

**Bastrop City Council  
June 28, 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 June 28, 2016, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION**
- 4. PRESENTATIONS**
  - A. Update on Bastrop Economic Development Corp. – Executive Director Shawn Kirkpatrick
- 5. PROCLAMATIONS**
- 6. ANNOUNCEMENTS AND INFORMATION**
  - A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
  - B. Update on process for choosing consultant for DMO process – Council Member Jones and City Manager
  - C. Process for providing information not in the council packet for the Mayor, Council Members, and City Manager at council meetings - Mayor Kesselus **(Page 1 in backup)**
  - D. Distribution of Items to Council (If Necessary) – Ann Franklin
  - E. Items Targeted for Future Meetings.
- 7. Transition in City Leadership**  
Consideration, discussion and possible action regarding reassignments of City Manager, Mike Talbot and Public Safety Director, Steve Adcock. **(Page 2 in backup)**
- 8. City Manager’s Informational Report for the June 28, 2016 City Council Meeting: - NONE**

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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.**

**9. CITIZEN COMMENTS**

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

	<u>TAB</u>	<u>PG</u>	<u>REQUESTOR</u>
A.1 Consideration, discussion and possible action regarding approval of minutes from the special workshop meeting of February 16, 2016.	A.1	3	City Secretary, Ann Franklin
A.2 Approval of the statutory denial for a period of 180 days from the date of Council action on a Preliminary Plat for Pecan Park, Section 3A (68 residential lots) being +/-12.181acres out of the Mozea Rousseau Survey Abstract No. 56 west of Childers Drive and south of the LCRA 100' electric easement within the city limits.	A.2	7	Director of Planning and Development, Melissa McCollum
A.3 Approval of the statutory denial for a period of 180 days from the date of Council action on a Preliminary Plat for Pecan Park, Section 6A (44 residential lots) being +/-10.913 acres out of the Mozea Rousseau Survey Abstract No. 56 east of Childers Drive and south of the LCRA 100' electric easement within the city limits.	A.3	10	Director of Planning and Development, Melissa McCollum
A.4 Approval of Bastrop Marketing Corporation's request for reimbursement of funds for May 2016 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.	A.4	13	Chief Financial Officer, Tracy Waldron
A.5 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending May 31, 2016.	A.5	16	Chief Financial Officer, Tracy Waldron

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

B.1 Conduct a public hearing/town hall discussion: the City Council will hold a public hearing and town hall discussion to receive public input from the citizens of the City Of Bastrop regarding the effects of the major storm event on the citizens, which occurred on May 26 & 27 2016 in the City Of Bastrop, including discussion of the flood conditions which occurred at residences and businesses in town.	B.1	42	City Manager, Mike Talbot
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**AGENDA- REGULAR COUNCIL**

**JUNE 28, 2016**

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| B.2 | Consideration, discussion and possible action regarding citizens input on item B.1 the impact on flood conditions that were experienced by citizens of Bastrop during the storm event that occurred in the City of Bastrop on May 26 and 27, 2016 as well as the “Gills Branch Drainage Basin” within the City Limits of the City of Bastrop.  | B.2 | 43  | City Manager,<br>Mike Talbot                                       |
| B.3 | PUBLIC HEARING: conduct a public hearing on a proposed assessment to be levied against property located in the XS Ranch Public Improvement District (“PID”) as presented in the XS Ranch PID Preliminary Service and Assessment Plan (“SAP”) approved by the City Council at the May 24, 2016 Regular City Council Meeting.  | B.3 | 44  | City Manager<br>Mike Talbot  |
| B.4 | FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, ACCEPTING AND APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE XS RANCH PUBLIC IMPROVEMENT DISTRICT; MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR PAYMENT OF THE SPECIAL ASSESSMENT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE SPECIAL ASSESSMENT, PROVIDING FOR PENALTIES AND INTEREST ON DELINQUENT SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE. | B.4 | 45  | City Manager<br>Mike Talbot  |
| B.5 | <p><b>PUBLIC HEARING:</b> Receive public input on a request for an Amendment to the Zoning Ordinance, Chapter 14, Appendix A-3, Definitions.</p> <ul style="list-style-type: none"> <li>• Section A-3 Definitions to update definitions for 270.2 Tattoo Studio, to reference micropigmentation (permanent makeup) as an allowable incidental/accessory use in definition #75, Custom Personal Service Shop definition.</li> </ul>   | B.5 | 119 | Director of<br>Planning and<br>Development,<br>Melissa<br>McCollum |
| B.6 | <b>FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING DEFINITIONS #75 AND #270.2 IN APPENDIX A-3 IN CHAPTER 14 OF THE CITY OF BASTROP ZONING ORDINANCE FOR THE TERM “CUSTOM PERSONAL SERVICE SHOPS TO INCLUDE PERMANENT MAKEUP SERVICES AS ACCESSORY USE TO BARBER/BEAUTY SHOP USES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.</b>   | B.6 | 125 | Director of<br>Planning and<br>Development,<br>Melissa<br>McCollum |

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|------------------------|--|-----|-----|---|
| B.7                    | <p><b>PUBLIC HEARING:</b> Receive public input on a request for an Amendment to the Zoning Ordinance, Chapter 14, Section 36.11, Zoning Use Charts, Section 43.9(B) Supplemental Regulations.</p> <ul style="list-style-type: none"> <li>• Section 43 Supplemental Regulations, Section 43.9 (B) Uses classified as sexually oriented business or as tattoo studio or body piercing studios, to modify phrasing referencing “tattoo studio or body piercing studios”; and</li> <li>• Section 36 Use Regulation (Charts) Section 36.11 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and</li> </ul> | B.7 | 128 | <p>Director of Planning and Development,<br/>Melissa McCollum</p> |
| B.8                    | <p><b>FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING SECTIONS 36.11 RELATED TO ZONING TO ADD USES FOR TATTOO STUDIOS AND BODY PIERCING STUDIO TO ALLOW TATTOO AND BODY PIERCING STUDIOS TO BE LOCATED IN DISTRICTS ZONED C-2, IP, LI AND PD, AND SECTION 43.9(B) RELATED TO AMEND LOCATIONS FOR PIERCING AND TATTOO STUDIOS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.</b></p>   | B.8 | 135 | <p>Director of Planning and Development,<br/>Melissa McCollum</p> |
| C. OLD BUSINESS – NONE |  |     |     |   |
| D. NEW BUSINESS        |  |     |     |   |
| D.1                    | <p>Consideration, discussion and possible action regarding purchase of the kiosk located on the City owned parking lot at the northwest corner of Spring Street and Main Street or generally located at 702 Main Street.</p>   | D.1 | 139 | <p>Mayor Kesselus</p>   |
| D.2                    | <p>Consideration, discussion and possible action on a proposed change in the type of parking on Main Street from the intersection of Pine Street traveling south for approximately 225 feet.(FROM THE JUNE 14<sup>TH</sup> MEETING ITEM D.6)</p>   | D.2 | 142 | <p>Director of Public Works, Parks and Utilities, Trey Job</p>    |
| D.3                    | <p>Consideration, discussion and possible action regarding approval of a resolution requesting that the Texas Department of Parks and Wildlife not repurpose the Bastrop State Park Golf Course in order that it might remain a golf course.</p>   | D.3 | 145 | <p>Council Member Jones</p>                                       |
| D.4                    | <p>Consideration, discussion and possible action regarding moving the proposed “General Obligations Bond Election” from November 2016 to May 2017.</p>   | D.4 | 148 | <p>Mayor Pro Tem DeLaRosa</p>                                     |

**AGENDA- REGULAR COUNCIL**

**JUNE 28, 2016**

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| D.5  | Consideration, discussion and possible action on approval of an application by the Bastrop Economic Development Corporation approving and authorizing BEDC’s Restated and Amended Articles of Incorporation.  | <b>D.5</b>  | <b>149</b> | BEDC<br>Executive<br>Director, Shawn<br>Kirkpatrick                |
| D.6  | Consideration, discussion and possible action on approval of a resolution regarding the replacement of the speed bumps on Alley A.  | <b>D.6</b>  | <b>161</b> | Council<br>Member<br>Peterson                                      |
| D.7  | Consideration, discussion and possible action concerning the possible use, sale(s), offer(s), and/or disposition by the City of the slab portion of property owned by the City located at 921 Main Street, including, but not limited to: (1) a proposal by/offer from the Bastrop Economic Development Corporation (BEDC) to acquire the slab portion of the lot at 921 Main Street from the City of Bastrop in order to perform necessary repairs and remediation activities and to subsequently utilize the property for purposes allowed by the authority granted to the Corporation by the Texas Economic Development Act, (2) City alternative(s) concerning offering the slab portion of the 921 Main Street lot, in conjunction with potential LGC Chpt. 380 Development Incentives, to individuals, developers, and/or non-profit entities for use/development projects to enhance downtown and benefit the Bastrop community, (3) evaluation of proposals already under consideration by the Council, previously proposed or provided by individuals, businesses, or non-profits, to enhance downtown and benefit the Bastrop community, (4) provide direction to the City Manager and staff to perform necessary work to establish a fair market value using a certified appraiser’s assessment (including consideration of costs related to repairs and condition, etc.) and/or (5) other issues concerning the disposition of the Property.. | <b>D.7</b>  | <b>163</b> | BEDC<br>Executive<br>Director, Shawn<br>Kirkpatrick                |
| D.8  | Discussion, consideration and possible action to approve the Final Plat for Pecan Park Section 5B consisting of 43 residential lots, totaling +/- 12.63 acres out of a +/- 311.302 acre tract out of the Mozea Rousseau Survey within the city limits of Bastrop, Texas located west of Perkins Street.   | <b>D.8</b>  | <b>184</b> | Director of<br>Planning and<br>Development,<br>Melissa<br>McCollum |
| D.9  | Consideration, discussion and possible action concerning a presentation from the “Bastrop 1832 Farmers Market Organization” that the City Council reconsider the resolution passed on May 17, 2016 turning the City owned property adjacent to the City of Bastrop’s Convention Center back to the City of Bastrop and under the direction of the Main Street Program.  | <b>D.9</b>  | <b>194</b> | City Manager,<br>Mike Talbot                                       |
| D.10 | Consideration, discussion and possible action regarding review of the Fy-17 Budget Calendar and setting additional City Council meeting dates.  | <b>D.10</b> | <b>197</b> | City Manager,<br>Mike Talbot                                       |

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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(s) below will be discussed in closed session.*

*1. SECTION 551.071 – Consultations with Attorney related to legal matters*

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**E. EXECUTIVE SESSION**

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

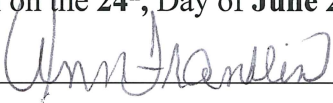
- 1. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney(s) concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, code enforcement matters, subdivision development, and or pending litigation matters concerning 909/ 911 Farm Street, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.
- 2. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, negotiations or value of real property.
- 3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City, and/or to deliberate the potential offer of economic incentives to a business prospect, as note herein.

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

**F. ADJOURNMENT**

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 24<sup>h</sup>, Day of June 2016 at 12:30 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**