, 75% Central Texas
Austin/San Antonio Area
- FY 19 Media Promotions underway
- Partnerships

Boogie Back to Bastrop: Destination Driver

FY 18



- 300+ Attendees from Texas, Oklahoma, & New Mexico
- 91 Hotel Room Nights- Up 200%
- 57 RV Rental Nights- Up 60%
- 31 Central TX Daytrippers
- Advertising included Western Swing Monthly, Social Media, Postcards, & Radio

THE END



A CITY OF BASTROP PRODUCTION COPYRIGHT MMXVII



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6B

TITLE:

Receive report on the 2018 Veterans Day Weekend Car Show.

STAFF REPRESENTATIVE:

Sarah E. O'Brien, Hospitality & Downtown Director

BACKGROUND/HISTORY:

The annual Bastrop Area Cruisers' Veterans Day Weekend Heroes & Hotrods Car Show was hosted on November 9th and 10th in Downtown Bastrop. The Veterans Day Weekend Car Show presented by the Bastrop Area Cruisers is one of Bastrop's signature events. Over 350 show cars participated this year, despite the cold temperatures and rain.

The Bastrop Area Cruiser's Car Club and their dedicated members, officers, and volunteers spend countless hours planning, promoting, and organizing this all volunteer run event. The weekend honors those who have served our country in the military. The two-day event features a Friday Cruise-In, Veterans Tribute Ceremony, and a juried car show. Awards were given for 33 classes, an increase of 1 class over 2017, as well as Best of Show, Veterans, Best Engine, Best Paint, Best Interior, Presidential Sponsor Choice, and Club Participation awards including Favorite Chevrolet, Mopar, and Ford.

The City of Bastrop Main Street Program began sponsoring the event through in-kind services in 2016. The City has always supported the event through logistical support, expertise, and manpower. As the event continues to grow in popularity, so will the need for support. The Hospitality & Downtown Department, (whose vision is that ALL our customers, residents, clients, and tourists, enjoy a unique 5-star, four diamond Bastrop experience, brimming with Texas hospitality) is committed to continue to work with the Bastrop Area Cruisers, Visit Bastrop, and the City's Special Event Staff to leverage this event for maximum impact for 2019 and beyond.

Per the organizational work plan, City Staff began tracking special event costs in December 2017. This is the first Veterans Day Weekend Car Show that we have been able to track those costs. In FY 2018, Staff supported requests to expand the festival area and provide additional event support during the show.

POLICY EXPLANATION:

Supporting the Veterans Day Weekend Car Show is in line with the City's Mission and Vision Statements as well as our focus areas of Economic Vitality, Authentic Bastrop, Fiscal Sustainability, and Unique Environment. Comprehensive Plan 2036 Chapter 8.1, 8.3, 8.4, 8.5, and 8.6 also pair with the goals and outcomes of this annual tradition. In an effort to institutionalize

the FY 2018 Organizational Work Plan, support of this special event will continue to be one of the cornerstones of our special event offerings.

ATTACHMENTS:

- 2018 Car Show Economic Impact Report provided by the Bastrop Area Cruisers
- PowerPoint Presentation

*At the time these documents were submitted, Staff did not have all of the data for the 2018 Veterans Day Weekend Car Show City Support documentation. Hourly totals are included but have not yet been updated to reflect FY 2019 personnel costs. Staff will provide that information to Council and the Public as soon as it becomes available.



2018 STATISTICS REPORT - BASTROP VETERANS WEEKEND CAR SHOW NOV 9th & 10th

Registration Data

- All Registrations for 2018: 380, 375 paid, (5 comped) vs for 2017: 434, 430 paid – down 57
- 259 pre-registered of which 213 were on-line. 25 registered at the Friday Night Cruise-In and 96 registered day of Car Show.
- Registered participant Demographic data is as follows
 - 2018: 112 Cities vs 2017: 103 Cities – up 9
 - 2018: 165 distinct zip codes vs 2017: 201 distinct zip codes – down 36
 - 2017: 150 of the 434 were from locations more than 90 - 100 miles from Bastrop
 - 2018: Distance data may be calculated by VisitBastrop.com for their report
- 55 different car clubs represented, approx 20+ BAC cars on display – same as 2017
- 2018 totals: approx 375 vehicles on display at show vs 2017- 450 vehicles down 75
- Approx 120 – 150 cars on display for Friday Night Cruise In activities
- Although no registration is needed for the Veterans Ceremony it is logically assumed that Veteran participants not in the car show both local and longer distance participate, including several involved in the ceremony from out of the Bastrop area
- 105 of the Registrants were Veterans

Hotel – Lodging Information

- Rooms were blocked for the car show at 3 hotels: Hampton Inn, Comfort Suites and Quality Inn.
- Hotels above reported approx 104+ room nights sold
- Projections on total hotel rooms booked at all hotels is being researched by VisitBastrop.com for their Economic Impact Report along with other data that may include travel distances.

Restaurants & Retail

- Exceptional traffic and revenue numbers were reported by many downtown restaurants.
- VisitBastrop.com may have more information on restaurant and retail sales performance
- The fact that nearly 70 Bastrop business sponsors gave their financial support and have reported measured benefits to their businesses is testimony to the Shows economic impact

Sponsorships

- From local businesses both downtown and other we 1 Presidential Sponsor of \$5000, (Kragh's Jewelry), 1 Admiral Sponsor of \$1500 (Maxine's) & had 26 Captain Sponsors of \$500 or more, 26 Sergeant Sponsors of \$250 or more, 19 Corporal Sponsors of \$100 or more. These Sponsors provided support in cash, goods or services
- Many other Bastrop businesses donated Door Prizes and Silent Auction items

Volunteers Involved

- Over 95 BAC Club members volunteered
- 14 volunteers from The Hyatt Lost Pines Resort assisted in the Registration process
- 4 BHS Auto Tech students/teachers, 5 VFW volunteers, 5 from Hands Up High Ministry + 15-20 other community volunteers. Some (10-12) volunteers were recruited at the Bastrop Volunteer Fair earlier in the year
- 143 total volunteers plus 10 participants who assisted by working on the Judging Team
- It took over 35 Judging Team volunteers to complete the judging in time

City of Bastrop and Bastrop County support

Bastrop Police Dept., estimate 4 Officers
Bastrop Road and Parks Dept., estimate 8 Crew members
Bastrop County First Responders, 2 medical technicians
VisitBastrop.Com staff and Bastrop Main Street staff

2018 STATISTICS REPORT - BASTROP VETERANS WEEKEND CAR SHOW NOV 9th & 10th

Vendor Data

- Vendors: 27 total. 3 Food, 12 Sponsors, 4 Non-Profits, 8 No charge Vendors.
- All three food vendors were happy with their sales for the day & want to be back in 2019
- Booth spaces are free to Non-Profits, mainly Veteran Support Groups

BAC Marketing and Promotion

- Our BAC website had exceptional traffic leading up to the show – data avail on request with detailed info on the Museum & Visitor Center, Restaurants, Links to all the sponsor websites and links to attractions, visitbastrop.com, the museum, hotels etc.
- BAC members attended at least 25 regional car shows and other car related events and passed out more than 4000 car show flyers at these events
- Visitbastrop.com provided, TV & Radio spots and extensive social media promotion.
- HB Motorsports Photography, one of our vendors also provided many pictures from last year to us and visitbastrop.com as well as a promotional video and extensive social media reach out

T-Shirt Data

- Nearly 750 event T-Shirts with the event logo naming Bastrop as host city were distributed
- Early registrants received a shirt in their packet, others were sold to Show attendees and spectators
- Some shirts were distributed to Sponsors.



BASTROP AREA CRUISERS



2018 City of Bastrop Event Report



2018 City Services & In-Kind Support

- Expanded festival area
- Increased traffic control
- Extended street closure timeframes
- Festival litter control
- Emergency Management Action and Safety Plan
- Bastrop Public Library closure
- Event permit processing & coordination
- Bastrop Police, Fire, and Public Works departmental support during event
- Variances





2018 Downtown Bastrop Sponsorship & Support



- Lanyard sponsor
- Printing credit
- Social Media promotion
- Social Media event coverage

SPECIAL WELCOME TO OUR REGISTERED HEROES & HOT RODS CAR SHOW ENTRANTS



MAKE THE MOST OF DOWNTOWN BASTROP EVENTS AND CELEBRATIONS

*Tips and tricks to boost your
business during public events*

Before the event

STAY AWARE OF UPCOMING EVENTS BY FOLLOWING THE CALENDARS AND SOCIAL MEDIA CHANNELS OPERATED BY DOWNTOWN BASTROP, CITY OF BASTROP, VISIT BASTROP AND THE BASTROP CHAMBER OF COMMERCE.

MAKE YOUR CUSTOMERS AWARE OF THE UPCOMING EVENT, AND INVITE THEM TO SPREAD THE WORD.

PLAN YOUR OWN BUSINESS EVENT OR PROMOTION TO CORRESPOND WITH THE LARGER EVENT TO DRIVE EVENT VISITORS TO YOUR BUSINESS. HOST LIVE MUSIC, PLAN A SPECIAL SALE, OR DO A GIVEAWAY.

During the event

CURB APPEAL IS EVERYTHING. DECORATE YOUR BUSINESS TO CORRESPOND WITH THE EVENT AND BRING YOUR BUSINESS OUT TO THE CROWD. SET UP A TABLE ON THE SIDEWALK (IF ALLOWED ON AN EVENT BY EVENT BASIS BY THE ORGANIZING COMMUNITY GROUP) WITH INFORMATION, TREATS, BOTTLED WATER, ETC.

HOLD AN EVENT-RELATED CONTEST OR GIVEAWAY. HAVE VISITORS COMPLETE AN ENTRY FORM FOR A GIVEAWAY, AND BUILD YOUR CONTACT LIST WITH THE BALLOTS.

OPEN EARLY AND STAY OPEN LATE. PRIOR TO THE EVENT, AND AS IT BEGINS TO WIND DOWN, GUESTS AND VISITORS WILL BE HITTING UP THE SHOPS AND RESTAURANTS. KEEP YOUR BUSINESS OPEN ON EVENT DAYS AND BE AVAILABLE FOR EARLY AND LATE GUESTS. THE PARTY CAN CONTINUE AT YOUR PLACE OF BUSINESS.

After the event

TAKE ADVANTAGE OF THOSE NEW CONTACTS TO SEND NEWSLETTERS AND INVITE CUSTOMERS TO THE NEXT EVENT, PERHAPS OFFERING A DISCOUNT COUPON FOR WHEN THEY RETURN.

PLAN AHEAD. THE NEXT BIG EVENT IS JUST AROUND THE CORNER AND YOU HAVE THE CHANCE TO DETERMINE YOUR IMPACT, PAY ATTENTION TO WHAT WORKED AND WHAT DIDN'T, AND DEVELOP BEST PRACTICES.

GET INVOLVED. ROBUST INVOLVEMENT FROM OUR BUSINESS COMMUNITY DRIVES TRAFFIC TO DOWNTOWN BASTROP EVENTS. VISITORS SEEK AN AUTHENTIC, MEMORABLE EXPERIENCE - AND YOUR PASSION AND ENTHUSIASM HELPS MAKE THAT POSSIBLE. KEEP UP ON LOCAL EVENTS, AND LOOK AT WAYS THAT YOUR BUSINESS CAN MAKE A GREATER IMPACT, WHICH IN TURN WILL GROW YOUR BUSINESS.

CONNECT WITH DOWNTOWN BASTROP ON SOCIAL MEDIA (@DOWNTOWNBASTROP) AND AT WWW.DOWNTOWNBASTROP.CO [KOPTX] FOR UPCOMING PUBLIC EVENTS. LOCAL BUSINESS RESOUR Page 1 / 1

Teamwork makes the dreamwork.

Our
Heroes:

The
Why



Special Event Support Calculations

What do we calculate?

- Personnel cost estimates for event support including benefit costs
- Parks departmental equipment use costs
- Hard costs such as marketing or sponsorship dollars

What type of support does the City provide?

- Event pre-planning, review and Event After Action Review (AAR) meetings
- Special Event Permit communications, intake, and processing
- Preparation, review, and approval of the Event Action Plan (EAP)
- Event Security and Traffic Control
- Street closures
- Litter control
- Variance processing
- Communication and coordination with downtown business community, partner organizations and event organizers
- Promotional activities





FY 18 Support Estimates

Total Hours: 273

Personnel Costs: \$9,078.44

Equipment Costs: \$1,520.75

Hard Costs: \$1,200.00

Total Costs: \$11,799.19

Questions?
Comments?

Join us next year:
November 8 and
9, 2019





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6C

TITLE:

Receive update on the Cultural Arts Master Plan Project.

STAFF REPRESENTATIVE:

Sarah O'Brien, Hospitality & Downtown Director

BACKGROUND/HISTORY:

The City of Bastrop, Texas, through Bastrop Art in Public Places (BAIPP) has been developing a Cultural Arts Master Plan with GO Collaborative since the Spring of 2018. The overall goal of this master plan is to create a common vision for the role that arts and culture should play in Bastrop, as well as to ascertain what pieces of that vision can guide policy and programming to enhance the quality of life and Bastrop experience for our residents, businesses, and visitors.

GO Collaborative was identified in March of 2018 through the Request for Proposals (RFP) process and selected by a citizen committee to spearhead the project on behalf of the City of Bastrop. GO Collaborative is responsible for organizing and implementing the public participation program, asset inventory and mapping, collecting and analyzing stakeholder data and historically relevant policy information, identifying trends within the local creative economy, and producing the final report with proposed recommendations. The report is expected to propose realistic and creative solutions within the fiscal limitations of the City.

Council was last updated on the project's progress at the August 23rd City Council Meeting. During this meeting, the public was provided an overview of the engagement schedule and participation plan that GO Collaborative has been implementing over the last two (2) months. The Cultural Arts Master Plan Committee, BAIPP, and Staff are eagerly awaiting the development of the draft plan. The plan is scheduled for completion in the next sixty days.

POLICY EXPLANATION:

Bastrop was designated by the Texas Commission on the Arts as a Cultural Arts District in 2012. Since that time, Bastrop, through BAIPP, has been instrumental in creating a public art scene that has been mimicked across the country. The City of Bastrop collects approximately \$2,880,000 annually in Hotel Occupancy Tax and has dedicated \$455,000 to BAIPP over the last six (6) years.

Bastrop Comprehensive Plan 2036, adopted November 22, 2016, established the need to create a long-term strategy for placement of visual and performing arts assets as Goal 8.4. Two (2) supporting objectives were established to ensure Goal 8.4 was achieved: Objective 8.4.1 states "develop a Bastrop Art in Public Places Master Plan for the community." City of Bastrop, TX RFP for Cultural Arts Master Plan Page 8. Objective 8.4.2 states "align land-use policy and practices to make certain space is available for arts and tourism."

The Cultural Arts Master Plan and the RFP Process was also identified in the FY 2018 Work Plan and during the joint workshop between City Council and Bastrop Art in Public Places in December 2017

FUNDING:

FY 2018 and FY 2019 Budget (Hotel Occupancy Tax Fund)

RECOMMENDATION:

N/A

ATTACHMENTS:

- Cultural Arts Master Plan Project Update Memo
- Handout-City of Bastrop Cultural Arts Master Plan



Project Update

To: City of Bastrop Mayor and City Council
From: GO collaborative, Lynn Osgood, Executive Director
Date: November 27, 2018
Re: Update on the Cultural Arts Master Plan Process



WHERE WE'VE BEEN:

For the last two months, the Cultural Arts Master Plan process has been working through a robust cycle of community engagement events. These efforts include:

1. *Creative Placemaking Workshop #1* – Held on September 26th – With the help of visiting arts policy professional Julie Burros, the event was attended by over 50 local stakeholders who brainstormed on desired directions for arts and culture in the city.
 - a. *Primary Take Away: Residents are keenly interested in the development of the Pedestrian Bridge as a site for future arts and culture installations and events.*
2. *Resident Engagement: Emile Elementary* – Held on November 2nd – In order to ensure that the planning team connected fully with Bastrop residents, the team developed *The Postcard Project* which built upon the school's annual fundraising event. Each child in the school created hand-made postcards which were sent to their family as an invitation to the event. Bilingual planners were on hand at that evening to talk with residents about how the arts, culture, and creative expression was currently part of their everyday lives, as well as where and how they would like to see further opportunities developed within the city.
 - a. *Primary Take Away: Residents want to see the City of Bastrop develop family-oriented events that support Bastrop's unique identity. They are proud of its "small-town" feel and want to see that authentic nature preserved.*
3. *Resident Engagement: Cedar Creek Elementary* – Held on October 18th – Using the model of *The Postcard Project* – the event helped the planning team to connect with Bastrop residents outside of the downtown core. The event created a BBQ pot-luck dinner for local families in celebration of the school's art and music program. Over 150 people attended.
 - a. *Primary Take Away: Residents travel far outside of the Bastrop area to bring their children to dance, art, and other arts-based afterschool opportunities.*
4. *Creative Placemaking Workshop #2: Creative Placemaking Workshop #2* – Held on Thursday, November 15th - This workshop featured national arts and culture planner Christine Harris who help led key stakeholders through a review of some emerging recommendations and examined how broad partnerships can help to define those efforts.
5. *Open Houses* – An initial Open House workshop was held on Thursday, November 15th during the day as a lead-up to the Creative Placemaking Workshop #2. A follow-up Open House will. Be held at the History Museum on the evening of December 3rd where the public is invited to learn more about the planning process and the direction of the current recommendations.

WHERE WE ARE:

Now that the planning process has moved through the community and stakeholder engagement phase of the project, the next stage of development will be to draft and finalize the recommendations that will form the heart of the plan. To date, the community feedback process has led to the creation of recommendations that are focused on five primary areas:

1. **Physical Space** – focuses on the capacity of the arts and culture to bring history and identity to both the downtown area and the larger city itself.
2. **Businesses** – looks at how arts and culture can support local businesses, and how the knowledge of the business community can also help to grow the capacities of local artists and arts organizations (who are in essence businesses themselves).

3. History and Identities – acknowledges the city’s deep sense of history and tremendous local assets. This section strategizes on how the arts and culture sector can best support and express the authentic identity of the city.
4. Life-long Learning – having heard from residents about a great desire for additional creative and cultural experiences and classes for their children and themselves, this section helps to identify how potential partnerships can be created to address community needs.
5. Capacity Building – recognizes that the city is ready for the next phase of development in its arts and culture infrastructure, and looks to see how the city can most efficiently and effectively support local artists, while also meeting the growing arts and culture needs of a city that will only increase in scale and complexity over the coming years.

TIMELINE FOR COMPLETION:

The following timeline lists the remaining steps in the completion of the Cultural Arts Master Plan

- Mon, Nov 21: Survey closes
- Thurs, Nov 29: Initial Draft plan to Task Force and city staff for review
- Tues, Dec 11: Update to Council
- Mon, Dec 17: Final draft plan submitted to city staff for review
- Tues, Jan 8: Final plan submitted to Council

City of Bastrop

Cultural Arts Master Plan



A Vision for Arts and Culture

Arts and culture touch people's lives in profound ways: in their connection to different local communities, in the development of their sense of place, and in their understanding of their own creativity.

The City of Bastrop recognizes the unique social and economic value that arts and culture bring to both residents and visitors alike, and seeks to support the development of Bastrop's unique creative communities as well as the city's larger authentic identity.



Places



History



Culture



Nature



Artists



Arts Organizations



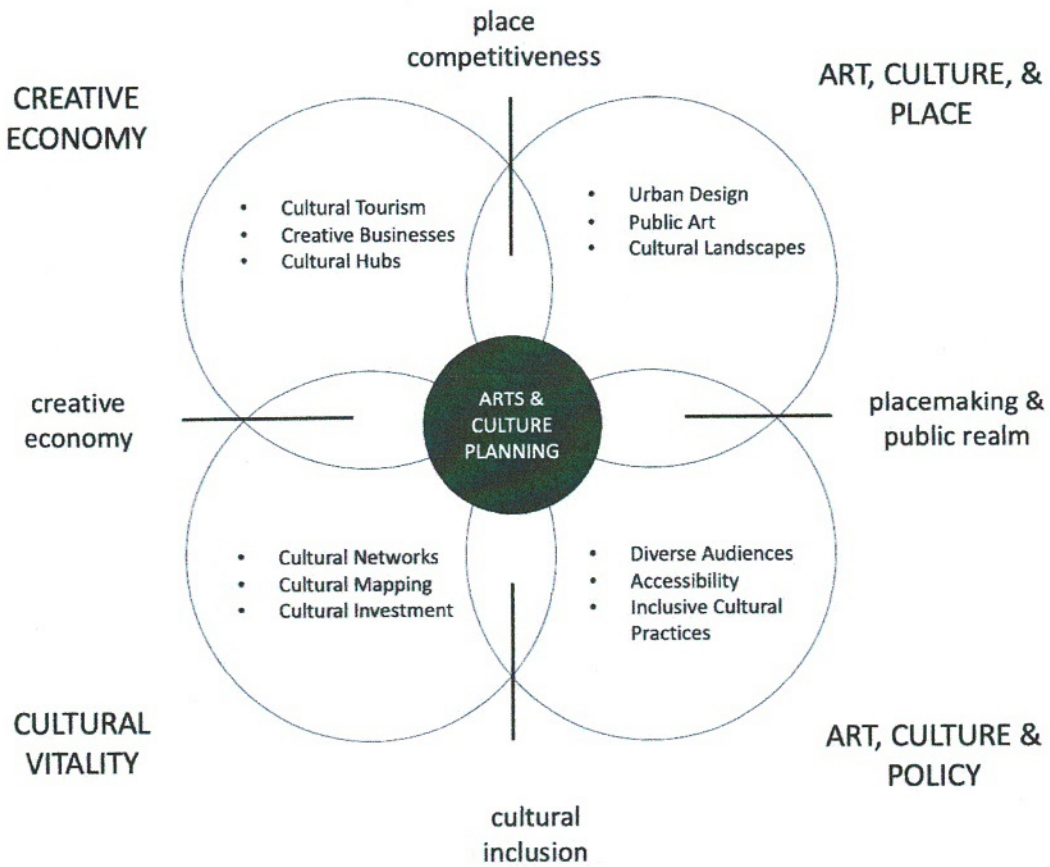
Markets



Events



Planning for Arts and Culture Ecosystems



Arts and Culture Ecosystems are Complex Systems with Multiple Interrelated Parts

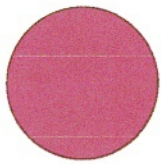


The Tasks Ahead

THEMES

CITY'S ROLE

EXAMPLE TASKS

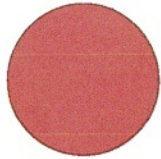


Capacity Building



Leader

Help local artists develop contractual relationships with the Hyatt Resort.



Physical Space



Provider

Develop the Pedestrian Bridge to have the capacity for arts-based installations and performances.

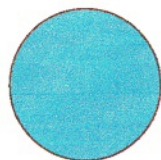


History & Identities



Convener

Enlist the help of an events organizer to help with the coordination of an annual spring-time, family-oriented festival.



Life-long Learning



Convener

Work with BISD to convene local, and potentially regional, partners (such as local universities) who can help to create after-school creative offerings for children.



Local Business



Partner

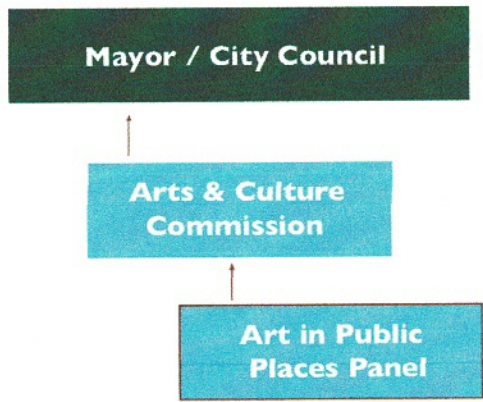
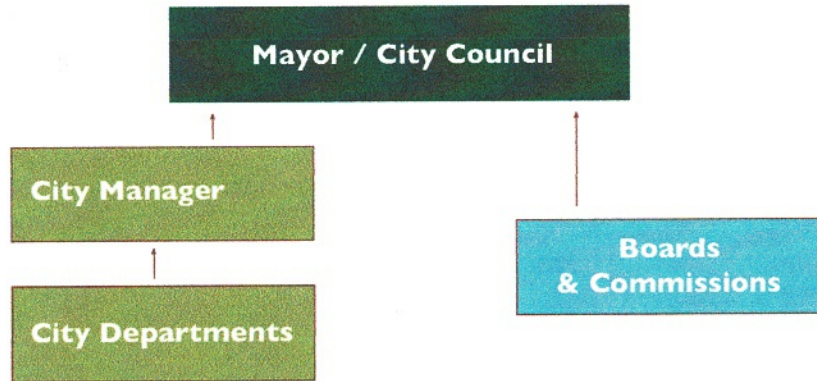
Work with artists-housing development organizations to create affordable artist live-work spaces in the downtown area.

City of Bastrop

Cultural Arts Master Plan



Creating New Structures for Support



PRIMARY TASK

A citizen-led group of advisors to the Mayor and Council who identify, prioritize, and shepherd through policy priorities in support of arts and culture in the city.

To develop a Bastrop %-for-art program and continue to develop the city's arts assets.



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6D

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending September 30, 2018.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Water-Wastewater Fund, Bastrop Power & Light and the Hotel Occupancy Tax Fund.

POLICY EXPLANATION:

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, as adopted by Resolution R-2017-75 on September 26, 2017.

FUNDING SOURCE:

N/A

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending September 30, 2018

CITY OF BASTROP

Comprehensive Monthly Financial Report
September 2018



Performance at a Glance as of September 30, 2018



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY		
ALL FUNDS SUMMARY	POSITIVE	Page 4-5
GENERAL FUND REV VS EXP	POSITIVE	Page 6
SALES TAXES	POSITIVE	Page 7
PROPERTY TAXES	POSITIVE	Page 8
WATER/WASTEWATER FUND REV VS EXP	POSITIVE	Page 9
WATER/WASTEWATER REVENUES	POSITIVE	Page 10
ELECTRIC FUND REV VS EXP	POSITIVE	Page 11
ELECTRIC REVENUES	POSITIVE	Page 12
HTOEL OCCUPANCY TAX FUND REV VS EXP	POSITIVE	Page 13
HOTEL OCCUPANCY TAX REVENUES	POSITIVE	Page 14
Legal fees	N/A	Page 15
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of >5% compared to seasonal trends	

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

ECONOMIC INDICATORS	September 30, 2018 – NEWS FOR YOU
ECONOMY	
<p>National: Real gross domestic product (GDP) decreased at an annual rate of 3.5% in the 3rd quarter of 2018. This is down from 4.2% from 2nd quarter. The personal income decreased by .2% in Sept. 2018 with disposable personal income increasing .5%. The personal consumption expenditures increased .6% in Sept. 2018. (All of these reported by the Bureau of Economic Analysis.)</p> <p>U.S. Retail Sales: Sept. 2018 is up 4.7% from last year which is a decrease from 6.4% in July.</p> <p>Texas Retail Sales: This index is a single summary statistic that sheds light on the future of the state's economy. The index is a composition of eight leading indicators. The index is at 129.36 in Sept. 2018, up 0.34% from Aug. 2018 and up 3.16% from one year ago.</p>	<p>Attached is the Comprehensive Monthly Financial report for September 2018. This is 12 months of FY2018, or 100% of the fiscal year is complete.</p> <p>Revenues: Overall, the City has earned \$35,672,067. This amount is 103% of the approved budget of \$34,369,816.</p> <p>Expense: Overall, the City has spent 9.8% less than budgeted.</p>
	Noteworthy
	<p>These financial reports will change slightly during the audit with final year-end adjusting entries.</p>
UNEMPLOYMENT	
<p>State-wide: The state unemployment is 3.8% in Sept. 2018 which is down from Aug. 2018.</p> <p>Bastrop: Bastrop County has an unemployment rate of 3.2% in Sept. 2018 which is down from 3.8% in Aug. 2018.</p>	

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

BUDGET SUMMARY OF ALL FUNDS

	FY2018 <u>Budget</u>	FY2018 <u>Forecast</u>	FY2018 <u>YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 10,868,105	\$ 10,868,105	\$ 11,269,671	3.7%
Designated	47,450	47,450	106,347	124.1%
Innovation	256,500	256,500	584,779	128.0%
Debt Service	2,576,113	2,576,113	2,614,798	1.5%
Water/Wastewater	5,121,640	5,121,640	5,277,917	3.1%
Water/Wastewater Debt	2,007,586	2,007,586	2,269,174	13.0%
Impact Fees	896,439	896,439	780,127	-13.0%
Vehicle & Equipment Replacement	561,371	561,371	599,048	6.7%
Electric	7,502,696	7,502,696	7,559,348	0.8%
Hotel/Motel Tax	2,882,000	2,882,000	2,879,770	-0.1%
Hospitality & Downtown	1,084,788	1,084,788	1,113,058	2.6%
Art in Public Places	75,041	75,041	77,080	2.7%
Library Board	20,150	20,150	31,332	55.5%
Cemetery	90,700	90,700	131,700	45.2%
Hunter's Crossing PID	379,237	379,237	377,917	-0.3%
TOTAL REVENUES	\$ 34,369,816	\$ 34,369,816	\$ 35,672,067	3.8%

POSITIVE	= Positive variance or negative variance < 1% compared to forecast
WARNING	= Negative variance of 1-5% compared to forecast
NEGATIVE	= Negative variance of >5% compared to forecast

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

BUDGET SUMMARY OF ALL FUNDS

	FY2018 Budget	FY2018 Forecast	FY2018 YTD	Variance
<u>Expense:</u>				
General	\$ 11,141,948	\$ 11,141,948	\$ 10,900,019	-2.2%
Designated	612,000	612,000	93,920	-84.7%
Innovation	706,500	706,500	645,297	-8.7%
Debt Service	2,365,274	2,365,274	2,362,217	-0.1%
Water/Wastewater	6,739,564	6,739,564	4,887,605	-27.5%
Water/Wastewater Debt	1,440,212	1,440,212	1,441,016	0.1%
Impact Fees	902,639	902,639	892,639	-1.1%
Vehicle & Equipment Replacement	534,991	534,991	484,880	-9.4%
Electric	8,087,734	8,087,734	7,515,612	-7.1%
Hotel/Motel Tax	3,389,730	3,389,730	3,062,325	-9.7%
Hospitality & Downtown	1,077,522	1,077,522	1,024,097	-5.0%
Art in Public Places	94,050	94,050	41,084	-56.3%
Library Board	22,386	22,386	22,386	0.0%
Cemetery	131,177	131,177	115,956	-11.6%
Hunter's Crossing PID	455,750	455,750	517,599	13.6%
TOTAL EXPENSES	\$ 37,701,477	\$ 37,701,477	\$ 34,006,653	-9.8%
Surplus/(Shortfall)	\$ (3,331,661)	\$ (3,331,661)	\$ 1,665,414	-150.0%

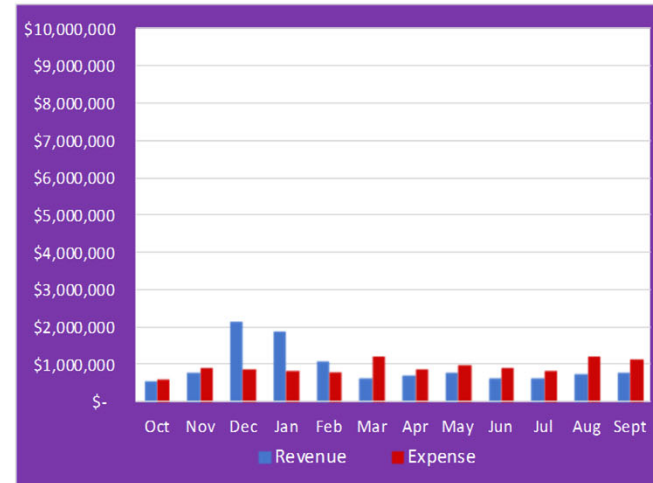
POSITIVE = Negative variance or positive variance < 1% compared to forecast
WARNING = Positive variance of 1-5% compared to forecast
NEGATIVE = Positive variance of >5% compared to forecast

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES

Month	FY2018 Revenue	FY2018 Expense	Monthly Variance
Oct	\$ 547,821	\$ 589,749	\$ (41,928)
Nov	773,721	901,783	\$ (128,062)
Dec	2,129,343	841,355	\$ 1,287,988
Jan	1,840,816	828,636	\$ 1,012,180
Feb	1,090,678	756,976	\$ 333,702
Mar	611,326	1,183,300	\$ (571,974)
Apr	715,793	842,381	\$ (126,588)
May	762,789	955,796	\$ (193,007)
Jun	639,181	873,177	\$ (233,996)
Jul	626,095	830,302	\$ (204,207)
Aug	754,531	1,168,884	\$ (414,353)
Sept	777,577	1,127,680	\$ (350,103)
Total	\$ 11,269,671	\$ 10,900,019	\$ 369,652
Cumulative Forecast	\$ 10,870,105	\$ 11,141,948	\$ (271,843)
Actual to Forecast \$	\$ 399,566	\$ 241,929	\$ 641,495
Actual to Forecast %	3.68%	2.17%	5.85%



POSITIVE

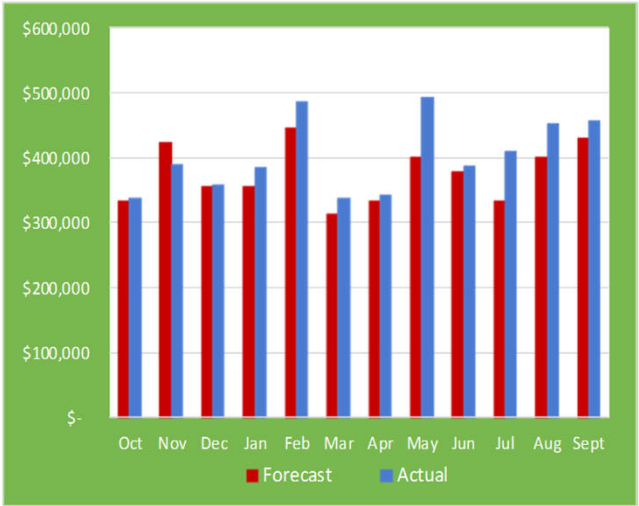
Cumulatively overall, the General Fund is better than forecasted for this time of year. The fund is net positive 5.9%. This would be due to revenue trending above budgeted and monitoring budgeted expenses closely.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

REVENUE ANALYSIS

SALES TAX REVENUE

Month	FY2018 Forecast	FY2018 Actual	Monthly Variance
Oct	\$ 334,264	\$ 338,511	\$ 4,247
Nov	423,401	388,767	\$ (34,634)
Dec	356,548	357,359	\$ 811
Jan	356,548	384,847	\$ 28,299
Feb	445,685	485,934	\$ 40,249
Mar	311,980	336,978	\$ 24,998
Apr	334,264	341,233	\$ 6,969
May	401,117	492,115	\$ 90,998
Jun	378,832	385,827	\$ 6,995
Jul	334,264	408,944	\$ 74,680
Aug	401,117	452,076	\$ 50,959
Sept	428,832	455,922	\$ 27,090
Total	\$ 4,506,852	\$ 4,828,513	\$ 321,661
Cumulative Forecast	\$ 4,506,852		
Actual to Forecast	\$ 321,661	6.7%	



Year over Year Change Increased 8.8%

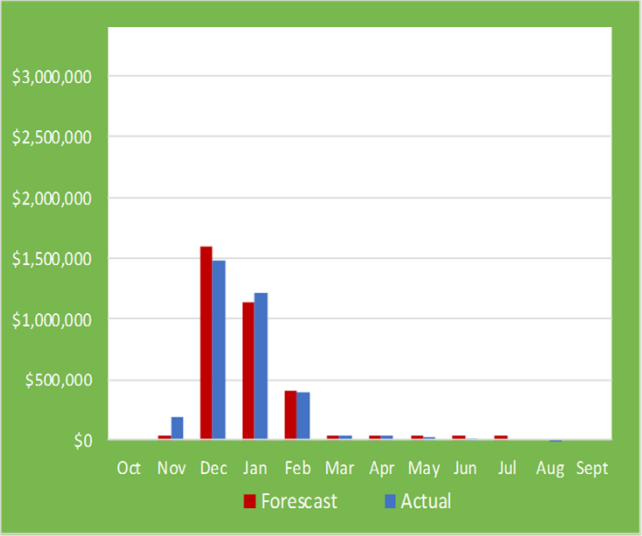
POSITIVE

Sales Tax is 42% of the total budgeted revenue for General Fund. The actual amounts for Oct. and Nov. are estimated due to the State Comptroller's two month lag in payment of these earned taxes. The actual is 6.7% greater than forecasted. Please note that May included a prior period adjustment of approx. \$72,000.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

PROPERTY TAX REVENUE

Month	FY2018 Forecast	FY2018 Actual	Monthly Variance
Oct	\$ -	\$ -	\$ -
Nov	33,336	190,830	\$ 157,494
Dec	1,600,131	1,478,112	\$ (122,019)
Jan	1,133,426	1,209,437	\$ 76,011
Feb	400,033	396,438	\$ (3,595)
Mar	33,336	40,735	\$ 7,399
Apr	33,336	31,324	\$ (2,012)
May	33,336	17,901	\$ (15,435)
Jun	33,336	5,744	\$ (27,592)
Jul	33,336	-	\$ (33,336)
Aug	-	(173)	\$ 173
Sept	-	-	\$ -
Total	\$ 3,333,606	\$ 3,370,348	\$ 37,088
Cumulative Forecast	\$ 3,333,606		
Actual to Forecast	\$ 37,088	1.10%	



POSITIVE

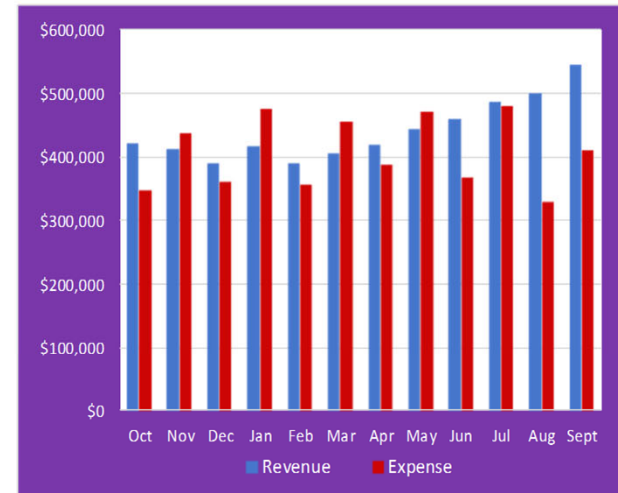
Property tax represents 31% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The forecast was based on FY17 actuals. Year-to-date actual has exceeded the budget by slightly over 1%.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

OVERALL FUND PERFORMANCE

WATER/WASTEWATER FUND REVENUES VS EXPENSES

Month	FY2018 Revenue	FY2018 Expense	Monthly Variance
Oct	\$ 419,499	\$ 345,905	\$ 73,594
Nov	411,848	435,971	\$ (24,123)
Dec	388,292	359,304	\$ 28,988
Jan	416,118	473,510	\$ (57,392)
Feb	389,783	355,072	\$ 34,711
Mar	404,673	453,275	\$ (48,602)
Apr	418,727	387,712	\$ 31,015
May	443,875	469,069	\$ (25,194)
Jun	457,532	366,153	\$ 91,379
Jul	486,348	477,884	\$ 8,464
Aug	498,354	328,299	\$ 170,055
Sept	542,869	409,596	\$ 133,273
Total	\$ 5,277,918	\$ 4,861,750	\$ 416,168
Cumulative Forecast	\$ 5,121,640	\$ 6,739,564	\$ (1,617,924)
Actual to Forecast \$	\$ 156,278	\$ 1,877,814	\$ 2,034,092
Actual to Forecast %	3.05%	27.86%	



POSITIVE

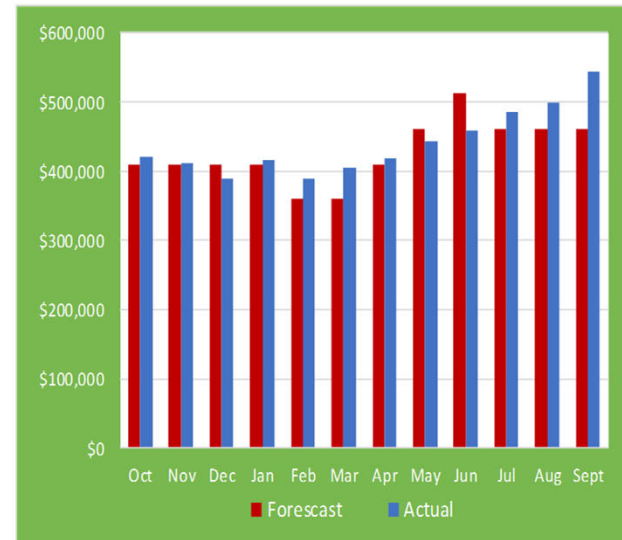
Water and wastewater fund is approximately 31% net positive. There are salary savings and capital projects that have not been expensed.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

Month	FY2018 Forecast	FY2018 Actual	Monthly Variance
Oct	\$ 409,891	\$ 419,499	\$ 9,608
Nov	409,891	411,848	\$ 1,957
Dec	409,891	388,292	\$ (21,599)
Jan	409,891	416,118	\$ 6,227
Feb	359,155	389,783	\$ 30,628
Mar	359,155	404,673	\$ 45,518
Apr	409,891	418,727	\$ 8,836
May	460,628	443,875	\$ (16,753)
Jun	511,364	457,532	\$ (53,832)
Jul	460,628	486,348	\$ 25,720
Aug	460,628	498,354	\$ 37,726
Sept	460,628	542,869	\$ 82,241
Total	\$ 5,121,641	\$ 5,277,918	\$ 156,277
Cumulative Forecast	\$ 5,121,640		
Actual to Forecast	\$ 156,277	3.05%	



POSITIVE

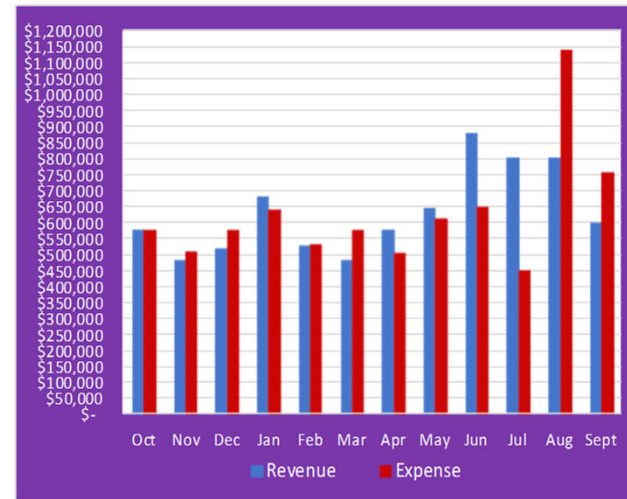
The water and wastewater actual revenue is 3% higher than forecast. There were 2 new meters set this month both residential.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

OVERALL FUND PERFORMANCE

ELECTRIC FUND REVENUES VS EXPENSES

Month	FY2018 Revenue	FY2018 Expense	Monthly Variance
Oct	\$ 575,828	\$ 575,543	\$ 285
Nov	482,650	509,673	\$ (27,023)
Dec	519,759	574,941	\$ (55,182)
Jan	678,275	638,368	\$ 39,907
Feb	526,302	530,494	\$ (4,192)
Mar	483,323	576,608	\$ (93,285)
Apr	576,949	505,452	\$ 71,497
May	641,790	611,171	\$ 30,619
Jun	874,691	647,934	\$ 226,757
Jul	799,249	453,206	\$ 346,043
Aug	800,949	1,135,560	\$ (334,611)
Sept	599,582	756,661	\$ (157,079)
Total	\$ 7,559,347	\$ 7,515,611	\$ 43,736
Cumulative Forecast	\$ 7,502,696	\$ 8,087,734	\$ (585,038)
Actual to Forecast \$	\$ 56,651	\$ 572,123	\$ 628,774
Actual to Forecast %	0.76%	7.07%	7.83%



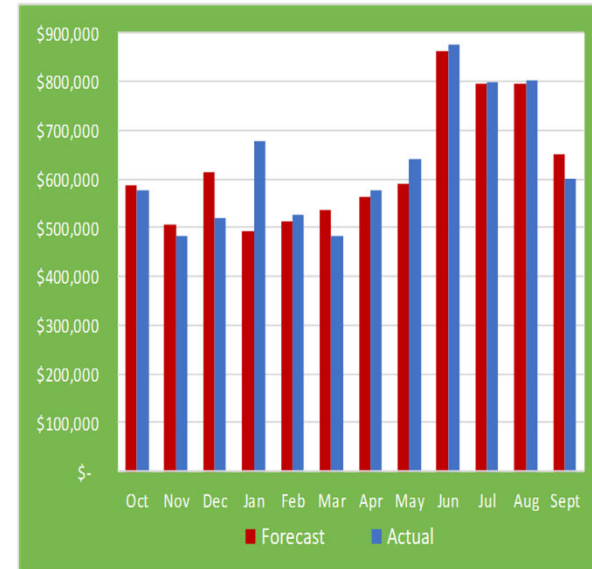
POSITIVE

The Electric utility fund is 7.85% net position. The revenue in June included line extension fees of \$154,000 just for the Piney Creek subdivision. This fund has capital improvement projects budgeted that have had a small actual expenses as of September. The August expense reflects July and August power bill, that is why the increase. There was 1 commercial meter set in September.

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

Month	FY2018 Forecast	FY2018 Actual	Monthly Variance
Oct	\$ 585,682	\$ 575,828	\$ (9,854)
Nov	506,618	482,650	\$ (23,968)
Dec	614,433	519,759	\$ (94,674)
Jan	492,242	678,275	\$ 186,033
Feb	514,618	526,302	\$ 11,684
Mar	535,368	483,323	\$ (52,045)
Apr	564,119	576,949	\$ 12,830
May	589,119	641,790	\$ 52,671
Jun	861,873	874,691	\$ 12,818
Jul	794,126	799,249	\$ 5,123
Aug	794,126	800,949	\$ 6,823
Sept	650,372	599,582	\$ (50,790)
Total	\$ 7,502,696	\$ 7,559,347	\$ 56,651
Cumulative Forecast	\$ 7,502,696		
Actual to Forecast	\$ 56,651	0.76%	



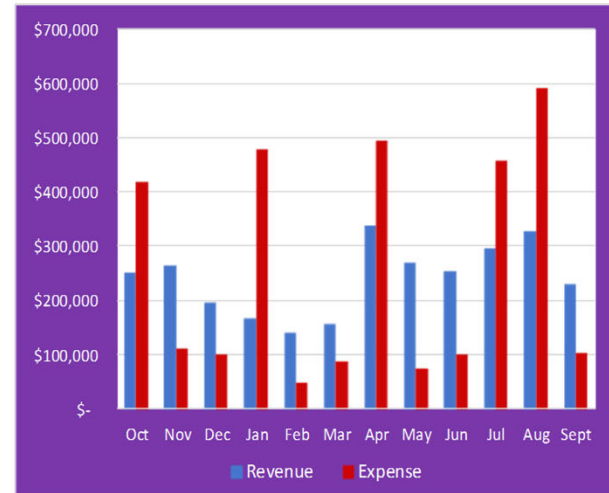
POSITIVE

The Electric utility revenue is not quite 1% above forecasted revenue. There was 1 new commercial meter set this month.

OVERALL FUND PERFORMANCE

HOTEL OCCUPANCY TAX FUND REVENUES VS EXPENSES

Month	FY2018 Revenue	FY2018 Expense	Monthly Variance
Oct	\$ 250,340	\$ 416,596	\$ (166,256)
Nov	263,130	110,633	\$ 152,497
Dec	195,275	100,993	\$ 94,282
Jan	165,533	478,487	\$ (312,954)
Feb	140,248	48,335	\$ 91,913
Mar	156,724	87,049	\$ 69,675
Apr	336,568	494,443	\$ (157,875)
May	268,359	74,537	\$ 193,822
Jun	251,995	100,357	\$ 151,638
Jul	294,645	456,628	\$ (161,983)
Aug	327,213	590,236	\$ (263,023)
Sept	229,740	104,032	\$ 125,708
Total	\$ 2,879,770	\$ 3,062,326	\$ (182,556)
Cumulative Forecast	\$ 2,882,000	\$ 3,389,730	\$ (507,730)
Actual to Forecast \$	\$ (2,230)	\$ 327,404	\$ 325,174
Actual to Forecast %	-0.08%	9.66%	9.58%



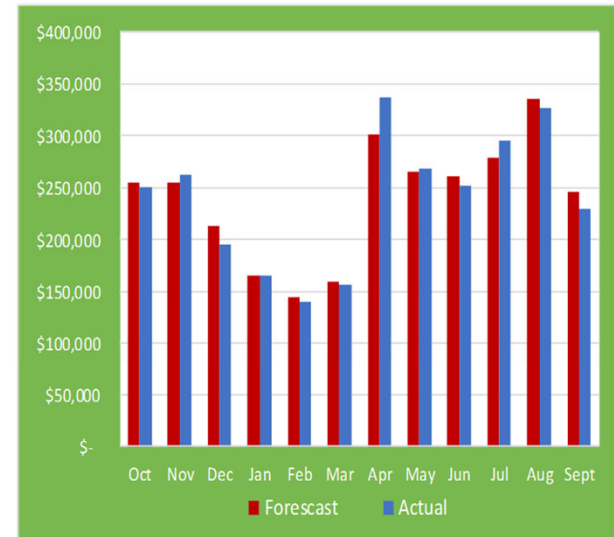
POSITIVE

The Hotel Occupancy Tax fund is almost 10% net positive. This fund was budgeted to use excess fund balance in the amount of \$487,730. Visit Bastrop is paid on a quarterly basis. August Expense includes the transfer to Debt Service to cover the HOT portion of the bond payments due in August.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

Month	FY2018 Forecast	FY2018 Actual	Monthly Variance
Oct	\$ 255,390	\$ 250,340	\$ (5,050)
Nov	255,196	263,130	\$ 7,934
Dec	213,377	195,275	\$ (18,102)
Jan	164,985	165,444	\$ 459
Feb	145,030	140,248	\$ (4,782)
Mar	158,970	156,814	\$ (2,156)
Apr	301,938	336,568	\$ 34,630
May	265,141	268,359	\$ 3,218
Jun	261,039	251,995	\$ (9,044)
Jul	279,344	294,645	\$ 15,301
Aug	336,103	327,213	\$ (8,890)
Sept	245,488	229,740	\$ (15,748)
Total	\$ 2,882,001	\$ 2,879,771	\$ (2,230)
Cumulative Forecast	\$ 2,882,001		
Actual to Forecast %	\$ (2,230)	-0.1%	



POSITIVE

We budgeted revenue flat from FY17 to FY18 and in FY17 we were short reaching our budget. We were hopeful that we would be able to meet this budget amount in FY18 with increased tourism promotion. So far YTD we are .1% negative actual to forecast. **The Hotel Tax revenue YTD is \$158,305 more than same time last year.**

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT –September 2018

FIRM	CASE	FY15-16	FY16-17	FY17-18
BUNDREN				
	Pine Forest Interlocal	\$ 700,800	\$ 83,620	\$ 26,612
	Vandiver	\$ 79,951	\$ 2,343	\$ -
	Aqua CCN	\$ 21,735	\$ 12,898	\$ -
	Red Light Camera Suit	\$ 60,279	\$ -	\$ -
TERRELL LAW FIRM				
	Water permit	\$ 482,815	\$ 37,630	\$ 135
DAVID BRAGG, P.C.				
	General legal	\$ 8,603	\$ 48,215	\$ -
	Vandiver	\$ -	\$ 9,640	\$ -
	Water Permit	\$ -	\$ 3,120	\$ -
	Pine Forest Interlocal	\$ -	\$ 3,560	\$ -
BOJORQUEZ LAW FIRM				
	General legal	\$ -	\$ 3,299	\$ 245,168
	Vandiver	\$ -	\$ 4,546	\$ 5,079
	Pine Forest Interlocal	\$ -	\$ -	\$ 10,116
	Prosecutor	\$ -	\$ -	\$ 19,633
	Water/Wastewater	\$ -	\$ -	\$ 18,425
MULTIPLE FIRMS				
	XS Ranch Bankruptcy	\$ -	\$ 7,415	\$ 11,770
RUSSEL RODRIGUEZ HYDE				
	XS Ranch Bankruptcy	\$ -	\$ 7,607	\$ 27,965
	Hunters Crossing PID	\$ -	\$ 17,927	\$ 83,524
	Water/Wastewater	\$ -	\$ -	\$ 910
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP				
	Red Light Camera Suit	\$ 1,246	\$ 443	\$ 2,124
Total Legal		\$ 1,355,428	\$ 242,263	\$ 451,460

Summary by Case/Type

Row Labels	SUM FY15-16	SUM FY16-17	SUM FY17-18
Aqua CCN	\$ 21,735	\$ 12,898	\$ -
General legal	\$ 8,603	\$ 51,514	\$ 245,168
Hunters Crossing PID	\$ -	\$ 17,927	\$ 83,524
Pine Forest Interlocal	\$ 700,800	\$ 87,180	\$ 36,728
Prosecutor	\$ -	\$ -	\$ 19,633
Red Light Camera Suit	\$ 61,525	\$ 443	\$ 2,124
Vandiver	\$ 79,951	\$ 16,529	\$ 5,079
Water permit	\$ 482,815	\$ 40,750	\$ 135
Water/Wastewater	\$ -	\$ -	\$ 19,335
XS Ranch Bankruptcy	\$ -	\$ 15,022	\$ 39,735
Grand Total	\$ 1,355,428	\$ 242,263	\$ 451,460



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6E

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending October 31, 2018.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Water-Wastewater Fund, Bastrop Power & Light and the HOT Tax Fund.

POLICY EXPLANATION:

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, adopted in conjunction with the FY2019 budget on September 25, 2018.

FUNDING SOURCE:

N/A

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending October 31, 2018

CITY OF BASTROP






Comprehensive Monthly Financial Report
October 2018



Performance at a Glance as of October 31, 2018



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY		
ALL FUNDS SUMMARY	POSITIVE	Page 4-5
GENERAL FUND REV VS EXP	POSITIVE	Page 6
SALES TAXES	POSITIVE	Page 7
PROPERTY TAXES	POSITIVE	Page 8
WATER/WASTEWATER FUND REV VS EXP	NEGATIVE	Page 9
WATER/WASTEWATER REVENUES	POSITIVE	Page 10
ELECTRIC FUND REV VS EXP	POSITIVE	Page 11
ELECTRIC REVENUES	POSITIVE	Page 12
HOT TAX FUND REV VS EXP	POSITIVE	Page 13
HOTEL OCCUPANCY TAX REVENUES	POSITIVE	Page 14
Legal fees	N/A	Page 15
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of > 5% compared to seasonal trends	

ECONOMIC INDICATORS	October 31, 2018– NEWS FOR YOU
ECONOMY	
<p><u>National:</u>  Real gross domestic product (GDP) decreased at an annual rate of 3.5% in the 3rd quarter of 2018. This is down from 4.2% from 2nd quarter. The personal income increased by .5% in Oct. 2018 with disposable personal income increasing .5%. The personal consumption expenditures increased .6% in Oct. 2018. (All of these reported by the Bureau of Economic Analysis.)</p> <p><u>U.S. Retail Sales:</u>  Sept. 2018 is up 4.7% from last year which is down from 6.4% in July 2018.</p> <p><u>Texas Retail Sales:</u>  This index is a single summary statistic that sheds light on the future of the state's economy. The index is a composition of eight leading indicators. The index is at 129.36 in Sept. 2018, up 0.34% from Aug. 2018 and up 3.16% from one year ago.</p>	<p>Attached is the Comprehensive Monthly Financial report for Oct 2018. This is 1 month of FY2019, or 8.3% of the fiscal year is complete.</p> <p><u>Revenues:</u> Overall, the City has earned \$3,506,724. This amount is 9% of the approved budget of \$38,454,087 and is 3.5% higher than the amount forecasted through the month of Oct.</p> <p><u>Expense:</u> Overall, the City has spent 3.7% less than forecasted.</p>
UNEMPLOYMENT	Noteworthy
<p><u>State-wide:</u>  The state unemployment is 3.7% in Oct. 2018 which is down from Sept. 2018.</p> <p><u>Bastrop:</u>  Bastrop County has an unemployment rate of 3.2% in Sept. 2018 which is down from 3.8% in July 2018.</p>	<p>N/A</p>

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2019 Budget</u>	<u>FY2019 Forecast</u>	<u>FY2019 YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 11,507,934	\$ 547,804	\$ 579,372	5.8%
Designated	58,100	2,925	12,062	312.4%
Innovation	463,825	38,652	40,175	3.9%
Street Maintenance	1,106,000	1,100,500	1,101,834	0.1%
Debt Service	2,637,663	19,594	20,053	2.3%
Water/Wastewater	5,707,190	400,030	407,528	1.9%
Water/Wastewater Debt	2,235,643	118,625	139,250	17.4%
Water/Wastewater Capital Proj	155,000	12,917	14,977	15.9%
Impact Fees	509,600	42,467	56,045	32.0%
Vehicle & Equipment Replacement	611,563	283,422	282,850	-0.2%
Electric	7,721,040	492,992	501,810	1.8%
HOT Tax Fund	3,571,246	301,526	313,999	4.1%
Library Board	20,550	1,713	3,598	110.0%
Cemetery	113,700	1,475	2,181	47.9%
Capital Bond Projects	75,000	6,250	11,855	89.7%
Grant Fund	1,416,576	17,000	17,315	1.9%
Park/Trail Land Dedicaiton	102,791	42	187	345.9%
Hunter's Crossing PID	440,666	1,500	1,633	8.9%
TOTAL REVENUES	\$ 38,454,087	\$ 3,389,434	\$ 3,506,724	3.5%

POSITIVE
WARNING
NEGATIVE

= Positive variance or negative variance < 1% compared to forecast
 = Negative variance of 1-5% compared to forecast
 = Negative variance of >5% compared to forecast

BUDGET SUMMARY OF ALL FUNDS

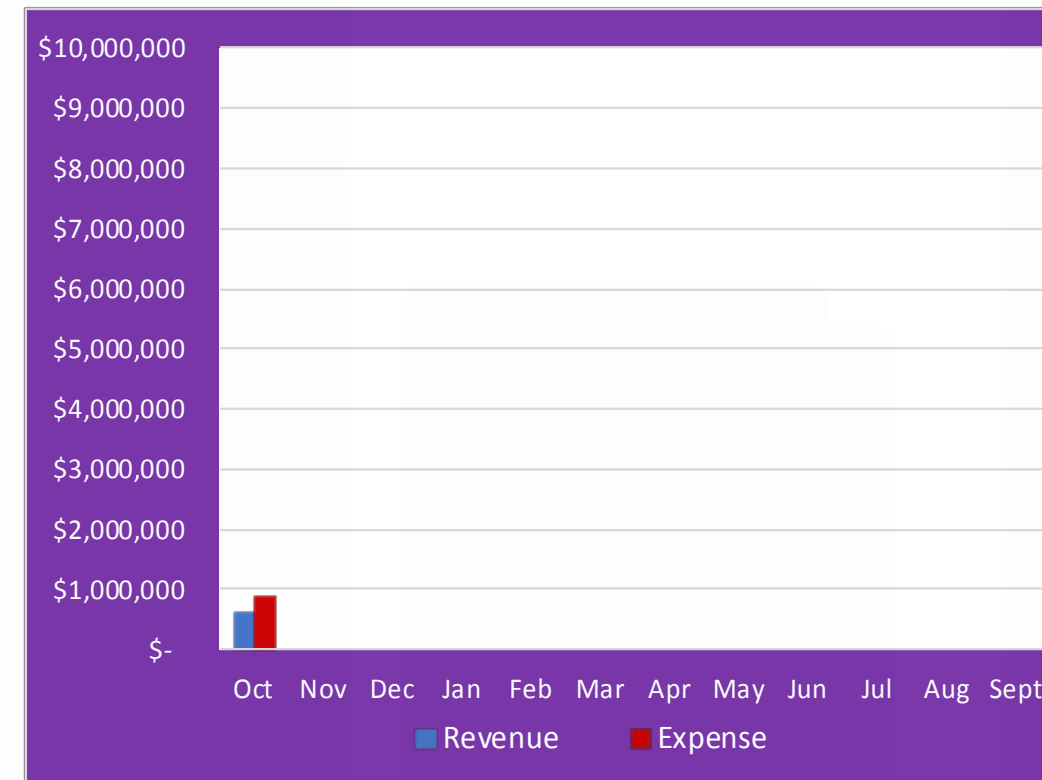
	<u>FY2019 Budget</u>	<u>FY2019 Forecast</u>	<u>FY2019 YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 11,507,935	\$ 967,861	\$ 860,860	-11.1%
Designated	535,150	44,596	35,107	-21.3%
Innovation	2,195,241	217,312	75,904	-65.1%
Street Maintenance	566,797	-	-	0.0%
Debt Service	2,388,203	1,615	1,613	-0.2%
Water/Wastewater	5,681,384	473,449	606,317	28.1%
Water/Wastewater Debt	1,425,805	-	-	0.0%
Water/Wastewater Capital Proj.	875,730	-	-	0.0%
Impact Fees	691,742	-	-	0.0%
Vehicle & Equipment Replacement	400,764	-	-	0.0%
Electric	8,192,778	691,849	675,329	-2.4%
HOT Tax Fund	3,909,688	475,235	474,949	-0.1%
Library Board	21,475	1,790	-	-100.0%
Park Dedication	107,977	-	-	0.0%
Cemetery	97,480	7,732	5,143	-33.5%
Hunter's Crossing PID	112,720	9,393	8,856	-5.7%
Capital Projects (Bond)	5,551,132	1,100,000	1,100,000	0.0%
Grant Fund	1,416,576	-	-	0.0%
TOTAL EXPENSES	\$ 45,678,577	\$ 3,990,832	\$ 3,844,078	-3.7%
Surplus/(Shortfall)	\$ (7,224,490)	\$ (601,398)	\$ (337,354)	-43.9%

POSITIVE	= Negative variance or positive variance < 1% compared to forecast
WARNING	= Positive variance of 1-5% compared to forecast
NEGATIVE	= Positive variance of >5% compared to forecast

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES

<u>Month</u>	<u>FY2019 Revenue</u>	<u>FY2019 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 579,372	\$ 860,860	\$ (281,488)
Nov			\$ -
Dec			\$ -
Jan			\$ -
Feb			\$ -
Mar			\$ -
Apr			\$ -
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 579,372	\$ 860,860	\$ (281,488)
Cumulative Forecast	\$ 547,804	\$ 967,861	\$ (420,057)
Actual to Forecast \$	\$ 31,568	\$ 107,001	\$ 138,569
Actual to Forecast %	5.76%	11.06%	16.82%



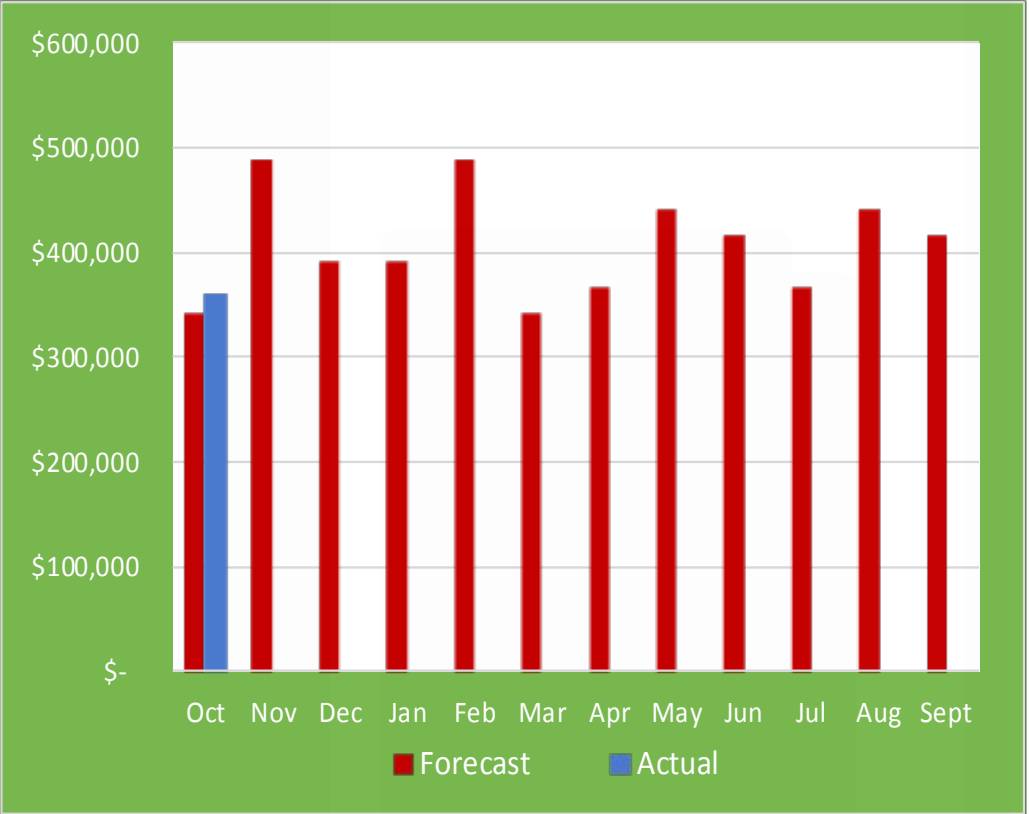
POSITIVE

Cumulatively overall, the General Fund is better than forecasted for this time of year. The fund is net positive 16.8%. This is due mostly to vacancy savings from the new budgeted positions unfilled by this period.

REVENUE ANALYSIS

SALES TAX REVENUE

Month	FY2019 Forecast	FY2019 Actual	Monthly Variance
Oct	\$ 340,507	\$ 357,918	\$ 17,411
Nov	486,439		\$ -
Dec	389,151		\$ -
Jan	389,151		\$ -
Feb	486,439		\$ -
Mar	340,507		\$ -
Apr	364,829		\$ -
May	437,795		\$ -
Jun	413,473		\$ -
Jul	364,829		\$ -
Aug	437,795		\$ -
Sept	413,473		\$ -
Total	\$ 4,864,388	\$ 357,918	\$ 17,411
Cumulative Forecast	\$ 340,507		
Actual to Forecast	\$ 17,411	5.1%	

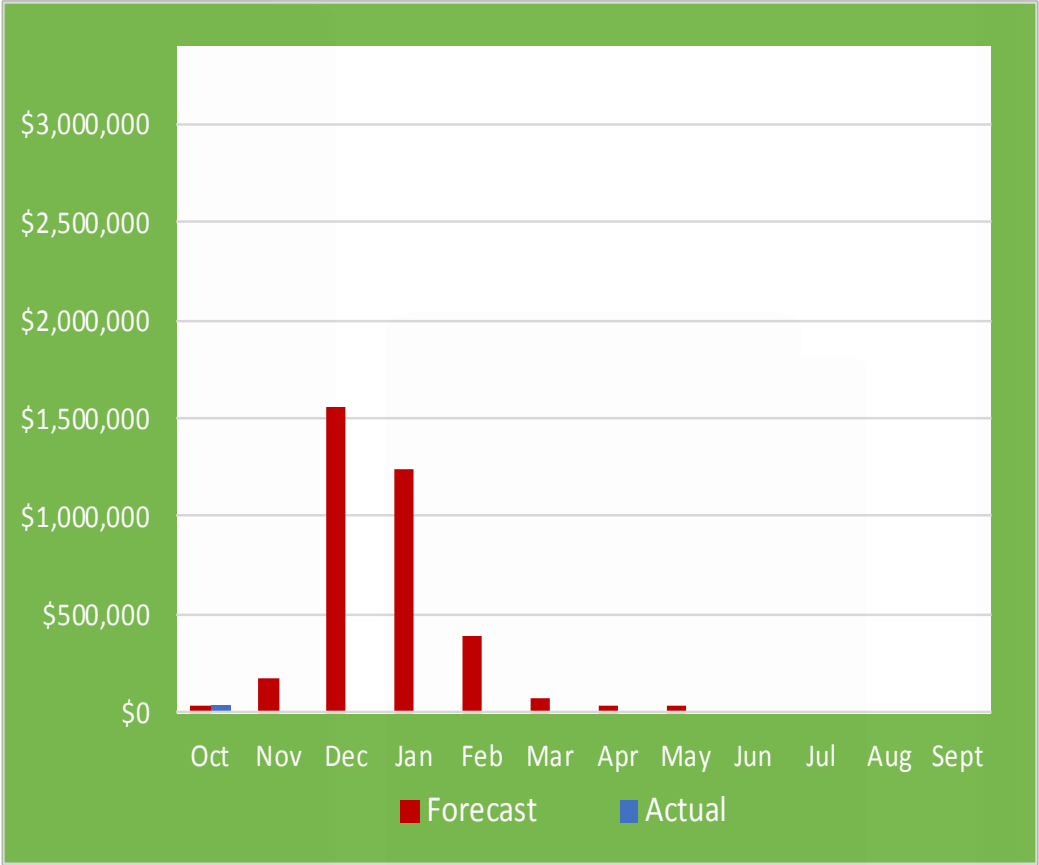


POSITIVE

Sales Tax is 42% of the total budgeted revenue for General Fund. The actual amounts for Oct. and Nov. are estimated due to the State Comptroller's two month lag in payment of these earned taxes. The actual is 5% greater than forecasted.

PROPERTY TAX REVENUE

<u>Month</u>	<u>FY2019 Forecast</u>	<u>FY2019 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 35,395	\$ 39,476	\$ 4,081
Nov	176,976		
Dec	1,557,386		
Jan	1,238,830		
Feb	389,347		
Mar	70,790		
Apr	35,395		
May	35,395		
Jun	-		
Jul	-		
Aug	-		
Sept	-		
Total	\$ 3,539,514	\$ 39,476	\$ 4,081
Cumulative Forecast	\$ 35,395		
Actual to Forecast	\$ 4,081	11.53%	



POSITIVE

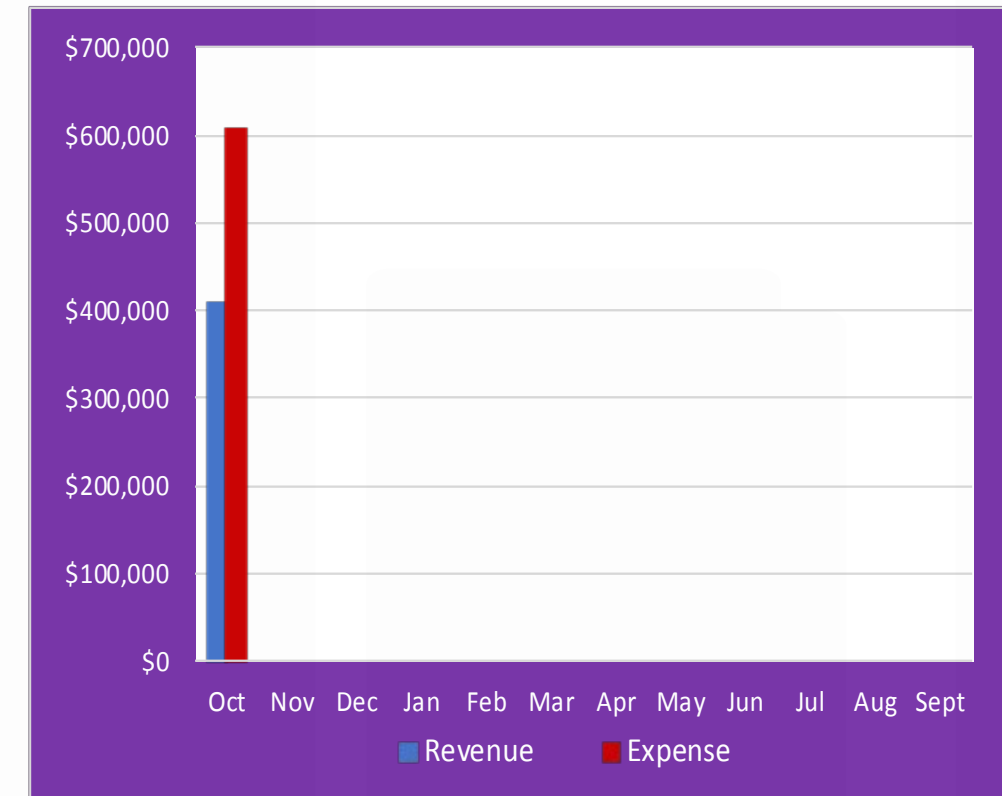
Property tax represents 31% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The actual is exceeding the forecast by almost 12%.

COMPREHENSIVE MONTHLY FINANCIAL REPORT –October 2018

OVERALL FUND PERFORMANCE

WATER/WASTEWATER FUND REVENUES VS EXPENSES

<u>Month</u>	<u>FY2019 Revenue</u>	<u>FY2019 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 407,528	\$ 606,317	\$ (198,789)
Nov			\$ -
Dec			\$ -
Jan			\$ -
Feb			\$ -
Mar			\$ -
Apr			\$ -
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 407,528	\$ 606,317	\$ (198,789)
Cumulative Forecast	\$ 400,030	\$ 473,449	\$ (73,419)
Actual to Forecast \$	\$ 7,498	\$ (132,868)	\$ (125,370)
Actual to Forecast %	1.87%	-28.06%	



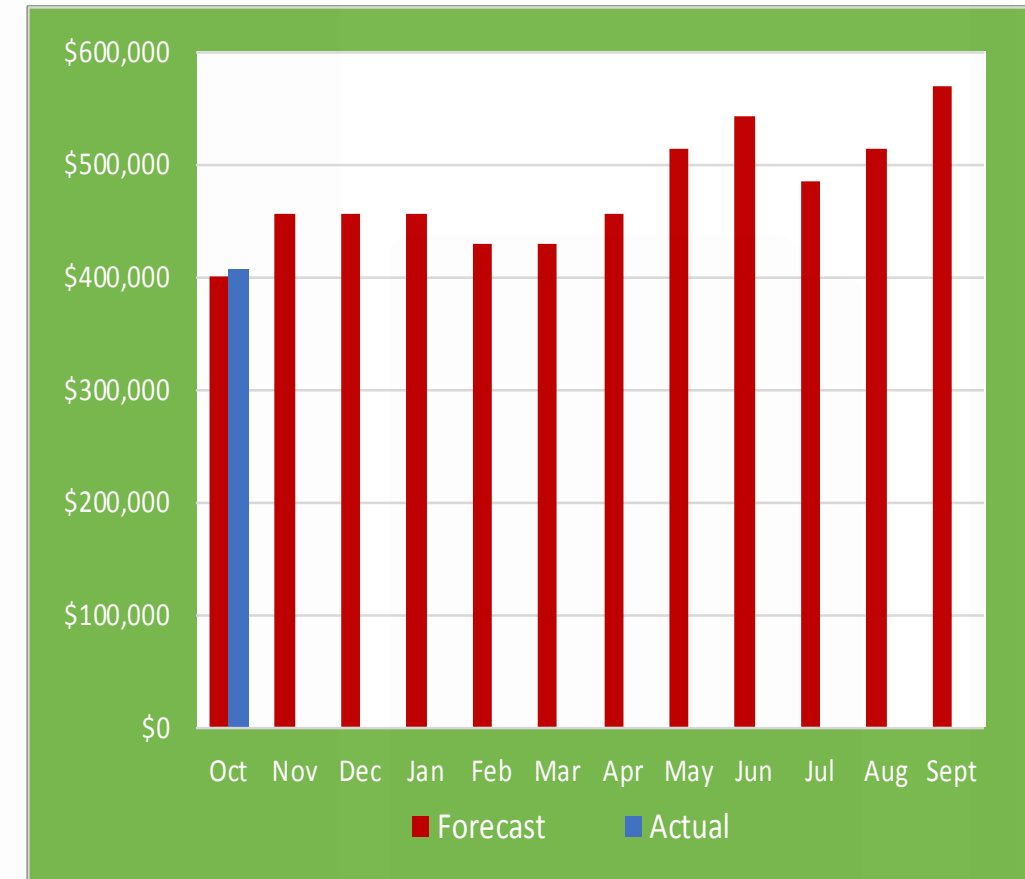
NEGATIVE

Water and wastewater fund is 26% net negative. This negative was attributed to the purchase of emergency filters during the high water event at the beginning of October. This should level off in the coming months but may require a budget amendment.

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

Month	FY2019 Forecast	FY2019 Actual	Monthly Variance
Oct	\$ 400,030	\$ 407,528	\$ 7,498
Nov	456,707		
Dec	456,707		
Jan	456,707		
Feb	428,368		
Mar	428,368		
Apr	456,707		
May	513,384		
Jun	541,722		
Jul	485,045		
Aug	513,384		
Sept	570,061		
Total	\$ 5,707,190	\$ 407,528	\$ 7,498
Cumulative Forecast	\$ 400,030		
Actual to Forecast	\$ 7,498	1.87%	



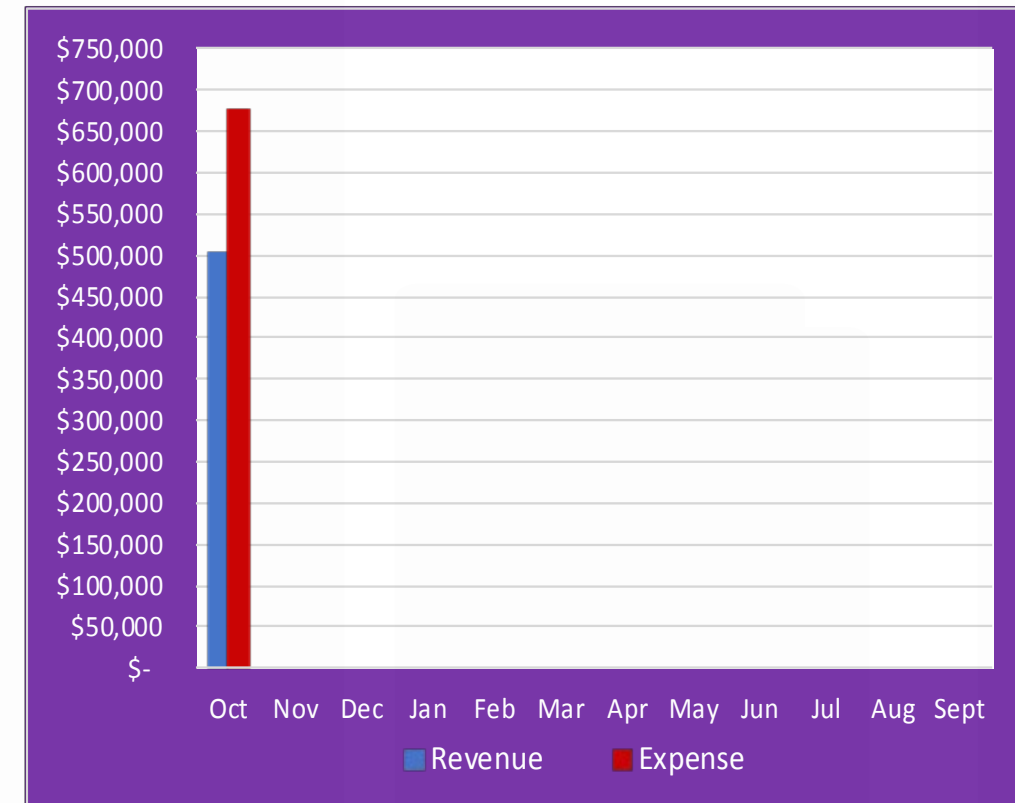
POSITIVE

The water and wastewater actual revenue is just slightly higher than forecast. There were 2 new meters set this month all residential.

OVERALL FUND PERFORMANCE

ELECTRIC FUND REVENUES VS EXPENSES

Month	FY2019 Revenue	FY2019 Expense	Monthly Variance
Oct	\$ 501,810	\$ 675,329	\$ (173,519)
Nov			\$ -
Dec			\$ -
Jan			\$ -
Feb			\$ -
Mar			\$ -
Apr			\$ -
May			\$ -
Jun			\$ -
Jul			\$ -
Aug			\$ -
Sept			\$ -
Total	\$ 501,810	\$ 675,329	\$ (173,519)
Cumulative Forecast	\$ 492,992	\$ 691,849	\$ (198,857)
Actual to Forecast \$	\$ 8,818	\$ 16,520	\$ 25,338
Actual to Forecast %	1.79%	2.39%	4.18%



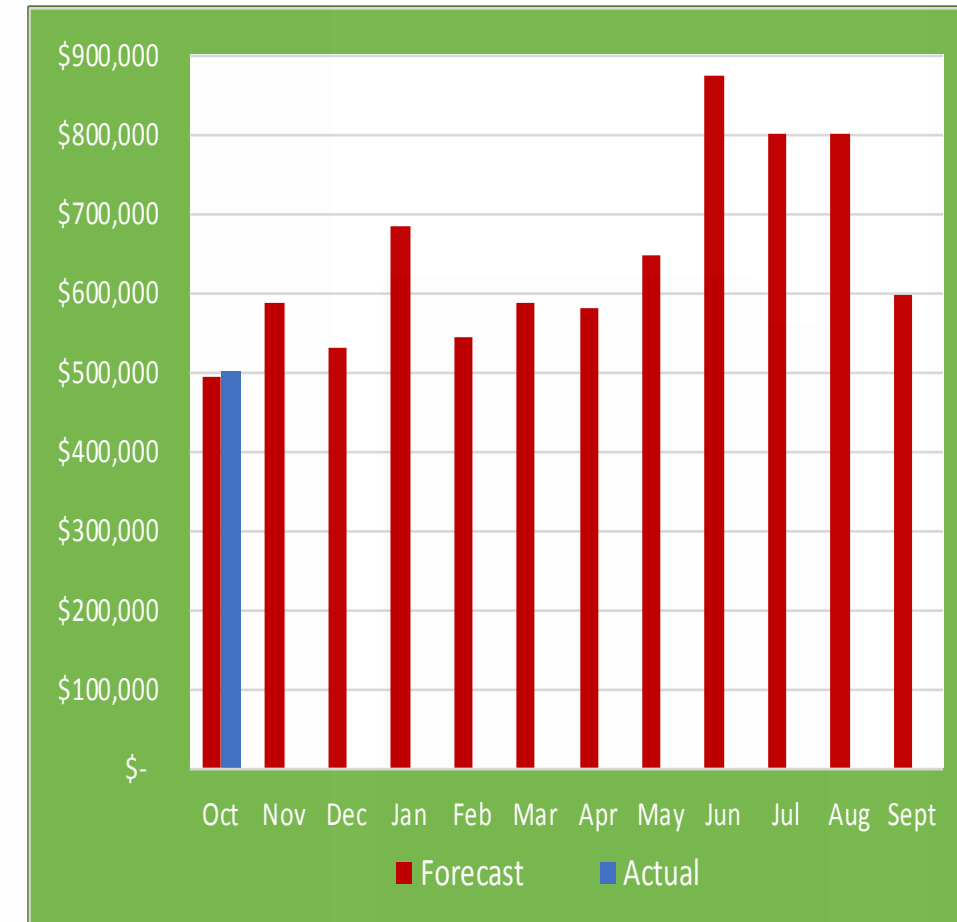
POSITIVE

The Electric utility fund is 4% net position actual to forecast. The expense is higher in October due to budgeted annual transfers that were processed during this month.

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

<u>Month</u>	<u>FY2019 Forecast</u>	<u>FY2019 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 492,992	\$ 501,810	\$ 8,818
Nov	586,187		
Dec	529,557		
Jan	683,131		
Feb	544,870		
Mar	588,062		
Apr	580,749		
May	646,566		
Jun	873,270		
Jul	800,140		
Aug	800,140		
Sept	595,375		
Total	\$ 7,721,039	\$ 501,810	\$ 8,818
Cumulative Forecast	\$ 492,992		
Actual to Forecast	\$ 8,818	1.79%	



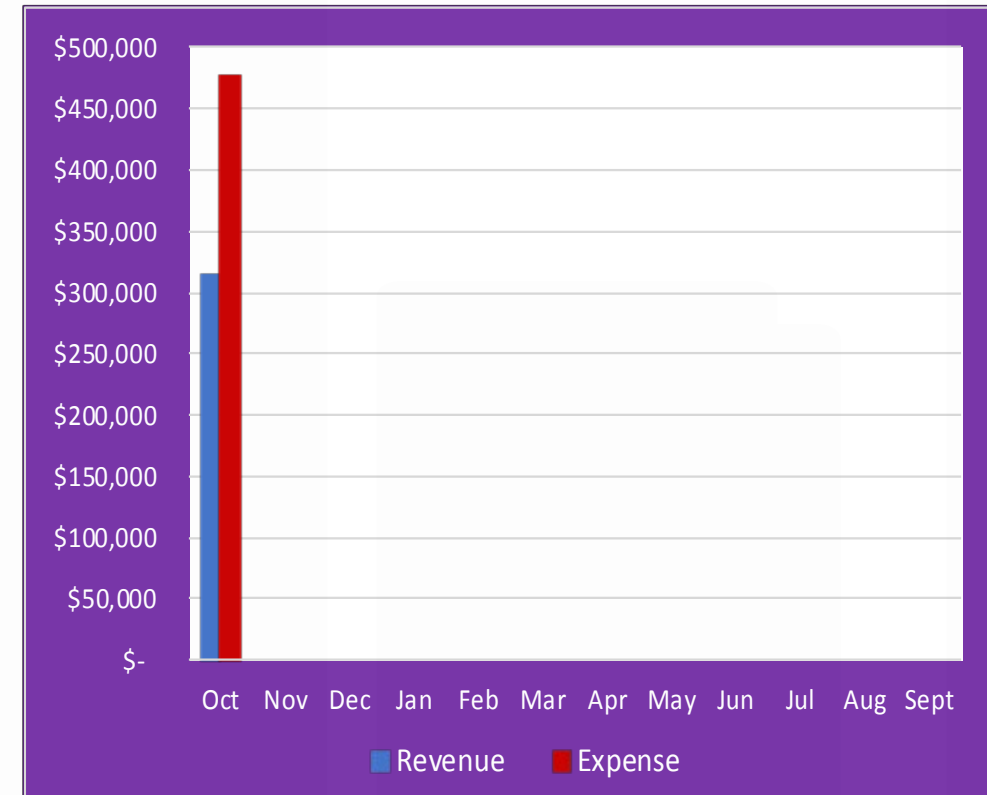
POSITIVE

The Electric utility revenue is 1.8% above forecasted revenue. There was 1 new commercial meter set this month.

OVERALL FUND PERFORMANCE

HOT TAX FUND REVENUES VS EXPENSES

<u>Month</u>	<u>FY2019 Revenue</u>	<u>FY2019 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 313,999	\$ 474,949	\$ (160,950)
Nov			
Dec			
Jan			
Feb			
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sept			
Total	\$ 313,999	\$ 474,949	\$ (160,950)
Cumulative Forecast	\$ 301,526	\$ 475,235	\$ (173,709)
Actual to Forecast \$	\$ 12,473	\$ 286	\$ 12,759
Actual to Forecast %	4.14%	0.06%	4.20%



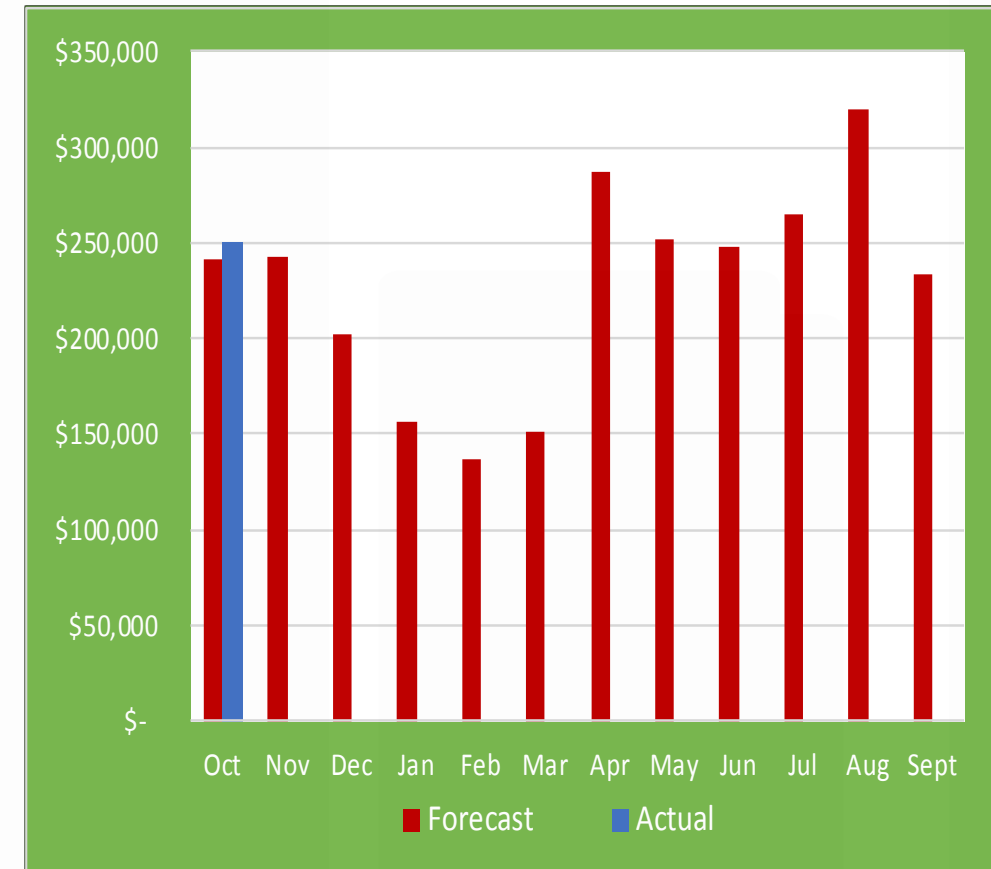
POSITIVE

The HOT Tax fund is 4% net positive. For FY2019, this fund is now a combined fund of all the HOT funded programs. Visit Bastrop is paid on a quarterly basis along with funded organizations.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

<u>Month</u>	FY2019 <u>Forecast</u>	FY2019 <u>Actual</u>	Monthly <u>Variance</u>
Oct	\$ 241,423	\$ 250,340	\$ 8,917
Nov	242,303		
Dec	202,506		
Jan	156,454		
Feb	137,463		
Mar	150,729		
Apr	286,784		
May	251,767		
Jun	247,863		
Jul	265,283		
Aug	319,298		
Sept	234,127		
Total	\$ 2,736,000	\$ 250,340	\$ 8,917
Cumulative Forecast	\$ 241,423		
Actual to Forecast %	\$ 8,917	3.7%	



POSITIVE

So far YTD we are 3.7% positive actual to forecast. ***The Hotel Tax revenue YTD is \$1,218 more than same time last year.***

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT –October 2018

FIRM	CASE	FY16-17	FY17-18	FY18-19
BUNDREN				
	Pine Forest Interlocal	\$ 83,620	\$ 25,550	\$ -
	Vandiver	\$ 2,343	\$ -	\$ -
	Aqua CCN	\$ 12,898	\$ -	\$ -
	Red Light Camera Suit	\$ -	\$ -	\$ -
TERRELL LAW FIRM				
	Water permit	\$ 37,630	\$ 135	\$ -
DAVID BRAGG, P.C.				
	General legal	\$ 48,215	\$ -	\$ -
	Vandiver	\$ 9,640	\$ -	\$ -
	Water Permit	\$ 3,120	\$ -	\$ -
	Pine Forest Interlocal	\$ 3,560	\$ -	\$ -
BOJORQUEZ LAW FIRM				
	General legal	\$ 3,299	\$ 170,891	\$ -
	Vandiver	\$ 4,546	\$ 4,393	\$ -
	Pine Forest Interlocal	\$ -	\$ 9,891	\$ -
	Prosecutor	\$ -	\$ 17,681	\$ -
	Water/Wastewater	\$ -	\$ 18,425	\$ -
MULTIPLE FIRMS				
	XS Ranch Bankruptcy	\$ 7,415	\$ 11,770	\$ -
RUSSEL RODRIGUEZ HYDE				
	XS Ranch Bankruptcy	\$ 7,607	\$ 27,083	\$ -
	Hunters Crossing PID	\$ 17,927	\$ 57,653	\$ -
	Water/Wastewater	\$ -	\$ 910	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP				
	Red Light Camera Suit	\$ 443	\$ 2,124	\$ -
Total Legal		\$ 242,263	\$ 346,505	\$ -

Summary by Case/Type

Row Labels	Sum of FY16-17	Sum of FY17-18	Sum of FY18-19
Aqua CCN	\$ 12,898	\$ -	\$ -
General legal	\$ 51,514	\$ 170,891	\$ -
Hunters Crossing PID	\$ 17,927	\$ 57,653	\$ -
Pine Forest Interlocal	\$ 87,180	\$ 35,441	\$ -
Prosecutor	\$ -	\$ 17,681	\$ -
Red Light Camera Suit	\$ 443	\$ 2,124	\$ -
Vandiver	\$ 16,529	\$ 4,393	\$ -
Water permit	\$ 40,750	\$ 135	\$ -
Water/Wastewater	\$ -	\$ 19,335	\$ -
XS Ranch Bankruptcy	\$ 15,022	\$ 38,853	\$ -
(blank)			
Grand Total	\$ 242,263	\$ 346,505	\$ -



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6F

TITLE:

Receive report from Bastrop Economic Development Corporation.

STAFF REPRESENTATIVE:

Mike Kamerlander, Executive Director

BACKGROUND/HISTORY:

BEDC Activities for October/November 2018





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 6G

TITLE:

Receive Presentation and update from Verdunity regarding the development of a Fiscal Impact Analysis Model.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager

BACKGROUND/HISTORY:

The City of Bastrop Comprehensive Plan includes Guiding Growth Principles, which specifies the implementation of policies, programs, investments, and strategies that are **fiscally sustainable** by:

- ***Facilitating infill and redevelopment activity;***
- ***Encouraging contiguous development; and***
- ***Managing targeted corridor development.***

On August 28, 2018, Council approved Resolution No. R-2018-75 of the City Council of the City of Bastrop, Texas approving a Professional Services Agreement between the City of Bastrop and Verdunity, Inc. in the amount of \$50,000 to develop a Fiscal Impact Analysis model for use in determining fiscally sustainable developments. The contract specifies that a Verdunity representative will provide an update to Council in October, December, and February. Kevin Shepard, President/CEO, will be present at the Council meeting to provide his December update on this project.

RECOMMENDATION:

N/A



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 7

TITLE:

CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Comment portion of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 8A

TITLE:

Consider action to approve City Council minutes from the November 27, 2018 Regular Meeting.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Ann Franklin, City Secretary

BACKGROUND/HISTORY:

N/A

POLICY EXPLANATION:

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 1. State the subject of each deliberation; and
 2. Indicate the vote, order, decision, or other action taken.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve City Council minutes from the November 27, 2018 Regular Meeting.

ATTACHMENTS:

- November 27, 2018, DRAFT Regular Meeting Minutes.

BASTROP CITY COUNCIL
November 27, 2018

The Bastrop City Council met in a Regular Meeting on Tuesday, November 13, 2018, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Ennis and Rogers. Officers present were City Manager Lynda Humble, Deputy City Secretary Traci Chavez, City Attorney Alan Bojorquez and City Secretary, Ann Franklin via remote.

REGULAR SESSION - CALL TO ORDER

At 6:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present. Council Members Peterson and Jones were absent.

PLEDGE OF ALLEGIANCE

Courtney Adams and Shayla Todee, National Junior Honor Society, Bastrop Middle School led the pledges.

INVOCATION

Pastor Bob Long, Police Chaplain gave the invocation.

PRESENTATIONS

- 4A. Proclamation of the City Council of the City of Bastrop, recognizing November 27, 2018 as Boy Scout of America Eagle Award Recipient Mikey Bowlin Day.
Proclamation was read into record by Mayor Schroeder and received by Mikey Bowlin.
- 4B. Mayor's Report
- 4C. Councilmembers' Report
- 4D. City Manager's Report
- 4E. Receive presentation regarding Bird City Designation by the Audubon Society.
Presentation was made by Kelly Simon, Texas Parks and Wildlife; Dorothy Skarnulis, Parks Board; and Managing Director of Public Works & Leisure Services, Trey Job.
- 4F. Presentation of the 2018 Texas Downtown Association's "Spirit of Downtown" Presidents Award.
Presentation was made by Director of Downtown and Hospitality, Sarah O'Brien.

WORK SESSION/BRIEFINGS – NONE**STAFF AND BOARD REPORTS**

- 6A. Receive presentation from Brian LaFoy of Kimley-Horn on the status of the Old Iron Bridge inspection.
Presentation was made by Brian LaFoy of Kimley-Horn.

- 6B. Receive Monthly Report from Visit Bastrop.
Presentation was made by Visit Bastrop President, Susan Smith.
- 6C. Receive Monthly Development Update.
Presentation was made by Director of Planning and Development, Matt Jones.

CITIZEN COMMENTS

Rhonda Vandiver

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Items 8A, 8B, 8C and 8D listed on the Consent Agenda after being read into the record by Deputy City Secretary, Traci Chavez. Seconded by Council Member Ennis, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

- 8A. Consider action to approve City Council minutes from the November 13, 2018 regular meeting and November 15, 2018 special meeting.
- 8B. Consider action to approve Resolution No. R-2018-111 of the City Council of the City of Bastrop, Texas, approving the Pecan Park, Section 3F Final Plat, being 1.758 acres out of the Mozea Rousseau Survey, Abstract 56, located east of the extension of Trailside Lane, within the city limits of Bastrop, Texas, as shown in Exhibit A; repealing all conflicting resolutions; and providing an effective date.
- 8C. Consider action to approve the second reading of Ordinance No. 2018-33 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit to allow a manufactured house on 0.572 acres of Farm Lot 65, East of Main Street, located at 1603 State Highway 95, an area zoned A/OS, Agricultural/Open Space, within the city limits of Bastrop, Texas; as shown in Exhibits A and B; setting out conditions; including a severability clause; establishing an effective date.
- 8D. Consider action to approve the second reading of Ordinance 2018-31 amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit "A"; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.

INDIVIDUAL CONSIDERATION

- 9A. Consider action and approve Resolution No. R-2018-114 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules).
Presentation was made by Assistant Director of Planning and Zoning, Jennifer Bills.

A motion was made by Council Member Rogers to approve Resolution No. R-2018-114 for 294 Shiloh Road, seconded by Mayor Pro Tem Nelson, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2018-114 for 1504 Farm Street, seconded by Council Member Ennis, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2018-114 for 1305 Water Street, seconded by Council Member Rogers, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

- 9B. Consider approval of Resolution No. R-2018-115 of the City Council of the City of Bastrop, Texas cancelling the December 25, 2018 Council Meeting; establishing a repealing clause; and providing an effective date.
Presentation was made by City Manager, Lynda Humble.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2018-115, seconded by Council Member Ennis, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

- 9C. Consider approval of Resolution No. R-2018-116 of the City Council of the City of Bastrop, Texas approving Task Order Number 18-01 between the City of Bastrop, Texas and Strand Associates, Inc. pursuant to Engineering Services Agreement dated October 26, 2018, attached as Exhibit B, in the amount of Forty-Five Thousand and 00/100 Dollars (\$45,000.00) to develop stormwater drainage and floodplain management standards, as attached to this Resolution as Exhibit A; authorizing the City Manager to execute necessary documents; providing for a severability clause; and providing for an effective date.
Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Ennis to approve Resolution No. R-2018-116, seconded by Council Member Rogers, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

EXECUTIVE SESSION

The 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:

- 10A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding legal advice related to the status of the 1445 Inter-local Agreement between the City of Bastrop and Bastrop County for the review of subdivision applications in the City's extraterritorial jurisdiction.

The Bastrop City Council reconvened at 10:01 p.m. into open (public) session.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

Presentation was made by City Attorney, Alan Bojorquez.

A motion was made by Mayor Pro Tem Nelson to approve Draft D of the 1445 Inter-local Agreement between Bastrop County and the City of Bastrop, seconded by Council Member Rogers, motion was approved on a 3-0 vote. Council Members Peterson and Jones were absent.

ADJOURNMENT

Adjourned at 10:05 p.m. without objection.

APPROVED:

Mayor Connie B. Schroeder

ATTEST:

City Secretary Ann Franklin

DRAFT



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 8B

TITLE:

Consider action to approve Resolution No. R-2018-122 of the City Council of the City of Bastrop, Texas approving the 2019 Council Meeting Schedule, attached as Exhibit A; and providing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Ann Franklin, City Secretary

BACKGROUND/HISTORY:

Council dates are set at the beginning of each calendar year and brought before Council for approval.

RECOMMENDATIONS:

Consider action to approve Resolution No. R-2018-122 of the City Council of the City of Bastrop, Texas approving the 2019 Council Meeting Schedule, attached as Exhibit A; and providing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A - 2019 Council Meeting Schedule

RESOLUTION NO. R-2018-122

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
APPROVING THE 2019 COUNCIL MEETING SCHEDULE, ATTACHED AS
EXHIBIT A; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, The City of Bastrop, Texas City Council meetings are held on the second and fourth Tuesdays of each month in the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas in accordance with City of Bastrop Code of Ordinances, Section 1.03.061; and

WHEREAS, Section 3.12 of the City of Bastrop's Home-Rule Charter states the Council shall meet regularly and at least once each month; and

WHEREAS, the regular meetings will begin at 6:30 PM.

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

Section 1: The City Secretary is hereby directed to post the list of dates of the City of Bastrop Council Meetings to be held during the year 2019, as attached in Exhibit A.

Section 2: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th Day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

COUNCIL REGULAR MEETINGS - 2019

MEETING	MEETING DATE	TIME	LOCATION	AGENDA ITEM DEADLINE
Regular Council Meeting	January 8	6:30 PM	Council Chambers 1311 Chestnut	December 27
Regular Council Meeting	January 22	6:30 PM	Council Chambers 1311 Chestnut	January 10
Regular Council Meeting	February 12	6:30 PM	Council Chambers 1311 Chestnut	January 31
Regular Council Meeting	February 26	6:30 PM	Council Chambers 1311 Chestnut	February 14
Regular Council Meeting	March 12	6:30 PM	Council Chambers 1311 Chestnut	February 28
Regular Council Meeting	March 26	6:30 PM	Council Chambers 1311 Chestnut	March 14
Regular Council Meeting	April 9	6:30 PM	Council Chambers 1311 Chestnut	March 28
Regular Council Meeting	April 23	6:30 PM	Council Chambers 1311 Chestnut	April 11
Regular Council Meeting	May 14	6:30 PM	Council Chambers 1311 Chestnut	May 2
Regular Council Meeting	May 28	6:30 PM	Council Chambers 1311 Chestnut	May 16
Regular Council Meeting	June 11	6:30 PM	Council Chambers 1311 Chestnut	May 30
Regular Council Meeting	June 25	6:30 PM	Council Chambers 1311 Chestnut	June 13
Regular Council Meeting	July 9	6:30 PM	Council Chambers 1311 Chestnut	June 27
Regular Council Meeting	July 23	6:30 PM	Council Chambers 1311 Chestnut	July 11
Regular Council Meeting	August 13	6:30 PM	Council Chambers 1311 Chestnut	August 1
Regular Council Meeting	August 27	6:30 PM	Council Chambers 1311 Chestnut	August 15
Regular Council Meeting	September 10	6:30 PM	Council Chambers 1311 Chestnut	August 29
Regular Council Meeting	September 24	6:30 PM	Council Chambers 1311 Chestnut	September 12
MEETING CANCELED DUE TO TML SCHEDULE	October 8			
Regular Council Meeting	October 22	6:30 PM	Council Chambers 1311 Chestnut	October 10
Regular Council Meeting	November 12	6:30 PM	Council Chambers 1311 Chestnut	October 31
Regular Council Meeting	November 26*	6:30 PM	Council Chambers 1311 Chestnut	November 14
Regular Council Meeting	December 10	6:30 PM	Council Chambers 1311 Chestnut	November 27
MEETING CANCELED DUE TO CHRISTMAS EVE	December 24			

*November 25th - November 29th is the week of Thanksgiving



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 8C

TITLE:

Consider action to approve Resolution R-2018-121 of the City Council of the City of Bastrop, Texas accepting the deed for the transfer of a 9,149 square foot Reserve Area in Pecan Park, Section 5B, located at the southwest corner of Headwaters Drive and Perkins Street, being located within Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The Pecan Park, Section 5 Subdivision is a single-family residential neighborhood. The developer, DM Pecan Park Associates, Ltd., constructed the public improvements that serve the subdivision. A 9,149 square foot Reserve Area of Section 5B designated the location for a public wastewater lift station and was to be dedicated to the City as part of the public wastewater system. The lift station was accepted by the City with the final acceptance of Section 5B public improvements on March 7, 2017. The Public Works Department assumed the operation and maintenance of the facility on that date. This deed transfers the entire 9,149 square foot property to the City.

RECOMMENDATION:

Consider action to approve Resolution R-2018-121 of the City Council of the City of Bastrop, Texas accepting the deed for the transfer of a 9,149 square foot Reserve Area in Pecan Park, Section 5B, located at the southwest corner of Headwaters Drive and Perkins Street, being located within Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A: Deed

RESOLUTION NO. R-2018-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ACCEPTING THE DEED FOR THE TRANSFER OF A 9,149 SQUARE FOOT RESERVE AREA IN PECAN PARK, SECTION 5B, LOCATED AT THE SOUTHWEST CORNER OF HEADWATERS DRIVE AND PERKINS STREET, BEING LOCATED IN BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, DM Pecan Park Associates, Ltd., the Owner, constructed the public improvements as part of the Pecan Park, Section 5B Subdivision; and

WHEREAS, a 9,149 square foot Reserve Area was platted to be the location of a public lift station as part of the wastewater system; and

WHEREAS, the City of Bastrop Public Works Department took over the operation and maintenance of the lift station on March 7, 2017; and

WHEREAS, the Owner wishes to convey the Reserve Area to the City for the continued operation and maintenance of the wastewater lift station.

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

Section 1: Accepting the deed for the transfer of a 9,149 Reserve Area of Pecan Park, Section 5B Subdivision, as shown in Exhibit A.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this resolution shall take effect upon the recordation of the deed.

DULY RESOLVED AND APPROVED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

DEED

THE STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

KNOW ALL MEN BY THESE PRESENTS:

Deed made on November 26, 2018, by DM Pecan Park Associates, Ltd, a Texas limited partnership, having an address at 1310 Ranch Road 620 South, Suite 200-B Austin, Texas 78734 of the County of Travis, State of Texas (hereinafter referred to as "Grantor"), to the City of Bastrop, whose mailing address is P. O. Box 427 Bastrop, Bastrop County, Texas 78602 (hereinafter referred to as "Grantee"), for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have transferred and does by this instrument bargain, sell, release and convey to Grantee all of Grantor's right, title, interest, claim and demand in and to the land located in the City of Bastrop, County of Bastrop, State of Texas as follows, more particularly described in Exhibit "A," attached hereto and incorporated herein for any and all purposes (hereinafter referred to as the "Property"), together with all tenements, heritable property, and appurtenances belonging to the land as well as the reversions, remainders, rents, issues, and profits from the above described property, if any.

TO HAVE AND TO HOLD for said purposes together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said City of Bastrop, Texas forever.

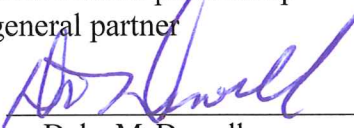
IN WITNESS WHEREOF, this instrument is executed on this the 26 day of November, 2018.

Grantee:
CITY OF BASTROP

Grantor:
**DM PECAN PARK ASSOCIATES, LTD,
a Texas limited liability company**

By: _____
Connie Schroeder
Mayor

By: McDowell Development, LLC
a Texas limited partnership
its general partner

By: 
Name: Duke McDowell
Its: Manager

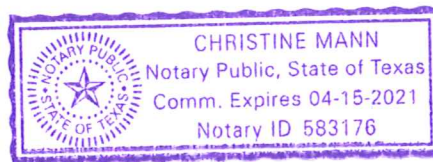
ACKNOWLEDGMENT FOR CORPORATIONS, PARTNERSHIPS, ASSOCIATIONS, ETC.

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 26th day of November 2018, by Duke McDowell, Manager of McDowell Development LLC on behalf of DM Pecan Park Associates, Ltd.



Notary Public in and for the
State of TEXAS



STATE OF TEXAS §
 §
COUNTY OF BASTROP §

The City of Bastrop a body politic and political subdivision of the State of Texas did at a regular meeting with a quorum being present, on _____, 2018 vote to authorize the acceptance of this dedication of the Property as a public right of way.

Connie Schroeder, Mayor

Attest:

City Secretary

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on _____, 2018 by Connie Schroeder, in her capacity as Mayor of the City of Bastrop.

Notary Public in and for
The State of Texas

After recording, return to:
Bojorquez Law Firm, PC
Attn: Alan Bojorquez
12325 Hymeadow Dr. Ste. 2-100
Austin TX 78750

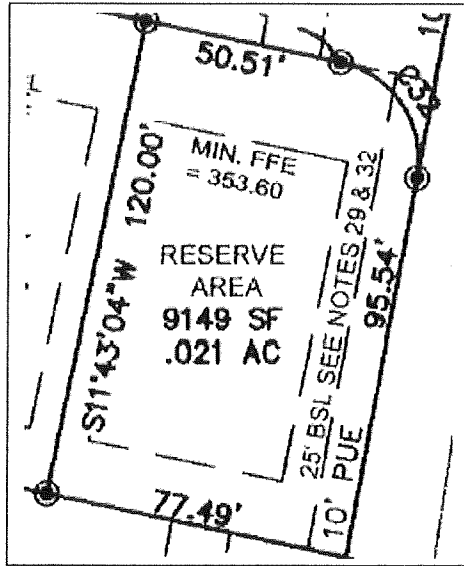
EXHIBIT A

All of that certain .021 acres (9,149 square feet) identified as the "Reserve Area" in that certain Final Plat of Pecan Park Residential Section 5B, City of Bastrop, Bastrop County, Texas, such plat being recorded in Volume 6, Page 34-A of the Plat Records of Bastrop County, Texas; said .021 acre tract being more particularly identified in Exhibit A-1 below.

EXHIBIT A-1

Description of the Property

Pecan Park Residential
Section 5B
Lot Reserve Area



Detailed site plan and plat map showing lot layouts, dimensions, and legal descriptions. The plan includes a grid of lots, a highlighted reserve area, and various annotations. A table of lot areas is provided below the plan.

Lot No.	Area (SF)	Area (AC)
1	10,000	.2296
2	10,000	.2296
3	10,000	.2296
4	10,000	.2296
5	10,000	.2296
6	10,000	.2296
7	10,000	.2296
8	10,000	.2296
9	10,000	.2296
10	10,000	.2296
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99	10,000	.2296
100	10,000	.2296



STAFF REPORT

MEETING DATE: December 11, 2018

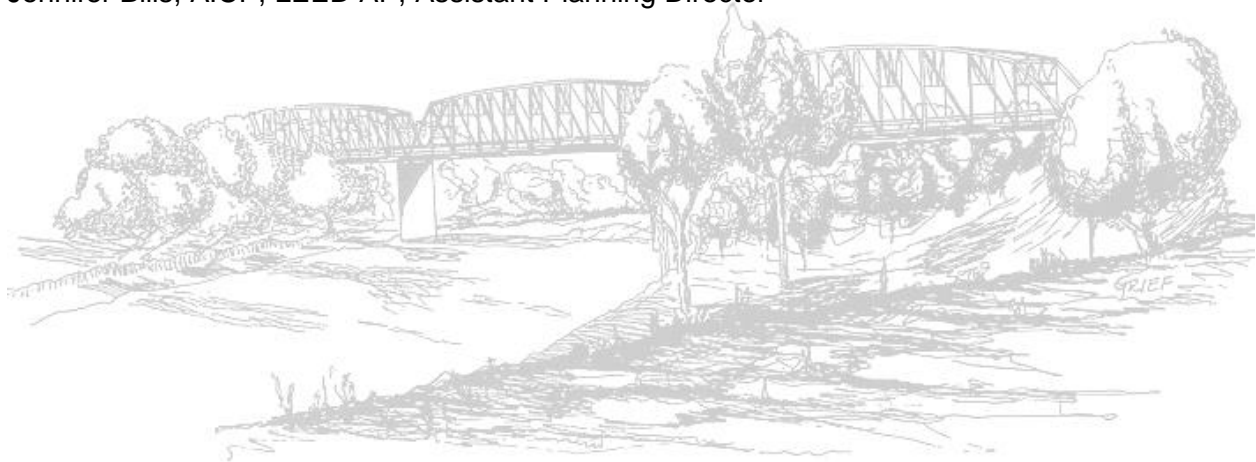
AGENDA ITEM: 9A

TITLE:

Consider action and approve Resolution No. R-2018-116 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules).

STAFF REPRESENTATIVE:

Jennifer Bills, AICP, LEED AP, Assistant Planning Director





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9B

TITLE:

Consider action to approve Resolution No. R-2018-123 of the City Council of the City of Bastrop, Texas adopting the Bastrop Election Calendar for the May 4, 2019 Election and possible run-off election on June 8, 2019, attached as Exhibit A; and providing for an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Ann Franklin, City Secretary

BACKGROUND/HISTORY:

The Texas Election Code and Local Government Code prescribes election deadlines. The City of Bastrop is legally required to adhere to the deadlines.

RECOMMENDATION:

Consider action to approve Resolution No. R-2018-123 of the City Council of the City of Bastrop, Texas adopting the Bastrop Election Calendar for the May 4, 2019 Election and possible run-off election on June 8, 2019, attached as Exhibit A; and providing for an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A

RESOLUTION NO. R-2018-123

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
ADOPTING THE BASTROP ELECTION CALENDAR FOR THE MAY 4, 2019
ELECTION AND POSSIBLE JUNE 8, 2019 RUN-OFF ELECTION, AS
ATTACHED AS EXHIBIT A; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, The City of Bastrop elections are held on the uniform election date for May;
and

WHEREAS, The City of Bastrop will contract with Bastrop County for the coordination, supervision, and running of the City of Bastrop's May 4, 2019 election and possible June 8, 2019 run-off election; and

WHEREAS, In accordance with the Texas Election Code, the City of Bastrop is prohibited from transferring certain duties to Bastrop County, which will be outlined in a separate contract with Bastrop County to administer the City's election.

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

Section 1: The City Secretary is hereby directed to adhere to the City of Bastrop's May 4, 2019 General Election and possible June 8, 2019 Run-Off Election Calendar, attached as Exhibit A.

Section 2: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th Day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

BASTROP ELECTION CALENDAR
MAY 4, 2019 GENERAL ELECTION

<u>DATE</u>	<u>ACTION</u>
December 17	Last Day to post notice of the dates of the candidate filing period for the election.
January 15	Candidate/Officeholder Campaign Finance Report. (Semiannual Report) – Deadline 5:00 p.m. (Deadline is extended because of holiday.)
January 16	First day candidates may file an application for a place on the ballot for Regular Election. <i>(The candidate must have appointed a campaign treasurer prior to filing an application for a place on the ballot.)</i>
February 12	Last Council meeting allowed to call general election. <i>(February 15, 2019 is the last day to order the Election.)</i>
February 15	Last day for candidate to file an application for a place on the ballot for Regular Election. – Deadline 5:00 p.m.
February 22*	Last day a candidate may withdraw from the Regular election. <i>(*Candidates may withdraw if it is before ballots are prepared, even if it is after the deadline.)</i>
February 25	Conduct Drawing for order of names on ballot at 9:00 a.m. City Hall, 1311 Chestnut Street.
February 27	Candidate Orientation at City Hall, 1311 Chestnut Street at 9:30 a.m.
April 4	30 th Day Before Election Report. (Form C/OH) – Deadline 5:00 p.m.
April 4	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory.

- April 22 First day for early voting by personal appearance.
- April 26 8th Day Before Election Report. (Form C/OH) – **Deadline 5:00 p.m.**
- April 30 Last day for regular early voting by personal appearance.
- May 4 **ELECTION DAY**
- May 14 Canvass results of election at 6:30 p.m. City Hall, 1311 Chestnut Street. (**May 15, 2019 is the last legal day to canvass.** However, this date could possibly change. The date is determined by the Federal Write-in Absentee Ballot and Mail-In Ballots. These ballots must be accounted for prior to the results of the Election being released. If this date changes, it will be posted on the City's Web Site and Council Meeting Board.)

JUNE 8, 2019 RUN-OFF ELECTION

- May 14** **Order Run-off Election** *(This date is the same day as the canvass date. If the canvass date changes, then this date changes.)*
- June 8** **RUN-OFF ELECTION**
- May 27** **Early Voting in person begins.**
- June 4** **Early Voting in person ends.**
- June 18** **Canvass**
- June 18** **Swearing in**



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9C

TITLE:

Hold public hearing and consider action to approve Resolution No. R-2018-119 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 900 State Highway 95 Suite 103, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a severability clause; and establishing an effective date.

STAFF REPRESENTATIVES:

Allison Land, Planner

BACKGROUND/HISTORY:

Permitted locations of alcohol sales are established by three location criteria: zoning district, frontage along specified sections of road, and proximity to churches, schools, and public hospitals. When a site is in a zoning district or along a road frontage that allows the use, but distance to a church, school, or hospital prohibits alcohol sales, the Texas Alcoholic Beverage Code gives City Council the authority to approve a variance to the distance requirement.

The site is zoned Form-Based Code – Commercial Mixed-Use character zone, which permits alcohol sales. It is located along SH 95, in the Strip Center on the corner of Chestnut Street and SH 95. Properties with this road frontage are also allowed alcohol sales. The location meets the separation requirements from the nearest church and private school, but the public-school measurement is less than the required 300-foot separation. The property line of the restaurant is across Pine Street from Emile Elementary School's property line. The distance to the school is the only item preventing this use from being allowed by right.

Alcohol sales currently exist in the SH 95 area. Buc-ee's and Casa Chapala have permits for the sale of alcohol. Council approved the variance for Casa Chapala within the last year.

PUBLIC COMMENTS:

Notifications were mailed to 13 surrounding property owners on November 26, 2018. At the time of this report, no responses have been received.

POLICY EXPLANATION:

Article 4.02.005 Separation Requirements from Church, Public or Private School, or Public Hospital

- (a) No person shall sell or engage in the business of selling any alcoholic beverage where the place of business of such person is located within three hundred (300) feet of any church, public or private school, or public hospital

The premise requesting the variance is Siam Thai Thai Cuisine, located at 900 State Highway 95 Suite 103, which is within 300 feet of public-school property (Emile Elementary School). The

distance to a public school is measured in a direct line from property line to property line as defined in state law.

(b) This section does not apply to:

- (1) a holder of a license or permit who also holds a food and beverage certificate covering premises that are located within three hundred (300) feet of a private school, as the term "private school" is defined by the Texas Alcoholic Beverage Code;
- (2) any place of business that is legally selling alcoholic beverages at the same location for a continuous period of one year preceding the establishment, construction or purchase of property for the establishment or construction of a church, public or private school, or public hospital; or
- (3) businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership.

The business at this location is Siam Thai Thai Cuisine. It does not qualify for an exemption in the above section.

Article 4.02.006 Variance to Separation Requirements

(a) The council may provide variances if, after notice and a public hearing, the council determines that enforcement of the regulation in a particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or inefficient use of land or other resources;
- (3) creates an undue hardship on an applicant;
- (4) does not serve its intended purpose;
- (5) is not effective or necessary; or
- (6) for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

The restaurant on a commercial corner along a state highway. The business is planning to offer beer selections to complement its Thai food, including imported Thai beer. The owners have had requests for Thai beer and believe beer sales will benefit the business. The site is across Pine Street and a channelized portion of Gil's Branch. It can be considered to meet options listed above.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Hold public hearing and consider action to approve Resolution No. R-2018-119 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 900 State Highway 95 Suite 103, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a severability clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A
- Attachment 1: Property Owner Notice including Location Map and Variance Request Letter
- Presentation



RESOLUTION NO. R-2018-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.005, SALE OF ALCOHOLIC BEVERAGES, SEPARATION REQUIREMENTS FROM CHURCH, PUBLIC OR PRIVATE SCHOOL, OR PUBLIC HOSPITAL, ON PROPERTY LOCATED AT 900 STATE HIGHWAY 95 SUITE 103, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Santi Chanaboon, representing Siam Thai, Thai Cuisine, is the Applicant representing 900 State Highway 95, Suite 103, acknowledges that the property located within 300 feet of a church, public or private school, or public hospital, as defined by and as the measurement of applicable distances are set forth by the State of Texas in the Alcoholic Beverage Code; and

WHEREAS, Emile Elementary School's property line is within 300 feet of the property on which Siam Thai, Thai Cuisine, is located; and

WHEREAS, alcohol sales were not previously conducted in this location; and

WHEREAS, the Applicant has applied for a variance pursuant to the Bastrop Code of Ordinances, Article 4.02.007; and

WHEREAS, authority is granted to City Council to allow variances in the Texas Alcoholic Beverage Code, Chapter 107.33; and

WHEREAS, public notice was sent in accordance with the Bastrop Code of Ordinances 4.02.007; and

WHEREAS, after consideration of public input received at the hearing and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to grant a variance to the separation requirements of the premises to a public school.

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

Section 1: That a variance to the distance separation requirements established in the Bastrop Code of Ordinances Article 4.02.005 is hereby granted for the property located at 900 SH 95 Suite 103, within the Bastrop city limits, as shown in Exhibit A.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

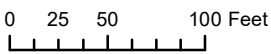
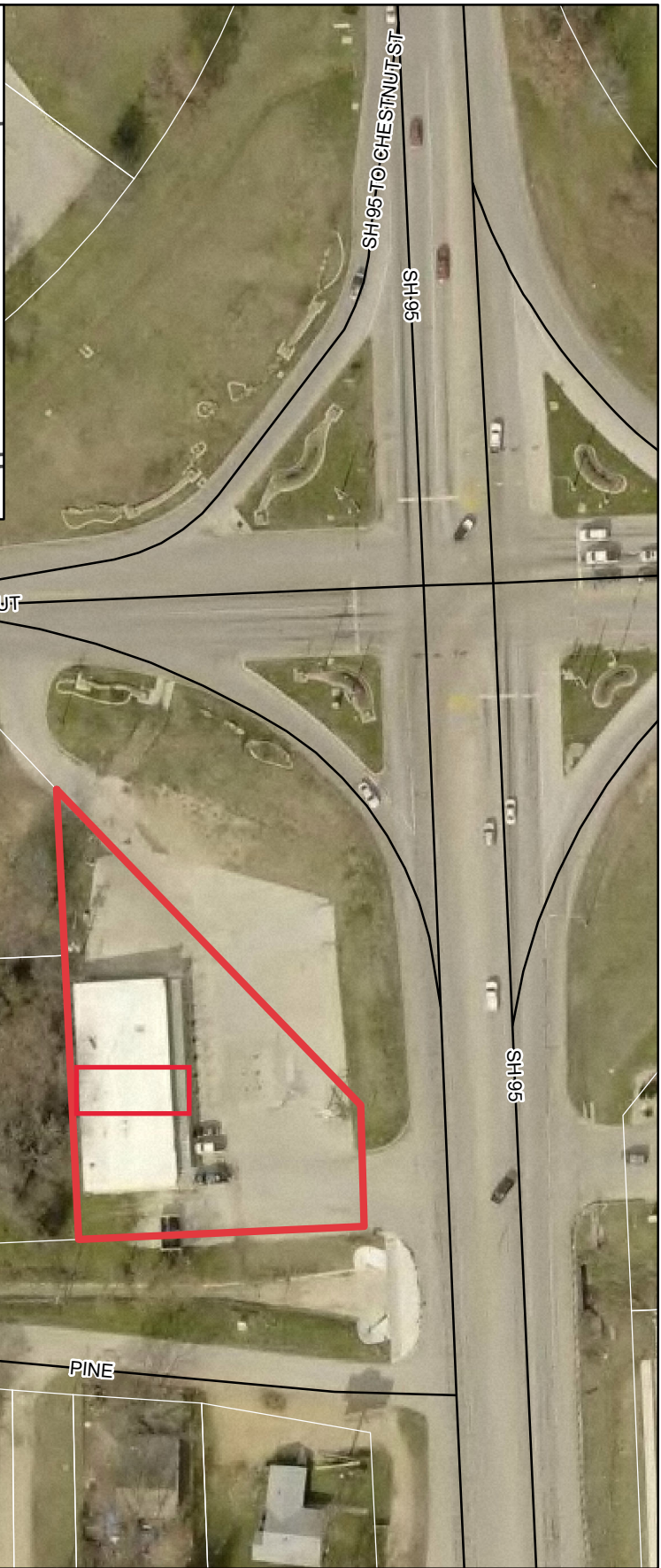
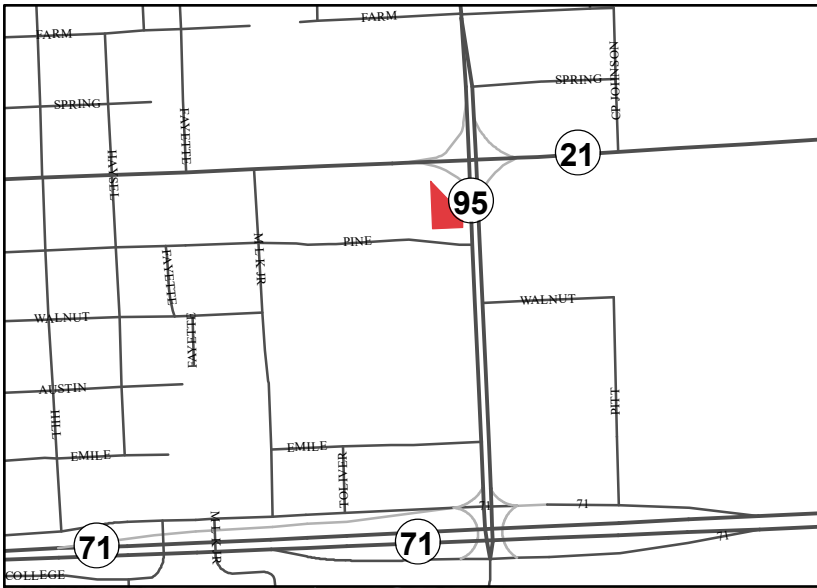


Exhibit A
Location Map
Variance to Separation Requirements
900 SH 95 Suite 103
Siam Thai
Thai Cuisine



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 11/26/2018

**Notice of Public Hearing
City of Bastrop
City Council**



Dear Property Owner:

The **City Council** will conduct a public hearing **Tuesday, December 11, 2018 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** to consider action to grant a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation requirements from church, public or private school, or public hospital, on property located at 900 SH 95 Suite 103, within the city limits of Bastrop, Texas, establishing an effective date.

Owner/Applicant: Santi Chanaboon, Siam Thai Thai Cuisine
Address: 900 SH 95 Ste 103, Bastrop, TX 78602
Legal Description: Building Block 88 East of Water St, being 0.604 acres
Vary Distance From: Public School (Emile Elementary School)

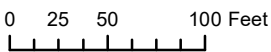
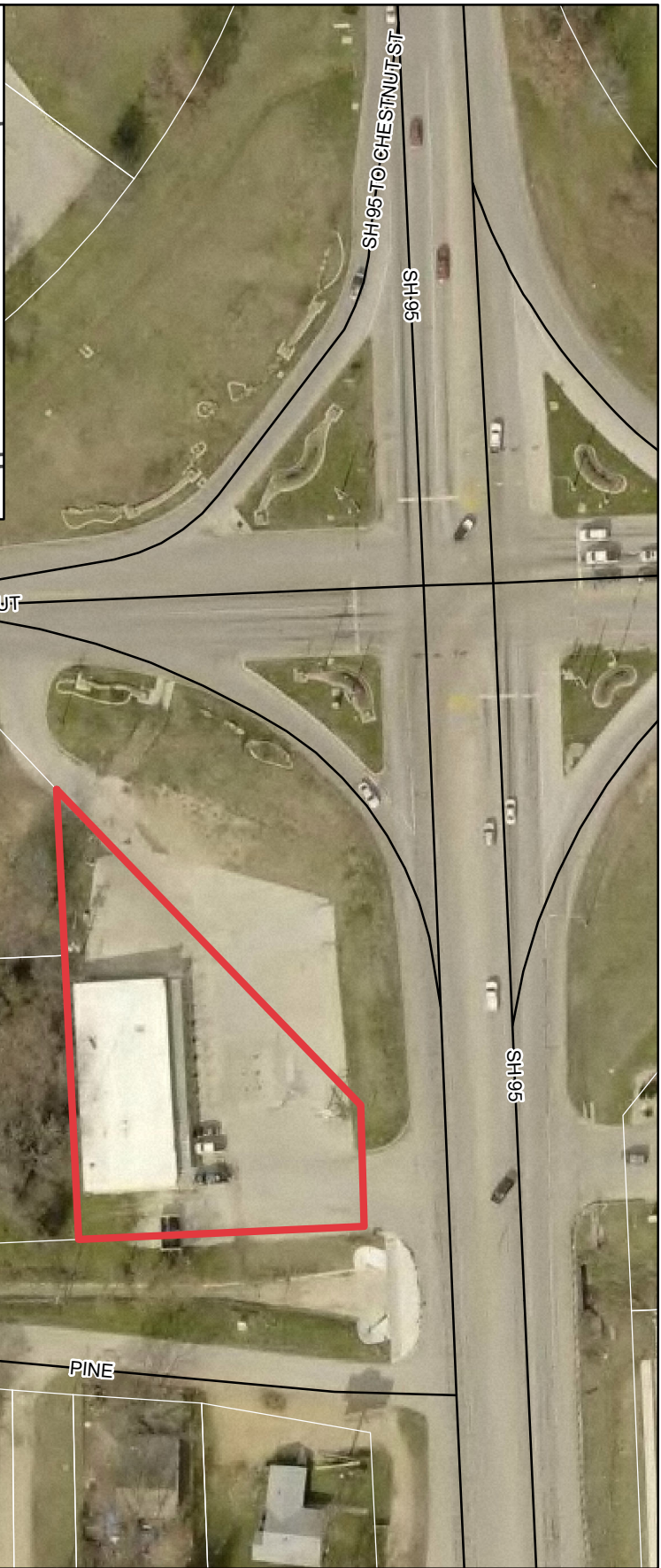
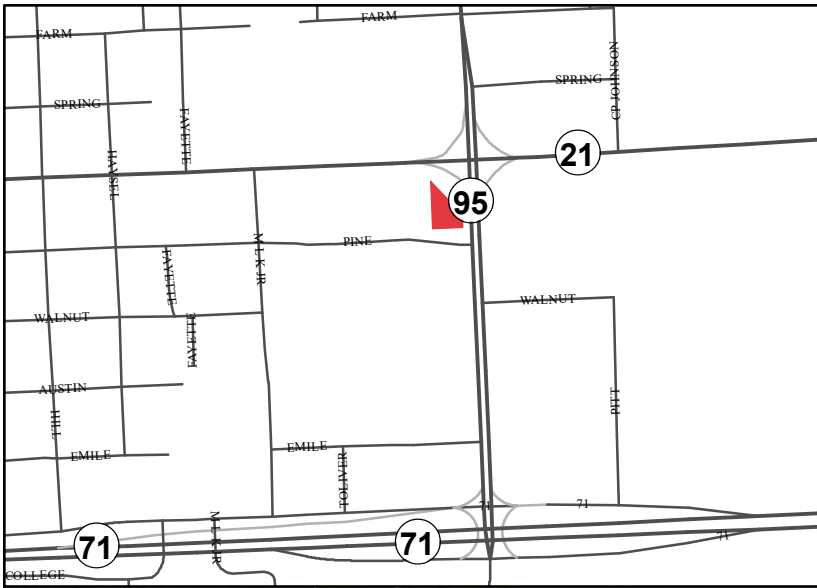
The site location map and applicant's request are attached for reference.

As a property owner within 300 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Business Regulations.

Property owners wishing to request a variance to the distance limitations must follow the rules within the City Business Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH4_BURE_ART4.02SAALBE

For more information or to provide comments on this project, you can contact the Planning & Development Department at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.



Location Map
 Variance to Separation Requirements
 900 SH 95 Suite 103
 Siam Thai
 Thai Cuisine



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 11/26/2018

Siam Thai Thai Cuisine Restaurant
900 HWY 95 Ste 103
Bastrop, TX 78602

November 15, 2018

RE: Variance request for Sale of Alcohol

To Whom this may Concern,

As the business owner of Siam Thai Cuisine Restaurant I am requesting a variance for the sale of alcoholic beverages at my establishment. A variance is requested due to the proximity of BIRD property located near the restaurant, which were calculated by the City of Bastrop.

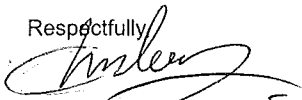
The types of alcoholic beverages to be sold are: Corona Extra, Hineken, Bud Light, Budweiser, Coors Light, Shiner Bock, Dos XX, Michelob Ultra, Thai beers- Singha and Chang. These beers will be sold 7 days a week being Monday through Saturday from 11am-9pm and Sunday 12pm-9pm and will be sold in conjunction with food.

I believe the City of Bastrop will benefit from the alcohol sales tremendously as the list of beers will be import and export beers some being from Thailand. My customers have highly requested the sale of alcohol and this will increase my sales and for the City of Bastrop as customers come from all over Central Texas to eat at my restaurant.

Please consider a variance request approval and I look forward to hearing from you soon.

If you have any questions, please feel free to contact me at 512-850-3144. Have a great day!

Respectfully,



Santi Chamaboon
Business Owner
Siam Thai Cuisine Restaurant

Variance to Separation Requirements

Item 9C

Sale of Alcohol within 300 feet of Church, School, or Hospital

Location Requesting Variance

- 900 SH 95 Ste 103
- Siam Thai, Thai Cuisine



Alcohol Sales

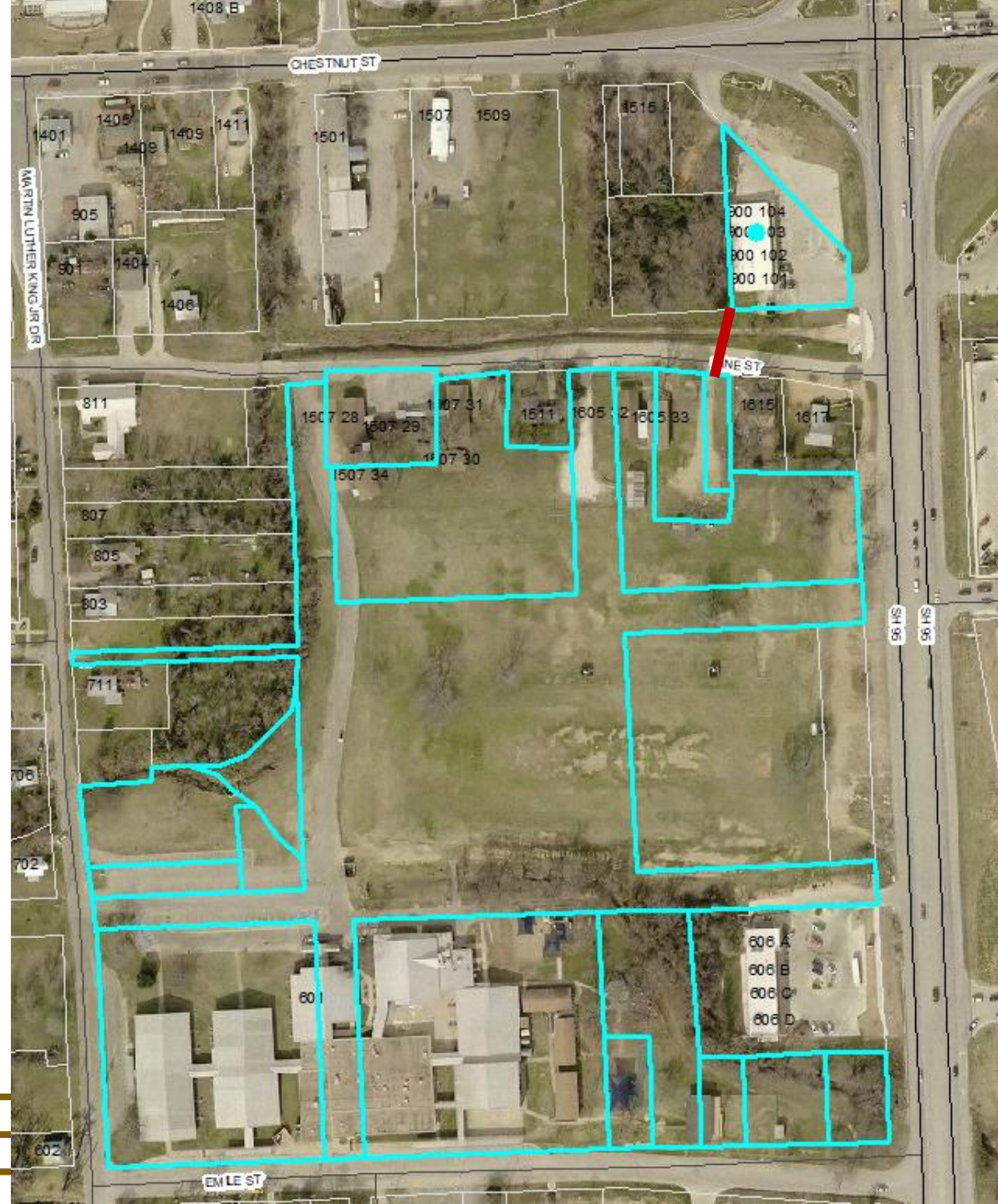
- Must be allowed by Zoning District
 - FBC – CMU, Commercial Mixed Use
- Must be in a permitted location per the Sale of Alcoholic Beverages section 4.02.011
 - Along SH 95, which is a permitted location
- Must meet the Separation Requirements
 - 300 feet

Policy – Separation Requirement

- Bastrop Code of Ordinances 4.02.005
- Requires premises to be 300 feet from a church, public or private school, or public hospital
 - Schools - Direct line from nearest property line to nearest property line
 - **This location is within 300 feet of Emile Elementary School property**
- City Council may grant variances to the separation requirements

Proximity to School

- Premise is across Pine Street from School property



Policy – Variance Approval Criteria

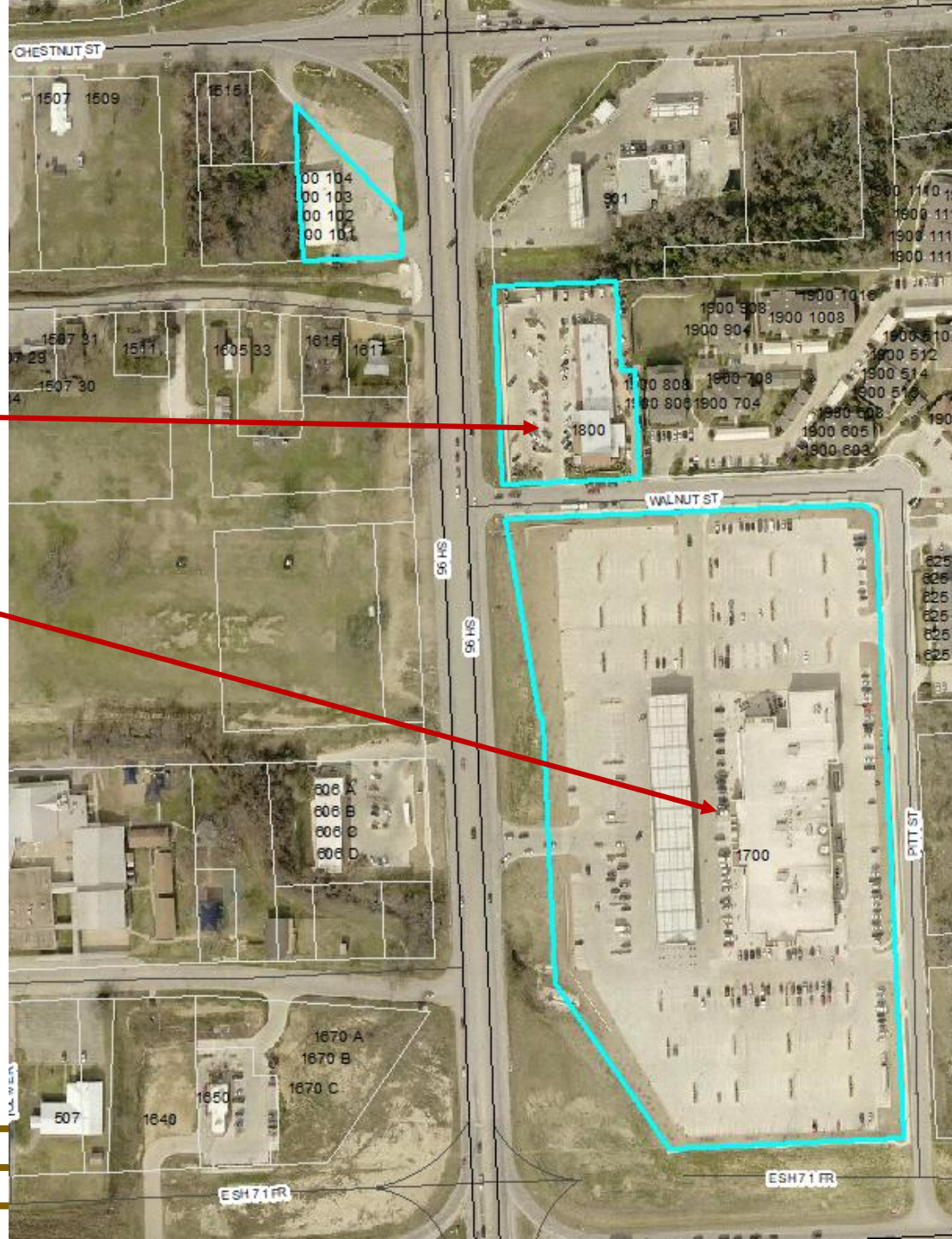
- Enforcement would create an instance that:
 - is not in the best interest of the public;
 - constitutes waste or inefficient use of land or other resources;
 - creates an undue hardship on an applicant for a license or permit;
 - does not serve its intended purpose;
 - is not effective or necessary; or
 - for any other reason the Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Variance Approval Criteria – Siam Thai Thai Cuisine

- Location is on a commercial corner of a major intersection and commercial corridor
 - Meets zoning and permitted location requirements
- Land use is allowed in the zoning district
- Across Pine Street and channelized portion of Gill's Branch
- Planning to sell beer, including Thai beer, to complement the restaurant's food offerings

Area Variances

- Casa Chapala
- Buc-ee's



Public Comments Received

In Support

- None

Against

- None

Questions?





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9D

TITLE:

Hold a public hearing and consider action to approve the first reading of Ordinance No. 2018-34 of the City Council of the City of Bastrop, Texas, providing for the abandonment, vacation, and closure of the segment of Poplar Street, located between Pecan Street and State Highway 95, located in the city limits of Bastrop, Texas, as shown in Exhibit A; providing for the following: Findings of Fact; the Terms and Conditions of Abandonment, Vacation, and Closure; Repealer; Severability; Codification; Effective Date and Proper Notice and Meeting, and move to include on the January 8, 2019 City Council Consent Agenda for a second reading.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The applicant is requesting to vacate the existing, unimproved Poplar Street right-of-way and relocate the right-of-way to the north boundary of the property. Staff recommends retaining a right-of-way for Poplar Street, as it will provide future connectivity for Pecan Street, which currently extends north from Mesquite Street for approximately 1,460 feet with no outlet. Having the right-of-way available will enable future development off Pecan Street and Poplar Street to install the roadway to provide connectivity for emergency access.

The McElroy Acres Final Plat is being processed alongside of this request and has relocated the right-of-way along the north edge of the applicant's property, which allows for more orderly development while maintaining access. The vacation instrument will not be filed at the County until the final plat is ready to record at the County Clerk's office.

POLICY EXPLANATION:

A public right-of-way is a type of easement granted to the public for transportation purposes. As a public good, the abandonment and vacation must be considered and approved by City Council. Under rule of law, half of the right-of-way must be offered for purchase to the adjacent property owners on both sides.

The same property owner owns the property on both sides of the unimproved Poplar Street right-of-way. A condition of the abandonment and vacation of this segment is to relocate the right-of-way along the north edge of the property. With the dedication of the new alignment of the Poplar Street right-of-way, there will be a net gain in right-of-way area, so no purchase will be required.

RECOMMENDATION:

Hold a public hearing and consider action to approve the first reading of Ordinance No. 2018-34 of the City Council of the City of Bastrop, Texas, providing for the abandonment, vacation, and closure of the segment of Poplar Street, located between Pecan Street and State Highway 95, located in the city limits of Bastrop, Texas, as shown in Exhibit A; providing for the following:

Findings of Fact; the Terms and Conditions of Abandonment, Vacation, and Closure; Repealer; Severability; Codification; Effective Date and Proper Notice and Meeting, and move to include on the January 8, 2019 City Council Consent Agenda for a second reading.

ATTACHMENTS:

- Ordinance
- Exhibit A: Survey Plat and Metes & Bounds
- Attachment 1: Location Map
- PowerPoint Presentation



ORDINANCE 2018-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, PROVIDING FOR THE ABANDONMENT, VACATION, AND CLOSURE OF THE SEGMENT OF POPLAR STREET, LOCATED BETWEEN PECAN STREET AND STATE HIGHWAY 95, LOCATED IN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; THE TERMS AND CONDITIONS OF ABANDONMENT, VACATION, AND CLOSURE; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE AND PROPER NOTICE & MEETING.

WHEREAS, Howard Wayne McElroy (the "Applicant") has requested to relocate the right-of-way for Poplar Street between Pecan Street and State Highway 95 that currently bisects the Applicant's property; and

WHEREAS, the City Council of the City of Bastrop ("City"), acting pursuant to law, deems it advisable to abandon, vacate, and close the segment of Poplar Street between Pecan Street and State Highway 95 and is of the opinion that the segment should be relocated to the north edge of the Applicant's property that will be dedicated with the McElroy Acres Final Plat; and

WHEREAS, the City Council of the City is of the opinion that the best interest and welfare of the public will be served by abandoning, vacating and closing same resulting in the vesting of title in the abutting property owner(s), subject to the conditions, requirements and restrictions contained herein.

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

Section 1: FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2: ORDER OF STREET VACATION AND ABANDONMENT

- A. The City Council of the City hereby declares and orders that a portion of Poplar Street, as depicted in Exhibit "A" attached hereto and incorporated fully herein, and located in the City of Bastrop, Bastrop County, Texas, shall be and the same is hereby abandoned, vacated and closed insofar as the right, title and easement of the public is concerned.
- B. That the abandonment, vacation and closure provided for herein is made and accepted.
- C. That the abandonment, vacation and closure provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to that interest which the governing body for the City of Bastrop may legally and lawfully abandon, vacate and close.
- D. That the abutting property owner shall dedicate right-of-way from Pecan Street to State Highway 95 for Poplar Street at the northern boundary of their property, with the recordation of the McElroy Acres Final Plat. The McElroy Acres Final Plat must be accepted by the city for recordation before the abandonment, vacation and closure of the segment of Poplar Street.
- E. That the City Manager of the City of Bastrop is hereby authorized to execute and deliver a Certificate of Compliance to the abutting owner(s) upon completion of all conditions and requirements set forth in this Ordinance.

- F. The abandonment, vacation and closure shall be effective upon abutting owner(s) satisfying all conditions and requirements set forth in this Ordinance as evidenced by a Certificate of Completion executed by the City Manager.

Section 3: REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

Section 4: SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 5: CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6: EFFECTIVE DATE

This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

Section 7: PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

READ & ACKNOWLEDGED on First Reading on this the 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

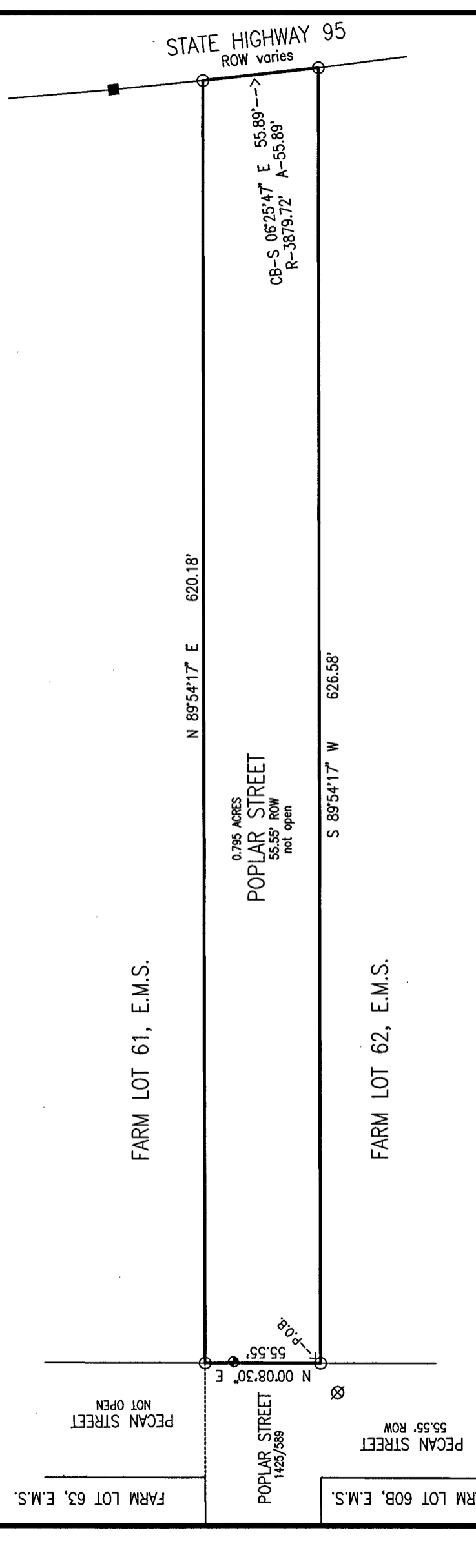
Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT "A"

Segment of Poplar Street Closing and Vacation



STATE HIGHWAY 95
ROW varies

CB-S 06°25'47" E 55.89' --->
R-3879.72' A-55.89'

N 89°54'17" E 620.18'

0.795 ACRES
POPLAR STREET
55.55' ROW
not open

S 89°54'17" W 626.58'

FARM LOT 61, E.M.S.

FARM LOT 62, E.M.S.

PECAN STREET
NOT OPEN

POPLAR STREET
1425/589

PECAN STREET
55.55' ROW

FARM LOT 63, E.M.S.

FARM LOT 60B, E.M.S.

FENCES MAY NOT REFLECT PROPERTY LINES

OLSON SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of a 0.795 ACRE TRACT being a PORTION
of POPLAR STREET, in the CITY of BASTROP,
recorded in PLAT CABINET 1, PAGE 23A, PLAT
RECORDS of BASTROP COUNTY, TEXAS.

CERTIFIED COPY ONLY
IF YELLOW SEAL IS PRESENT

SCALE: 1" = 60.00'
DRAFTSMAN: D. BROOKS
DATE: 13 APR 18
DISK-FILE: 377-34
ORDER: 18-377-34.1
PLAT FILE: -0-

The undersigned does hereby certify for the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roots in place, except as shown hereon, and that said property has frontage on a dedicated road way, except as shown hereon.

Michael D. Olson
MICHAEL D. OLSON
REG. NO. 5386
OLSON SURVEYING
DATE: 04.13.18



SCALE: 1" = 60'
 ■ CONCRETE MONUMENT
 ○ 5/8 IRON ROD SET
 ⊕ WATER METER
 ⊗ FIRE HYDRANT
 — BOUNDARY LINE

OLSON SURVEYING

Registered Professional Land Surveyor

711 Water Street

Bastrop, Texas 78602

Phone (512)321-5476 Fax (512)303-5476

olsonsurvey@sbcglobal.net

FIELD NOTES FOR A PORTION OF POPLAR STREET IN THE CITY AND COUNTY OF BASTROP, TEXAS.

BEING a 0.795 acre portion of Poplar Street in the City of Bastrop, Bastrop County, Texas, according to the plat as recorded in Plat Cab. 1, Page 23A, Bastrop County Plat Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod set at the intersection of the east line of Pecan Street with the south line of Poplar Street, the northwest corner of Farm Lot 62, East of Main Street, for the southwest corner of this tract.

THENCE crossing Poplar Street, N 00 deg. 08 min. 30 sec. E, 55.55 feet to a 5/8 inch iron rod set at the intersection of the east line of Pecan Street with the north line of Poplar Street, the southwest corner of Farm Lot 61, East of Main Street, for the northwest corner of this tract.

THENCE with the north line of Poplar Street and the south line of Farm Lot 61, East of Main Street, N 89 deg. 54 min. 17 sec. E, 620.18 feet to a 5/8 inch iron rod set at the intersection of the west line of State Highway 95 with the north line of Poplar Street, for the northeast corner of this tract.

THENCE with the west line of State Highway 95 along a curve to the left whose radius is 3879.72 feet and chord bears, S 06 deg. 25 min. 47 sec. E, 55.89 feet; 55.89 feet along the arc to a 5/8 inch iron rod set at the intersection of the west line of State Highway 95 with the south line of Poplar Street for the southeast corner of this tract.

THENCE with the south line of Poplar Street and north line of Farm Lot 62, East of Main Street, S 89 deg. 54 min. 17 sec. W, 626.58 feet to the POINT OF BEGINNING, containing 0.795 acres of land.



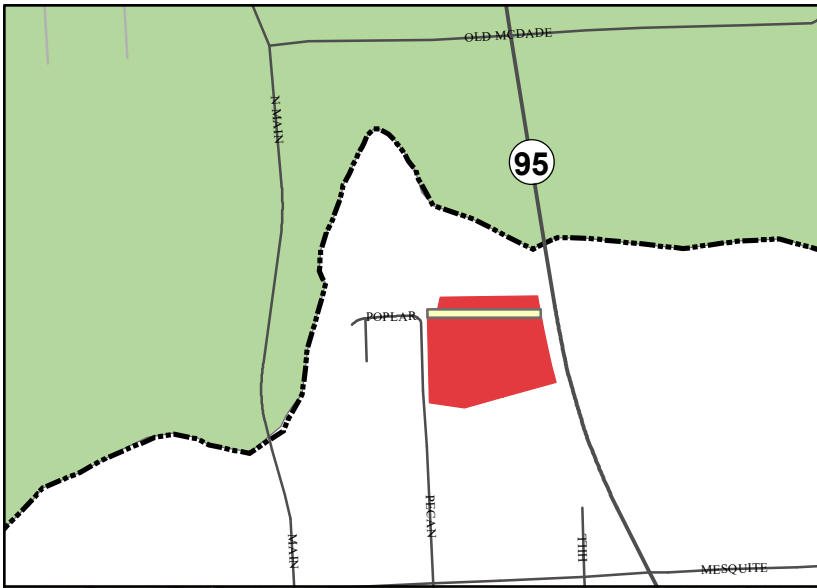
Michael D. Olson
Reg. Pro. Land Surveyor 5386



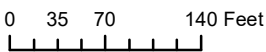
Order# 18-377-34_1

Date Created: 4-11-18

©2018 Olson Surveying



Location Map
 Vacation of Unimproved
 Poplar Street right-of-way
 Farm Lot 62



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 11/29/2018

Poplar Street Vacation

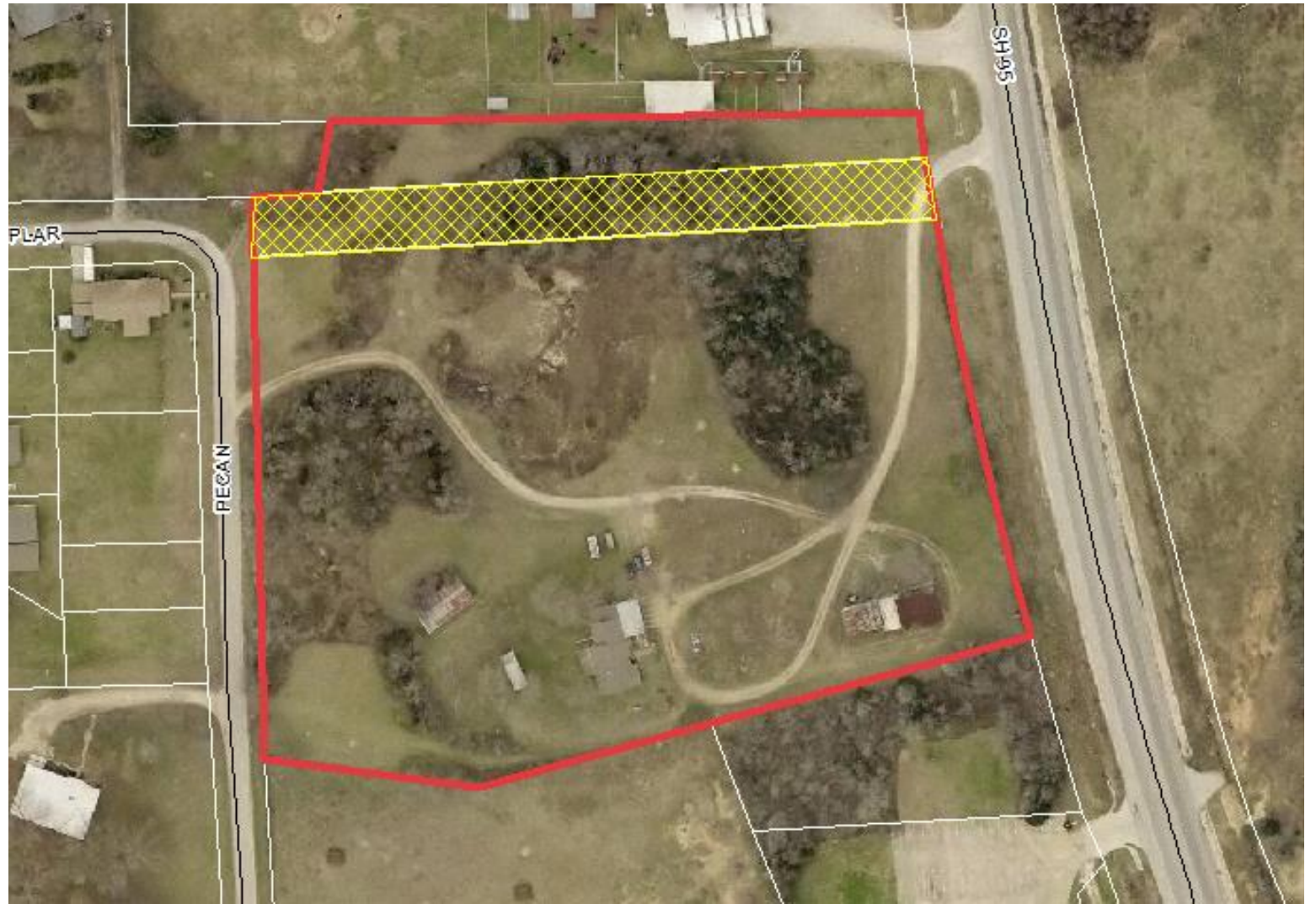
Request

- To abandon and vacate the existing right-of-way for the unimproved segment of Poplar Street between Pecan Street and State Highway 95.
- Conditioned on the relocation of the right-of-way to the northern edge of the subject property.



Location

- Between Pecan Street and State Highway 95



Compliance with the Moratorium

- This project meets the requirements for an Exception under both Emergency Ordinances. The application was received prior to August 14, 2018, so this project is considered an Ongoing Project.



Recommendation

- Hold public hearing and consider action to approve the first reading of Ordinance 2018-34 of the City Council of the City of Bastrop, Texas, providing for the abandonment, vacation and closure of the segment of Poplar Street, located between Pecan Street and State Highway 95; located in the city limits of Bastrop, Texas, as shown in Exhibit A; providing for the following: Findings of Fact; the Terms and Conditions of Abandonment, Vacation and Closure; Repealer; Severability; Codification; Effective Date and Proper Notice and Meeting, and motion to include on the January 8, 2019 Consent Agenda.



Questions?





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9E

TITLE:

Consider action to approve Resolution No. R-2018-120 of the City Council of the City of Bastrop, Texas, approving the McElroy Acres Final Plat, being 8.415 acres out of Farm Lot 62, located between Pecan Street and State Highway 95, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and providing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:

Site Address: Between Pecan Street and State Highway 95 (Attachment 1)
Total Acreage: 8.415 acres
Legal Description: 8.415 acres out of Farm Lot 62, East of Main Street

Property Owner: Howard Wayne McElroy
Agent Contact: Olson Surveying/DeAnna Olson

Existing Use: Single-family residential/Agricultural
Existing Zoning: Agriculture/Open Space (A/OS) and Commercial 2 (C-2) (Attachment 2)
Future Land Use: Neighborhood Commercial

BACKGROUND/HISTORY:

The applicant has submitted a new Short Form Final Plat for McElroy Acres Subdivision. The plat is creating two new commercial lots and one single-family/agricultural lot (Exhibit A). Along with the plat, the applicant is requesting to vacate the existing, unimproved Poplar Street right-of-way and relocate the right-of-way to the north boundary of the property. Staff recommends retaining right-of-way for Poplar Street, as it will provide future connectivity for Pecan Street, which currently extends north from Mesquite Street for approximately 1,460 feet with no outlet.

Traffic Impact and Streets

The Final Plat proposes relocating the unimproved right-of-way for Poplar Street to the northern boundary of the property. The curvature of the new right-of-way, as it approaches Pecan Street to the west, will line up with the existing section of Poplar Street and meets the requirements of the subdivision regulations (Section 5.20.4). The vacation of the existing, unimproved Poplar Street right-of-way will go to City Council for approval and will be contingent upon the Final Plat recordation. The existing right-of-way intersects with State Highway 95 approximately 130 feet south of the driveway for the adjacent property for the north. With the relocation, the right-of-way will be 80 feet from the existing driveway. Neither location meets the spacing standard of 425 feet. Driveway spacing will be addressed at a future date when Poplar Street is improved.

There is an existing driveway approach for the residential house on Pecan Street. The driveway approach to State Highway 95 will be determined by the Texas Department of Transportation. There is an access easement provided parallel to State Highway 95 to provide access for Lots 1 and 2 in addition to future development or redevelopment for the lot to the south. Sidewalks will be installed along all existing streets.

Utilities

Water service (domestic and fire) will be provided by the City via water line extensions from the existing line located on the east side of State Highway 95. These lines will be designed according to the City's construction standards, as well as the Texas Commission on Environmental Quality's (TCEQ) requirements.

Wastewater collection and treatment will also be provided by the City and will require the installation of lines along the Poplar Street right-of-way and within a public utility easement along the west side of Lots 1 and 2. These lines will connect to the existing wastewater lift station north of the intersection at Pecan Street and Poplar Street.

Drainage

The property is situated on a hill. The existing residential structure sits at the top of the hill and the existing and future drainage will drain to the northwest towards Pecan Street for Lot 3, and to the northeast towards SH 95 for Lots 1 and 2. A site development plan will be required at the time of development, which will include any required infrastructure and a detailed drainage plan.

PUBLIC COMMENTS:

Notifications to adjacent property owners within 200 feet were mailed on November 16, 2018 (Attachment 3).

POLICY EXPLANATION:

All Short Form Final Plats must be reviewed by the Planning & Zoning Commission and are then forwarded to City Council for approval.

Compliance with the Emergency Ordinance No. 2018-1 and 2018-2

This project meets the requirements for an Exception under both Emergency Ordinances. The application was received prior to August 14, 2018, so this project is considered an Ongoing Project.

Compliance with 2036 Comprehensive Plan:

- Future Land Use Plan - Neighborhood Commercial: The Neighborhood Commercial character area is intended for lands that are to be developed for nonresidential uses that are of an appropriate use, scale, and design that is compatible with abutting or nearby residential uses.

This final plat complies with the Future Land Use Plan. This plat includes two lots along SH 95 that will allow for commercial development.

- Objective 2.4.1: Invest in waste water system expansion in areas that promote infill and contiguous development.

This development is within the City's wastewater service area and is vacant land adjacent to existing development. This subdivision connects to existing wastewater lines and continues the system in an efficient manner.

Local Government Code

- Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

Bastrop adopted subdivision regulations in 1981. The Code of Ordinances, Chapter 10 – Subdivisions outlines the requirements for plats within the Bastrop city limits and Extra Territorial Jurisdiction (ETJ).

- Section 212.004 Plat Required

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

The applicant has proposed dividing up a partially developed 8.415 acre tract and unopened right-of-way into two commercial lots, one single-family/agricultural lot and 0.871 acres of ROW for Poplar Street. Public improvements within the subdivision (streets, drainage, and other utilities) will be dedicated to the City upon their completion.

- Sec. 212.010. Standards for Approval

(a) The municipal authority responsible for approving plats shall approve a plat if:

- (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

The final plat conforms to the Future Land Use Plan, which is designated Neighborhood Commercial for this area.

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

The plat conforms to the adopted Transportation Master Plan. The applicant will retain the right-of-way for Poplar Street, which will be vacated by separate instrument by City Council and rededicated with this plat. The plat also conforms with the Capital Improvement Plan and will install public extensions of the water and wastewater infrastructure.

- (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

Required improvements and bonds will be furnished before the recordation of the Final Plat.

- (4) it conforms to any rules adopted under Section 212.002.

The final plat complies with the requirements of the adopted Subdivision Ordinance.

Code of Ordinances Chapter 10 – Subdivisions

- Section 4.30 – Short Form Procedure – Final Plat

4.30.1 General: The short form procedure may be followed for the approval of an Amending Plat, replat or a subdivision when the land proposed to be subdivided or re-subdivided.

Prior to the plat being placed before the Commission for consideration, the plat must be accepted as administratively complete by the Director of Planning and Development. A plat that contains the detailed information set forth in paragraphs 4.30.2 and 4.30.3 is considered administratively complete.

Planning and Engineering staff have reviewed the McElroy Acres Subdivision Final Plat for compliance with subdivision and utility standards and have deemed the plat administratively complete.

PLANNING & ZONING COMMISSION REPORT:

The Planning & Zoning Commission made a motion to deny the plat, which failed by a vote of 3 to 4. A second motion was made to recommended approval of the final plat which passed by a vote 4 to 3.

There was discussion regarding the possible impediments to property owners for future connections to State Highway 95 with the relocation of Poplar Street.

Public comment was made by an adjacent property owner about past land uses and how future development may affect drainage.

RECOMMENDATION:

Consider action to approve Resolution No. R-2018-120 of the City Council of the City of Bastrop, Texas, approving the McElroy Acres Final Plat, being 8.415 acres out of Farm Lot 62, located between Pecan Street and State Highway 95, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A: Final Plat
- Attachment 1: Location Map
- Attachment 2: Zoning Map
- Attachment 3: Surrounding Property Owner Notification
- PowerPoint Presentation

RESOLUTION NO. R-2018-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE MCELROY ACRES FINAL PLAT, BEING 8.415 ACRES OUT OF FARM LOT 62, LOCATED BETWEEN PECAN STREET AND STATE HIGHWAY 95, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Texas Local Government Code Section 212 and the City of Bastrop Subdivision Ordinance, the City Council is required to take action regarding certain plats; and

WHEREAS, Howard Wayne McElroy (“the Applicant”) has submitted a Short Form Final Plat for McElroy Acres, subdivision containing residential and commercial lots; and

WHEREAS, the Final Plat is consistent with the Comprehensive Plan designation of Neighborhood Commercial; and

WHEREAS, the Short Form Final Plat for McElroy Acres was recommended for approval by the Planning & Zoning Commission on November 29, 2018; and

WHEREAS, the Bastrop Planning and Development Department has reviewed the above-referenced Final Plat and found it is in compliance with the Subdivision Ordinance; and

WHEREAS, the public improvements reviewed with this Final Plat must be provided by the Applicant and accepted by the City for the use of the lots; and

WHEREAS, notice of the subdivision was sent in accordance with the Subdivision Ordinance to notify the public.

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

Section 1. The Final Plat known as McElroy Acres, being 8.415 acres of Farm Lot 62, located between Pecan Street and State Highway 95, within the city limits of Bastrop, Texas is hereby approved, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 2: All orders, ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December, 2018.

CITY OF BASTROP, TEXAS

APPROVED:

Connie B. Schroeder, Mayor

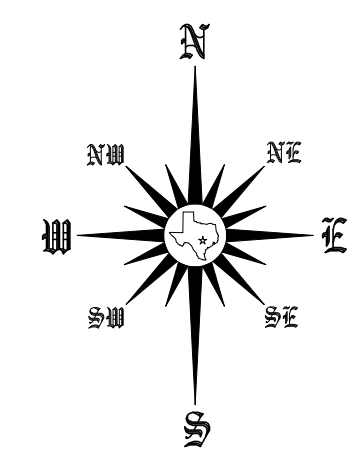
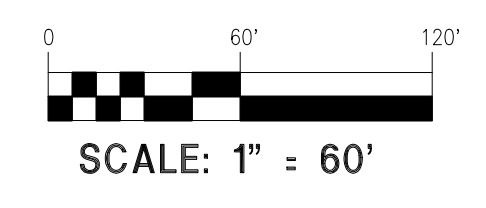
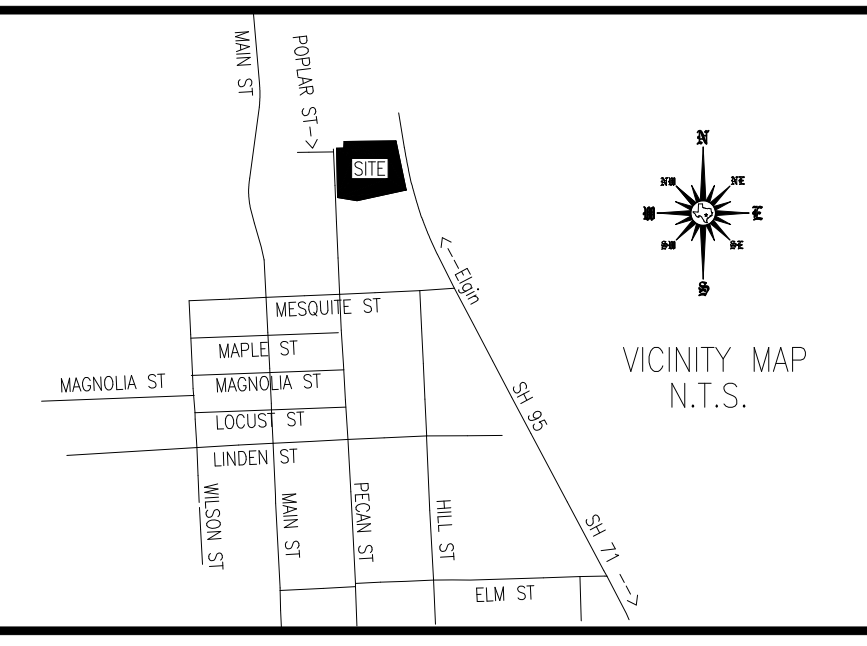
ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

McELROY ACRES FINAL PLAT



- LEGEND**
- CONCRETE MONUMENT
 - IRON ROD FOUND
 - 5/8 IRON ROD SET
 - 3/4 IRON PIPE FOUND
 - UTILITY POLE
 - ⊕ WATER METER
 - ⊕ FIRE HYDRANT
 - X- FENCE LINE
 - E- ELECTRIC LINE
 - BOUNDARY LINE
- EASEMENT ABBREVIATIONS**
- BL BUILDING LINE
 - PUE PUBLIC UTILITY EASEMENT
- CITY OF BASTROP ZONING**
AOS Agricultural/Open Space
COMMERCIAL C-2

THE FOLLOWING EASEMENT MAY AFFECT THIS TRACT:
94/92

LINE TABLE

L1	S89°55'52\"/>
----	---------------

CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	21°56'12"	86.15'	225.00'	N79°01'54\"/>	
C2	17°27'51"	53.34'	175.01'	S84°12'17\"/>	
C3	0°44'43"	50.47'	3879.72'	S 84°05'05\"/>	
C4	4°48'50"	333.98'	3879.72'	S 81°54'52\"/>	
C5	1°41'55"	115.01'	3879.72'	S114°46'54\"/>	

BEGINNING at a concrete right-of-way marker found at the southeast corner of that certain 6.581 acre tract described in a deed to Jeffrey M. Schroeder, recorded in Vol. 1721, Page 37, Bastrop County Official Public Records, in the west line of State Highway 95, for the northeast corner of this tract, in the occupied common line of Farm Lots 61 and 62, East of Main Street.

THENCE with the west line of State Highway 95 along a curve to the left whose radius is 3879.72 feet and chord bears, S 09 deg. 00 min. 17 sec. E, 490.75 feet; 491.07 feet along the arc to a 5/8 inch iron rod found at the northeast corner of that certain 0.902 acre tract described in a deed to Patricia L. Harrison, recorded in Vol. 1480, Page 548, Bastrop County Official Public Records, for the southwest corner of this tract.

THENCE with the north line of the Harrison 0.902 acre tract, S 77 deg. 33 min. 50 sec. W, 303.22 feet to a 5/8 inch iron rod found, the northwest corner of the Harrison 0.902 acre tract and northwest corner of that certain 6.739 acre tract described in a deed to Gene Arthur Brown, Jr., recorded in Vol. 905, Page 159, Bastrop County Official Public Records.

THENCE with the north line of the Brown 6.739 acre tract, S 77 deg. 31 min. 59 sec. W, 222.05 feet to a 1/2 inch iron rod found at a fence angle post and N 79 deg. 08 min. 08 sec. W, 197.19 feet to a 1/2 inch iron pipe found at a fence corner post in the east line of Pecan Street, the west line of Farm Lot 62 (EMS), the northwest corner of the Brown 6.739 acre tract and southeast corner of this tract.

THENCE with the east line of Pecan Street and west line of Farm Lot 62 (EMS), N 01° deg. 41 min. 32 sec. E, of 465.73 feet pass a 5/8 inch iron rod set at the south line of the relocated Poplar Street, in all 520.09 feet to a 5/8 inch iron rod set in the south line of that certain 6.23 acre tract described in a deed to Edward Lewis Huckman, recorded in Vol. 1615, Page 55, Bastrop County Official Public Records, for the lower northwest corner of this tract.

THENCE with the south line of the Huckman 6.23 acre tract, N 89 deg. 55 min. 53 sec. E, 59.97 feet to a 1/2 inch iron rod found at a fence corner post, the southeast corner of the Huckman 6.23 acre tract and interior corner of this tract.

THENCE with the east line of the Huckman 6.23 acre tract, N 14 deg. 08 min. 42 sec. E, 66.84 feet to a 5/8 inch iron rod set near a fence corner post in the occupied common line of Farm Lots 61 and 62 (EMS), the south line of the Schroeder 6.581 acre tract, the lower northeast corner of the Huckman 6.23 acre tract, for the upper northwest corner of the relocated Poplar Street and this tract.

THENCE with the south line of the Schroeder 6.581 acre tract, occupied common line of Farm Lots 61 and 62 (EMS) and north line of the relocated Poplar Street, S 87 deg. 54 min. 56 sec. E, 539.95 feet to the POINT OF BEGINNING, containing 8.415 acres of land.

- NOTES:
- ALL SUBDIVISION PERMITS SHALL CONFORM TO THE CITY OF BASTROP CODE OF ORDINANCES, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
 - CONSTRUCTION PLANS AND SPECIFICATIONS FOR ALL SUBDIVISION IMPROVEMENTS SHALL BE REVIEWED AND ACCEPTED BY THE CITY OF BASTROP PRIOR TO ANY CONSTRUCTION WITHIN THE SUBDIVISION.
 - PRIOR TO CONSTRUCTION OF ANY IMPROVEMENTS ON LOTS IN THIS SUBDIVISION, BUILDING PERMITS WILL BE OBTAINED FROM THE CITY OF BASTROP.
 - SITE DEVELOPMENT CONSTRUCTION PLANS SHALL BE REVIEWED AND ACCEPTED BY THE CITY OF BASTROP PRIOR TO ANY MULTI-FAMILY OR NON-RESIDENTIAL CONSTRUCTION. (CITY LIMITS ONLY)
 - THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES SOLE RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF BASTROP. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR RE-PLATING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
 - WATER SERVICE IS PROVIDED BY THE CITY OF BASTROP.
 - WASTEWATER SERVICE IS PROVIDED BY THE CITY OF BASTROP.
 - ELECTRIC SERVICE IS PROVIDED BY BASTROP POWER & LIGHT.
 - ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
 - NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE APPROVED WATER DISTRIBUTION AND WASTEWATER COLLECTION FACILITIES.
 - WASTEWATER AND WATER SYSTEMS SHALL CONFORM TO APPLICABLE TCEQ (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY) REGULATIONS.
 - APPROVED UNDER ORDINANCE #2017-13 REGARDING IMPACT FEE ASSESSMENT TO BE COLLECTED PRIOR TO BUILDING PERMIT ISSUANCE.
 - DEVELOPER SHALL BE SOLELY RESPONSIBLE FOR ALL RELOCATION AND MODIFICATIONS TO EXISTING UTILITIES.
 - NO PORTION OF THIS TRACT IS WITHIN A FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP PANEL # 48021C0215E FOR BASTROP CO., EFFECTIVE 01/19/2006, COMMUNITY # 480022 AND IS IN ZONE 'X'.
 - IT IS THE RESPONSIBILITY OF EACH BUILDER TO DESIGN AND CONSTRUCT A SUITABLE GRADING AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT OR UNDER THE STRUCTURE, FROM HIS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
 - PUBLIC UTILITY AND DRAINAGE EASEMENTS WHERE SHOWN AND/OR DESCRIBED HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE WAYS, INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES, AND NATURAL GAS LINES.
 - BLANKET TEMPORARY ACCESS AND CONSTRUCTION EASEMENT DOCUMENT #201807038 HAS BEEN PROVIDED FOR CONSTRUCTION ACCESS.
 - AS SHOWN HEREON, A TWENTY (20) FOOT WIDE PUBLIC UTILITY EASEMENT (P.U.E.) IS HEREBY DEDICATED ADJACENT TO STREET ROW ON ALL LOTS. A TEN (10) FOOT WIDE P.U.E. IS HEREBY DEDICATED ALONG EACH SIDE LOT LINE.
 - PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO ALL EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
 - NO BUILDINGS, FENCES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED WITHIN DRAINAGE EASEMENTS SHOWN, EXCEPT AS APPROVED BY THE CITY OF BASTROP AND/OR BASTROP COUNTY.
 - ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
 - THE ELECTRIC UTILITY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY VEGETATION AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE THE CITY OF BASTROP ELECTRIC UTILITY DEPARTMENT WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES.
 - THERE IS HEREBY DEDICATED A 20' ELECTRIC EASEMENT CENTERED ALONG ALL ELECTRIC LINES.
 - THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION FOR ELECTRIC UTILITY WORK REQUIRED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT.
 - BUILDING SETBACKS NOT SHOWN SHALL BE IN ACCORDANCE WITH CITY OF BASTROP ZONING ORDINANCE. (CITY LIMITS ONLY)
 - FENCES AND OTHER IMPROVEMENTS ASSOCIATED WITH THE LOTS ON THIS PLAT SHALL NOT BE PLACED IN A MANNER THAT OBSTRUCTS OR HINDER ACCESS TO PUBLIC UTILITIES. REPAIR OR REPLACEMENT OF PRIVATE PROPERTY IN A PUBLIC UTILITY EASEMENT SHALL BE THE SOLE RESPONSIBILITY OF THE LOT OWNER AND THE UTILITY PROVIDER BEARS NO LIABILITY FOR DAMAGES TO PRIVATE PROPERTY PLACED IN A PUBLIC UTILITY EASEMENT.
 - ACCESS TO SH 95 TO BE DETERMINED BY TXDOT AND THE CITY OF BASTROP.
 - TITLE SEARCH PERFORMED BY INDEPENDENCE TITLE COMPANY, OF #1737082-BAS. ALL EASEMENT PER TITLE COMMITMENT DATED 08/08/2017 ARE SHOWN ON THIS PLAT. SURVEYOR TAKES NO RESPONSIBILITY FOR THE ACCURACY OF SAID TITLE COMMITMENT. THERE MAY BE ADDITIONAL EASEMENTS THAT AFFECT THIS PROPERTY.

STATE OF TEXAS }
COUNTY OF BASTROP }

KNOW ALL MEN BY THESE PRESENTS:

THAT HOWARD WAYNE McELROY, BEING THE OWNER OF A 6.947 & 0.674 ACRE TRACT, BEING A PORTION OF FARM LOT 62, EAST OF MAIN STREET, IN THE CITY OF BASTROP, AND AS CONVEYED TO ME BY DEED RECORDED IN DOCUMENT #201718095, OFFICIAL RECORDS OF BASTROP TEXAS, DO HEREBY SUBDIVIDE SAID 6.947 ACRE TRACT IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, TO BE KNOWN AS:

McELROY ACRES

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

WITNESS MY HAND THIS ____ DAY OF _____, 201__.

HOWARD WAYNE McELROY,
304 E FRENCH
CUERO, TEXAS 77954

STATE OF TEXAS }
COUNTY OF BASTROP }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED HOWARD WAYNE McELROY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 201__ A.D.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

PRINTED NAME OF NOTARY / EXPIRES

APPROVED THIS DAY _____ OF _____ BY THE CITY COUNCIL OF BASTROP, TEXAS.

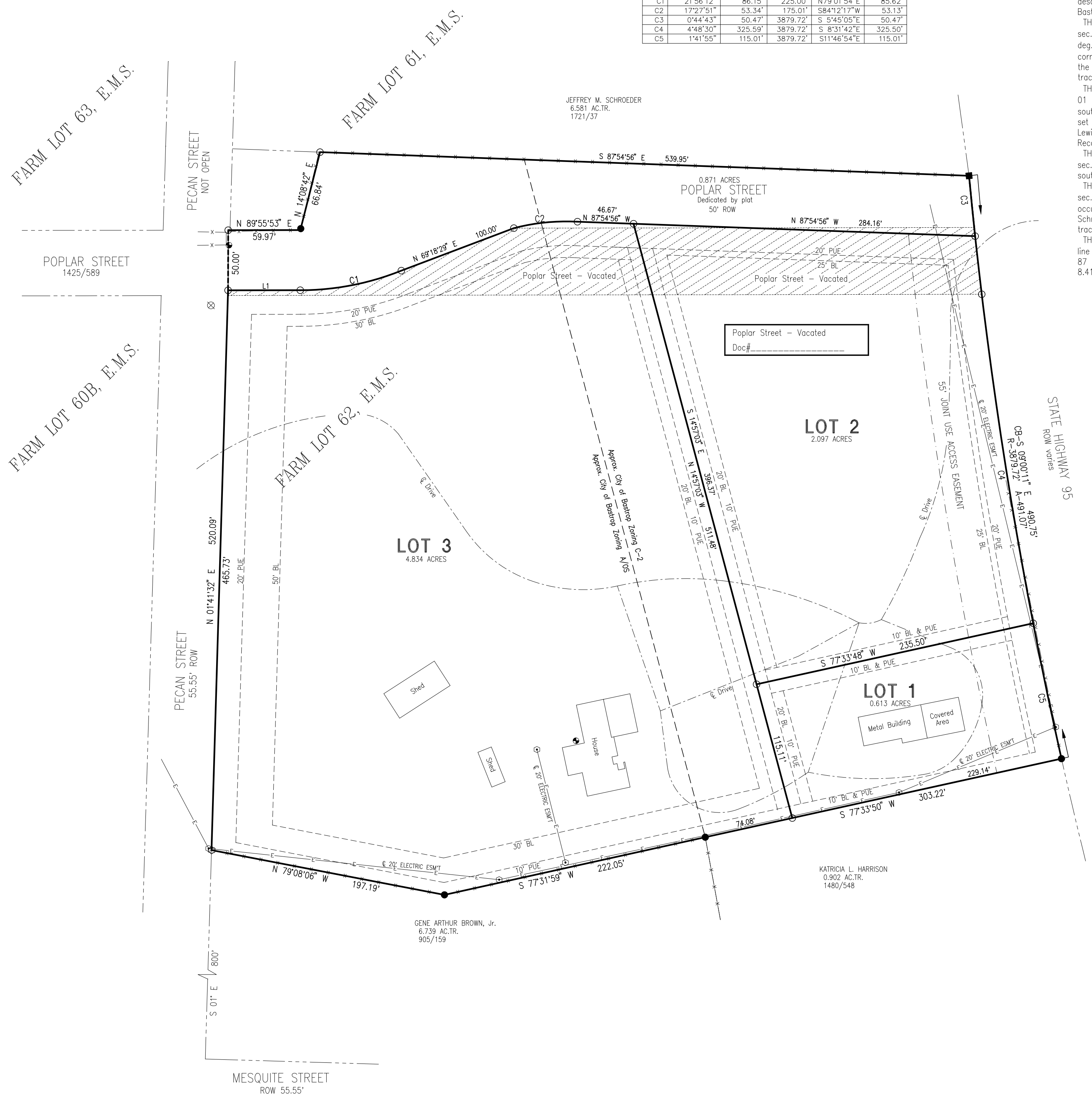
APPROVED: _____ ATTEST: _____

CONNIE B. SCHROEDER, MAYOR CITY SECRETARY,
CITY OF BASTROP, TEXAS

STATE OF TEXAS }
COUNTY OF BASTROP }

I, ROSE PIETSCH, COUNTY CLERK FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH THE CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 201__ A.D., AT ____ O'CLOCK ____ M., IN THE PLAT RECORDS OF SAID COUNTY IN PLAT CABINET _____, PAGE _____, FILED FOR RECORD ON THE ____ DAY OF _____, 2018, A.D.

ROSE PIETSCH COUNTY CLERK
BASTROP COUNTY, TEXAS



OWNER:
HOWARD WAYNE McELROY
304 E FRENCH
CUERO, TEXAS 77954

SURVEYOR:
MICHAEL OLSON, RPLS
RPLS NO. 5386
711 WATER STREET
BASTROP, TEXAS 78602
512-581-8953

ENGINEER:
MARIO EFRAIN LANZA, PE
11601 SPRING CYPRESS RD.
SUITE C
TOMBALL, TEXAS 77377

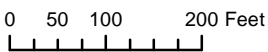
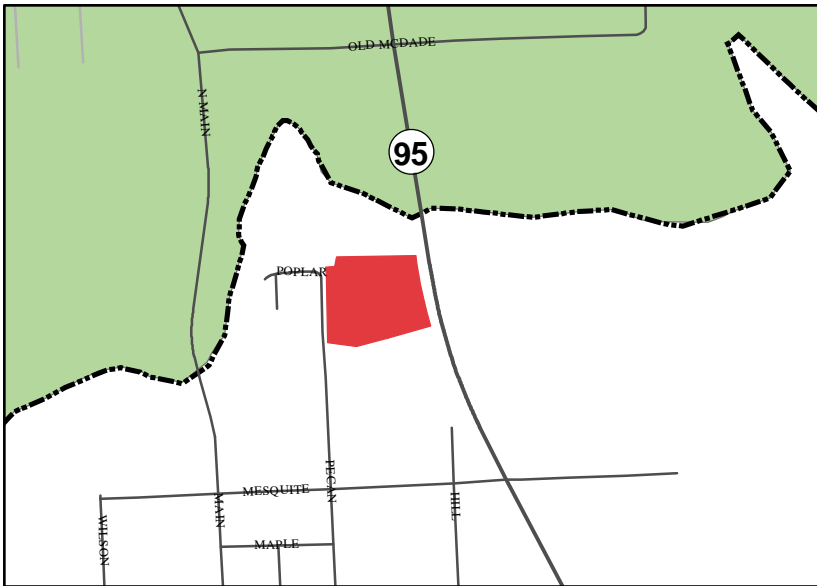
LAND USE SUMMARY:
TOTAL ACREAGE 8.415 Acres
POPLAR STREET 0.871 Acres
LOT ACREAGE 7.544 Acres
NUMBER OF LOTS 3
AVERAGE LOT SIZE 2.514 Acres

STATE OF TEXAS }
COUNTY OF BASTROP }

I, MICHAEL D. OLSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BASTROP, BASTROP COUNTY TEXAS.

MICHAEL D. OLSON
REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 5386
711 WATER STREET
BASTROP, TEXAS 78602
512-321-5476

DATE: _____

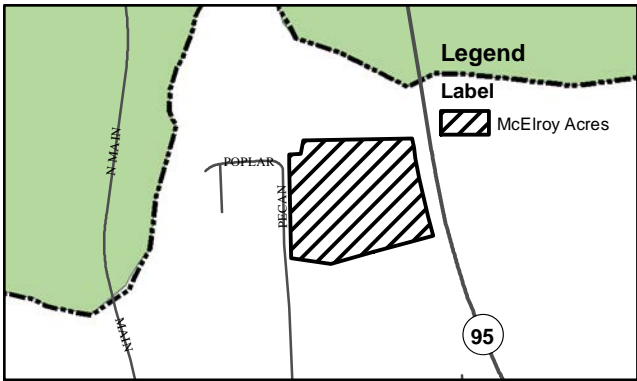


Location Map
Final Plat
McElroy Acres



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 11/16/2018



1 inch = 274.04 feet

Zoning Map
 McElroy Acres
 Final Plat



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 11/20/2018

**Notice of Pending Subdivision Approval
City of Bastrop
Planning & Zoning Commission and City Council**



Dear Property Owner:

The **Planning & Zoning Commission** will hold a meeting **Thursday, November 29, 2018 at 4:00 p.m.** and the **City Council** will hold a meeting on **Tuesday, December 11, 2018 at 6:30 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** to consider approval of the McElroy Acres Final Plat for 3 lots, being 8.415 acres, out of Farm Lot 62, East of Main Street, in the City Limits of Bastrop, Texas.

Owner/Applicant: Howard Wayne McElroy/Olson Survey

Address: 2800 Highway 95

Legal Description: 8.415 acres, out of Farm Lot 62, East of Main Street

Number of Lots: 3

The site location map and final plat are attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Subdivision Regulations.

Property owners wishing to subdivide land must follow the rules within the City Subdivision Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH10SU

For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.

McElroy Acres Final Plat

Request

- To create two new commercial lots and one single-family/agricultural lot.
- Along with the plat, the applicant is requesting to vacate the existing, unimproved Poplar Street right-of-way and relocate the right-of-way to the north boundary of the property.



Location

- Between Pecan Street and State Highway 95



Access

- Existing driveway approach for the residential house on Pecan Street.
- Driveway approach to State Highway 95 will be determined by the Texas Department of Transportation.
- Access easement provided parallel to State Highway 95 to provide access for Lots 1 and 2.
- Sidewalks will be installed along all existing streets.



Compliance with the Moratorium

- This project meets the requirements for an Exception under both Emergency Ordinances. The application was received prior to August 14, 2018, so this project is considered an Ongoing Project.



Compliance with 2036 Comprehensive Plan

- Objective 2.4.1: Invest in waste water system expansion in areas that promote infill and contiguous development.
- *This development is within the City's wastewater service area and is vacant land adjacent to existing development. This subdivision connects to existing wastewater lines and continues the system in an efficient manner.*



Compliance with Code of Ordinances Chapter 10 – Subdivisions

- Prior to the plat being placed before the Commission for consideration, the plat must be accepted as administratively complete by the Director of Planning and Development. A plat that contains the detailed information set forth in paragraphs 4.30.2 and 4.30.3 is considered administratively complete.
- *Planning and Engineering staff have reviewed the McElroy Acres Subdivision Final Plat for compliance with subdivision and utility standards and have deemed the plat administratively complete, conditioned upon the vacation of the Poplar Street right-of-way being approved by City Council.*



Recommendation

- Consider action to approve Resolution R-2018-120 of the City Council of the City of Bastrop, Texas, approving the McElroy Acres Final Plat, being 8.415 acres out of Farm Lot 62, located between Pecan Street and State Highway 95, within the city limits of Bastrop, Texas, as shown in Exhibit A; repealing all conflicting resolution; and providing an effective date.



Planning & Zoning Commission Report

- The Planning & Zoning Commission made a motion to deny the plat, which failed by a vote of 3 to 4. A second motion was made to recommended approval of the final plat which passed by a vote 4 to 3.
- There was discussion regarding the possible impediments to property owners for future connections to State Highway 95 with the relocation of Poplar Street.
- Public comment was made by an adjacent property owner about past land uses and how future development may affect drainage.



Questions?





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9F

TITLE:

Consider action to approve Resolution No. R-2018-124 of the City Council of the City of Bastrop, Texas, endorsing the application for the designation of Bastrop, Texas as a Bird City; authorizing the City Manager to execute all necessary documents for the application; providing for a severability clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

Audubon Texas and Texas Parks & Wildlife Department have announced the launch of a new program that improves native bird habitats and engages the community and elected leaders with habitat management, bird recreation, and bird monitoring. The “Bird City Texas Program” sets a new standard for communities to manage wildlife habitats, prevent injuries to birds, and engage and educate the community. Once the City is awarded the Bird City designation, a subcommittee of the Parks Board will be established to assist with the continued renewal of the designation. The subcommittee will be known as the Bastrop Bird City Collaborative Coalition. The Bird City Texas Certification will be conferred for a three (3) year period, after which recertification may be sought.

The City of Bastrop was one (1) of only 14 cities to receive an invitation to apply for this inaugural Bird City Pilot Program. The Bastrop Parks Board, represented by Dorothy Skarnulis, and Texas Parks and Wildlife, represented by Kelly Simon, gave a presentation and overview of the Bird City Texas Program to City Council on November 27, 2018. Mrs. Skarnulis also met with City Staff on December 3, 2018, to discuss the program regarding future roles of the City and the subcommittee. Curtis Hancock, Assistant Director of Public Works, will serve as the Parks Board Staff Liaison and the point of contact for the Bird City Texas Program. Members of the Coalition will all contribute to the ongoing program and will include organizations such as Bastrop Audubon Society, Texas Master Naturalist “Lost Pines Chapter”, Bastrop County Master Gardeners Association, Bastrop State Park, Bastrop County Tourism & Economic Development, Visit Bastrop, and the Lower Colorado River Authority.

If the Bird City designation is received, changes to the ordinance that establishes the Parks Board will require amendment to include the new Bird City subcommittee. Once that is complete, Staff will hold a workshop with the newly formed Coalition to more clearly define the activities required by all parties to maintain the Bird City designation and establish an annual program of work. A few of the City’s requirements will be to enact a resolution for World Migratory Bird Day, provide one (1) highly visible bird friendly demonstration landscape, create bird watching amenities in public parks, and implement an active invasive plant species removal program on public lands.

There is tourism value to becoming a Bird City. Approximately 4.4 million Texans are wildlife viewers, including 2.2 million birdwatchers, who generate \$1.8 billion in economic impact for Texas.

Should Council approve this resolution, the following information will be provided by Staff for inclusion with the application:

1. Brief description of the regulatory or planning authority of the City.
2. Map of the community with the ETJ that would include Bastrop State Park and McKinney Roughs.
3. A 1-page letter from the City Manager endorsing the Bird City Texas application, affirming the community has completed the activities listed on the application, and committing to meeting the Program requirements for the three years of certification.

POLICY EXPLANATION:

This program meets the Economic Vitality Council Focus Area and aligns with the City's Comprehensive Plan in Section 8.5, 8.5.1, and 8.3.2. It also can be tied to Organizational Excellence (Develop a 10-year park maintenance plan including inspections and annual contracts.) and aligns with the Comprehensive Plan in Section 3.2, and 7.2.

FUNDING SOURCE:

Any additional funding required to continue the program will be requested in the FY 20 budget.

RECOMMENDATION:

Consider action to approve Resolution No. R-2018-124 of the City Council of the City of Bastrop, Texas, endorsing the application for the designation of Bastrop, Texas as a Bird City; authorizing the City Manager to execute all necessary documents for the application; providing for a severability clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Bird City Texas Criteria

RESOLUTION NO. R-2018-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ENDORSING THE APPLICATION FOR THE DESIGNATION OF BASTROP, TEXAS AS A BIRD CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE APPLICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

WHEREAS, the City Manager is responsible for the proper administration of all affairs of the City; and

WHEREAS, the City of Bastrop has an interest in improving native bird habitats; and

WHEREAS, the City of Bastrop was one (1) of only 14 cities to receive an invitation to apply for the inaugural Bird City pilot program administered by Audubon Texas and Texas Parks & Wildlife Department; and

WHEREAS, Bastrop City Council received an overview and presentation of the Bird City Texas Program on November 27, 2018; and

WHEREAS, the Bird City Texas Program sets a new standard for communities to manage wildlife habitats, prevent injuries to birds, and engage and educate the community; and

WHEREAS, approximately 4.4 million Texans are wildlife viewers, including 2.2 million birdwatchers, who generate \$1.8 billion in economic impact for Texas; and

WHEREAS, the Bird City Texas Program will be administered by the Bird City Texas Collaborative Coalition, a subcommittee of the Bastrop Park Board/Public Tree Advisory Board; and

WHEREAS, the City Council of the City of Bastrop, Texas finds that a very significant public interest is served by the completion of an application for the designation of Bastrop, Texas as a Bird City.

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

Section 1: That the City Manager is hereby authorized to execute all necessary documents for the application, including a letter endorsing the application, affirming the Coalition has completed the activities required on the application, and committing to meeting the program requirements for the three years of the certification.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



Bird City Texas Criteria

Bird City Texas recognizes 2 levels of commitment to improving native bird populations and their habitats: Basic certification and High Flyer status. High Flyer certification is a second tier recognition and includes all the requirements of Basic Certification **plus** fulfilling the requirements of High Flyer.

Required Actions for All Communities

Your community must complete all of the following requirements:

- R1. Community forms a collaborative body that supports the application development and management of their Bird City enrollment.
- R2. Community enacts an annual resolution (proclamations are not accepted) to recognize World Migratory Bird Day (WMBD) AND holds an annual event to celebrate WMBD.
- R3. Create and maintain a demonstration bird-friendly native landscape on at least one highly visible community property.**
- R4. Include noticeable information on municipal tourism and/or Chamber of Commerce website about local birding sites, lists of native birds, tips for landscaping for birds, local educational resources, birding events, bird-related citizen science projects, and bird clubs.
- R5. Officially endorse the American Bird Conservancy's Cats Indoors program through education/outreach to residents.
- R6. Provide businesses and residents with education/outreach and/or a communications campaign about dark sky lighting solutions and reducing bird collisions with buildings.
- R7. Promote the use of native plants in landscaping through community website, newsletters, public events, and through use of the National Audubon Society's Plants for Birds program.**
- R8. Provide and promote information on the importance of controlling invasive species (both plant and animal).

Bird City Texas Basic Certification Options

Category 1: Community Engagement

Your community must meet at least 5 criteria from this category:

- 1a. Initiate community participation in at least one National Audubon Society community science program annually: Hummingbirds at Home, Great Backyard Bird Count, Christmas Bird Count, Climate Watch, Creating Bird-Friendly Communities, and Swifts Night Out.**

- 1b. Engage community and partners in long-term (greater than 5 years) local bird monitoring programs that incorporate eBird and/or iNaturalist.
- 1c. Implement an annual communications campaign about issues and actions related to Bird City Texas, creating Bird Friendly Communities, and the criteria that the community adopts.
- 1d. Create demonstration displays for public areas that educate the public about the benefits of dark sky compliant lighting, window modifications that improve glass visibility and reduce glass reflectivity.
- 1e. Create bird watching amenities in public parks, such as bird blinds, observation decks, interpretive signs, binocular loan out programs, and birding/trail guides.
- 1f. Host a completely native plant sale and advertise community-wide for the event.**
- 1g. Host 3 community volunteer planting events per year featuring native plants on public properties, community centers, libraries, or other sites where the plantings would be labeled and visible to the public.**
- 1h. Engage the public park system and/or local museums to offer environmental education opportunities for the public that support the objectives of the Bird City program.
- 1i. Public park system has interpretive/educational signage in natural areas that are open to the public that prioritizes bird identification and native bird ecology in their message.
- 1j. Include a recurring (at minimum quarterly) native bird education themed section in a community newsletter, social media platform (i.e., Facebook, NextDoor, etc.).
- 1k. Conduct a speaker or workshop series (minimum 3 events per year) with topics focusing on issues relating to birds, wildlife, habitat, environmental stewardship, etc.
- 1l. Sponsor an annual bird festival that promotes community stewardship and appreciation of native birds and their habitats.
- 1m. Work with traditionally underserved communities to increase engagement with parks, ecological education, and birding resources.
- 1n. Educate the public about the responsibilities and best practices of providing food and water for birds and discern the benefits of natural food sources from supplemental feeding.

Category 2: Habitat Enhancement and Protection

Your community must meet at least 8 criteria from this category:

- 2a. Develop and implement a bird-centric wildlife or habitat management plan for all lands owned or managed by the community.**
- 2b. Acquire and conserve (through purchase or easement) habitat for birds, wildlife, and native plant communities representative of the local ecosystem (wildscapes and demonstration gardens will not qualify).

- 2c. On existing protected properties, modify and improve existing habitat for birds, wildlife, and native plant communities representative of the local ecosystem.**
- 2d. Create and conserve corridors and connectivity between habitat areas to promote movement and migration of birds, wildlife, and native plant communities.
- 2e. Incentivize residents, businesses, and community group participation in local habitat enhancement/restoration programs.**
- 2f. Implement wetland habitat restorations or installations to mitigate flooding rather than stream channelization.**
- 2g. Where public safety allows, implement a policy and training that ensures dead trees are left standing in parks/natural areas to provide foraging and nesting habitat.
- 2h. Develop and adopt a community approved list of only native tree and shrub species recommended for use by all new developments (business and sub-division developers).
- 2i. Reduce municipal water use for landscaping by implementing permanent once/week landscape watering with irrigation system/sprinkler schedules citywide and/or native landscape incentive programs.
- 2j. Implement an active invasive plant species removal program on public lands.
- 2k. Under the guidance of a Wildlife Management Plan, community actively uses prescribed fire that benefits birds and native ecosystems.
- 2l. Adopt or designate a nearby Important Bird Area or other natural area.
- 2m. Create overlays and other zoning and land use restrictions so that nature preserves are buffered against negative impacts of development.
- 2n. Enact and enforce more stringent city ordinances protecting existing bird habitat.
- 2o. Implement seasonal management practices that protect nesting birds.
- 2p. Manage natural areas in public parks to encourage the growth of native plants that provide important wildlife habitat including managed “No Mow” areas for native grasses and plants.
- 2q. Sponsor at least 5 habitat restoration projects of at least 1 acre in size in the community to improve bird habitat over the 3 year period.**
- 2r. Manage a municipal or public golf course for the benefit of native birds.
- 2s. Community conducts an inventory of city lands (using iNaturalist or comparable platform) to document plant and animal species present and assesses habitat quality.
- 2t. Review all properties slated for municipal development to avoid impacting quality bird habitat where possible, including adjusting siting of buildings to avoid habitat.

Category 3: Creating Safer Spaces for Birds

Your community must meet at least 4 criteria from this category:

- 3a. Educate building owners/architecture community about Bird-Friendly Buildings best design practices and the conservation value of reducing collisions.
- 3b. Provide best design guidelines about reducing bird collisions and impacts to businesses applying for new building permits.
- 3c. Participate in National Lights Out Program during spring and fall migration periods.
- 3d. Conduct a sustained educational campaign focused on the impacts of pesticides and herbicides on bird populations and include practical information on proven Integrated Pest Management options.
- 3e. Implement Integrated Pest Management strategies to minimize use of pesticides and herbicides on city-managed property.
- 3f. At least one municipal or major public building receives LEED certification that includes the Credit for Bird Collision Deterrence (during review period).
- 3g. Provide alternative transportation throughout the community (e.g. hike and bike trails, rideshare programs, bike lanes).
- 3h. Reduce light pollution by using dark-skies compliant shielded lighting throughout community and does not install or use blue wavelength lights (4000 Kelvin) in all outdoor publicly owned fixtures with a target of approximately 2700 Kelvin.
- 3i. Prohibit feeding of ducks on community-managed properties to decrease domestic disease transfer to migrating waterfowl.
- 3j. Community stormwater management plan implements actions from the National Menu of Best Management Practices for Stormwater.
- 3k. Active program to remove invasive or harmful animal species, including harmful or invasive bird species, deer, and/or wild pigs.
- 3l. Actively prohibits the formation, maintenance, or support of outdoor cat colonies inside or adjacent to parks/natural areas. Removal of cat colonies within or adjacent to parks/natural areas will also suffice.
- 3m. Monitor and limit the release of native wildlife and prohibit the release of domestic animals within parks/natural areas to prevent unhealthy over-concentration of native species or introduction of non-native species that would be destructive to birds.

Bird City Texas High Flyer Certification

Bird City Texas anticipates that in the years ahead its communities will want to strengthen their commitment to bird conservation. These additional criteria demonstrate that higher level of commitment. To earn a High Flyer designation, a community will need to document that it still meets Bird City's basic qualifications and meets the additional requirements outlined below.

High Flyer Requirements

All communities must meet all the following criteria to be eligible for High Flyer status:

- HF R1. Prohibit Trap, Neuter and Release programs for feral or free roaming cats. Does not actively subsidize or condone outdoor cat colonies, and prohibits the formation, feeding, and support of outdoor cat colonies.
- HF R2. Create and/or maintain a demonstration bird-friendly native landscape on at least two highly visible community properties that would be visited by socioeconomically diverse groups in your community.**

Category HF1: Community Engagement

Your community must meet at least 1 criterion from this category:

- a. Local school district(s) uses native Texas ecosystem/conservation programs in curriculum for all K-12 students in either science, social studies, or language arts.
- b. Sponsor a community planning charrette that brings in major municipal, industry, and community partners to improve bird conservation within the community that results in a draft/preliminary community conservation plan.
- c. Enact an annual series of highly-visible community planting events that engage a dedicated corps of volunteers to restore native habitat on city-owned properties.**

Category HF2: Habitat Enhancement and Protection

Your community must meet at least 3 criteria from this category:

- a. Require the use of native plants for landscaping in all new landscapes in publicly owned or managed spaces, buildings, and properties.**
- b. Designate a new nature park primarily managed for the benefit of native plants, wildlife, and ecosystems.
- c. Create a \$2 per capita dedicated fund for habitat conservation, enhancement, or restoration.**
- d. Manage all recreational areas (including sports areas) in public park system to include at least 5% contiguous area designated as natural habitat.
- e. Designate, manage, and maintain at minimum 2% of parks as preserves where resource protection is prioritized over human use and enforce policies such as: no pets allowed, noise management, limited number of visitors, pedestrian use only, and closing to allow for land management practices.

- f. Community has at least 1 golf course within its extraterritorial jurisdiction (ETJ) certified as an Audubon Certified Cooperative Sanctuary.
- g. Create and implement a Smart Growth development plan to protect and manage watersheds, open space, and habitat areas.
- h. Conduct overview of all community parks and natural areas within the community, owned by all entities, to develop a greenbelt/corridor master plan using creation of more natural areas and trails to connect all green space throughout the community. Include land acquisition plans and detailed timeline for implementation.

Category HF3: Creating Safer Spaces for Birds

Your community must meet at least 2 criteria from this category:

- a. Enact and enforce a city-wide ordinance requiring domestic cats to be kept indoors or in an enclosure.
- b. Construction ordinance requires that new public buildings seek LEED certification (silver or higher) that includes meeting the requirement for the LEED Credit for Bird Collision Deterrence.
- c. Design or retrofit public buildings to reduce bird collisions using Bird Friendly Buildings guidelines by American Bird Conservancy and Audubon.
- d. Participate in Bird-Friendly Buildings: Lights Out program in all city-owned buildings.
- e. Community actively and intensively traps brown-headed cowbirds on several community-owned lands.
- f. Implement adaptive feral hog population control plan that encompasses several community-owned lands.

****Evaluative metrics are required for all future commitments. Communities should identify their own metrics that can help evaluate the success of each activity. Criteria marked with ** are special reporting categories. For these activities, evaluative metrics must include: number of acres affected, number of people engaged, and number of native plants sold or put in the ground (when appropriate).**



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9G

TITLE:

Consider action to approve Resolution No. R-2018-105 of the City Council of the City of Bastrop, Texas approving the City of Bastrop Purchasing Policy with the addition of Section III, Subsection D - Fleet Purchases and additional minor edits, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The City of Bastrop Purchasing Policy was last adopted by Council in September 2014. At the October 9, 2018 Council Meeting, Staff presented a revised Purchasing Policy adding Section III, Subsection D – Fleet Purchases.

POLICY EXPLANATION:

Section 6.12 of the Home Rule Charter of the City of Bastrop provides for the adopting of purchasing policies by the City Council of the City of Bastrop. Council reviewed the language of Section III, Subsection D - Fleet Purchases at the October 9th Council Meeting and had no changes. A request was made to have the City Attorney review the policy and for any other needed changes.

Staff reviewed the entire policy with Alan Bojorquez, City Attorney, at the November 5th Cabinet Meeting. Only minor recommendations were made, which are highlighted in the attached presentation. A copy of the updated Purchasing Policy, which has been reviewed by the City Attorney, is attached for Council consideration.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2018-105 of the City Council of the City of Bastrop, Texas approving the City of Bastrop Purchasing Policy with the addition of Section III, Subsection D - Fleet Purchases and additional minor edits, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2018-105
- Exhibit A - Purchasing Policy
- Enhancements Presentation

RESOLUTION NO. R-2018-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE CITY OF BASTROP PURCHASING POLICY WITH THE ADDITION OF SECTION III, SUBSECTION D – FLEET PURCHASES AND ADDITIONAL MINOR EDITS, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop Purchasing Policy was last adopted by Council in September 2014; and

WHEREAS, Section 6.12 of the Home Rule Charter of the City of Bastrop provides for the adopting of purchasing policies by the City Council of the City of Bastrop; and

WHEREAS, at the October 9, 2018, Council Meeting, Staff presented a revised Purchasing Policy adding Section III, Subsection D – Fleet Purchases; and

WHEREAS, the City Attorney has reviewed the City of Bastrop Purchasing Policy and found it to be in compliance with State procurement laws; and

WHEREAS, the City Council requests that the Purchasing Policy be reviewed by Staff and adopted annually by Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

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

Section 1. The City Council hereby approves the City of Bastrop Purchasing Policy, which is attached as **Exhibit A**, and requests that it be reviewed by Staff and adopted annually by Council as a part of the Budget adoption process.

Section 2. All orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



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The mission of the City of Bastrop is to continuously strive to provide innovative and proactive services that enhance our authentic way of life to achieve our vision.

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Purchasing Policy

City of Bastrop Purchasing Policy

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I. PURPOSE

It is the policy of the City of Bastrop that all purchasing shall be conducted strictly on the basis of economic and business merit. This policy is intended to promote the best interest of the citizens of the City of Bastrop, Texas.

The City of Bastrop intends to maintain a cost-effective purchasing system conforming to good management practices. The establishment and maintenance of a good purchasing system is possible only through cooperative effort. It must be backed by proper attitudes and cooperation of not only every department head and official, but also every supervisor and employee of the City of Bastrop.

The purchasing process is not instantaneous. Time is required to complete the steps required by State law and local rules. In order to accomplish timely purchasing of products and services at the least cost to the City of Bastrop, all departments must cooperate fully. Prior planning and the timely submission of requisitions are essential to expedite the purchasing process and to assure that the process is orderly and lawful.

This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that the taxpayer dollars are spent efficiently and effectively..

II. CODE OF ETHICS

It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. By participating in the purchasing process, employees of the City of Bastrop agree to:

- A. Avoid the intent and appearance of unethical or compromising practices in relationships, actions, and communications.
- B. Demonstrate loyalty to the City of Bastrop by diligently following the lawful instructions of their employer, using reasonable care and only authority granted to them by the City.
- C. Refrain from engaging in any private business or professional activities that would create a conflict between personal interests and the interest of the City of Bastrop.
- D. Will not except soliciting or accepting money, loans, credit, or prejudicial discounts with a value over \$25Will not accept gifts, entertainment, favors, or services from current or potential suppliers that might influence, or appear to influence, purchasing decisions with a value over \$25.
- E. Handle confidential or proprietary information belonging to the City or its suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- F. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- G. Expose corruption and fraud wherever discovered.

Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

Adherence to the City's Ethics Ordinance is mandatory. If there is a conflict between the City's Ethics Ordinance and this Purchasing Policy, the stricter of the two applies.

III. COMPETITIVE PURCHASING REQUIREMENTS

The City of Bastrop Purchasing Policy requires obtaining three quotes for purchases over \$3,000. The only exceptions to this rule are for items purchased under a cooperative contract, items awarded through sealed bids, sole source purchases, or purchases for an emergency situation.

Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council approval.

A. Who is authorized to make purchases?

Purchases will only be processed if authorized by a Department Head or an approved representative in an employee's direct chain of command.

B. Instructions for Soliciting Bids

When soliciting bids, City of Bastrop buyers must:

1. Give the same exact specifications to each vendor.
2. Give each bidder the same deadline for turning in bids.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees, or other costs must be included in the bid.

C. Purchasing Control

Authorization levels established within INCODE for appropriations previously approved by the City Council are as follows:

Directors or their designee	not to exceed \$9,999.99
Chief Financial Officer or designee	between \$10,000.00 and \$14,999.99
City Manager or designee	exceeding \$15,000.00

All purchases requiring a purchasing summary must have an approved purchase order before placing the order.

D. Fleet Purchases

The Finance Department will create a Fleet Appropriations List at the beginning of every fiscal year based on the adopted budget. A unit number will be assigned to each vehicle and piece of equipment included on this list. This list will be distributed to each department with vehicles and equipment on the list.

Each department will complete and submit their Purchasing Summary(s) which should include the unit number assigned to each vehicle and piece of equipment, to the Finance Department as close to October 1st as possible. The Purchasing Summary(s) will be checked against the Fleet Appropriations List and reviewed for accuracy and completeness. Once reviewed by the Finance Department, the summaries will go to the City Manager for approval.

Upon approval by the City Manager, a purchase order will be created and authorized by the Finance Department for each approved purchasing summary. At the time of issuance of the purchase order, budgeted funds will be encumbered to prevent the funds from being reallocated.

Approved purchase orders will be sent to each department with authorized vehicles and equipment on the Fleet Appropriations List. Once the department has received the approved purchase order, fleet orders can be placed with the selected vendor.

E. Dollar Limitations

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases. ***Dollar limitations refer to total purchase or invoice total, not single item cost.*** It is the Department Director's responsibility to ensure adherence to purchasing policies.

\$0.01-\$3,000: Quotations are recommended but not required for purchases of non-contract goods or services totaling \$3,000 or less.

If invoices for a single vendor or service contractor total more than \$3,000 in a fiscal year, the city will use the requirements applicable to the total amount of all of the invoices received in the fiscal year. As stated in Section II., Code of Ethics (above), state law prohibits *component purchasing, separate purchasing, and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate, or sequential purchasing to avoid the competitive bidding requirements.

\$3,001-\$49,999: Except when exempt under state law, purchases totaling \$3,001 to \$49,999 require three written quotes attached to a Purchasing Summary Form and a purchase order provided to the Finance Department.

No purchase orders of non-contract goods or services will be issued in excess of \$15,000 without prior approval from the City Manager or the City Manager's designee.

If the vendor or contract service provider offering the lowest quote is not selected by the department, an explanation must be provided on the Purchasing Summary Form, and approval by the City Manager is required, no matter the dollar amount. Only the City Manager or the City Manager's designee may determine "Best Value." The City Manager may elect to accept fewer than three quotes from a Director if due diligence has been documented by the Director in trying to adhere to the purchasing policy. A memo will be required from the Director providing a reason for their inability to obtain three written quotes, and describing the scope of services being provided, if applicable.

The memo must be approved and signed by the City Manager and attached to each Purchasing Summary Form and purchase order provided to the Finance Department.

State law requires that two Historically Underutilized Businesses (HUBs) are to be contacted on a rotating basis for all purchases totaling \$3,001 to \$49,999. A list of HUB vendors is available from the Texas Comptroller of Public Accounts website. If the list does not identify a HUB vendor in the county in which the municipality is situated, the municipality is exempt from this requirement. If you need assistance in complying with this requirement, contact the Finance Department.

If purchasing through a cooperative purchasing alternative (e.g., BuyBoard, DIR, or TXMAS), only one written quote is required, provide proof or identification that the quote is from a cooperative source, and complete a Purchasing Summary Form and a purchase order. Any vendor specific contracts should be on file with the Finance Department prior to final approval being given, if applicable. It is the Department Director's responsibility to ensure that the cooperative information is on file with the Finance Department.

\$50,000+: Except when exempt under state law, requisitions for item(s) whose aggregate total cost is \$50,000 or more must be processed as competitive solicitations (e.g., sealed bids, request for proposals, or request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

State law requires that sealed bids and requests for proposals (RFP) be advertised in a local newspaper for two consecutive weeks prior to the bid opening. All bids or proposals must be received sealed and turned in to the City Secretary's Office by the date and time listed in the solicitation (invitation to bid or RFP). Any bids or proposals received after the stated time will be returned unopened. The bid opening process is open to the public and all vendors are invited to attend. Questions concerning pricing will not be addressed at the opening.

If purchasing through a cooperative purchasing alternative (e.g., BuyBoard, DIR, or TXMAS), provide only one written quote, proof or identification that the quote is from a cooperative source, and complete a Purchasing Summary Form and a purchase order. All cooperative vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to ensure that the cooperative information is on file with the Finance Department. City Manager written approval is required.

F. Personal or Professional Services

Under the Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements. The City also provides an exemption for the purchasing of planning services.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated

competence and qualifications for performing the services for a fair and reasonable price.

Professional services include:

- Accounting;
- Architecture;
- Landscape architecture;
- Land surveying;
- Medicine;
- Optometry;
- Engineering;
- Real estate appraisal;
- Nursing;

According to the Texas Attorney General's Office professional services may include "members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence."

G. Other Exemptions

State law authorizes other categories of exempt purchases. Purchases from other governments, some auctions and going-out-of-business sales, and certain other purchases are exempt under provisions of the Texas Local Government Code.

The following is a list of other types of contracts that are exempt from competitive bidding requirements:

1. The purchase of land or a right-of-way.
2. Items that can be obtained from only one source, including:
 - a. items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;
 - b. films, manuscripts, or books;
 - c. electric power, gas, water, and other utility services; and
 - d. captive replacement parts or components for equipment.
3. Food.
4. Personal property sold:
 - a. at an auction by a state licensed auctioneer;
 - b. at a going-out-of-business sale; or
 - c. by a political subdivision of the state, a state agency, or an entity of the federal government.
5. Any work performed and paid for by the day.
6. Work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for HUB businesses.

H. Sole Source Purchases

Sole Source purchases must be preapproved by the City Manager. A sole source purchase may be appropriate when the purchase involves compatibility of equipment,

accessories, or replacement parts; when the goods or services are one-of-a kind or protected by a patent, copyright, or secret process; If the good or service is only available from a regulated or natural monopoly; or if the product is a component or repair part that may only be purchased from the original supplier. The following items are necessary to provide sufficient justification for sole source purchase:

1. A memorandum to the City Manager with a statement attached to the Purchasing Summary Form stating that a sufficient number of vendors have been contacted to determine that only one practical source of supply exists or providing the reasons that only one source exists. This memorandum should include the City Manager's signature signifying his approval.
2. A bid from the sole source provider on company letterhead.
3. A letter from the vendor stating they are the sole supplier of the good.

A Purchasing Summary Form and purchase order are still required with the above information attached.

I. Change Orders

According to purchasing law, the City of Bastrop may make changes to plans, specifications or quantities after awarding the contract, if necessary. However, no change may exceed 25% of the original contract amount and any decrease of 25% or more must have the consent of the contractor.

Increases that cause a change in dollar limitations or purchasing law may supersede the 25% rule:

Example: If a contract is awarded for \$45,000, the allowable increase under the 25% rule would be \$11,250, resulting in a total contract price of \$56,250. However, this would cause the new price to exceed \$50,000, which by State law requires sealed bids and advertising. The allowable increase would be limited to below \$50,000.

Any change in a purchasing contract that exceeds 25% of the original amount will void the original contract.

J. Making the Purchase

City of Bastrop buyers are responsible for making sure that the purchased good or service is received as specified. Under no circumstance should a buyer accept more goods or services than ordered. Employees are only authorized to purchase items that have been approved by their Department Head. A purchase over the original amount requires additional approval.

K. 30-Day Accounts Payable Cycle

Texas law requires municipalities to pay invoices within 30 days or be subject to the payment of interest.

It is the responsibility of each department to make sure the signed invoices, purchase orders, and any other required documents are submitted to the Finance Department as soon as the product is received, or the service is rendered.

It is the responsibility of Accounts Payable to pay all vendor invoices within 30 days of the invoice date. Any variance between the purchase order and the vendor invoice must be reconciled. Vendor payments can only be made for the original or modified purchase order amount.

L. Emergency Procedures

Texas Local Government Code Section 252.022(a) exempts certain items from sealed bidding, including, but not limited to:

1. *A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;*
2. *A procurement necessary to preserve or protect the public health or safety of the municipality's residents;*
3. *A procurement necessary because of unforeseen damage to public machinery, equipment or other property.*

The following steps must be taken when making emergency purchases:

1. Employee must receive approval from the City Manager or the City Manager's designee;
2. Employee will make every effort to solicit bids unless circumstances prevent employee from doing so; and
3. The employee must provide a written statement explaining the emergency following the incident to provide necessary documentation in Accounts Payable. This statement must be signed by the City Manager or the City Manager's designee.

IV. ASSET CONTROL

A. Inventory Control

The purpose of inventory control is to create and maintain a record/inventory of all fixed assets of the City of Bastrop. Fixed Assets include all Capital Asset items over \$5,000 with a life expectancy of two or more years, and "Minor Capital Outlay" items which include assets purchased for \$1,000 to \$4,999.

When a fixed asset is received by the city, it is tagged with a City of Bastrop property tag and added to the Department's master list by the Finance Department.

Each Department shall keep an inventory list of all fixed assets permanently assigned to each employee.

An inventory of all fixed assets shall be performed every year. The Finance Department will provide each department with their fixed asset list by September 30th annually. The

Director or their designee will conduct the inventory and make a note for items that can't be located. The Director will sign the list, once the inventory is complete, indicating their review of the inventory. Once signed, the list will be returned to the Finance Department, no later than October 15th, so that the master list can be updated. It is recommended that Departments perform an annual fixed assets inventory of equipment permanently assigned to each employee.

B. Use of Property

City of Bastrop employees should be aware that the use of City property for personal purposes is strictly prohibited. City vehicles should only be used for official City business. City Personnel Policies list theft and unauthorized use of City property as grounds for immediate dismissal.

In addition, employees are not to use personal property for the performance of their job or at their work site. Personal items such as radios, coffee pots, picture frames, books, etc. are permissible; however, the City of Bastrop is not responsible for damage to or theft of these items.

C. Disposal of Surplus Materials and Equipment/ Donations

City surplus materials and equipment (a/k/a "surplus items") include any City owned personal property such as furniture, fixtures, equipment, computers, vehicles, tools, clothing, or other such items, which have lost useful value to the City, have become non-functional, or are obsolete. Such surplus items may be disposed of by one of the following methods:

- Sold competitively, by accepting sealed bids or by public auction;
- Traded in for acquisition of new equipment;
- Donated by the City to a recognized charitable organization;
- Provided to other governmental entities (donation or exchange);
- Sold as 'scrap' (for cash), if the items have no value except for salvage and the City Manager or his designee has authorized the sale for scrap; or
- Disposed of through solid waste collection services, if the item has no salvage or other value and the City Manager or his designee has authorized such disposal.

Trade-In or Donation: Before *trading-in* and/or *donating* surplus items, the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department stating: 1) the identity of the surplus items to be disposed of, traded-in, or donated; 2) the reasons for the surplus items being declared surplus; 3) the original purchase price (if ascertainable) of the surplus items; and 4) the value of proposed "trade-in" or "donation", in the estimation of the Department Head. If the Department Head receives approval from the City Manager to proceed, the Department Head must coordinate the *trading-in* and/or *donating* of surplus items with the Finance Department to ensure a Disposed Fixed Asset Form is completed along any other necessary paperwork.

Note: All property is owned in the name of the City of Bastrop and is not vested in any specific department.

Sales: If the surplus items are to be sold, the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department. The memo should include: 1) the identity of the items to be sold (including the year, make, model, or any other identifying characteristics) and 2) a brief explanation of why it is necessary to dispose of the item. The Department Head, having received approval to sell a surplus item, may then utilize one of the following options: 1) sell through an approved on-line public auction provider, 2) donate to a non-profit organization, 3) donate to another political subdivision, or 4)

Preferred Disposition: Whenever reasonably feasible, it is the City's preference that the Department Head dispose of the surplus equipment by means of a public auction or sale held in cooperation with other City departments and surrounding government entities.

Procedures: The City Manager shall have the authority to approve the disposal, sale, trade-in, or donation of surplus items when the value of the items is less than \$50,000 in total. If the total value is \$50,000 or more, then the City Manager shall obtain Council approval of the proposed disposal, sale, trade-in or donation of surplus items.

Once approved by either the City Manager or Council, as appropriate, a Disposed Fixed Asset Form must be prepared and submitted to the Finance Department in addition to providing the license plates for any vehicles or equipment being disposed. The Finance Department manages the change of ownership and the receipt of funds.

City decals must be removed from all surplus City vehicles, machinery, and equipment before disposal, donation, trade-in, or sale.

D. Lost Property

If, after conducting an annual inventory, property is discovered to be lost, an explanation for the loss must be provided immediately to the Department Head using the Fixed Asset Form. Property losses that come to the attention of the employee before the annual inventory should be reported within 24 hours using the Fixed Asset Form.

All thefts are to be reported to a supervisor or Department Head immediately. Once a theft is reported to a Supervisor or Department Head, he or she must notify the City of Bastrop Police Department immediately so a crime report generated. Stolen fixed assets must be removed from the Master Inventory List and a copy of the police report must be attached to the Fixed Asset Disposal Form.

E. Security Measures

All equipment must be kept in a secure area when not in use. Access to this area will be limited to the employees assigned to the secure area. In case of theft, the security of the area should be evaluated to determine if changes or re-keying of locks is necessary.

V. RESPONSIBILITIES OF PARTIES

A. Department Heads

1. Monitor and approve overall purchases to ensure that funds are spent judiciously and that budgeted resources are within their control and available for all procurements.
2. Reject requests for purchases that do not have proper authorization or are missing required documentation.
3. Approve all purchases up to \$9,999, excluding budgeted capital.
4. Adhere to the Purchasing Policies and the Code of Ethics.
5. Place cooperative agreements and RFPs on file with the Finance Department and monitor purchases to ensure that supply agreements are used.
6. Ensure that sole source requests meet the guidelines and include required documentation.
7. Verify that goods and services are received as ordered before approving payment.
8. Annually inventory equipment assigned to each employee.
9. Keep records of losses to detect patterns of theft.

B. Supervisors

1. Maintain security of equipment on-site
2. Keep a log of equipment issued to employees on a long-term basis.
3. Keep a log of equipment issued to employees on a short-term basis.
4. Forward all receipts and invoices to Department Head as soon as possible.
5. Verify that equipment and supplies are returned upon termination of an employee.

C. City of Bastrop Accounts Payable

1. Pay bills in an accurate and timely manner.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Monitor purchases to ensure that supply agreements are used.
4. Ensure that purchasing policy requirement guidelines are met and required documentation included.

D. City of Bastrop Accounting

1. Maintain the master fixed asset property list.
2. Assign inventory tags for fixed assets.
3. Provide Fixed Assets Forms.
4. Produce Master Inventory List as needed.
5. Process fixed asset transfers and retirements.
6. Review, approve, and enter all purchase orders for budgeted fleet purchases.

VI. DEFINITION OF TERMS

Component Purchases – Purchases of component parts of an item that in normal purchasing practices would be accomplished by one purchase. (For example, purchasing parts separately to avoid bidding requirements and then assembling the item.)

Fixed Assets - An item with a value of \$5,000 or more and a life expectancy of two years or more is a capital asset. An item with a value of \$1,000 to \$4,999 is a minor capital outlay. Both tracked for inventory purposes.

Purchasing Summary – A form required for purchases over \$3,000 in total that documents the adherence of this purchase to the Purchasing Policy (i.e. quotes documented or exemptions utilized).

Separate Purchases – Purchases made separately of items that in normal purchasing practices would be accomplished by one consolidated purchase. (For example, issuing multiple purchase orders of similar items to avoid bidding requirements.)

Sequential Purchases – Purchases made over a period of time, of items that in normal purchasing practices would be combined and bid as one purchase. (Similar to separate purchases but made over a period of time to avoid bidding requirements.)

Purchasing Policy Major Enhancements

- Section II, Code of Ethics D— added maximum value amount allowed for receiving gifts at \$25
- Added Section III, Subsection D Fleet Purchases — this section is new to the policy.
- Section IV, Subsection A Inventory Control — added more specific dates and procedures for annual fixed asset inventory process.
- Section IV, Subsection C Disposal of Surplus — removed “City employees may participate, on their own time, in public auctions for the purchase of surplus city items”.
Also, in this section, added procedure for a crime report to be generated when theft of City property has occurred.





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9H

TITLE:

Consider action to approve Resolution No. R-2018-117 of the City Council of the City of Bastrop, Texas, approving an agreement for Depository and Banking Services between the City of Bastrop, Texas and First National Bank of Bastrop to serve as the City's Primary Banking Services Depository for the deposit of certain City funds and provision of banking functions for designated funds of the City of Bastrop, Texas, for the period January 1, 2019 until December 31, 2024, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

At the October 25, 2016 City Council Meeting, City Council approved a two-year extension of the Depository and Banking Services Agreement with First National Bank of Bastrop. This term became effective on November 1, 2016 and ended October 31, 2018.

On October 23, 2018, City Council approved Resolution R-2018-107 extending the current agreement until December 31, 2018 to provide the opportunity for the issuance of a Request for Proposal (RFP) for depository and banking services to be issued before the expiration of the second extension.

The Request for Proposal was advertised on November 1, 2018. Two proposals were received and evaluated, First National Bank of Bastrop and Classic Bank. The proposal from Classic Bank was considered non-responsive due to the exclusion of required information of creditworthiness, customer service, detailed implementation timeline, account structure, and cash management and treasury automated information.

POLICY EXPLANATION:

The City of Bastrop, Texas, solicited proposals for a Depository and Banking Services Agreement pursuant to Chapter 105 of the Texas Local Government Code. This chapter states that the designated officer shall present the specifications of each application to the governing body, who will select a depository.

Due to banking regulations, public funds are costlier and less desirable to banks. Public funds require collateralization, fluctuating balances, and high service demands. The only funds the City of Bastrop keeps in the depository are operating funds. All excess liquidity is transferred to higher yield investment options with other entities.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2018-117 of the City Council of the City of Bastrop, Texas, approving an agreement for Depository and Banking Services between the City of Bastrop, Texas and First National Bank of Bastrop, to serve as the City's Primary Banking Services Depository for the deposit of certain City funds and provision of banking functions for designated funds of the City of Bastrop, Texas, for the period January 1, 2019 until December 31, 2024, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2018-117
- Depository Agreement



RESOLUTION NO. R-2018-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING AN AGREEMENT FOR DEPOSITORY AND BANKING SERVICES BETWEEN THE CITY OF BASTROP, TEXAS AND FIRST NATIONAL BANK OF BASTROP TO SERVE AS THE CITY'S PRIMARY BANKING SERVICES DEPOSITORY FOR THE DEPOSIT OF CERTAIN CITY FUNDS AND PROVISION OF BANKING FUNCTIONS FOR DESIGNATED FUNDS OF THE CITY OF BASTROP, TEXAS FOR THE PERIOD JANUARY 1, 2019 UNTIL DECEMBER 31, 2024, ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas, solicited applications for a Bank Depository Agreement pursuant to Chapter 105 of the Texas Local Government Code; and

WHEREAS, the selection of First National Bank of Bastrop is being recommended to provide depository and banking services to the City of Bastrop, Texas, after a review and selection process and after taking into consideration the best interest of the City.

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

Section 1: That the City Council of the City of Bastrop, Texas, finds that the selection of First National Bank of Bastrop as the City's Depository Bank is in the best interest of the City.

Section 2: The City Manager is hereby authorized to execute the Bank Depository Agreement with First National Bank of Bastrop, which is attached as Exhibit A, as well as all other necessary documents.

Section 3: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4: That this resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

STATE OF TEXAS

COUNTY OF BASTROP

BANK DEPOSITORY AGREEMENT

The City of Bastrop, Texas (“City”), and the First National Bank of Bastrop (“Bank”), hereby agree as follows:

WHEREAS, the Bank, by its proposal dated the 19th day of November 2018, made application to be municipal depository for the City of Bastrop, Texas, pursuant to Texas Local Government Code, Chapter 105; and

WHEREAS, by action of the City Council meeting on December 11, 2018, the City Council, did designate the Bank as the City’s depository for the municipality’s funds;

NOW, THEREFORE:

The City and Bank have agreed to the following terms regarding the City’s Depository Agreement with the said Bank:

1. Term of the Agreement: this Agreement becomes effective beginning on January 1, 2019 and continues in effect until December 31, 2024.
2. The services to be provided by the Bank shall be as set out in the solicitation documents attached hereto as Exhibit “A” and made a part hereof. This Agreement, along with the attached Exhibit and other incorporated documents, shall constitute the entire Agreement between the parties. The Bank shall faithfully perform all of its duties and obligations required by the laws of the State of Texas for public funds depositories and shall upon presentation pay all checks drawn on it against collected funds on demand deposits, and shall, at the expiration of the Agreement, turn over to its successor all funds, City-owned securities, property, and things of value held as depository.

3. The interest rates and other terms of this Agreement shall be as set out in said solicitation document attached hereto and made a part hereof.
4. The parties agree that this Agreement becomes effective as of January 1, 2019.
5. The parties agree that if, in the City's sole discretion, the services provided by the Bank fail to meet the City's reasonable expectations of customer service and/or any conditions set out in said solicitation documents in part or in whole, the City will give the Bank notice of such deficiency and give the Bank 30 days to correct the deficiency. If such deficiency is not corrected within 30 days, the City will give the Bank notice to failure to correct the deficiency, and the City will have the option, at its sole discretion, to terminate this agreement at any time during the remaining term of the agreement, and to solicit new bids for the City depository services.
6. This Agreement is not assignable in whole or in part but is binding on the parties, their successors, and assigns.
7. For the term of this Agreement, the City and Bank designate the following individuals as authorized to represent and act for the City in any and all matters including collateral assignment and substitution, execution of agreements, and transfer of funds. Any change in these representatives will be made in writing.

City's Representative:

Name

Title

Bank's Representative:

Name

Title

8. The Bank shall be in default if it fails to pay all or part of a demand deposit, a matured time deposit, or a matured certificate of deposit, including accrued

but unpaid interest, at a specified maturity date. The Bank shall also be in default if ruled “bankrupt,” insolvent,” or “failed” by a federal or state banking regulator, or if a receiver is appointed for the Bank. In the event of a default, failure, or insolvency of the Bank, the City shall be deemed to have vested full title to all securities pledged under this Agreement. The City is empowered to take possession of and transfer and/or sell any and all securities. If the security is liquidated, any proceeds over the defaulted amount, plus expenses may have under this Agreement and without prejudice to its rights to maintain any suit in any court for redress of injuries sustained by the City under this Agreement.

- 9. The Bank represents and warrants that this Agreement is made pursuant to and is duly authorized by the Board of Directors of the Bank and is recorded in the official records of the Bank.

FIRST NATIONAL BANK OF BASTROP

By: _____
Signature Date

Print Name

Title

THE INDEPENDENT BANKERSBANK, NA (Custodian Bank)

By: _____
Signature Date

Print Name

Title

CITY OF BASTROP, TEXAS

By: _____
Lynda Humble, City Manager

Date

ATTEST:

By: _____
Ann Franklin, City Secretary

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**FIRST NATIONAL BANK OF BASTROP
RESPONSE TO REQUEST FOR PROPOSAL
DEPOSITORY AND BANKING SERVICES
CITY OF BASTROP**

IV. Financial Institution Qualifications

1. Creditworthiness

a. Provide an audited financial statement for the most recent fiscal period. The financial statements may be submitted in electronic form or provided as a reference link on the internet. The bank will be required to submit an audited statement to the City each year of the contract period, as soon as it is available. Confirm agreement to this requirement.

First National Bank of Bastrop will submit an audited statement to the City each year of the contract period, as soon as it is available. Most recent report is enclosed.

b. Provide certification of the bank's Community Reinvestment Act (CRA) rating by its rating agency.

Our most recent CRA Performance Evaluation was conducted by the OCC, dated August 8, 2016. We received a CRA rating of 'Satisfactory, with the Lending Test rated 'Satisfactory' and the Community Development Test rated 'Outstanding'.

c. Provide the bank's credit rating on senior and subordinate debt. If debt ratings are not available submit the bank's most recent rating from a bank rating agency.

First National Bank has a Five Star, Superior rating from Bauer Financial.

d. The bank will be contractually liable for notifying the City within thirty (30) days of any change in any of these ratings during the contract period. Confirm agreement to this requirement.

First National Bank will notify the City within thirty (30) days of any change in any of the above stated ratings during the contract period.

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2. Customer Service

a. What is distinctive about the bank's approach to customer service? How does the bank anticipate satisfying the City's need for superior customer service?

First National Bank's customer service department is located in the City of Bastrop. All of our staff is local – located in Bastrop County. We are available by phone, email, or in person. Our customer service staff is well trained on our products and services and strives to provide superior customer service.

b. How many service individuals does the bank have in the local bank? How will the bank provide the City with relationship support for its services?

First National Bank has 4 locations and 3 full service branches within the City of Bastrop with dozens of employees in various positions of customer service. The City can call our main number, 512-321-2561 and will be directed to the appropriate person for the service requested. Should problems with service occur, the City's primary contact is Amy Wickliffe, CFO.

c. What structure does the bank use to coordinate communication between the City, the local representatives and necessary holding company departments when assisting with problems, new services or implementation of new products?

The primary contact shown above can put the appropriate people and departments together to resolve problems, and discuss new services including implementation.

d. Is there a formal process for escalation of issues that are unresolved? How will service and overall contract performance be monitored?

The Customer Service call center should be able to handle the majority of problem resolution, customer service, day to day contact, and ongoing maintenance on the City's accounts. Please call 512-321-2561 for all matters. Should any issue remain unresolved, please feel free to contact the person(s) listed in Section V Item 12.

e. How does the bank intend to support the new and ongoing automation needs of the City?

First National Bank continues to deploy products in an effort to provide for the automation needs of customers. If there is a specific automation needed by the City, the bank would be happy to investigate.

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f. Is the bank offering any transition or retention incentives? Describe fully and quantify completely.

Since the City of Bastrop is currently banking with First National Bank, there would be no need for a transition incentive. The bank is maintaining the interest rate paid on deposits along with a minimum (floor) as a retention incentive. For all City of Bastrop DDA accounts, First National Bank proposes to pay a monthly adjustable rate determined by the average 13 week Treasury Bill auction rate of the previous month plus 26 basis points or a minimum (floor) rate of .40%, whichever is greater. For Certificates of Deposit, The bank will pay the following rates:

<i>Term</i>	<i>basis points above average of last month's 13 week Treasury Bill Auction rate</i>
7-89 days	26 with a floor of .40%
90-179 days	42 with a floor of .50%
180-365 days	65 with a floor of .70%

g. What support will the bank be able to offer the City in a disaster situation to maintain stable banking functions? Focus on systems, telecommunications and power, operational facilities, and transportation.

First National Bank has taken giant strides in Business Continuity and Disaster Recovery in order to maintain stable banking functions in case of a disaster. Detailed plans and infrastructure is in place and tested periodically. We have a generator that will power our entire main building. A backup system is available off site which is designed to recover bank systems within one hour of a disaster.

h. The City requires the right to use a third party auditor to review the City's accounts, collateral, transactions, and bank records at any reasonable time. Confirm agreement with this condition.

First National Bank agrees to the use of a third party auditor to review the City's accounts, collateral, transactions, and bank records at any reasonable time.

i. Under state law the depository will be required to review the City's Investment Policy and certify to that review in accordance with Texas Local Government Code 226. The City's investment policy can be found on the City website. Confirm agreement with this requirement.

First National Bank agrees to the requirement to review the City's Investment Policy and certifies that review in accordance with Texas Local Government Code 226.

j. How often do bank officials intend to meet with the City?

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First National Bank officials will meet with the City at the frequency determined by the City.

3. References

List references from three comparable Texas public entity clients. For each reference, include the length of time under contract, a client contact, title, telephone number and email address.

*Bastrop ISD
Sandra Callahan, Chief Financial Officer
906 Farm Street
Bastrop, TX 78602
512-321-2292
scallahan@bisdtx.org*

*Bastrop County
Lisa Smith, County Auditor
804 Pecan Street
Bastrop, TX 78602
512-332-7206
Lisa.smith@co.bastrop.tx.us*

*City of Smithville
Cynthia White, Finance Director
317 Main Street
Smithville, TX 78957
512-237-3282
cwhite@ci.smithville.tx.us*

All have been under contract for 13 years or more.

4. Depository Agreement and Service Agreements

a. Provide all the agreements required.

Since First National Bank is the current depository, the City is familiar with all agreements.

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5. Implementation timeline

- a. Provide a proposed, detailed timeline for implementation of the contract. Include each activity required defined by its responsible party and assigned responsibilities. Denote any limitations or potential delay points.**

As First National Bank is the current depository for the City of Bastrop, there will be no implementation timeline.

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V. Required Services

1. Account Structure

a. Describe the most efficient and cost effective proposed account structure for the City based on information provided.

The most efficient and cost effective account structure is interest bearing checking accounts. First National Bank is bidding a competitive rate with a minimum (floor). For all City of Bastrop DDA accounts, First National Bank proposes to pay a monthly adjustable rate determined by the average 13 week Treasury Bill auction rate of the previous month plus 26 basis points or a minimum (floor) rate of .40%, whichever is greater. For Certificates of Deposit, The bank will pay the following rates:

<i>Term</i>	<i>basis points above average of last month's 13 week Treasury Bill Auction rate</i>
7-89 days	26 with a floor of .40%
90-179 days	42 with a floor of .50%
180-365 days	65 with a floor of .70%

b. Describe the bank's ability to provide a ZBA structure and indicate whether the individual accounts would be swept first to a master account or be swept directly from individual accounts.

First National Bank, if requested, will work with the City of Bastrop in facilitating Sweep arrangements with or without the use of ZBAs. The Bank can sweep first into a master account or sweep directly from individual accounts.

c. Describe alternatives to a sweep to be used during this low interest rate environment before MMMF sweeps again provide a viable alternative. Is the bank offering an internal interest bearing account for investment? Describe the account structure proposed including the types of accounts.

First National Bank will offer a competitive interest rate on all City of Bastrop accounts. We do not believe it will be necessary to manage sweeps in order to earn a higher interest rate. The Bank looks at all City of Bastrop accounts as a total relationship, not on an account by account basis. Please see (a) above for rates.

d. If the bank's interest bearing accounts are indexed, what are the index bases?

We will index accounts based on a monthly average of the 13 week T-bill auction rate.

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e. Will sweep activity, when used, be reported on a daily detail basis (each debit and credit) or summarized on a monthly basis in reporting?

The sweep information is available daily; however, reporting is monthly.

f. Can interest from sweeps be applied at the individual account level?

This is not available at this time. FNB can submit an enhancement request if desired.

g. Provide the prospectus for any sweep fund alternatives being offered. A AAA-rated, SEC registered fund is preferred for the sweep.

First National Bank does not currently offer an automatic sweep into funds outside of the bank. We will attempt to set this up if desired.

h. Is the sweep processed as an End of Day (EOD) transaction? If not, describe how funds are collateralized overnight and at what interest rate are they earning?

Internal sweeps are processed as an End of Day transaction. The funds re in deposit accounts and are therefore FDIC insured or collateralized. The funds will be earning the rate bid for demand deposits as stated in (a) above.

i. The City may be required or may desire to open additional accounts or close/change accounts during the contract period. Any new accounts and services fees shall be charged at the same contracted amount. Confirm agreement to this condition.

First National Bank confirms agreement that any new accounts and services fees shall be charged at the same contracted amount.

j. Will the bank assess a direct, hard dollar FDIC charge on the account analysis? At what rate is it currently charged?

First National Bank will not charge for FDIC insurance if account analysis is chosen.

k. Is the bank a member of the Federal Reserve? If not what bank acts as its correspondent?

First National Bank is a member of the Federal Reserve. Our primary correspondent bank is The Independent Bankers Bank.

l. Describe your analysis carry-over policy. (The city prefers a semi-annual carry-over.)

First National Bank can carry-over account analysis on a semi-annual basis. Account analysis is not recommended since there is no service charges bid for account activity.

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m. Does the bank have any program to use excess earnings credits for additional or alternative services outside of banking services such as printing? Describe fully.

First National Bank currently does not use excess earnings credits for additional or alternative services. Account analysis is not recommended.

2. Cash Management and Treasury Automated Information

a. Fully describe the bank's on-line service capabilities and systems. List system's online capabilities by function (i.e., balance reporting, wires, positive pay, stop pay, etc.) Describe any differentiation on transaction and summary account types.

First National Bank can provide automated cash management functionality through our Online Commercial Services. These services include:

- *Statements/History*
- *Payroll Direct Deposit*
- *Depository Transfers*
- *NACH File Import Capability*
- *Electronic Tax Payments*
- *Wire Transfer Origination*
- *Internet Bill Payment*

There is no differentiation on transaction and summary account types.

b. Describe fully the ability to search on historical transactions and reports as well as the ability to retrieve and download historical images. Can the City create customized reports?

The First National Bank's Online Banking platform allows for downloading transaction information including historical information for two years. The system itself does not have reporting capabilities; however, information can be downloaded into spreadsheets. Images are available on each e-statement.

The "View History" feature allows the City to search by different criteria for up to two years of information retained in online banking.

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c. Address the download capabilities to the City's systems. What information can be formatted and downloaded. Denote any formatting limitations. The City prefers a .csv file format.

Within our Online Commercial Services is the capability to download statements and images. The required information can also be downloaded in a .csv file format from the transaction detail.

d. Detail the availability of prior day and intra-day detail and summary reporting. Is intra-day information real-time? Detail the level of information available on both prior and intra-day reporting.

Intra-day information reporting is in a real-time setting. In the intra-day (real-time) reporting environment, available information includes real-time activity (debits/credits) posted to the accounts as received by First National Bank of Bastrop. Prior day information would include all transactions posted to the account(s) and associated images of transactions.

e. Define the retention/archiving features available.

Data is retained/archived for a period of 24 months in our Online Commercial Services.

f. Describe the security protocol for online services. How is authentication and authorization provided? How and by whom is the administration of the security module established and maintained?

Users are assigned access at initial set up and are customizable. Authorized users, established by the City, can maintain the sub-user access. Sub-users' levels of security can be customized. Levels of security also include the use of tokens for monetary transactions outside of the bank (including ACH originations and wire transfers).

In addition, there are several messages that are generated regarding creation of Sub-users, , ACH batches or wires created.

g. What are the hours of available technical support? How is support provided?

Technical support is provided through our internal customer service department. Our customer service department is available Monday – Friday, 8:00am – 4:00pm. Any ACH support needs would be directed to our ACH Coordinator for Cash Management (ACH/wire origination).

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h. Submit samples of major screens and reports available or provide a website and sign-on information for an on-line review of all the City functions, if available. If not available, submit screen prints.

As we are currently the City's preferred depository institution, our Online Commercial Services will be familiar to the City.

Optical Imaging

a. Describe the bank's optical imaging process and list the items captured (checks, statements, deposit slips, deposited items, etc.)

Images of items are captured at the time of transaction processing in our institution. These images (checks, deposit slips, deposited items) are available for review the following day. Statements are captured during the monthly statement rendering process.

b. What images are available on-line? When? How long are images maintained on line?

Images available on-line include checks, deposit slips, and statements. These items are available the day following capture. Images are maintained for 24 months on-line.

c. Is there a fee for creation, use, and retention of images? Describe.

There is no fee for creation, use, and retention of images.

d. Are all images downloadable?

Images through our Internet Commercial Services are not currently downloadable, but can be printed. Images are also part of the e-statements.

3. Standard Deposit Services

a. What is the bank's daily branch cut-off time to assure same day ledger credit and, pending availability, collected credit at the branch?

First National Bank of Bastrop's daily branch cut-off time to assure same day ledger credit and, pending availability, collected credit at the branch is 6:00PM CST.

b. Must deposits of any kind be made to a vault? Explain fully.

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Deposits are typically made physically at one of our many locations in the City. Alternatively, remote deposit capture can be utilized for non currency/coin items.

c. Does the bank provide for location tracking on deposits?

First National Bank of Bastrop does provide for location tracking on deposits.

d. Does the bank require or prefer strapping and rolling? What are the cost options/benefits/requirements for separating cash and checks?

The Bank would prefer that currency be strapped. Coins would need to be loose. The Bank will provide currency straps. There are no additional costs for currency not strapped.

e. Is there any limit to the number of deposits in one bag? Are the advices by deposit?

There are no limits to the number of deposits in one bag. The advices are by deposit.

f. When are credit/debit advices sent to the City? What delivery options are available for advices? (Preference will be given to electronic delivery.) Are images of originals created and available on each advice?

This is at the discretion of the City. Information is available throughout the day on-line and detailed on monthly bank statements. Images are captured by our system when the deposit transaction is run. These images, however, are not available until end of day processing. Advices are available immediately after the transaction has been processed.

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g. Does the bank have any program to actively assist the City in collection through ACH?

ACH collection of NSF checks is not available.

h. Are all deposits designated by location and tracked as such through the reporting?

All deposits are designated by location and tracked through the reporting.

i. How does the bank handle discrepancies in deposit amounts? What dollar limits are used for decisioning? What settlement process is followed?

The typical dollar limit used in deposit discrepancy decisioning is \$1. If the discrepancy is less than \$1, the Bank will charge off the difference (if the difference is non-cash). If the discrepancy is less than \$1 and is in cash or if the discrepancy is greater than \$1 in either cash or checks, the Bank will typically adjust the deposit and notify the City that a correction has been made.

Alternatively, if the City would rather no deposit corrections be made at time of processing, arrangements could be made to notify the City of the discrepancy and allow for handling instructions prior to processing.

j. How and when does notification of return items take place? Describe process.

The normal process is to mail an Image Replacement Document of the item with a charge back notice. If the City would prefer a different method of notification FNB can accommodate.

k. What type of deposit bags are used or required? Are these available from the bank?

Standard deposit bags will suffice. First National Bank of Bastrop is happy to provide deposit bags for daily use at no cost to the City.

l. How much advance notice is required on coin and currency orders? Can orders be placed on-line? What is the turn-around time on orders?

No advance notice is required on coin/currency orders typically. First National Bank does not currently offer online capability for orders. Because there is no advance notice required, turn-around time on orders is immediate.

m. Describe any program available for immediate credit on coin/currency such as a smart safe.

First National Bank does not currently have available any program for immediate credit on coin/currency other than regular deposit prior to the cut off time of 6:00 pm.

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n. Include a list of all bank's deposit locations within the City's limits (excluding ATM deposits).

First National Bank of Bastrop's deposit locations within City limits include:

- *Headquarters at 489 Hwy 71 West*
- *Downtown Branch at 1021 Main Street*
- *Downtown Drive-Thru at 605 Spring Street*
- *Hwy 71 Branch at 501 Hwy 71*

o. Price and report the total fees which would apply to the following sample deposit outlined below i.e., *the total cost of the deposit handling would be: \$ 0.00*. (This does not reflect a normal City deposit and is used for cost comparison purposes only.)

Remote Deposit Services

a. Describe the bank's capabilities for remote capture. Describe equipment needs, capabilities, and limitations.

Remote Deposit Capture is available. Check scanner(s) would be supplied by First National Bank, with the number and model of scanners depending on volumes. The City would provide a secure PC with Internet access for each scanner. Balanced deposit transaction(s) consisting of checks and deposit slips would be captured and submitted through FNB's Internet based Remote Deposit Capture platform. There is also a platform capable of creating an output file which may be used to post receivables.

b. What is the final deposit cut-off time with remote?

The final deposit cut-off time with remote deposit capture is 5:00PM CST.

c. Are there any limitations on batch size or number of transmissions per day?

There are no limitations on batch size or number of transmissions per day.

d. What options does the City have in scanners for use with the process in various volume locations? Is this equipment available through the contracts: purchase or lease? List the equipment required.

Various scanners are compatible with First National Bank's remote deposit capture product. We recommend using a scanner provided by the bank.

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4. Standard Disbursing Services

- a. When is daily check clearing information available online through intra-day reporting? How long are transaction details maintained online?**

Daily check clearing information is available online through intra-day reporting as transactions are recorded at First National Bank of Bastrop. We operate in a real-time information reporting setting. Transaction details are maintained for a period of 24 months online.

- b. Does the bank image all checks? When are images available?**

First National Bank of Bastrop does image all checks. These images are available the day following posting.

- c. The City requires that the bank shall cash free of charge all payroll checks for City employees regardless of the individual's account status with the bank. Confirm agreement with this condition.**

First National Bank of Bastrop agrees to the cashing of City employees' payroll checks with no fee to the employee regardless of the individual's account status with our bank.

- d. Describe any payment consolidation services available. What data transfer options are available for payment consolidation systems?**

First National Bank does not currently offer payment consolidation services.

5. Account Reconciliation and Positive Pay

- a. Describe data transmission file and timing requirements for check registers. Are transmissions charged by file and by detail item?**

The system is capable of receiving an issued check file automatically or manually online through Online Commercial Services. There is no charge for transmissions either by file or detail item.

- b. Is positive pay input for manual checks available online?**

Yes, positive pay input for manual checks is available online through our Online Commercial Services.

- c. Is exception reporting and handling managed totally online?**

Yes, exception reporting and handling is managed totally online. In the event that the online service is not available and/or the City cannot access the system to review the daily exception

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report, the Bank may fax a list of items presented for payment. Payment instructions from the City would be required in writing.

d. At what specific time is positive pay exception information reported to the City? At what specific time are decisions required on exceptions?

Positive pay exception information is reported to the City by 7:30AM CST. Decisions would be required on exceptions by 10:00AM CST.

e. Is e-mail notification available for exceptions or must the City take an action to check for exceptions? Describe.

Yes, email notification is available for exceptions. An email alert is sent notifying the City that the report is ready to review.

f. Describe your payee verification process.

Issued items are entered by the City which can be done by various methods. The system compares the posted (cleared) items with the issued items and any discrepancies are on the reconciliation report that will need to be reviewed and worked daily each morning. The pay/no pay decision will need to be made and the reasons for no pay indicated. This report is sent to First National Bank who will respond to any no pay decisions.

g. Does the bank review exceptions errors for possible repair before creating a City exception item? Describe process.

The Bank does not review exceptions errors for possible repair before a City exception item list is created. The Online check reconciliation system assists customers in identifying fraudulent transactions by comparing an "issued" check/payment file with a "processed" check/payment file and the system facilitates notification to the Bank and the customer of any exceptions.

h. Are all checks, including those received over-the-counter by the tellers, verified against the positive pay file before processing? How often is teller information updated? If not verified, what are the process, liability, and security on OTC transactions?

Only processed items are compared to the positive pay file. Teller information is typically updated at 5:30PM CST. First National Bank currently does not have integration with the positive pay platform and the teller platform. Stop payments which are entered into the system, and duplicate items are detected OTC and will not be processed.

i. Are positive pay services provided without charge when provided in tandem with reconciliation services? Describe alternatives and pricing structures available.

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Positive Pay and account reconciliation services are considered one in the same product.

j. What are the available default dispositions for payment or return? (pay, hold, do not pay)

The service will allow the City to instruct the Bank to pay or return an exception item and indicate the reason for the return.

k. Describe your partial reconciliation services. Specify data transmission requirements.

Positive Pay and account reconciliation services are considered one in the same product.

6. Funds Transfer and Wire Services

a. Can all wire and transfer transactions be initiated online? Monitored online?

Through our Online Commercial Services product all wire and transfer transactions can be initiated online. These transactions can also be monitored for the effect on the associated account online as well.

b. Can repetitive templates be created and stored? Is there a limit to the number of templates? Is there a fee for template storage?

Repetitive templates can be both created and stored through our Online Commercial Services product. There is no limit to the number of templates. There is no fee for template storage.

c. What level of authorization/release do repetitive or non-repetitive wires require? Is authorization for repetitive and non-repetitive the same?

Our Cash Management tool in Online Commercial Services allows the City to set up SubUsers (users) and assign privileges and limitations for those SubUsers. The SubUser limit may not exceed the limit set for the Company. Dual Control is recommended segregating creation and approval of ACH batches and wires.

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d. Is future dating of wires and transfers available? How far in advance?

Future dating of transfers is available. Future dating of wires is not currently available.

e. Describe the processing on book debit/credits and transfers.

The processing of on book debit/credits and transfers occurs in the following order

- *Credits*
- *Transfers*
- *Debits*

f. Are advices provided electronically or shown only as details on reports?

Advices are shown as details on reports.

g. State the bank's policy on the use of ledger balances for outgoing wires in anticipation of scheduled activity or incoming wires.

First National Bank of Bastrop's procedure is to allow for outgoing wires based on the current collected balance of the account being debited.

7. ACH Services

a. Is online ACH service available for individual transactions as well as by transmission for batched files? Describe.

The City may initiate individual ACH transactions online. The City may submit ACH transactions using importing data into First National Bank's ACH software in NACHA format, or iInput, create, save, ACH files in First National Bank's software.

b. What is the policy and process for handling of ACH returned items?

The bank is notified each morning from the Federal Reserve of any returned (dishonored) originated ACH items. The Originator is debited or credited, depending on the type of return, and the details of the return are sent to the Originator.

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c. Can ACH items and files be future dated? What is the maximum warehouse time?

Recurring ACH batches are automatically set up based on the recurrence; however, recurring batches are automatically approved and sent to the Bank without requiring approval by an authorized User.

d. What specific filters and blocks are available?

First National Bank has the capability of blocking ACH transactions based on provided company ID. Primary responsibility for monitoring ACH transactions in the City's accounts lies with the City. The Positive Pay system also has the functionality to place ACH blocks.

Additionally, each Originator is limited to only the standard entry class codes needed for the batches and a dollar limit is set for the batches. Any batch over the limit will not be approved in Online Commercial Services and will cause an error.

e. What policy and process is used for file and item reversals and deletions?

ACH rules are followed based on the timeframes for creating reversals. The reversing file will be created by the Originator who will also comply with ACH rules regarding contacting the customer/employee on item reversals.

f. Are ACH addenda shown in their entirety online and on detail reporting, reports and statements? Does access to this information require access to additional specific EDI modules?

ACH EDI information is not available in its entirety on the bank statement or online. The City can be set up to receive encrypted emails directly from the Federal Reserve. These emails are delivered the same day the items post to the accounts and are available typically around 5:00AM. A secure login will need to be created with the Federal Reserve.

g. Will the City incur a transmission and/or file processing fees for online individual ACH transactions?

The City will not incur a transmission and/or file processing fee for online individual ACH transactions. However, batched ACH transactions are encouraged.

h. What protective measures has the bank taken to prevent or recover from electronic fraud?

The online banking system for ACH Originators requires additional authentication in the form of a token which produces one-time Secure Access Code (SAC). Also, any changes made to ACH receivers or item or file amounts generates a message to the Originator. Originators are

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regularly given information on Corporate Account Takeover, and the use of dollar limits and limits on employee access are stressed. First National Bank has Corporate Account Takeover procedures in place should the Originator experience problems with unauthorized access. Dual Control on creation and approval of ACH batches and wires is encouraged. Any ACH batches or wires over a set amount will require entry of a Secure Access Code for approval.

8. Safekeeping Services

a. Does the bank currently provide safekeeping services?

First National Bank of Bastrop currently provides safekeeping services through our correspondent, The Independent Bankers Bank.

b. Can settlement information be input online?

Settlement information cannot be input online currently.

c. Is online information available for securities in safekeeping?

Security transactions are not currently available on-line.

d. Describe bank safekeeping arrangements proposed. Identify any correspondent bank used for custody. If a correspondent is to be used, define the process and confirm same-day crediting/debiting on all transactions.

First National Bank of Bastrop currently provides safekeeping services through our correspondent, The Independent Bankers Bank. Same day crediting/debiting confirmed. The process is primarily through TIB's online platform and email.

e. Are services bundled under safekeeping by cusip or Par amount or are charges made for individual clearing, safekeeping and income distribution?

First National Bank will not pass on charges of TIB.

f. Are safekeeping fees hard charged or charged through the account analysis?

First National Bank will not pass on charges of TIB.

g. Are notifications sent on all transactions? When and how?

First National Bank will forward notification of transactions by email when received.

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h. What time are delivery instructions required? Is there a fee charged for late instructions?

The deadline for settlement instructions is typically prior to 9:00AM CST. There are no charges incurred for late instructions.

9. Collateral Requirements

a. State the bank's acceptance of the collateral conditions. Note clearly any exceptions.

First National Bank of Bastrop accepts the collateral conditions as noted in Section V Item 9 of the Banking Services RFP 2018 from the City of Bastrop.

b. What institution will the bank use for the Custodian?

The custodian will be The Independent Bankers Bank.

c. Are there collateral fees? What are they? How are they charged?

First National Bank does not propose any collateral fees.

10. Account Analysis

a. Provide a sample account analysis.

Sample enclosed. Account Analysis is not recommended.

b. When is the analysis available each month? Is it online and/or paper? Is it available on the CD-Rom monthly?

The analysis is available the day following the monthly statement date. The account analysis is not currently available online nor is it available on the CD-ROM.

c. Are paper statements also sent to the City if provided online?

Paper statements will be sent to the City unless the City opts out of paper statements. Paper statements will be sent to the City at the end of each calendar month, unless otherwise requested.

11. Monthly Statements

a. Provide a sample monthly statement.

The City is familiar with our monthly statements since we are the current depository.

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b. When and how are monthly statements available each month: online and/or paper form? How long is it online?

Statements are generally available online by 7:30AM CST on the next business day after processing on the last day of each month. Paper statements would be available within two business days. Online statements are stored for 24 months.

c. Are the statements on the monthly imaged CD-Rom?

Statements with images are available in online banking and can be downloaded.

d. Are paper statements also sent to the City if available online? Is there a fee for paper statements?

Paper statements could also be sent to the City if available online. There is no fee for paper statements.

12. Account Executive

a. Provide the name, title and location of the proposed account executives. What level of support is provided by the local representative?

Name: Amy Wickliffe

Title: CFO

Location: Headquarters, 489 Hwy 71 West

Level of Support: Executive account management

Name: Kris Slay

Title: Banking Officer, Main Street Branch

Location: Downtown, 1021 Main Street

Level of Support: Daily account management

b. How are technical or operations problems, questions, or changes to be handled?

The Customer Service call center should be able to handle the majority of technical or operations problems. Should any issue remain unresolved, please call the contact person(s) listed above.

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13. Overdrafts

- a. Are all accounts aggregated for overdraft calculation purposes or do accounts stand alone?**

All accounts are aggregated for overdraft calculation purposes.

- b. State the rate basis and any fees for intra-day and inter-day overdrafts.**

Aggregate inter-day overdrafts are charged a rate of Wall Street Journal Prime adjusted daily. There is no charge for intra-day overdrafts.

14. Stop Payments

- a. What are the time periods available for stop pays? What are the time periods for extended stop pay periods? Is there a fee for renewals?**

Stop Payments are effective for six months. Extended stop payment periods are effective up to five years. There are no fees for renewals.

- b. Can stop pays be initiated and renewed online? Is there any paper follow-up required?**

Stop payment orders can be initiated for checks only online. Renewals would require submission of another stop pay entry online or by contacting the Bank by phone.

- c. Can positive pay files be used for stop pays?**

Stop Pays should be initiated directly through the Bank. If an exception item needs to be returned as a stop payment, the Bank should be contacted directly.

- d. What is the deadline for same day action on stop pays?**

The deadline for same day action on stop pays is within one hour of opening for an item posting the prior day. If the item is presenting current day, the deadline is 4:00PM CST.

- e. What information on current and expiring stop pays is available online?**

Information on current and expiring stop pays is currently not available online.

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f. Will the online system verify if the check was cleared before accepting the stop pay?

The stop payment is processed once it is received by our institution. At that point it is verified if the check was cleared before processing the stop payment.

17. Company Banking

a. Does the bank have a banking services program available for City employees?

First National Bank does not currently have a banking services program available for City employees.

b. List services provided under this program with applicable discounts or fees to the City or employee.

Not currently provided.

c. Is availability of the program based on use of direct deposit or City employment?

Service not currently provided.

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VI. Optional Services

a. Stored Value Cards

- a. Does the bank currently provide stored value cards or a comparable service? How long has this process been available?**

First National Bank offers stored value cards through our primary correspondent bank, The Independent Bankers Bank. This has been available more than 5 years.

- b. How many customers use the service? Provide three public references.**

There are many individual users of our stored value cards. Currently we do not have any public users.

- c. Which program (authorization mark) does your program use? (Visa, MasterCard, etc.)**

Visa

- d. Detail the charges which would be incurred by the holder of the card.**

Card holders have an initial fee of \$3.00. Each time the card is reloaded, a fee of .95 is incurred. A fee of \$1.25 will be charged for each ATM transaction.

b. Smart Safes

- a. Does the bank have any arrangement with the courier services to provide smart safe? Describe.**

First National Bank does not currently offer this service.

c. Check Printing

- a. Does the bank have any program for check printing, i.e. utilizing a file from the City for generation and mailing of City checks? Describe.**

First National Bank does not offer this service.

**ATTACHMENT A
CITY OF BASTROP, TX
2018**

Please price any fee that is required by your institution to provide the service. These prices should reflect the total costs to be charged.

The only historical data on service volumes is shown on the second sheet (Data) but do not conform to standard pricing models. This is the only information available. This reflects general statement information and not account analysis data.

Service	Unit Basis	Avg. Mo Vol.	Proposed Bank Fee	Bank Explanatory Notes, if applicable
Account Services				
Master Account Maintenance Fee	Per account	1	None	
Subsidiary Account Maintenance	Per account	2	None	
ZBA Accounts Maintenance Fee Sweep	Per account		None	
ZBA Master Account	Per account		None	
ZBA Subsidiary Accounts	Per account		None	
ZBA Account Transfers	Per item		None	
Deposit Processing - Teller OTC	Per deposit		None	
Debits Posted	Per item	481	None	
Credits Posted	Per item		None	
Branch Credits Posted	Per item	85	None	
Additional DDA Statements Rendered	Per item		None	
Check Photocopy Retrieval	Per item		None	
Automated Services - Balance & Detail				
Account Maintenance Fee with 45 day history	Per account	3	None	
Prior Day Balance Reporting	Per account/month	3	None	
Prior day Detail	Per item		None	
Intra-day Reporting	Per account/overall		None	
Intra-day Detail	Per item		None	
Transfer Item		12	None	
System Account Transfer Fee	Per item		None	
System Client Maintenance	Per relationship		None	
Detail item fee - Transactions Loaded	Per item		None	
Check Services Maintenance	Per item		None	
Email Exception Notification	Per month		None	
System Special Report Fee/Statements	Per item		None	
System Recon Reports/Statements	Per item		None	
Deposits				
Items Deposited	Per deposit		None	
Items deposited	Per item		None	
On-us Items	Per item	34	None	
Transit Clearing	Per item	82	None	
Encoding Charge	Per item		None	
Deposit Immediate Verification Branch	Per item	85	None	
Deposit Post Verification Branch	Per item		None	
Deposit Corrections	Per item		None	
Night Drop	Per item		None	
Coin Deposit	Per deposit		None	
Rolled Coin Furnished	Per item		None	
Branch Deposit Adjustment			None	
Currency Deposit	Per deposit		None	
Currency Deposit	Per item		None	
Strapped currency furnished	Per item		None	
Return Check Notice Internet	Per item		None	
Return Item - Per item	Per item	5	None	
Return Item Redeposit			None	
Return Fax Copy			None	
Remote Deposit Processing				
Maintenance	Per scanner location		None	
Maintenance	Per relationship		None	

Service	Unit Basis	Avg. Mo Vol.	Proposed Bank Fee	Bank Explanatory Notes, if applicable
Transmissions	Per item		None	
Input detail	Per item		None	
On-us clearing	Per item		None	
Off-us clearing	Per item		None	
ACH Processing				
Monthly Maintenance Internet Fee	Per month	2	None	
Origination of file - Two Day	Per file	4	None	
Debit Received	Per item		None	
Credit Received	Per item		None	
Debits Originated	Per item	140	None	
Credits Originated	Per item		None	
ACH Received Item	Per item	25	None	
ACH Addendum Record In/Out	Per item		None	
ACH Return Items	Per item		None	
Deletions or Reversal Charges	Per item		None	
Transmission	Per file	3	None	
Fraud Filter - Stop - Base Fee	Per month		None	
Fraud Filter - Review - Base Fee	Per month		None	
Fraud Filter - Review - Per Item	Per item		None	
Debit Block Maintenance			None	
ADA Maintenance	Per item		None	
ADA Authorized ID	Per item		None	
Notification of Change	Per item		None	
Positive Pay				
Monthly Maintenance (Base) Fee*	Per month		None	
Positive Pay No Recon			None	
Positive Pay Posted Checks	Per item		None	
Positive Pay Rejects	Per item		None	
Per item charge with Partial Recon	Per item		None	
Per item charge without Recon	Per item		None	
Exception File			None	
Check Exception Return	Per item		None	
Issue input without Recon	Per item		None	
Transmission	Per item		None	
Input File Transmittal Report	Per item		None	
Reconciliation				
Monthly Maintenance (Base) Fee*	Per Month	1	None	
Partial Recon Monthly Maintenance			None	
Partial Recon with positive pay	Per item		None	
Transmissions	Per Transmission		None	
Transmission Detail	Per item		None	
Stop Pays				
Stop Pay - Maintenance	Per month	1	None	
Stop Pays - Renewal	Per item		None	
Stop Pay - Automated	Per item		None	
Wire Transfers				
Monthly Maintenance*	Per month		None	
Incoming - domestic	Per item		None	
Outgoing - repetitive - automated	Per item		None	
Outgoing - non-repetitive - automated	Per item		None	
Wire Book Transfer Internet Initiated	Per item		None	
Online Wire Notification	Per item		None	
Book Debit	Per item		None	
Book Credit	Per item		None	
Optical Imaging				

Service	Unit Basis	Avg. Mo Vol.	Proposed Bank Fee	Bank Explanatory Notes, if applicable
CD Image - Detail	Per item		None	
CD	First CD		None	
CD ROM Maintenance	Per item		None	
Image Capture per item	Per item		None	
Safekeeping (assume \$20million in 10 cusips)				
Monthly Maintenance Custody	Per month		None	
Clearing Fees			None	
FRB	Per item		None	
DTC	Per item		None	
Securities Received/ Del - DVP	Per item		None	
Safekeeping Fees	Per item		None	
FRB	Per item		None	
DTC	Per item		None	
Custody per \$1 million BE	Per \$10M		None	
Custody Fixed Income	Per item		None	
Income Collection to DDA			None	
Income Collection - Coupons	Per item		None	
Income Collection - Maturities	Per item		None	
Pay Cards	Assuming 20 cards			
Monthly Maintenance	Per item		3.95	Per month per card
Service to User				
ATM Cash Withdrawal	Per item		1.25	
Cash advance OTC	Per item		N/A	
ATM Balance inquiry	Per item		None	
Card Replacement	per item		None	
NSF			N/A	
Stop pay			N/A	
Garnishments			None	
PIN POS			N/A	
Signature POS			N/A	



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 91

TITLE:

Consider action to approve Resolution R-2018-118 of the City Council of the City of Bastrop, Texas supporting the Texas Municipal League's Legislative Program; establishing a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

BACKGROUND/HISTORY:

The Texas Municipal League (TML) is a non-profit association of over 1,100 incorporated cities. More than 6,500 bills or significant resolutions were introduced in the 85th Legislature, more than 2,000 of those would have affected Texas cities in a substantial way, and the numbers for the 86th Legislature will be similar. TML will vigorously oppose any legislation that would erode the authority of Texas city officials to govern municipal affairs.

Cities represent the level of government closest to the people. They bear primary responsibility for the provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish that revenue. TML will oppose the imposition of any state mandates that do not provide for a commensurate level of compensation, and resist any attempts to require cities to raise money for the state (reverse intergovernmental aid).

TML President Holly Gray-Moore appointed more than 100 municipal officials from cities of every size across the state to participate in the Municipal Policy Summit and study numerous municipal issues. TML President Holly Gray-Moore also appointed more than 100 municipal officials from cities of every size across the state to participate in the Resolutions Committee including Mayor Connie Schroeder. Positions from the Municipal Policy Summit and the Resolutions Committee comprise of the TML Legislative Program. The TML Board of Directors approved the 2019 - 2020 Legislative Program on December 7, 2018.

RECOMMENDATION:

Consider action to approve Resolution R-2018-118 of the City Council of the City of Bastrop, Texas supporting the Texas Municipal League's Legislative Program; establishing a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- TML 2019 – 2020 Legislative Program

RESOLUTION NO. R-2018-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS SUPPORTING THE TEXAS MUNICIPAL LEAGUE'S LEGISLATIVE PROGRAM; ESTABLISHING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Municipal League (TML) is a non-profit association of over 1,100 incorporated cities;

WHEREAS, more than 6,500 bills or significant resolutions were introduced in the 85th Legislature, more than 2,000 of those would have affected Texas cities in a substantial way, and the numbers for the 86th Legislature will be similar; and

WHEREAS, TML will vigorously oppose any legislation that would erode the authority of Texas city officials to govern municipal affairs; and

WHEREAS, cities represent the level of government closest to the people. They bear primary responsibility for the provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish that revenue; and

WHEREAS, TML will oppose the imposition of any state mandates that do not provide for a commensurate level of compensation, and resist any attempts to require cities to raise money for the state (reverse intergovernmental aid); and

WHEREAS, TML President Holly Gray-Moore appointed more than 100 municipal officials from cities of every size across the state to participate in the Municipal Policy Summit and study numerous municipal issues; and

WHEREAS, the TML President Holly Gray-Moore appointed more than 100 municipal officials from cities of every size across the state to participate in the Resolutions Committee including Mayor Connie Schroeder; and

WHEREAS, positions from the Municipal Policy Summit and the Resolutions Committee comprise of the TML Legislative Program; and

WHEREAS, the TML Board of Directors approved the 2019 - 2020 Legislative Program on December 7, 2018.

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

Section 1: The City Council of the City of Bastrop, Texas supports the Texas Municipal League Legislative Program.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Seek Introduction and Passage

The 2017 and 2018 membership resolutions (including the report of the TML Municipal Policy Summit) ask that TML seek introduction and passage of legislation that would:

1. eliminate reauthorization provisions for the collection and use of street maintenance sales and use tax and authorize cities to reimburse themselves from sales and use tax collections for actual election costs required for tax implementation.
2. allow cities the option of using either an official newspaper or a website for the publication of legal notices.

Support

The 2017 and 2018 membership resolutions (including the report of the TML Municipal Policy Summit) ask that TML support legislation that would:

1. simplify the effective tax rate calculation for notice purposes only, provided the legislation would have no effect on either the underlying effective tax rate and rollback tax rate calculations themselves, or upon the hold harmless exemptions to those rates.
2. extend the sunset date for Chapter 312 tax abatement authority only if the business lobby groups whose members benefit from tax abatement agreements refrain from any support for harmful revenue and expenditure caps.
3. make beneficial amendments to the equity appraisal statute; close the “dark store” theory of appraisal loophole; and require mandatory disclosure of real estate sales prices.
4. authorize a council-option property tax exemption of a portion of the appraised value of property damaged by a disaster.
5. authorize a council-option city homestead exemption expressed as a percentage or flat-dollar amount.
6. support legislation that would convert the sales tax reallocation process from a ministerial process into a more formalized administrative process.
7. expand municipal annexation authority.
8. authorize a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.
9. expressly authorize any city to regulate and enforce building codes, including related permitting, plan reviews, inspections, and the collection of fees for these and other necessary services, within its extraterritorial jurisdiction.

10. expand the applicability of Texas Local Government Code Chapter 43, Municipal Annexation, Subchapter F Limited Purpose Annexation, to all cities.
11. simplify processes, reduce unnecessary bureaucracy, and increase potential efficiency of the subdivision platting process.
12. allow for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide cities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address.
13. provide additional funding to the Texas Department of Transportation for transportation projects that would benefit cities and provide local, state, and federal transportation funding for rail as one component of transportation infrastructure.
14. expand the use of public, educational, and government (PEG) fees to include operational and related costs associated with PEG channels, including federal legislation, and that would allow a city to choose to not receive the PEG fees.
15. in relation to municipal courts, allow a more equitable way of distributing court fines that would result a higher percentage of fines being kept local, where the laws are enforced, the court is held, and the fines collected.
16. provide additional appropriations for the Texas Veterans Commission and the Texas Workforce Commission skills for veterans initiative that dedicates state funding to address the training needs of veterans returning home and entering the Texas workforce.
17. in relation to federal transit funding: (1) clarify federal congressional intent of federal transit law to protect cities across the United States from being penalized due a to a population drop suffered as a direct result of a natural disaster, retroactive to 2000; (2) explicitly state that only presidentially declared major disasters are covered, in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707); and (3) protect federal transit funding streams for urbanized areas until the execution of the next decennial census.
18. increase funding for the Texas Intrastate Fire Mutual Aid System to \$3 million annually.
19. allow a city to lower the prima facie speed limit from 30 to 25 miles per hour without the need for a traffic study.
20. restore funding to the TCEQ in the FY 2020-2021 General Appropriations Act for air quality programs in all near non-attainment communities.
21. establish that expenditures of Community Development Block Grant funds by cities are a governmental function.

22. extend the authority granted under Section 214.33 of the Local Government Code to all cities seeking to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with the designated municipal official.
23. require city consent before TCEQ is authorized to issue a standard permit for a rock crushing operation, cement crushing operation, or any similar activity that may be authorized under a standard air permit from TCEQ within the corporate limits or ETJ of a city. (Alternatively, or in addition, such legislation may: (a) authorize a city to restrict, prevent, or regulate the locating of such activities in the city's corporate limits or ETJ in other manners, such as imposing minimum distance from such operations and schools, hospitals, churches, and residences; (b) require TCEQ to provide notice of applications for standard permits to cities for activities proposed in the city's corporate limits or ETJ and require TCEQ to address any and all comments received from the City as required by Sec. 382.112 of the Texas Health & Safety Code; or (c) prohibit TCEQ from issuing a standard permit for activities proposed in the city's corporate limits or ETJ unless the city verifies that the proposed activity is authorized under the city's zoning ordinance or comprehensive plan to locate at the proposed location.
24. grant cities the right to obtain information and the right to receive notice of incidents affecting public health from state agencies, especially when that information is vital to both the protection of the general public and first responders.
25. provide consistency and uniformity in the compliance deadlines and fees for compliance dismissals of Class "C" misdemeanors.
26. provide courts with access to TexasSure database to verify financial responsibility.
27. provide additional funding through the Municipal Court Building and Security Fund and the Municipal Court Technology Fund.

Oppose

The 2017 and 2018 membership resolutions (including the report of the TML Municipal Policy Summit) ask that TML oppose legislation that would:

1. erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities.
2. provide for state preemption of municipal authority in general.
3. impose a revenue and/or tax cap of any type, including a reduced rollback rate, mandatory tax rate ratification elections, lowered rollback petition requirements, limitations on overall city expenditures, exclusion of the new property adjustment in effective rate and rollback rate calculations, or legislation that lowers the rollback rate and gives a city council the option to re-raise the rollback rate.

4. erode the ability of a city to issue debt.
5. erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings, (5) building codes, (6) tree preservation, and (7) short-term rentals.
6. erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way, including by state or federal rules or federal legislation.
7. require the reporting of lobbying activities beyond the requirements in current law; limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; or limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.
8. negatively expand appraisal caps but take no position on legislation that would authorize a council-option reduction in the current ten-percent cap on annual appraisal growth.
9. impose new property tax or sales tax exemptions that substantially erode the tax base.
10. limit or eliminate the current flexibility of the Major Events Reimbursement Program as a tool for cities to attract or host major events and conventions.
11. limit the type of incentives available to the city or that would limit any use of incentives by a city.
12. impede the city's ability to manage long term planning, growth and development in a manner necessary to hinder or mitigate for potential flooding and to pay for city related costs, including preemption of annexation, tree removal, regulation of development projects, issuance of permits, and city spending.
13. erode municipal authority over billboards or place any unfunded mandate on cities relating to billboards.
14. further erode local control as it pertains to retirement issues.
15. substantively change or expand the scope of the current disease presumption law, unless doing so is supported by reputable, independent scientific research.
16. require candidates for city office to declare party affiliation in order to run for office.
17. eliminate any of the current uniform election dates.
18. impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state.

Take no Position

The 2017 and 2018 membership resolutions (including the report of the TML Municipal Policy Summit) ask that TML take no position on legislation that would:

1. standardize red light photo enforcement systems, so long as the underlying authority is not eliminated. (Further, the committee recommends that TML defer to the Texas Red Light Coalition on more detailed matters relating to revisions to red light camera policy.)
2. amend the affected provisions of the Texas Government Code relating to the Texas Municipal Retirement System to allow for greater flexibility in retiree pension increases and provide for a forgiveness provision for cities that stopped the regular repeating COLA payments without reference to a cost of living index.

Other

The 2017 and 2018 membership resolutions (including the report of the TML Municipal Policy Summit) ask that TML:

1. seek the guidance of the TML executive committee in relation to tax abatement agreements should the "support" position included elsewhere in this program no longer encompass evolving scenarios.
2. seek the guidance of the TML board of directors on issues related to sales taxes on remote sales.
3. concur with the legislative program of the Texas Recreation and Park Society, but disapproved the provision in that program relating to prohibiting firearms at certain types of city events.
4. work with the City of Leary on legislation that would reduce cost drivers for small city audits, so long as appropriate statutory safeguards remain in place.
5. with regard to economic development: (1) take no position on legislation that would broaden the authority of Type A or Type B economic development corporations; and (2) oppose legislation that would limit the authority of Type A or Type B economic development corporations statewide, but take no position on legislation that is regional in scope and that is supported by some cities in that region.
6. support the Texas State Library and Archives Commission and the work it does to advance fundamental and diverse state interests and respectfully requests that the Texas Sunset Commission recommend reauthorization of the Texas State Library and Archives Commission so that it may continue its essential work on behalf of all Texans.



STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 9J

TITLE:

Consider action to approve Resolution R-2018-126 of the City Council of the City of Bastrop, Texas reducing mowing and other related liens filed by the City of Bastrop against 1002 Church Street to Two-Thousand and 00/100 Dollars (\$2,000.00) at time of closing making it economically feasible to be purchased and maintained by the Calvary Episcopal Church as a part of their church campus, as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a severability clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

BACKGROUND/HISTORY:

The Calvary Episcopal Church is interested in buying 1002 Church Street to be included in their church campus. A title search discovered a sizable lien by the City of Bastrop of approximately \$12,000 against the current property owner for prior cleaning of the property by Code Enforcement and accrued charges for the failure of the owner to reimburse the City.

The church has offered to be responsible for \$2,000 of the lien payment to the City at the time of closing. The church purchasing this property and being responsible for the maintenance of this property solves a long-standing code enforcement nuisance.

POLICY EXPLANATION:

Bastrop City Charter, Section 3.01 City Council – Powers and Duties, Item 16 specifically enumerates for greater certainty that the Council has the authority to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City. Clearly, finding a permanent solution to the ongoing care and maintenance of 1002 Church Street rather than continually being paid by Bastrop taxpayers through mowing liens is in the best interest of the community.

RECOMMENDATION:

Consider action to approve Resolution R-2018-126 of the City Council of the City of Bastrop, Texas reducing mowing and other related liens filed by the City of Bastrop against 1002 Church Street to Two-Thousand and 00/100 Dollars (\$2,000.00) at time of closing making it economically feasible to be purchased and maintained by the Calvary Episcopal Church as a part of their church campus, as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a severability clause; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A

RESOLUTION NO. R-2018-126

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS REDUCING MOWING AND OTHER RELATED LIENS FILED BY THE CITY OF BASTROP AGAINST 1002 CHURCH STREET TO TWO-THOUSAND AND 00/100 DOLLARS (\$2,000.00) AT TIME OF CLOSING MAKING IT ECONOMICALLY FEASIBLE TO BE PURCHASED AND MAINTAINED BY THE CALVARY EPISCOPAL CHURCH AS A PART OF THEIR CHURCH CAMPUS, AS ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Calvary Episcopal Church is interested in buying 1002 Church Street to be included in their church campus; and

WHEREAS, a title search discovered a sizable lien by the City of Bastrop of approximately \$12,000 against the current property owner for prior cleaning of the property by Code Enforcement and accrued charges for the failure of the owner to reimburse the City; and

WHEREAS, the church has offered to be responsible for \$2,000 of the lien payment to the City at the time of closing, which provides a permanent solution resolving a long-standing code enforcement nuisance; and

WHEREAS, City of Bastrop City Charter, Section 3.01 City Council – Powers and Duties, Item 16 specifically enumerates for greater certainty that the Council has the authority to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City; and

WHEREAS, finding a permanent solution to the ongoing care and maintenance of 1002 Church Street rather than continually being paid by Bastrop taxpayers through mowing liens is in the best interest of the community.

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

Section 1: The City Manager is authorized to execute all documents necessary to reduce the outstanding liens on 1002 Church Street, owed to the City of Bastrop, to Two-Thousand and 00/100 Dollars (\$2,000.00) at time of closing, making it economically feasible to be purchased and maintained by the Calvary Episcopal Church as a part of their church campus.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:

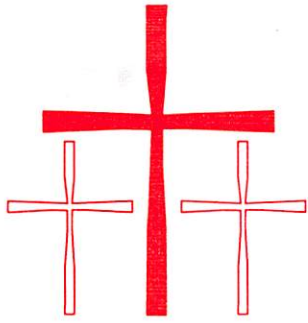
Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



**Calvary
Episcopal
Church**

October 22, 2018

Lynda Humble
City Manager, City of Bastrop
1311 Chestnut Street
PO Box 427
Bastrop, Texas 78602

Dear Ms. Humble,

Calvary Episcopal Church has been attempting to purchase a small parcel of land that is contiguous to our property near the location of Calvary Episcopal School (see attached survey). As we worked with the owner and the title company, (Independence Title Company, Angie Kana, Escrow officer), we discovered a sizeable lien against the property of approximately \$12,000 placed on the property by the City of Bastrop for prior cleaning of the property and accrued charges for failure of the owner to reimburse the City of Bastrop. This lien makes it economically impossible for the church to complete this transaction and take over the responsibility for maintenance. It is our intent to include this property in the future as part of our church campus.

The church has offered to be responsible for \$2,000 of the lien payment to the City at closing to get this transaction accomplished. Calvary Episcopal Church hereby respectfully requests that the City of Bastrop consider forgiving the balance of this lien on the property beyond the \$2,000 so that this sale can move forward, and the nuisance issue of the property be solved.

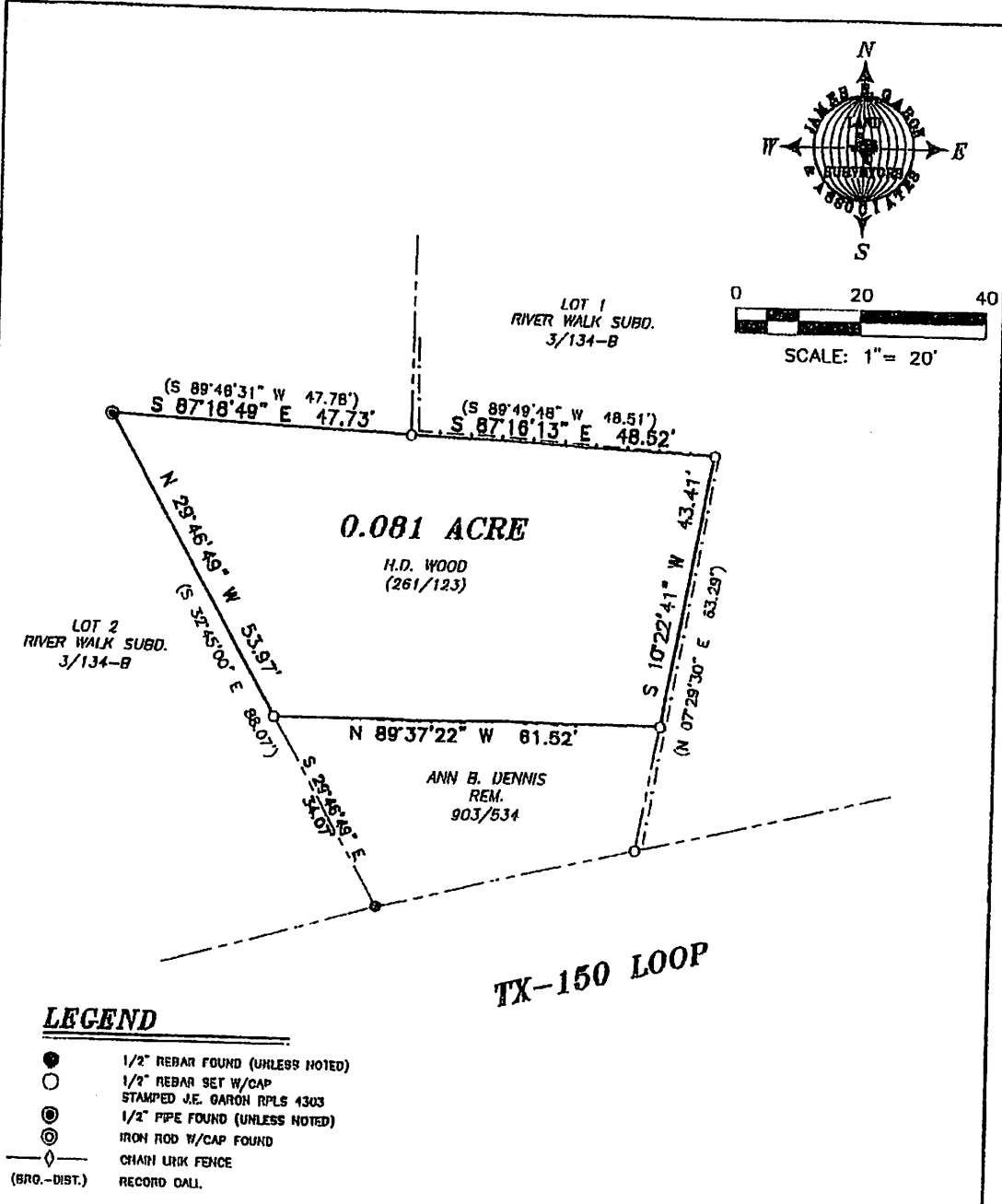
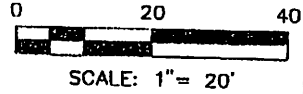
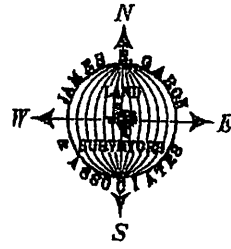
I will be happy to meet with you at your convenience to discuss resolution of this issue.

Respectfully,

David Treadwell
Senior Warden, Calvary Episcopal Church, Bastrop

cc: Bill Ennis, Bastrop City Council, Place 4

P.O. Box 721
603 Spring Street
Bastrop, Texas 78602
(512) 303-7515
(512) 303-6615
calvaryepiscopal@austin.rr.com



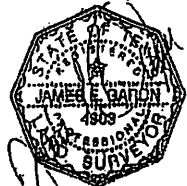
LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP STAMPED J.E. GARON RPLS 4303
- ⊙ 1/2" PIPE FOUND (UNLESS NOTED)
- ⊙ IRON ROD W/CAP FOUND
- ◇ CHAIN LINK FENCE (BRO.-DIST.) RECORD CALL

TO THE OWNERS, LIENHOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X", A 0.2% ANNUAL CHANCE FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0355E, EFFECTIVE JANUARY 19, 2008.



JUNE 28, 2018



JAMES E. GARON & ASSOC.
 PROFESSIONAL LAND SURVEYORS
 Firm Reg. #10088400
 P.O. Box 1817
 Bastrop, Texas 78802
 (512) 303-4189
 jgaron@oustin.txrr.com
 www.jamesegarons.com

REFERENCE: G.F. NO.: 1818889-RAS
 ADDRESS: 1002 CHURCH STREET
 LEGAL DESCRIPTION: 0.081 ACRE; BUILDING BLOCK 11 WEST OF MAIN ST., CITY OF BASTROP, TEXAS; MAP OR PLAT OF RECORD IN CAB. 1, PG. 23A PLAT RECORDS, BASTROP COUNTY, TEXAS.
 FIELD BOOK: 569/26
 FILE S: \Counties\Bastrop\City of Bastrop\Building Blocks\B B 11 WWS\43918.dwg

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 Use of this survey for any purposes other than this transaction is prohibited

EXHIBIT "A"

JAMES E. GARON
& ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

P.O. Box 1917
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@aus!n.rr.com

June 28, 2018

LEGAL DESCRIPTION: BEING A 0.081 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF BUILDING BLOCK 11, WEST OF MAIN STREET, TOWN OF BASTROP IN BASTROP COUNTY, TEXAS AS SHOWN ON MAP OR PLAT RECORDED IN CABINET 1, PAGE 23-A, PLAT RECORDS, BASTROP COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED RECORDED IN VOLUME 261, PAGE 123, DEED RECORDS, BASTROP COUNTY, TEXAS; SAID 0.081 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JUNE, 2018:

BEGINNING at a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the common southerly corner of Lots 1 & 2, River Walk Subdivision as recorded by plat in Cabinet 3, Page 134-B of said plat records;

THENCE S 87°16'13" E a distance of 48.52 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northeast corner hereof and an ell corner of Lot 1, River Walk Subdivision;

THENCE S 10°22'41" W a distance of 43.41 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southeast corner hereof and the northeast corner of that certain tract of land conveyed to Ann B. Dennis by deed recorded in Volume 903, Page 534 official records, Bastrop County, Texas;

THENCE N 89°37'22" W a distance of 61.52 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southwest corner hereof and the northwest corner of said Dennis tract;

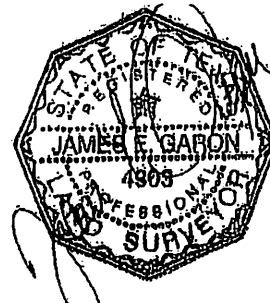
THENCE N 29°46'49" W a distance of 53.97 feet to a 1/2" iron pipe found for the northwest corner hereof and an ell corner of Lot 2, River Walk Subdivision;

THENCE S 87°18'49" E a distance of 47.73 feet to the **POINT OF BEGINNING**, containing 0.081 acre of land, more or less and as shown on sketch prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor #4303

co\Bastrop\City of Bastrop\B.B. 11 WWS\43918





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 10A

TITLE:

Consideration and action regarding the announced retirement of the Honorable Municipal Court Judge Charlotte Hinds and the resulting vacancy on the bench.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 10B

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.074 to conduct an annual performance evaluation of the City Manager as required by her employment agreement.

STAFF REPRESENTATIVE:

Lynda K. Humble, City Manager





STAFF REPORT

MEETING DATE: December 11, 2018

AGENDA ITEM: 11

TITLE:

Take any necessary or appropriate action on matters posted for consideration in closed/executive session

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

