

**Bastrop City Council  
February 9, 2016 at 6:30 pm**



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*In compliance with the requirements of Chapter 551 of the Texas Government Code, the public is hereby provided notice that it is possible that a quorum, or more, of the membership of the Bastrop Economic Development Corporation may be in attendance, to observe and/or participate in the above-referenced meeting of the Bastrop City Council.*  
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Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on February 9, 2016, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION** – Police Chaplain Jimmie Cottle
4. **PRESENTATIONS** – NONE
5. **PROCLAMATIONS**
6. **CITIZEN COMMENTS**
7. **ANNOUNCEMENTS**
  - A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally and Dock Jackson

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**Inviting input from the City Council related to issues for possible inclusion on future agendas related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.**

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EXECUTIVE SESSION: *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon’s TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters  
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**A. CONSENT AGENDA** - *All the following items are considered to be self-explanatory by the Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Members so requests.*

		<u>TAB</u>	<u>PG</u>	<u>REQUESTOR</u>
A.1	Consideration, discussion and possible action regarding approval of minutes from Regular Council Meeting of January 12, 2016.	A.1	1	City Secretary Ann Franklin

- A.2
**APPROVAL OF A RESOLUTION RELATED TO PREPARATION OF CITY COUNCIL MEETING AGENDAS IN COMPLAINEE WITH THE STATE’S OPEN GOVERNMENT STATUES AND LAWS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**
A.2
22
Council Member Gilleland
- A.3
Approval of Bastrop Marketing Corporation’s request for reimbursement of funds for December2015 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.
A.3
25
Chief Financial Officer Tracy Waldron
- A.4
Approval of the statutory denial, for a period of 180 days from the date of Council action on a request for the Administrative Plat of Sayers Estates Subdivision being a +/- 3.797 acre tract out of the Stephen F, Austin Survey, A-3, located east of Sayers Road within Area A of the Extra Territorial Jurisdiction (ETJ).
A.4
27
Director of Planning and Development  
Melissa McCollum
- A.5
**APPROVAL OF THE SECOND READING OF AN ORDINANCE OF THE CITY OF BASTROP AMENDING THE ZONING ORDINANCE, CHAPTER 14, SECTION 36.2, ZONING USE CHARTS AND A.3 DEFINITIONS REGULATING THE MOVEMENT OF EXISTING BUILDING(S)/STRUCTURE(S); ADOPTING A CONDITIONAL USE PERMIT PROCESS WITHIN RESIDENTIAL ZONING CLASSIFICATIONS FOR RELOCATION AND REHABILITATION OF SUCH MOVED BUILDINGS; AMENDING CHAPTER 3, “BUILDING REGULATIONS” ARTICLE 3.16.002 AND 3.16.006; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**
A.5
29
Director of Planning and Development  
Melissa McCollum
- A.6
Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending in December 31, 2015.
A.6
35
Chief Financial Officer Tracy Waldron
- A.7
**CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROVAL AND ACCEPTANCE OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADDING THE CITY’S EXPENSES ASSOCIATED WITH THE OPERATION OF THE RODEO ARENA TO THE CITY’S HOTEL/MOTEL TAX REVENUE “TIER ONE” FUNDING.**
A.7
61
Chief Financial Officer Tracy Waldron
- A.8
Approval of request to accept the Public Improvements for Pecan Park, Section 5A located east of Childers Drive within the City limits of Bastrop, Texas.
A8
68
City Engineer  
Wesley Brandon

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

- |     |   |            |           |                |
|-----|---|------------|-----------|----------------|
| B.1 | A <b>PUBLIC HEARING</b> on approval of significant BEDC expenditures and potential contribution to a joint City/YMCA recreation building. | <b>B.1</b> | <b>73</b> | Mayor Kesselus |
| B.2 | A <b>PUBLIC HEARING</b> on the city's potential contributions to a joint City/YMCA recreation building and related requirements.          | <b>B.2</b> | <b>74</b> | Mayor Kesselus |

## C. OLD BUSINESS

- |     |  |            |           |                |
|-----|--|------------|-----------|----------------|
| C.1 | Consideration, discussion and possible action on a contract with the YMCA. | <b>C.1</b> | <b>76</b> | Mayor Kesselus |
|-----|--|------------|-----------|----------------|

## D. NEW BUSINESS

- |     |   |            |            |   |
|-----|---|------------|------------|---|
| D.1 | Resolved that the council instructs the city manager to proceed with finishing a parking lot on all available and appropriate square footage of Alley D, and that he make necessary repairs to the vacant lot at 921 Main Street so that this lot can continue to be used as a gathering place. | <b>D.1</b> | <b>77</b>  | Mayor Kesselus  |
| D.2 | Consideration, discussion, and possible action regarding the expenditure of legal fees and the possibility of hiring an in-house city attorney and a proposed resolution.   | <b>D.2</b> | <b>79</b>  | Council Member Schiff and Mayor Kesselus                  |
| D.3 | Required reporting of the Police Departments racial profile reporting for 2015.   | <b>D.3</b> | <b>83.</b> | Chief Steve Adcock  |
| D.4 | Consideration, discussion and possible action on approving a resolution regarding the lease termination and development of a vendor and lease program on the property west of Bastrop Convention Center.  | <b>D.4</b> | <b>85</b>  | Council Member Willie DeLaRosa                            |
| D.5 | Discussion, consideration and possible action on the Preliminary Plat for the Colony MUD 1A, Section 1 being +/-45.487 acres out of the Manuel Bangs Survey A, within Area A of the Bastrop, Texas Extra Territorial Jurisdiction (ETJ).  | <b>D.5</b> | <b>87</b>  | Director of Planning and Development<br>Melisssa McCollum |
| D.6 | Appointment by Mayor, subject to confirmation by City Council of Jimmy Crouch to Place 3 on the Construction Standards Board.   | <b>D.6</b> | <b>92</b>  | Mayor Kesselus  |
| D.7 | Consideration, discussion, and possible action on a request from the Bastrop Homecoming Committee for a variance to Section 8.02.001 of the City of Bastrop Code of Ordinances to allow for   | <b>D.7</b> | <b>100</b> | City Manager Mike Talbot                                  |

the sale and consumption of alcoholic beverages during the Mayfest Hill Disaster Relief Rodeo event scheduled for May 13-14, 2016 at the Mayfest Hill Park located on American Legion Drive.

- D.8 Resolved that the city council create a process for forming a Destination Marketing Corporation and operating during the period leading up to such a creation, following the outline included on page 104 of the council packet. **D.8 103** Mayor Kesselus
- D.9 Consideration, Discussion, and Possible Action Regarding Approval to Award a Construction Contract to Facilities Rehabilitation, Inc. for the SH 71/95 Water Line Replacement Project. **D.9 106** City Engineer Wesley Brandon
- D.10 **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.** **D.10 112** Chief Financial Officer Tracy Waldron
- D.11 Consideration, discussion and possible action regarding internal access between properties to driveways that connect to Hunters Crossing Boulevard shared between Toyota and Best Western located within the Hunters Crossing Subdivision. **D.11 117** Mayor Kesselus

**E. EXECUTIVE SESSION**

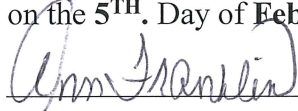
- E1. The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.071(1)(A) and Section 551.071(2) (Consultations with Attorney); Section 551.072, to deliberate concerning the purchase, exchange, lease, or value of real property owned by the City; and Section 551.074 (Personnel Matters) to discuss the following:
  - A. **SECTION 551.071(1)(A) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to water permits and supply, Pine Forest Unite 6 and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
  - B. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property
  - C. **SECTION 551.0-74** – Personnel Matters: City Manager

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

**E. ADJOURNMENT**

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 5<sup>TH</sup>. Day of February 2016 at 5:00 pm

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