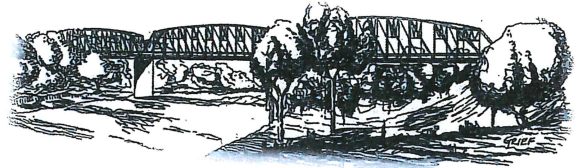


**Bastrop City Council  
August 9, 2016 at 6:30 pm**



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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 August 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**
- 4. PRESENTATIONS**
- 5. PROCLAMATIONS**
- 6. ANNOUNCEMENTS AND INFORMATION**
  - A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
  - B. Celebration for Mike Talbot – September 7, 2016, 5:00 p.m. at the Bastrop Convention Center
  - C. Bastrop County Remembers – Commemoration of the Bastrop County Complex Wildfire (Information on page 1)
  - D. Signing up for reverse 911 with cell phone (Information on page 2)
  - E. Distribution of Items to Council (If Necessary) – Ann Franklin
  - F. Resignation of David Bragg from Planning and Zoning Commission (Information on page 4)
  - G. Explanation of purchase of property, a part of which is the concrete slab known as 921 Main Street, and the majority of which is now included in the parking lot known as Alley D. – City Manager Townsend
  - H. Items Targeted for Future Meetings.
  - I. Future Meetings:  
Special Called Meeting – August 16, 2016
- 7. City Manager’s Informational Report for the August 9, 2016 City Council Meeting:**
  - A. Meetings and Events Attended:
    - 1. Met with Staff on fee structure
    - 2. DMO Proz phone conference
    - 3. City Council 8-2-16
    - 4. Livewire Communications meeting

- 5. Joint meeting with County Judge, DA and Sheriff
- 6. JLUS Meeting
- 7. Sculpture dedication at City Hall
- 8. FirstNet Meeting
- 9. Attended Ethics Board Meeting

B. Updates on City Projects and Issues:

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

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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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**8. CITIZEN COMMENTS**

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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 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.*

TAB PG REQUESTOR

A.1	Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Patrick Connell to Place 8 on the Parks Board/Public Tree Advisory Board with a term of 2016 - 2018.	A.1 PG5	Mayor Kesselus
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AGENDA- REGULAR COUNCIL

AUGUST 9, 2016

- |      |   |           |  |
|------|---|-----------|--|
| A.1a | Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Bob Rogers to Place 4 on the Zoning Board of Adjustment/Municipal Sign Review Board with a term of 2016 - 2018. (Bob Rogers is being moved up to Place 4 from his current position as Alternate 1 on the Zoning Board of Adjustment/Municipal Sign Review Board.)  | A.1a PG9  | Mayor Kesselus   |
| A.1b | Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Marvin Townsend to Place 1 on the Hunters Crossing Local Government Corporation.   | A.1b PG10 | Mayor Kesselus   |
| A.2  | Approval of the statutory denial for a period of 180 days from the date of Council action on a Administrative Plat for Block 48 N.E. ¼ Subdivision being +/- .645 acres out of Building Block 48, East of Main Street, South of Chestnut Street, within the city limits.  | A.2 PG11  | 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 an Amended Plat of Lots 34 and 35, Block A, Riverside Grove Subdivision, Phase 1, being +/- 2.254 acres west of Hassler Shores Dr. within the city limits.   | A.3 PG13  | Director of Planning and Development, Melissa McCollum |
| A.4  | <b>SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING DEFINITIONS #75 AND #270.1 AND ADDING A NEW DEFINITION #77.1 IN APPENDIX A-3 IN CHAPTER 14 OF THE CITY OF BASTROP ZONING ORDINANCE FOR THE TERM "CUSTOM PERSONAL SERVICE SHOPS TO INCLUDE DERMAPIGMENTATION SERVICES AS ACCESSORY USE TO BARBER/BEAUTY SHOP USES AND ADD DEFINITION OF DERMAPIGMENTATION (a/k/a PERMANENT MAKEUP); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.</b> | A.4 PG15  | Director of Planning and Development, Melissa McCollum |
| A.5  | Approval of request to accept the Public Improvements for Pecan Park, Section 4 located west of Childers Drive within the City limits of Bastrop, Texas.  | A.5 PG19  | City Engineer, Wesley Brandon                          |
| A.6  | Approval of acceptance of the Quarterly Investment Report for the period ending in June 30, 2016.   | A.6 PG24  | Chief Financial Officer, Tracy Waldron                 |
| A.7  | Approval of a resolution and adopting the Investment Policy for the City of Bastrop, Texas, and making various provisions related to the subject.   | A.7 PG27  | Chief Financial Officer, Tracy Waldron                 |
| A.8  | Approval of acceptance of the Revised Utility Policy.   | A.8 PG43  | Chief Financial Officer, Tracy Waldron                 |

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

**C. OLD BUSINESS - NONE**

**D. NEW BUSINESS**

- D.1 **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING CITY CODE, CHAPTER 7, ARTICLE 7.01, SECTION 7.01.10, RELATED TO MUNICIPAL COURT PROSECUTIONS BY CITY ATTORNEY(S); CHAPTER 9, ARTICLE 9.04, RELATED TO APPOINTMENT AND POWERS AND DUTIES OF THE CITY ATTORNEY; AND CHAPTER 11, ARTICLE 11.04, SECTION 11.04.008, RELATED TO CITY ATTORNEY’S AUTHORITY TO BRING SUIT TO COLLECT THE TAX IMPOSED BY THE CITY; REPEALING CONFLICTING ORDINANCES; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (FROM JULY 26, 2016 MEETING, ITEM D6)** D.1 PG105 Mayor Kesselus
- D.2 Consideration, discussion and possible action regarding approval of a resolution regarding the creation of a Sign Ordinance review process. **(FROM JULY 26, 2016 MEETING, ITEM D7)** D.2 PG114 Mayor Kesselus
- D.3 Consideration, discussion and possible action regarding request from the Planning and Zoning Commission regarding the creation of development agreements. D.3 PG116 Mayor Kesselus
- D.4 Consideration, discussion and possible action regarding the City Secretary’s submission of a Charter amendment petition to the City Council and certifying as to the sufficiency and compliance of the petition with the provisions in Article X of the City Charter. D.4 PG118 City Secretary. Ann Franklin
- D.5 **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF BASTROP, TEXAS ON NOVEMBER 8, 2016 FOR THE PURPOSE OF SUBMITTING CHARTER AMENDMENTS TO THE VOTERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION; AND PROVIDING AN EFFECTIVE DATE.** D.5 PG121 City Secretary, Ann Franklin
- D.6 Approval of a contract for Election services between the Elections Administrator of Bastrop County and the City of Bastrop for the November 8, 2016 Election. D.6 PG144 City Secretary, Ann Franklin

- D.7
Consideration, discussion and possible action regarding postponement of process to create a Charter Review Committee as a result of the successful filing of a petition to cause a Charter amendment election in November thereby prohibit any future such elections prior to November 2018, which if passed by the voters will leave thereby.
D.7 PG153 Mayor Kesselus
- D.8
**CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS: REVISING THE CITY CODE OF ORDINANCES, CHAPTER 13, "UTILITIES," BY: AMENDING SECTION 13.02.008 "BILLING; DISCONTINUANCE OF SERVICE" BY ADDING SUBSECTION 13.02.008(B) "AVERAGE MONTHLY PAYMENT PLAN" AND BY AMENDING SECTION 13.07.005 BY ADDING SUBSECTION 13.07.005(H) "AVERAGE MONTHLY PAYMENT PLAN" AND PROVIDING AN EFFECTIVE DATE.**
D.8 PG 154 Chief Financial Officer, Tracy Waldron
- D.9
Consideration, discussion and possible action on a variance request submitted by owner (and family members) of the cemetery plots legally described as being Block 1, Section 2, Lots 98 & 98A to allow the placement of polished pebbles (over commercial weed control fabric) as prohibited in City of Bastrop Ordinance No. 2009-31, Section 15.15 (e) Prohibited Activities.
D.9 PG161 Chief Financial Officer, Tracy Waldron
- D.10
**CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BASTROP TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**
D.10 PG166 Chief Financial Officer, Tracy Waldron
- D.11
Consideration, discussion, and possible action regarding XS Ranch / City of Bastrop Contract for water.
D.11 PG170 Mayor Pro Tem DeLaRosa
- D.12
Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Daniel Ducloux to Place 8 on the Parks Board/Public Tree Advisory Board with a term of 2016 - 2018.
D.12 PG183 Mayor Kesselus
- D.13
Board appointment by Mayor Ken Kesselus and confirmation by the Bastrop City Council Members on the appointment of Kevin Plunkett to Place 4 on the Bastrop Economic Development Corporation Board.
D.13 PG189 Mayor Kesselus
- D.14
Consideration, discussion and possible action regarding the approval of an Interlocal Agreement between Bastrop County and the City of Bastrop regarding the Disaster Recovery Grant Program Project.
D.14 PG195 Chief Financial Officer, Tracy Waldron

**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:

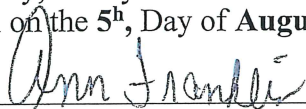
1. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, pending and/or potential code enforcement, litigation related to subdivision development, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.
2. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, negotiations or value of real property.
3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City, and/or to deliberate the potential offer of economic incentives to a business prospect, as note herein.
4. **SECTION 551.086** – To discuss Certain Public Power Utilities: Competitive Matters – Bastrop Power & Light Budget, and/or related electric public power utility information and matters.
5. **SECTION 551.074** – Personnel Matters: Searches for City Manager and City Attorney Terms of a Letter of Engagement and Duties of Interim City Manager

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 5<sup>th</sup>, Day of August 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**