

**Bastrop City Council
June 28, 2016 at 6:30 pm**



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.

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**

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

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,
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
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
Mike Talbot |
| B.5 | <p>PUBLIC HEARING: 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"> • 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. | B.5 | 119 | Director of
Planning and
Development,
Melissa
McCollum |
| B.6 | 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.6 | 125 | Director of
Planning and
Development,
Melissa
McCollum |

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|--------------------------------------|--|-----|-----|--|
| B.7 | <p>PUBLIC HEARING: 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"> • 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 • Section 36 Use Regulation (Charts) Section 36.11 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and | B.7 | 128 | Director of Planning and Development,
Melissa McCollum |
| B.8 | <p>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.</p> | B.8 | 135 | Director of Planning and Development,
Melissa McCollum |
| <p>C. OLD BUSINESS – NONE</p> | | | | |
| <p>D. NEW BUSINESS</p> | | | | |
| D.1 | 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. | D.1 | 139 | Mayor Kesselus |
| D.2 | 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 TH MEETING ITEM D.6) | D.2 | 142 | Director of Public Works,
Parks and Utilities, Trey Job |
| D.3 | 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. | D.3 | 145 | Council Member Jones |
| D.4 | Consideration, discussion and possible action regarding moving the proposed “General Obligations Bond Election” from November 2016 to May 2017. | D.4 | 148 | Mayor Pro Tem DeLaRosa |

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. | D.5 | 149 | BEDC
Executive
Director, Shawn
Kirkpatrick |
| D.6 | Consideration, discussion and possible action on approval of a resolution regarding the replacement of the speed bumps on Alley A. | D.6 | 161 | Council
Member
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.. | D.7 | 163 | BEDC
Executive
Director, Shawn
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. | D.8 | 184 | Director of
Planning and
Development,
Melissa
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. | D.9 | 194 | City Manager,
Mike Talbot |
| D.10 | Consideration, discussion and possible action regarding review of the Fy-17 Budget Calendar and setting additional City Council meeting dates. | D.10 | 197 | City Manager,
Mike Talbot |

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

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:

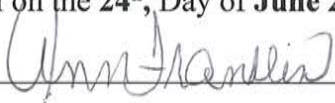
1. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney(s) concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, code enforcement matters, subdivision 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^h, Day of June 2016 at 12:30 pm



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

As a recent city council meeting was about to begin, I found at my desk on the dais a cluster of papers that I attempted quickly to understand by scanning them. In doing so, I became quite confused and, frankly, frustrated. That feeling overwhelmed me when I discovered a memo left over from the previous night's meeting. I never saw that piece of paper the night before, and apparently it was delivered to my desk only a minute or so before that meeting began. It might have borne some significance.

Furthermore, the city manager, the city secretary, and I work very hard to make sure there is as much "back-up" information in the council packet as possible. This will not only benefit the council but it also will provide valuable information for the public to consider.

My recent experience has led me to realize that we all need to find a better way to communicate with the mayor and council members. So, here is what I would like to see happen.

- Anyone who has an item on the agenda should provide all necessary documentation by Wednesday noon prior to the meeting, so it can be included in the packet and so council members will not have to review a handout on the spur of the moment.
- Anyone who wants to communicate something to the mayor or a council member should do so via email, phone, letter, or personal conversation. This will insure that all of us receive information at a time other than just before or during a meeting.
- If a citizen who, for some reason does not communicate directly with the mayor and council members prior to the day of a meeting, believes an item of written information is of such urgency that it needs to be distributed to council members on the day of a meeting, that citizen should make a request of the city secretary to do so. The secretary will consult with the mayor and city manager, who will work together to decide whether to distribute it or not. If it seems appropriate to distribute such information, the secretary will let the person know and the person should have ready enough copies for the mayor, council members, secretary, manager, and at least three copies for representatives of the news media. The secretary will then distribute the information and inform the council of its subject. The presiding officer will allow time for council members to read the communication.
- Anyone who is making a presentation or has the privilege of the floor and has not provided written information in the council packet but desires to distribute something may ask the presiding officer for permission to do so.

AGREEMENT BETWEEN CITY MANAGER, MIKE TALBOT AND THE CITY COUNCIL

The Bastrop City Council and Bastrop City Manager Mike Talbot agree on a transitional plan that takes into account a number of important factors that Mike mentioned in his letter of resignation and that the council finds essential to the wellbeing of the city.

The council appreciates Mike's following through on his commitment to remain with the city for a significant amount of time after announcing his retirement. The council will relieve Mike from the health-threatening stress he has experienced by shifting his role to a less stressful, but immediately more effective and needed, set of functions.

In order to make the best use of Mike Talbot's remaining months of full-time employment with the city, beginning on June 30, he will transition to the position of Senior Advisor. In this role, he will provide advice, information, and other forms of assistance to the council, the staff, and citizens at large.

Public Safety Director Steve Adcock will assume responsibility for day to day operations of the city in the position of acting city manager until the council employs an interim city manager. Mike has consistently turned to Steve as acting city manager when he has been out of town, and the council follows his assessment in making this appointment.

Mike's most important function during the following two months will be to provide the necessary support for the acting and interim city managers so that by the end of August, the manager will be able to work effectively with Mike no longer available for full time support.

In addition after August, Mike will graciously assist the City at no cost by answering questions, providing information, and giving advice regarding city operations.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF MINUTES FROM THE SPECIAL WORKSHOP MEETING OF FEBRUARY 16, 2016.**

2. Party Making Request: **City Secretary, Ann Franklin**

3. Nature of Request: (Brief Overview) Attachments: Yes No
This is to receive approval of accuracy from Council for the minutes recorded during February 16, 2016 Council Meeting.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: **Approval of the February 16, 2016 Council Minutes.**

SPECIAL WORKSHOP MEETING
Bastrop City Council
February 16, 2016

The Bastrop City Council met in a Special Workshop on Tuesday, February 16, 2016 at 6:00 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem Willie DeLaRosa and Council Members, Kelly Gilleland, Kay Garcia McAnally, Gary Schiff and Dock Jackson.

1. Mayor Kesselus called the meeting to order at 6:00 p.m.
2. WORKSHOP SESSION - The Bastrop City Council recessed the special meeting at 6:01 p.m. and convened into a Workshop Session to discuss the following.

A. Piney Creek Rezone +/-90.91 acres out of the A11 Bastrop Town Tract, located north of the railroad tracks on the northwest corner of Riverwood/Hawthorne and Carter Street.

The City Manager addressed questions and concerns regarding zoning verses subdivisions with a presentation.

Question from Mayor Pro Tem DeLaRosa: Why was SF9 zoned in this particular neighborhood as opposed to the neighbors across the street and how long has it been zoned SF9.

Answer by City Manager Talbot: He was not with the City of Bastrop when this occurred so he could not give an answer to this question.

Question from Mayor Pro Tem DeLaRosa: Could the zoning from SF9 to PD be conceived as spot zoning?

Answer by City Manager Talbot: No because it can be controlled by the standards set forth in the PD ordinance.

David Singleton, Applicant – Presented the amended plat. Stated that on the 50 and 60 foot lot there is a 5' setback and on the 60 foot lots there is a 7.5' an additional amendment to the PD was to increase the side setback on all of the lots to 7.5 feet.

The City Manager stated:

- on page 2 of 4 on exhibit A1 shows that there are two classifications with a minimum lot size and still has the 60 40 split, shows that they are back to two classifications of lots.
- On page 3 of 4 on exhibit A1 the side setback for the Urban 5 and 6 is 7.5'.
- Provide the amount of designated parkland.
- Under D add No. 3, the total amount of residential lots shall not exceed 170.
- On page 4 of 4 should be amended to change "substantial portion" to a minimal amount.

SPEAKERS

Brad Cook – Read a resolution from the Downtown Business Alliance into record which was in favor of approving the zoning change.

Margarett Silbernagel – Asked for a park with access to the park and trails.

Richard Smartzik – Spoke in favor of the subdivision.

Joe Tuck - Spoke in favor of the subdivision.

3. **The Bastrop City Council recessed the Workshop Session at 6:58 p.m. and reconvened into the special meeting for any necessary action(s) on the following.**

- A. **Second reading of an ordinance granting a zone change from SF9, single family residential-9 and Second reading of an ordinance granting a zone change from SF9, single family residential-9 and A/OS-Agricultural/Open Space to PD, Residential Planned Development for approximately 90.91 acres within A11 Bastrop Town Tract, located North of the Railroad Tracts on the Northwest corner of Riverwood/Hawthorne and Carter Street within the City limits of Bastrop, Texas as part of the Piney Creek Bend; setting out conditions and establishing an effective date.**

Council Member Schiff made the motion to approve the second reading of the ordinance with the following amendments, seconded by Council Member McAnally. The motion was approved on a vote of 4-1. Mayor Pro Tem DeLaRosa voted nay.

AMENDMENTS

- On page 2 of 4, D add an item 3 to state that the total number of residential lots shall not exceed a total of 170 residential lots.
- On page 3 of 4, Development Standards, the interior side setbacks be 7.5' for both the urban and suburban side yard setbacks.
- Item i, a minimum of 25 acres and the side will be dedicated as parkland.
- Add an item K that states "This PD shall be approved for a period of ten years, if the PD is 60% complete at the end of ten years the developer owner may request time extension from the City Council to complete the PD."

Mayor Kesselus recessed the special meeting at 7:15 p.m.

Mayor Kesselus called the special meeting back to order at 7:21 p.m.

4. **WORKSHOP SESSION - The Bastrop City Council recess the special meeting and reconvened into a Workshop Session at 7:22 p.m. to discuss the following.**

- A. **Discuss projects, issues, financial matters and related issues associated with potential bond election in November 2016.**

The City Manager read a list of critical needs into record. It was suggested that Carter Street be added to the street list.

The Bastrop City Council adjourned the workshop session and reconvened into the special meeting at 7:44 p.m. to take any necessary action(s).

ADJOURNMENT

At 7:45 p.m., Council Member Schiff made the motion to adjourn, Mayor Pro Tem DeLaRosa seconded the motion which passed on a 5-0 vote.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X No

A city must take action on a plat within 30 days or the plat is automatically approved.

4. Policy Implication: _____

5. Budgeted: Yes No N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation: **Staff recommends approval of the statutory denial.**

9. Advisory Board: Approved Disapproved None

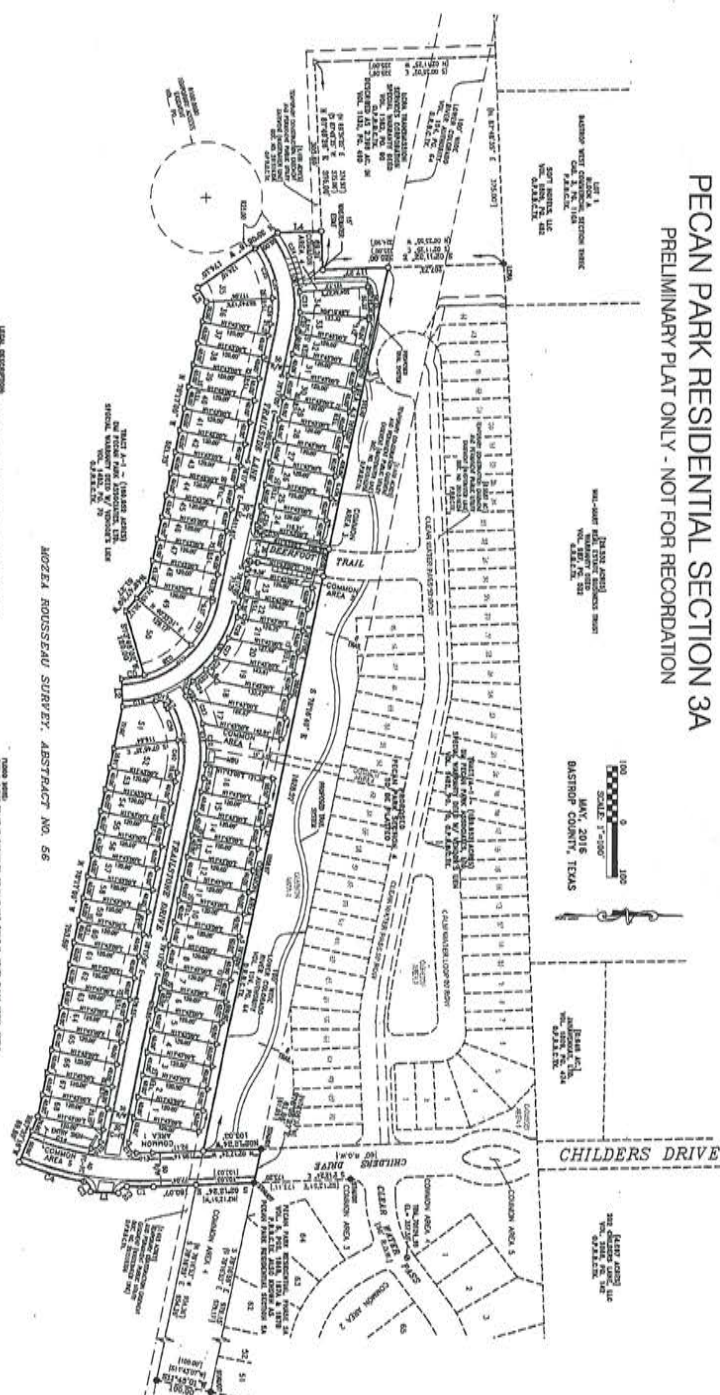
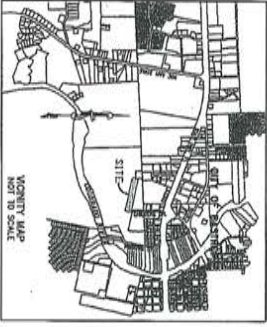
10. Manager's Recommendation: Approved Disapproved None

11. Motion Requested: **Approval of the statutory denial for the Preliminary Plat for Pecan Park, Section 3A for 180 days.**

PECAN PARK RESIDENTIAL SECTION 3A
PRELIMINARY PLAT ONLY - NOT FOR RECORDATION

LINE #	BEARING	DISTANCE
11	S 87°12'48" W	38.62'
12	S 87°12'48" W	38.62'
13	S 87°12'48" W	38.62'
14	S 87°12'48" W	38.62'
15	S 87°12'48" W	38.62'
16	S 87°12'48" W	38.62'
17	S 87°12'48" W	38.62'

CHANGING BEARING	CHANGING DISTANCE	CHANGING BEARING	CHANGING DISTANCE
C1	50.00'	S 87°12'48" W	38.62'
C2	15.00'	S 87°12'48" W	38.62'
C3	15.00'	S 87°12'48" W	38.62'
C4	15.00'	S 87°12'48" W	38.62'
C5	15.00'	S 87°12'48" W	38.62'
C6	15.00'	S 87°12'48" W	38.62'
C7	15.00'	S 87°12'48" W	38.62'
C8	15.00'	S 87°12'48" W	38.62'
C9	15.00'	S 87°12'48" W	38.62'
C10	15.00'	S 87°12'48" W	38.62'
C11	15.00'	S 87°12'48" W	38.62'
C12	15.00'	S 87°12'48" W	38.62'
C13	15.00'	S 87°12'48" W	38.62'
C14	15.00'	S 87°12'48" W	38.62'
C15	15.00'	S 87°12'48" W	38.62'
C16	15.00'	S 87°12'48" W	38.62'
C17	15.00'	S 87°12'48" W	38.62'
C18	15.00'	S 87°12'48" W	38.62'
C19	15.00'	S 87°12'48" W	38.62'
C20	15.00'	S 87°12'48" W	38.62'
C21	15.00'	S 87°12'48" W	38.62'
C22	15.00'	S 87°12'48" W	38.62'
C23	15.00'	S 87°12'48" W	38.62'
C24	15.00'	S 87°12'48" W	38.62'
C25	15.00'	S 87°12'48" W	38.62'
C26	15.00'	S 87°12'48" W	38.62'
C27	15.00'	S 87°12'48" W	38.62'
C28	15.00'	S 87°12'48" W	38.62'
C29	15.00'	S 87°12'48" W	38.62'
C30	15.00'	S 87°12'48" W	38.62'
C31	15.00'	S 87°12'48" W	38.62'
C32	15.00'	S 87°12'48" W	38.62'
C33	15.00'	S 87°12'48" W	38.62'
C34	15.00'	S 87°12'48" W	38.62'
C35	15.00'	S 87°12'48" W	38.62'
C36	15.00'	S 87°12'48" W	38.62'
C37	15.00'	S 87°12'48" W	38.62'
C38	15.00'	S 87°12'48" W	38.62'
C39	15.00'	S 87°12'48" W	38.62'
C40	15.00'	S 87°12'48" W	38.62'
C41	15.00'	S 87°12'48" W	38.62'
C42	15.00'	S 87°12'48" W	38.62'
C43	15.00'	S 87°12'48" W	38.62'
C44	15.00'	S 87°12'48" W	38.62'
C45	15.00'	S 87°12'48" W	38.62'
C46	15.00'	S 87°12'48" W	38.62'
C47	15.00'	S 87°12'48" W	38.62'
C48	15.00'	S 87°12'48" W	38.62'
C49	15.00'	S 87°12'48" W	38.62'
C50	15.00'	S 87°12'48" W	38.62'
C51	15.00'	S 87°12'48" W	38.62'
C52	15.00'	S 87°12'48" W	38.62'
C53	15.00'	S 87°12'48" W	38.62'
C54	15.00'	S 87°12'48" W	38.62'
C55	15.00'	S 87°12'48" W	38.62'
C56	15.00'	S 87°12'48" W	38.62'
C57	15.00'	S 87°12'48" W	38.62'
C58	15.00'	S 87°12'48" W	38.62'
C59	15.00'	S 87°12'48" W	38.62'
C60	15.00'	S 87°12'48" W	38.62'



1. THIS SURVEY IS A RE-SURVEY OF THE AREA DESCRIBED IN THE ORIGINAL SURVEY OF THE CITY OF PEARSON, TEXAS, AND IS SUBJECT TO THE TERMS, CONDITIONS AND RESTRICTIONS THEREIN.

2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE AREA AND HAS FOUND THAT THE BOUNDARIES AND CORNERS SHOWN ON THIS PLAT ARE IN SUBSTANTIAL ACCORD WITH THE ORIGINAL SURVEY.

3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE AREA AND HAS FOUND THAT THE BOUNDARIES AND CORNERS SHOWN ON THIS PLAT ARE IN SUBSTANTIAL ACCORD WITH THE ORIGINAL SURVEY.

DATE	11/11/16
DRAWN BY	...
CHECKED BY	...
SCALE	AS SHOWN

Bowman CONSULTING

General Consulting Group, Ltd.
 10000 Katy Road, Suite 300, Houston, Texas 77059
 Phone: 281.957.4100
 Fax: 281.957.4100
 www.bowmanconsulting.com
 TSPS Form No. 1-14208 | TPRS Form No. 101208-00

PRELIMINARY PLAT
 PECAN PARK RESIDENTIAL SECTION 3A
 BASTROP COUNTY, TEXAS

SHEET 1 OF 2

6-28-2016

new job June 13 2016

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes No

A city must take action on a plat within 30 days or the plat is automatically approved.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

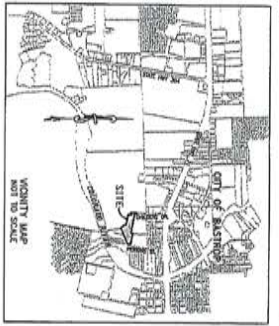
7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation: **Staff recommends approval of the statutory denial.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: **Approval of the statutory denial for the Preliminary Plat for Pecan Park, Section 6A for 180 days.**



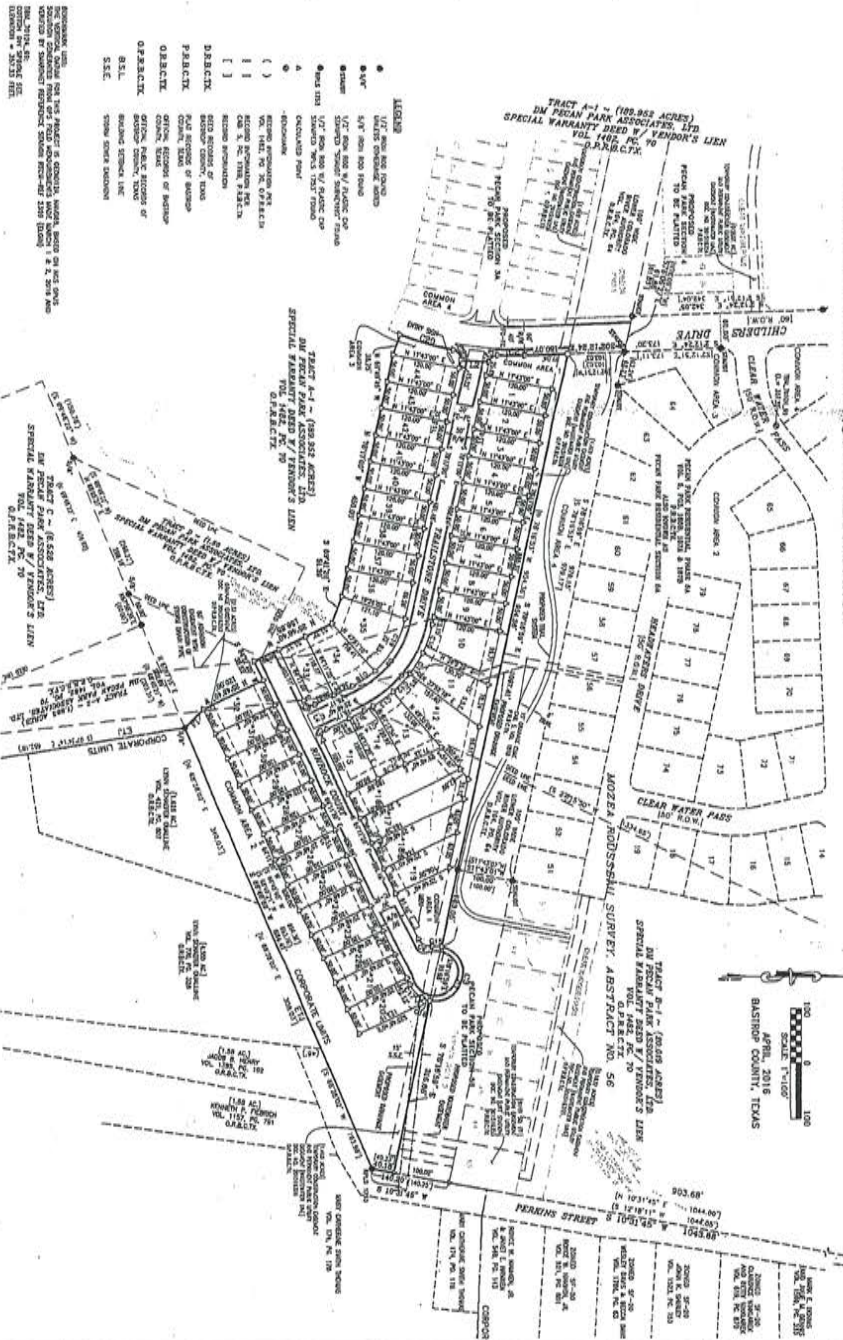
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PECAN PARK RESIDENTIAL SECTION 6A

PRELIMINARY PLAT ONLY - NOT FOR RECORDATION



- 1. ALL LOTS ARE TO BE CONVEYED TO THE BUYER BY THE SELLER.
- 2. THE SELLER WARRANTS THAT THE PLAT IS ACCURATE AND CORRECT.
- 3. THE SELLER WARRANTS THAT THE PLAT IS COMPLETE AND FULLY DISCLOSES ALL INTERESTS AND ENCUMBRANCES.
- 4. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE LAWS AND REGULATIONS.
- 5. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE TAXES AND FEES.
- 6. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE ZONING AND ORDINANCES.
- 7. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS.
- 8. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE COVENANTS AND RESTRICTIONS.
- 9. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE DEEDS AND INSTRUMENTS.
- 10. THE SELLER WARRANTS THAT THE PLAT IS SUBJECT TO ALL APPLICABLE RECORDS AND DOCUMENTS.

BY: _____

DATE: _____

Bowman
CONSULTING

11111 South Loop West, Suite 1000
Houston, Texas 77054
Phone: 713.437.1111
www.bowmanconsulting.com

PREP Form No. F-14029 | 11/15 Form No. 101706-00

PECAN PARK RESIDENTIAL SECTION 6A
BASTROP COUNTY, TEXAS

PRELIMINARY PLAT

SHEET 1 OF 2

PECAN PARK RESIDENTIAL SECTION 6A PRELIMINARY PLAT ONLY - NOT FOR RECORDATION

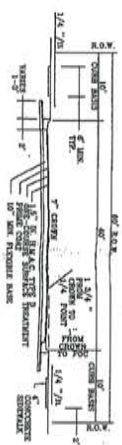
RESIDENTIAL PLANNED DEVELOPMENT (PUD)

LOT	ACRES	LOT AREA	SQ. FT.	ZONING
1	0.128	5500	5500	R2
2	0.128	5500	5500	R2
3	0.128	5500	5500	R2
4	0.128	5500	5500	R2
5	0.128	5500	5500	R2
6	0.128	5500	5500	R2
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41	0.128	5500	5500	R2
42	0.128	5500	5500	R2
43	0.128	5500	5500	R2
44	0.128	5500	5500	R2

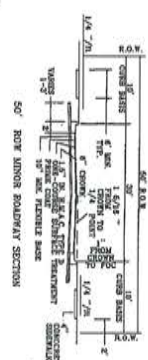
RESIDENTIAL PLANNED DEVELOPMENT (PUD)

LOT	ACRES	LOT AREA	SQ. FT.	ZONING
1	0.029	2500	2500	R2
2	0.029	2500	2500	R2
3	0.029	2500	2500	R2
4	0.029	2500	2500	R2
5	0.029	2500	2500	R2
6	0.029	2500	2500	R2
7	0.029	2500	2500	R2
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41	0.029	2500	2500	R2
42	0.029	2500	2500	R2
43	0.029	2500	2500	R2
44	0.029	2500	2500	R2

SHEET	SHEET AREA	SQ. FT.
1	0.029	2500
2	0.029	2500
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43	0.029	2500
44	0.029	2500



- NOTES:
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES.
 2. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROADWAY UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE HOODWAY UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE HOODWAY UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE HOODWAY UNLESS OTHERWISE NOTED.
 6. DIMENSIONS TO BE INSTALLED PER CITY OF BASTROP HOODWAY REQUIREMENTS AT TIME OF SITE DEVELOPMENT.



- NOTES:
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES.
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Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1000 East 10th Street, Suite 100, Austin, Texas 78701
www.bowmanconsulting.com | Phone: 512.476.1000
BPG Form No. B-1403 | BPG'S Form No. 101205-00

PRELIMINARY PLAT
PECAN PARK RESIDENTIAL SECTION 6A
BASTROP COUNTY, TEXAS

SHEET 2 OF 2

REVISED June 13, 2016

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: JUNE 22, 2016

MEETING DATE: JUNE 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Tracy Waldron, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes X No
Approval of Bastrop Marketing Corporation’s reimbursement request for May 2016.

4. Policy Implication: _____

5. Budgeted: X Yes No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____

8. Staff Recommendation: **Approval of Bastrop Marketing Corporation’s reimbursement request for May 2016.**

9. Advisory Board: Approved Disapproved None

10. Manager’s Recommendation: Approved Disapproved None

11. Motion Requested: **Approval of Bastrop Marketing Corporation’s reimbursement request for May 2016.**

Memo

To: Mayor, City Council and City Manager
From: Tracy Waldron, Chief Financial Officer
Date: June 20, 2016
Re: Reimbursement of Accrued Bastrop Marketing Corporation Expenses

Attached is the request from Bastrop Marketing Corporation (BMC) for payment of funds in accordance with the Tourism Marketing Agreement that was signed with the City of Bastrop in November 2003.

This request is for the time period of May 2016. There is a month lag in the receipt of the hotel occupancy tax monies.

It is recommended that Council approve the reimbursement of funds in the amount of \$82,815.57 for May 2016 to BMC in accordance with our agreement to be spent on advertising and marketing the City of Bastrop area. This amount represents 43% of the tax collections.

If you have any questions regarding this agreement please contact me at 512-332-8820.

Bastrop Marketing Corporation ("BMC")
 October 2015 through September 2016 - Budget

	2 0 1 5					2 0 1 6							
	September	October	November	December	January	February	March	April	May	June	July	August	September
HRLPR Room Revenues	\$ 2,502,731.43	\$ 3,055,804.31	\$ 2,160,416.73	\$ 1,529,377.01	\$ 1,769,678.66	\$ 1,937,420.67	\$ 3,069,520.23	\$ 2,596,489.00	\$ 2,779,139.14	\$ 3,667,460.00	\$ 4,165,822.00	\$ 3,660,260.00	\$ 2,782,820
Exemptions													
Taxable Room Revenues	2,502,731.43	3,055,804.31	2,160,416.73	1,529,377.01	1,769,678.66	1,937,420.67	3,069,520.23	2,596,489.00	2,779,139.14	3,667,460.00	4,165,822.00	3,660,260.00	2,782,820
City of Bastrop HOT Rate	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
City of Bastrop HOT Tax	\$ 175,191.20	\$ 213,906.30	\$ 151,229.17	\$ 107,056.39	\$ 123,877.51	\$ 135,619.45	\$ 214,866.42	\$ 181,754.23	\$ 194,539.74	\$ 256,722.20	\$ 291,607.54	\$ 256,218.20	
Gross Liability to City	\$ 175,191.20	\$ 213,906.30	\$ 151,229.17	\$ 107,056.39	\$ 107,056.39	\$ 123,877.51	\$ 135,619.45	\$ 214,866.42	\$ 181,754.23	\$ 194,539.74	\$ 256,722.20	\$ 291,607.54	\$ 256,218.20
Hotel Owner Collection Allowance (1%)	(1,751.91)	(2,139.06)	(1,512.29)	(1,070.56)	(1,070.56)	(1,238.78)	(1,356.19)	(2,148.66)	(1,817.54)	(1,945.40)	(2,567.22)	(2,916.08)	(2,562.18)
Net Collection by City	173,439.29	211,767.24	149,716.88	105,985.83	105,985.83	122,638.73	134,263.26	212,717.76	179,936.69	192,594.34	254,154.98	288,691.46	253,656.02
Applicable % payable to BMC	43%	43%	43%	43%	43%	43%	43%	43%	43%	43%	43%	43%	43%
Funds Available to BMC	74,578.89	91,059.91	64,378.26	45,573.91	45,573.91	52,734.65	57,733.20	91,468.64	77,372.78	82,815.57	109,286.64	124,137.33	109,072.09
Total Budget	\$ 980,211.87	Allocated:	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32	81,684.32
Payment of Funds by City to BMC	\$ 74,578.89	\$ 88,789.75	\$ 66,648.42	\$ 45,573.91	\$ 52,734.65	\$ 57,733.20	\$ 91,468.64	\$ 77,372.78	\$ 82,815.57	\$ 109,286.64	\$ 124,137.33	\$ 109,072.09	
Updated:	Paid	\$ 74,258.81											
Variance	\$	320.08											

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: JUNE 22, 2016

MEETING DATE: JUNE 28, 2016

1. Agenda Item: Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending May 31, 2016.

2. Party Making Request: Tracy Waldron, Chief Financial Officer

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

Provide City Council the monthly financial report overview for four major funds to include General Fund, Water-Wastewater Fund, Bastrop Power & Light and the Hotel Motel Fund.

4. Policy Implication: N/A

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

c) _____

8. Staff Recommendation: Acceptance of the unaudited financial report for the period ending May 31, 2016

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: _____

CITY OF BASTROP, TEXAS
MONTHLY FINANCIAL REPORT AND
QUARTERLY FINANCIAL REPORT
FOR PERIOD ENDING May 31, 2016



**CITY OF BASTROP
SUMMARY OF REVENUES AND EXPENDITURES
AS OF MAY 31, 2016**

Fiscal year 2016 is 8 month or 66.67% completed as of May 31, 2016.

Revenues

Expenditures

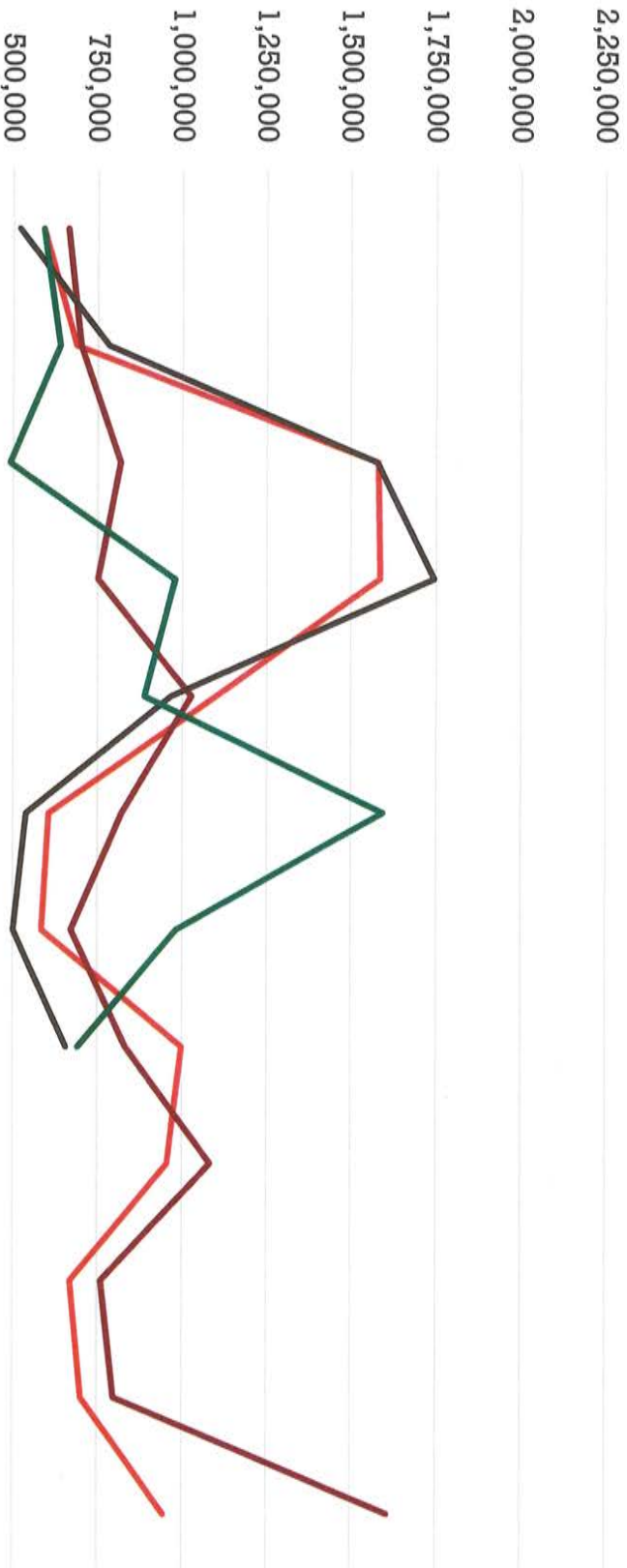
	FY 2016 Budget*	FY 2016 YTD Actual	% of FY2016 Budget	FY 2016 Budget*	FY 2016 YTD Actual	% of FY2016 Budget
General Fund	\$ 9,149,676	\$ 7,294,490	79.7%	\$ 12,245,442	\$ 6,857,129	56.0%
WWWW Fund	\$ 4,258,480	\$ 3,249,516	76.3%	\$ 6,960,286	\$ 3,290,677	47.3%
Electric Fund	\$ 7,528,000	\$ 4,183,123	55.6%	\$ 8,436,474	\$ 4,369,763	51.8%
Hotel Motel Fund	\$ 2,801,500	\$ 1,676,172	59.83%	\$ 2,678,706	\$ 1,754,133	65.5%

*Budget amounts reflect any budget amendments approved by Council during the Fiscal Year



GENERAL FUND REVENUE & EXPENDITURES AS OF MAY 31, 2016

- ❑ Revenues will increase in December, January, and February due to collection of the Ad Valorem Taxes.
- ❑ Due to an audit adjustment that accrues our revenue into the period it was earned, the Sales Tax revenue earned in October and November are estimated.
- ❑ The Revenue spiked in May 2015 due to the transfer from BP&L of \$200,000 for the Comprehensive Plan and the donated land from BEDC of \$183,000 in-kind income
- ❑ FY2016 reflects a re-class of the overhead allocation from WMMW, BP&L and Convention Center for Administrative support. This use to come in as revenue but do to auditors adjustments, are being re-classed as a reduction of expense in each department. (This amounts to approximately \$86,500 a month)
- ❑ FY2016, March expenses reflect approved budget amendment to move \$625,000 out of General fund into Vehicle/Equip. Replacement fund, also 50% payment on new restrooms at Fisherman's Park

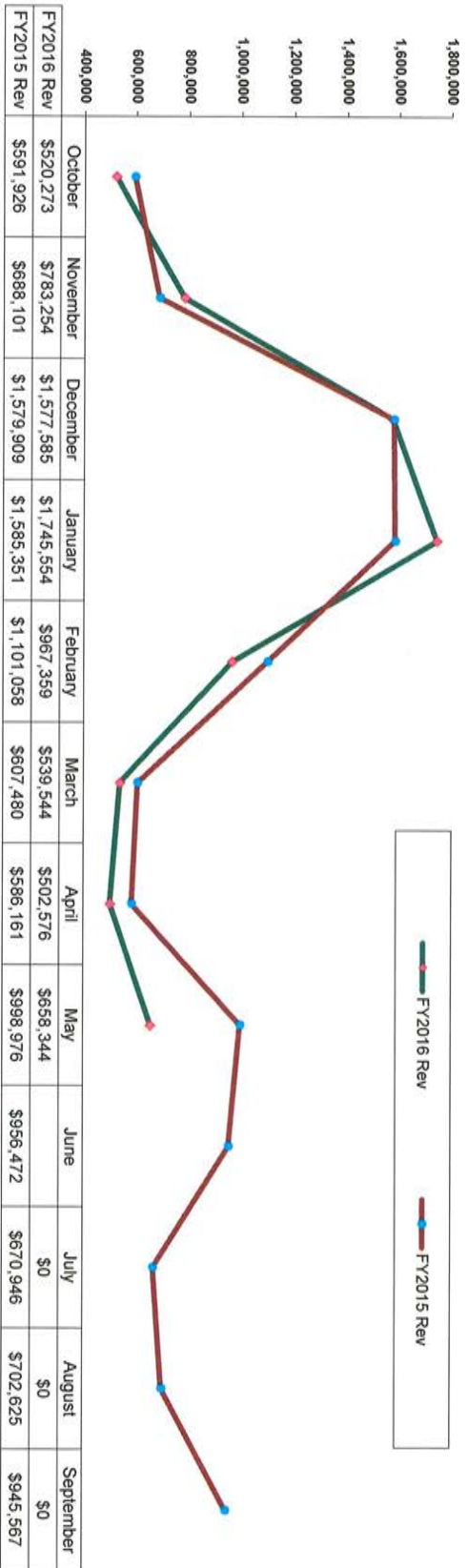


	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	August	Sept
FY2015 Revenues	\$591,926	\$688,101	\$1,579,909	\$1,585,351	\$1,101,058	\$607,480	\$586,161	\$998,976	\$956,472	\$670,946	\$702,625	\$945,567
FY2015 Expenses	\$663,660	\$700,904	\$818,271	\$751,303	\$1,027,451	\$822,206	\$672,916	\$832,928	\$1,084,109	\$761,772	\$798,934	\$1,607,829
FY2016 Revenues	\$520,273	\$783,254	\$1,577,585	\$1,745,554	\$967,359	\$822,206	\$672,916	\$832,928	\$1,084,109	\$761,772	\$798,934	\$1,607,829
FY2016 Expenses	\$592,109	\$640,105	\$492,501	\$978,544	\$889,284	\$1,594,857	\$983,706	\$693,410				

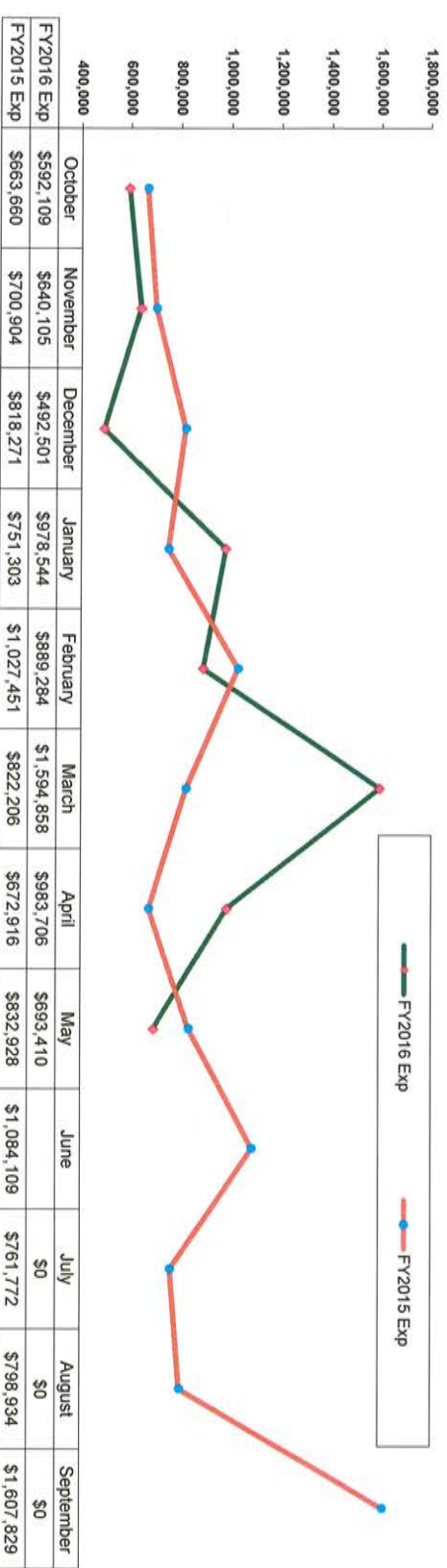


GENERAL FUND REVENUE & EXPENDITURES AS OF MAY 31, 2016

FY 2015 & 2016 Revenues



FY 2015 & 2016 Expenditures

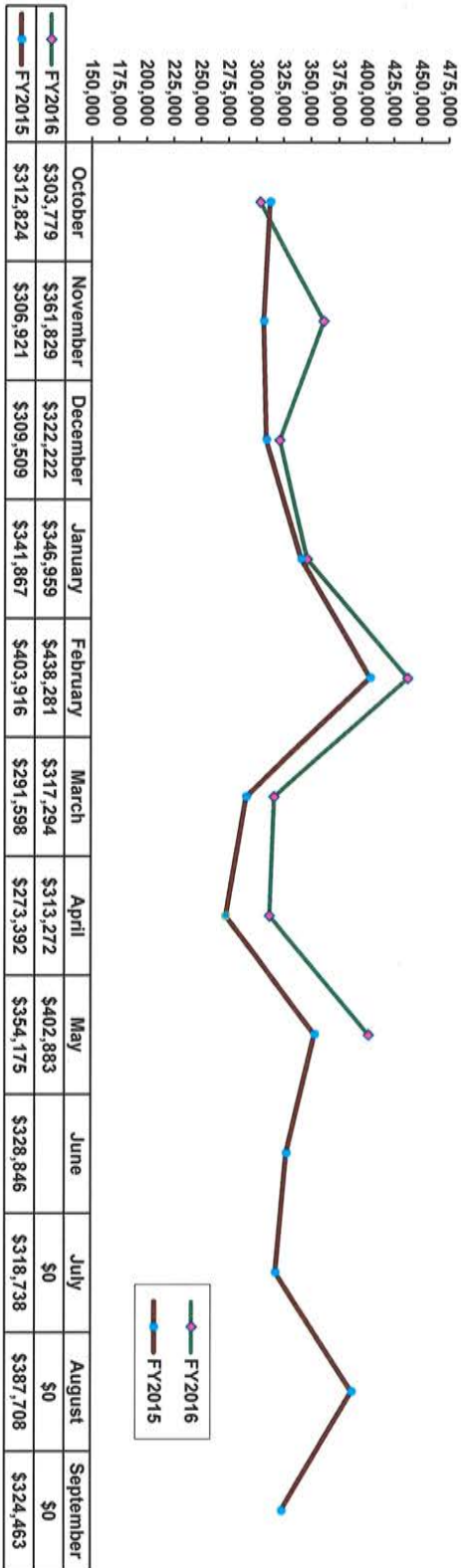


NEW in FY16 expense reflects a credit amount in each fund for the allocated overhead for Admin. support from W/WW, BP&L and Convention Center



GENERAL FUND REVENUE
AS OF MAY 31, 2016

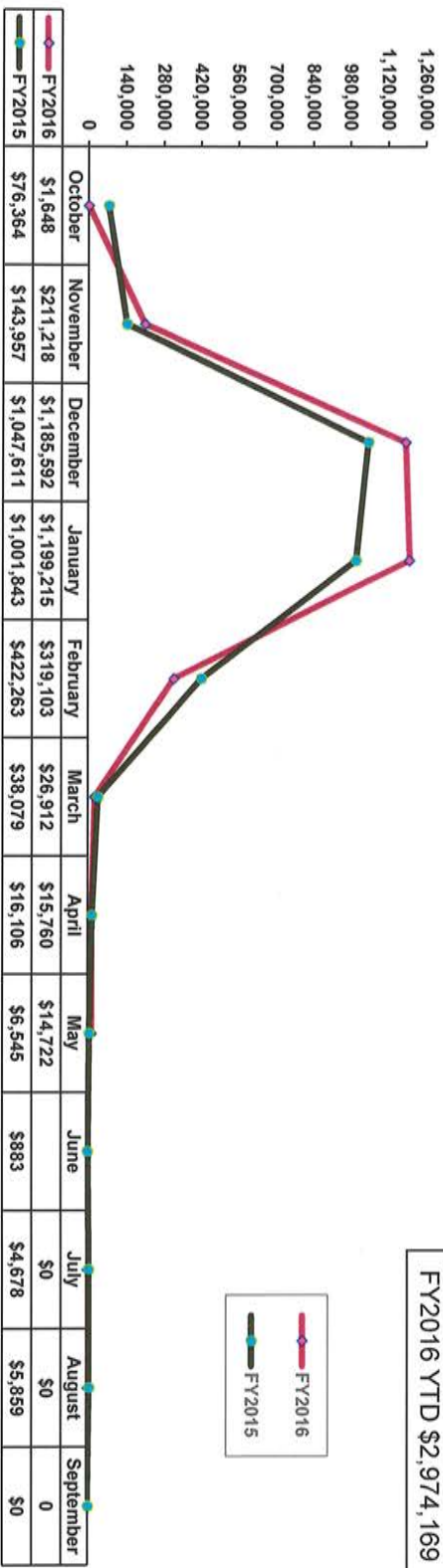
Sales Tax



FY2016 Budgeted \$3,996,190

FY2016 YTD \$2,806,519

Ad Valorem Taxes



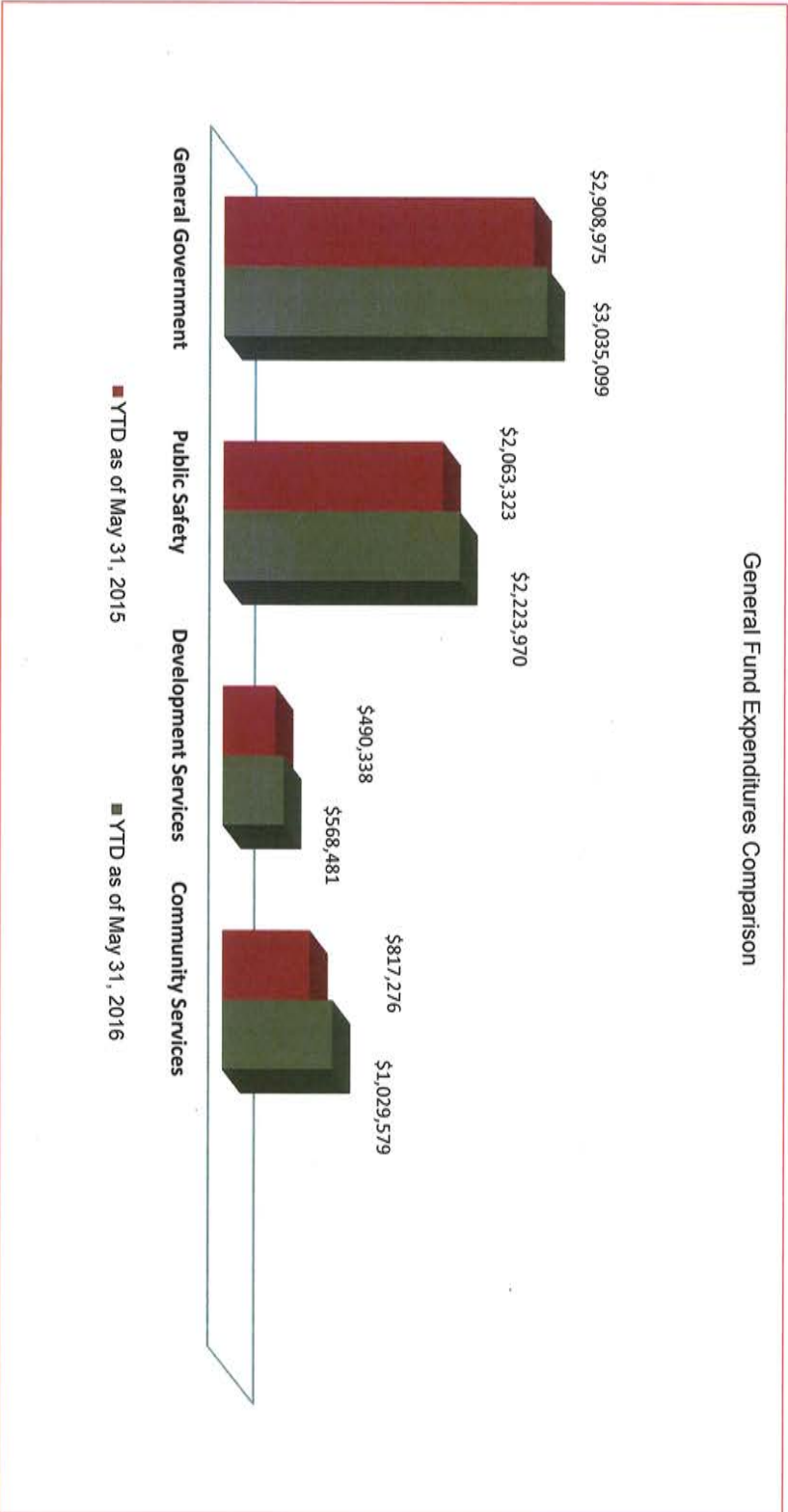
FY2016 Budget \$2,956,945

FY2016 YTD \$2,974,169



GENERAL FUND EXPENDITURES AS OF MAY 31, 2016

General Fund Expenditures Comparison

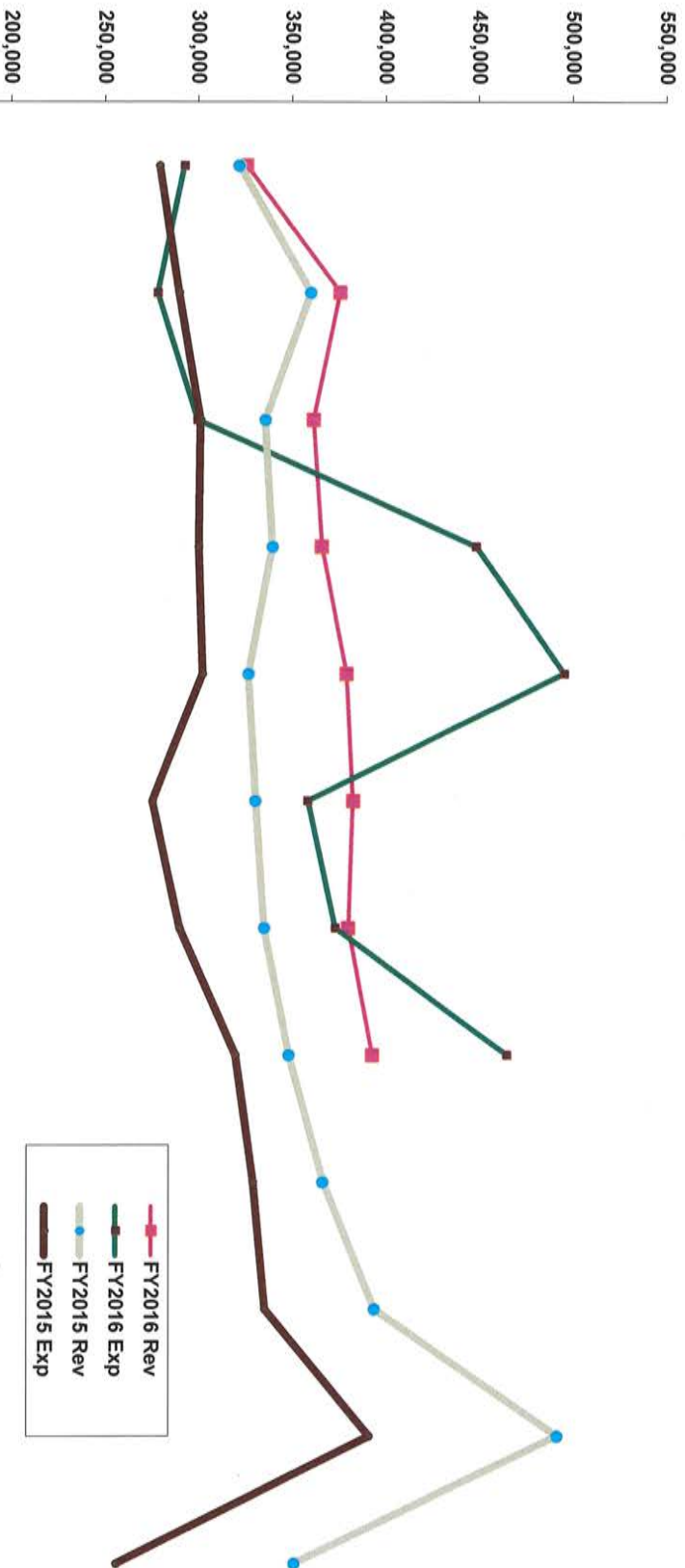


- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, and Building Maintenance
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes the Planning Department
- Community Services includes Recreation, Parks, and Library



WATER WASTEWATER FUND REVENUE & EXPENDITURES AS OF MAY 31, 2016

- Water/ Wastewater Fund Revenues Year-to-date (YTD) as of May 31, 2016 are \$3,249,516 or 76% of the year.
- Jan 2016 expenses are higher due to additional maintenance and capital outlay for additional equipment of \$93,400
- Feb 2016 expense higher due to additional maintenance on Wells E, H & I

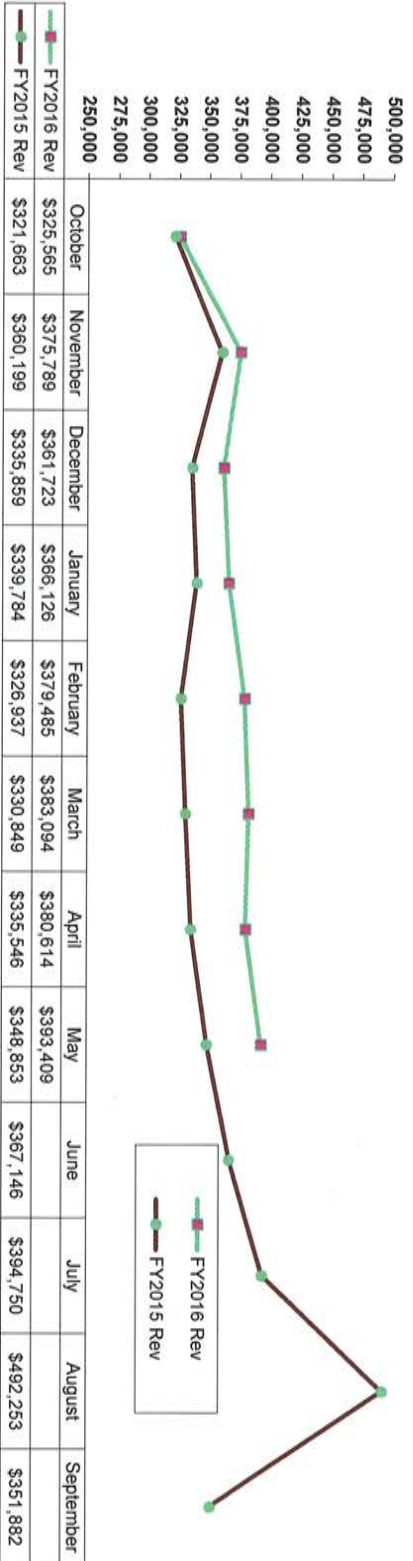


	October	November	December	January	February	March	April	May	June	July	August	September
FY2016 Rev	\$325,565	\$375,789	\$361,723	\$366,127	\$379,485	\$383,094	\$380,614	\$393,409				
FY2016 Exp	\$292,650	\$278,412	\$299,751	\$448,892	\$495,879	\$358,908	\$373,676	\$465,295				
FY2015 Rev	\$321,663	\$360,199	\$335,859	\$339,784	\$326,937	\$330,849	\$335,546	\$348,853	\$367,146	\$394,750	\$492,253	\$351,882
FY2015 Exp	\$279,403	\$289,841	\$301,317	\$300,431	\$302,572	\$275,911	\$290,436	\$320,178	\$329,507	\$335,886	\$391,738	\$256,335

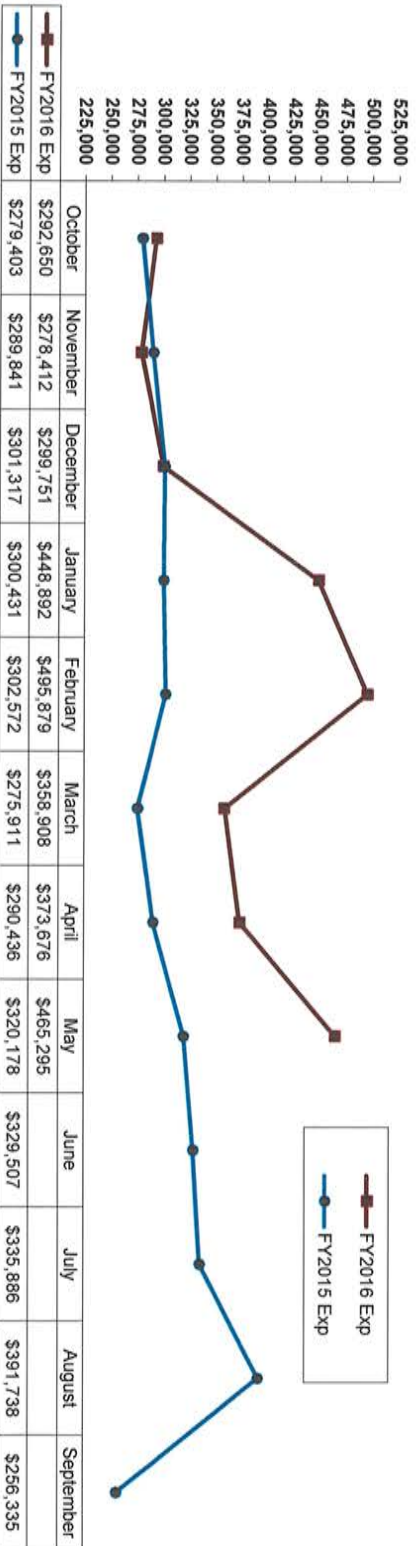


WATER WASTEWATER FUND REVENUE & EXPENDITURES AS OF MAY 31, 2016

FY 2015 & 2016 Revenues

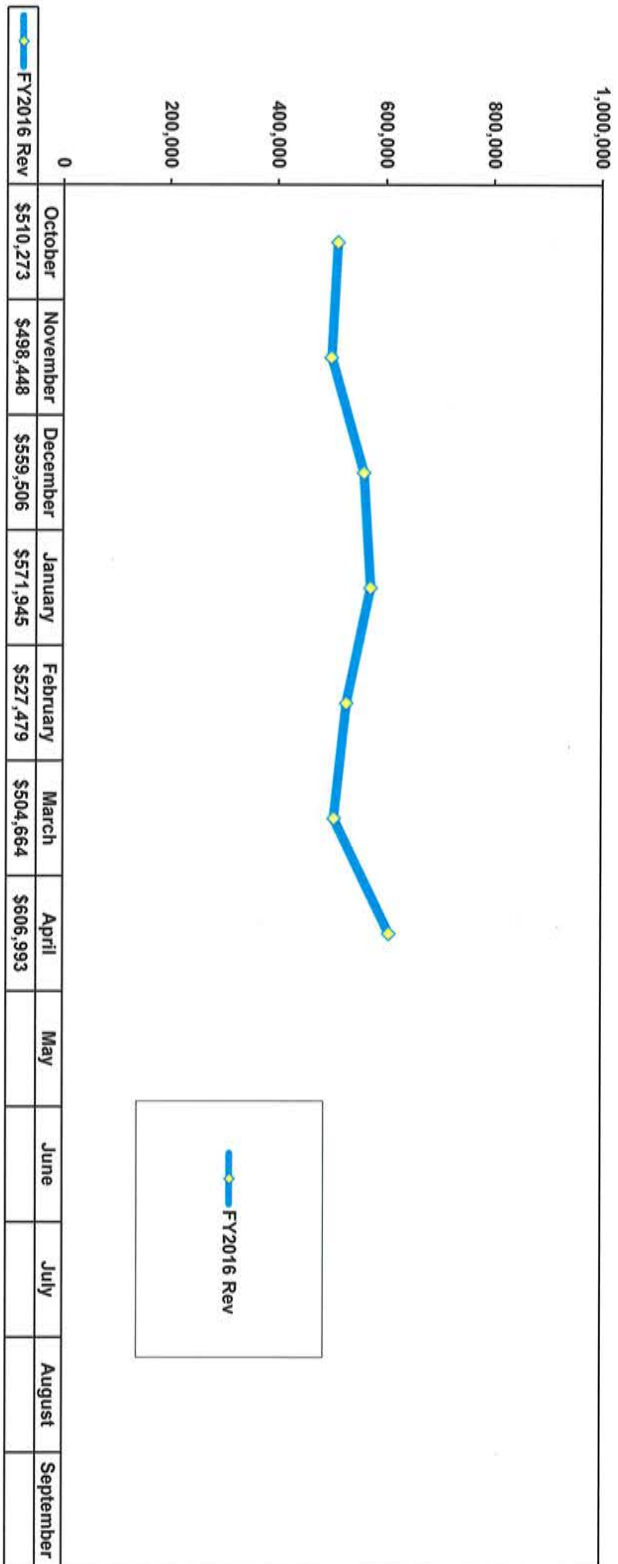


FY 2015 & 2016 Expenditures



BASTROP POWER AND LIGHT / ELECTRIC FUND REVENUE
AS OF MAY 31, 2016

Electric Fund Revenues Year-to-date (YTD) as of May 31, 2016 are \$4,183,123 or 55.6% of the FY2016 adopted budget.



HOTEL MOTEL TAX REVENUE FUND REVENUE AND EXPENDITURES
AS OF MAY 31, 2016

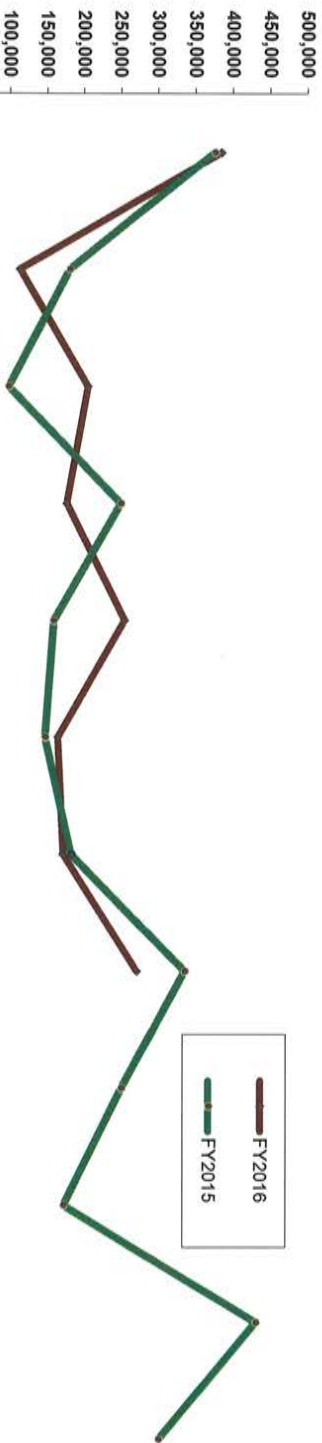
- Revenues as of Dec. 31, 2015 represent YTD earned revenue of \$689,134. Due to an audit adjustment that accrues our revenue into the period it was earned, the revenue earned in October is an estimate.
- Expenses in October are increased due to the one-time disbursement of funds to Hotel Motel funded organizations. The spike in August 2015 was the additional funding transfer to General Fund for Bastrop Art Guild and double payments to BMC.

Hotel / Motel Fund Revenue



Month	FY2016	FY2015
October	\$233,812	\$195,382
November	\$264,410	\$238,983
December	\$190,912	\$226,370
January	\$148,408	\$151,650
February	\$159,973	\$157,829
March	\$164,671	\$167,094
April	\$285,276	\$301,303
May	\$227,902	\$243,848
June		\$222,683
July		\$317,346
August		\$331,477
September		\$298,156

Hotel / Motel Fund Expenses



Month	FY2016	FY2015
October	\$384,908	\$376,281
November	\$113,568	\$181,305
December	\$206,327	\$99,185
January	\$177,946	\$251,653
February	\$256,998	\$160,809
March	\$166,302	\$149,410
April	\$173,778	\$185,145
May	\$274,306	\$338,711
June		\$253,785
July		\$175,694
August		\$434,432
September		\$304,434



FINANCIAL STATEMENT REPORTS ARE ATTACHED
- GENERAL FUND
- WATER/ WASTEWATER UTILITY FUND
- HOTEL MOTEL FUND



FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
TAXES & PENALTIES						
00-00-4001 CURRENT TAXES M&O	2,752,767.57	2,956,945.00	14,722.40	2,974,169.09	(17,224.09)	100.58
00-00-4002 DELINQUENT TAXES M&O	20,800.18	33,750.00	527.52	15,570.66	20,179.34	43.55
00-00-4003 PENALTIES & INTEREST M&O	21,123.38	26,000.00	1,924.30	19,460.78	6,539.22	74.85
00-00-4004 FRANCHISE TAX	253,848.33	410,000.00	64,496.03	255,227.20	154,772.80	62.25
00-00-4006 CITY SALES TAX	2,594,201.10	3,996,190.00	402,882.78	2,806,518.50	1,189,671.50	70.23
00-00-4008 OCCUPATION TAX	3,550.00	8,000.00	15.00	4,107.67	3,892.33	51.35
00-00-4009 MIXED BEVERAGE TAX	23,055.37	48,000.00	0.00	25,965.33	22,034.67	54.09
00-00-4010 380 AGREEMENT PROP REFUND	(44,029.26)	(45,000.00)	0.00	(46,607.13)	1,607.13	103.57
TOTAL TAXES & PENALTIES	5,625,316.67	7,435,885.00	484,568.03	6,054,412.10	1,381,472.90	81.42
LICENSES & PERMITS						
00-00-4020 BUILDING PERMITS	80,860.11	120,000.00	13,913.08	62,329.34	57,670.66	51.94
00-00-4021 ZONING FEES	1,247.58	3,500.00	0.00	1,809.00	1,691.00	51.69
00-00-4022 PLATTING FEES	16,463.80	40,000.00	1,350.00	47,924.13	(7,924.13)	119.81
00-00-4023 SPECIAL EVENT PERMIT FEE	600.00	2,000.00	(600.00)	644.00	1,356.00	32.20
TOTAL LICENSES & PERMITS	99,171.49	165,500.00	14,663.08	112,706.47	52,793.53	68.10
CHARGES FOR SERVICES						
00-00-4040 ANIMAL SERVICE RECEIPTS	140.00	200.00	10.00	155.00	45.00	77.50
00-00-4043 PARK RENTALS & FEES	1,495.00	2,000.00	955.00	2,490.00	(490.00)	124.50
00-00-4044 PD ACCIDENT REPORTS	1,160.00	1,800.00	0.00	1,041.00	759.00	57.83
00-00-4046 SPECIAL EVENTS HOT REIMS	10,613.00	30,000.00	0.00	4,453.24	25,546.76	14.84
00-00-4047 PROJ ESCROW REIMB	0.00	0.00	0.00	3,946.24	(3,946.24)	0.00
00-00-4049 TRANSFER STATION RECEIPTS	3,975.00	5,000.00	550.00	5,424.62	(424.62)	108.49
00-00-4051 SANITATION REVENUE	0.00	475,000.00	40,080.00	320,208.98	154,791.02	67.41
00-00-4052 SANITATION PENALTIES	0.00	7,500.00	569.46	4,738.71	2,761.29	63.18
TOTAL CHARGES FOR SERVICES	17,383.00	521,500.00	42,164.46	342,457.79	179,042.21	65.67
FINES & FORFEITURES						
00-00-4070 MUNICIPAL COURT FINES	172,134.76	195,000.00	20,985.89	202,543.27	(7,543.27)	103.87
00-00-4076 LIBRARY RECEIPTS	10,746.37	16,000.00	1,417.53	11,305.97	4,694.03	70.66
00-00-4078 JUVENILE CASE MANAGER-M/C	6,105.04	7,500.00	822.24	7,099.73	400.27	94.66
00-00-4080 TEEN COURT (MC)	414.40	1,000.00	3.58	886.90	113.10	88.69
TOTAL FINES & FORFEITURES	189,400.57	219,500.00	23,229.24	221,835.87	(2,335.87)	101.06
INTEREST INCOME						
00-00-4400 INTEREST RECEIPTS	3,254.09	4,000.00	2,497.32	14,497.01	(10,497.01)	362.43
TOTAL INTEREST INCOME	3,254.09	4,000.00	2,497.32	14,497.01	(10,497.01)	362.43

101-GENERAL FUND

REVENUES

	PRIOR Y-T-D	CURRENT BUDGET	Y-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
INTERGOVERNMENTAL						
00-00-4413 BISH PROJECT RECEIPTS	26,499.33	0.00	0.00	0.00	0.00	0.00
00-00-4414 DEPT OF JUSTICE GRANT REIMB	694.43	0.00	0.00	0.00	0.00	0.00
00-00-4415 EMERGENCY MANAGEMENT	23,368.97	30,000.00	0.00	7,652.26	22,347.74	25.51
00-00-4419 PROPERTY LIEN PAYMENTS	7,705.00	0.00	0.00	0.00	0.00	0.00
00-00-4493 BDC IN-KIND	112,719.84	189,000.00	13,914.12	68,769.24	120,230.76	36.39
00-00-4496 DONATION IN-KIND	183,000.00	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL	359,987.57	219,000.00	13,914.12	76,421.50	142,578.50	34.90

MISCELLANEOUS						
00-00-4509 GENERAL DONATIONS	1,545.38	1,200.00	0.00	725.00	475.00	60.42
00-00-4512 SALE OF FIXED ASSETS	546.00	0.00	0.00	0.00	0.00	0.00
00-00-4536 MISCELLANEOUS	15,170.53	25,000.00	29,181.84	68,654.48	43,654.48	274.62
00-00-4537 INSURANCE PROCEEDS	9,906.31	341.00	1,646.94	1,987.94	1,646.94	582.97
00-00-4543 DEVELOPER REIMBURSEMENT	0.00	0.00	0.00	18,171.52	18,171.52	0.00
TOTAL MISCELLANEOUS	27,168.22	26,541.00	30,828.78	89,538.94	62,997.94	337.36

TRANSFERS-IN						
00-00-4703 TRANSFERS IN - ELECTRIC FUND	409,000.00	557,750.00	46,479.17	371,833.36	185,916.64	66.67
00-00-4709 TRANSFERS IN - DESIGNATED	0.00	0.00	0.00	10,787.30	10,787.30	0.00
00-00-4718 TRANSFER-IN SPECIAL PROJECT	200,000.00	0.00	0.00	0.00	0.00	0.00
TOTAL TRANSFERS-IN	609,000.00	557,750.00	46,479.17	382,620.66	175,129.34	68.60

** TOTAL REVENUE **

6,924,681.61	9,149,676.00	658,344.20	7,294,490.34	1,855,185.66	79.72
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101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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NON-DEPARTMENT

00-NON-PROGRAM						
TOTAL						

LEGISLATIVE

00-NON-PROGRAM	4,068.05	7,015.00	565.18	4,675.32	2,339.68	66.65
PERSONNEL COSTS						
SUPPLIES & MATERIALS	3,492.18	4,530.00	81.36	1,028.68	3,501.32	22.71
OCCUPANCY	5,302.41	8,000.00	296.24	5,041.94	2,958.06	63.02
CONTRACTUAL SERVICES	1,089.50	10,900.00	0.00	4,474.36	6,425.64	41.05
OTHER CHARGES	7,142.05	(10,880.00)	(2,247.50)	(13,741.02)	2,861.02	126.30
TOTAL 00-NON-PROGRAM	21,094.19	19,565.00	(1,304.72)	1,479.28	18,085.72	7.56
TOTAL LEGISLATIVE	21,094.19	19,565.00	(1,304.72)	1,479.28	18,085.72	7.56

ORGANIZATIONAL

00-NON-PROGRAM	110,718.60	68,842.56	1,918.96	31,606.80	37,235.76	45.91
PERSONNEL COSTS						
SUPPLIES & MATERIALS	10,144.70	16,590.00	2,612.35	14,278.20	2,311.80	86.07
MAINTENANCE & REPAIRS	2,848.98	14,300.00	453.71	4,018.71	10,281.29	28.10
CONTRACTUAL SERVICES	550,835.96	456,000.00	47,001.99	483,638.77	(27,638.77)	106.06
OTHER CHARGES	287,385.46	508,648.00	1,307.19	289,347.60	219,300.40	56.89
CONTINGENCY	0.00	90,000.00	0.00	0.00	90,000.00	0.00
CAPITAL OUTLAY	183,000.00	4,717.00	0.00	16,317.00	(11,600.00)	345.92
TRANSFERS OUT	0.00	625,000.00	0.00	625,000.00	0.00	100.00
TOTAL 00-NON-PROGRAM	1,144,933.70	1,784,097.56	53,294.20	1,464,207.08	319,890.48	82.07
TOTAL ORGANIZATIONAL	1,144,933.70	1,784,097.56	53,294.20	1,464,207.08	319,890.48	82.07

CITY MANAGER

00-NON-PROGRAM	198,103.60	307,631.00	25,275.50	208,322.83	99,308.17	67.72
PERSONNEL COSTS						
SUPPLIES & MATERIALS	4,988.34	7,200.00	1,680.13	4,919.65	2,280.35	68.33
OCCUPANCY	5,458.45	9,400.00	427.31	5,191.86	4,208.14	55.23
CONTRACTUAL SERVICES	87.50	350.00	52.00	139.50	210.50	39.86
OTHER CHARGES	6,596.46	(188,364.00)	(16,232.48)	(124,560.77)	(63,803.23)	66.13
TOTAL 00-NON-PROGRAM	215,234.35	136,217.00	11,202.46	94,013.07	42,203.93	69.02
TOTAL CITY MANAGER	215,234.35	136,217.00	11,202.46	94,013.07	42,203.93	69.02

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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CITY SECRETARY

00-NON-PROGRAM						
PERSONNEL COSTS	44,085.65	92,853.00	7,233.89	59,785.91	33,067.09	64.39
SUPPLIES & MATERIALS	1,182.17	5,975.00	129.31	709.43	5,265.57	11.87
OCCUPANCY	1,775.14	2,190.00	113.96	1,562.50	627.50	71.35
CONTRACTUAL SERVICES	4,780.00	5,600.00	0.00	0.00	5,600.00	0.00
OTHER CHARGES	17,326.88	(20,545.00)	(2,992.23)	(22,735.72)	2,190.72	110.66
TOTAL 00-NON-PROGRAM	69,129.84	86,073.00	4,484.93	39,322.12	46,750.88	45.68
TOTAL CITY SECRETARY	69,129.84	86,073.00	4,484.93	39,322.12	46,750.88	45.68

FINANCE

00-NON-PROGRAM						
PERSONNEL COSTS	219,312.26	349,248.00	28,059.47	227,128.48	122,119.52	65.03
SUPPLIES & MATERIALS	5,721.28	8,430.00	1,051.30	3,893.40	4,536.60	46.19
MAINTENANCE & REPAIRS	29,253.76	33,000.00	1,583.15	18,395.59	14,604.41	55.74
OCCUPANCY	4,789.63	7,550.00	358.76	4,201.42	3,348.58	55.65
CONTRACTUAL SERVICES	29,918.47	57,650.00	5.49	34,087.61	23,562.39	59.13
OTHER CHARGES	8,292.06	(221,527.00)	(18,741.31)	(148,016.56)	73,510.44)	66.82
TOTAL 00-NON-PROGRAM	297,287.46	234,351.00	12,316.86	139,689.94	94,661.06	59.61

UTILITY CUSTOMER SERVICE						
PERSONNEL COSTS	222,942.35	251,587.00	20,309.45	171,393.69	90,203.31	65.52
SUPPLIES & MATERIALS	21,035.09	31,190.00	1,889.16	13,117.84	18,072.16	42.06
MAINTENANCE & REPAIRS	3,800.49	25,500.00	22,077.53	26,594.79	1,094.79)	104.29
OCCUPANCY	6,194.05	9,620.00	306.89	7,836.29	1,783.71	81.46
CONTRACTUAL SERVICES	17,060.09	446,050.00	678.95	250,674.68	195,375.32	56.20
OTHER CHARGES	1,793.38	(321,443.00)	(27,255.79)	(215,194.71)	106,248.29)	66.95
TOTAL UTILITY CUSTOMER SERVICE	272,825.45	452,504.00	18,006.09	254,412.58	198,091.42	56.22
TOTAL FINANCE	570,092.91	686,855.00	30,322.95	394,102.52	292,752.48	57.38

HUMAN RESOURCE

00-NON-PROGRAM						
PERSONNEL COSTS	65,636.72	126,021.00	10,616.22	71,223.35	54,797.65	56.52
SUPPLIES & MATERIALS	352.83	6,875.00	199.60	952.02	5,922.98	13.85
OCCUPANCY	2,283.79	3,445.00	132.73	1,912.22	1,532.78	55.51
CONTRACTUAL SERVICES	28.00	325.00	1.00	17.00	308.00	5.23
OTHER CHARGES	8,286.60	(11,783.00)	(2,568.17)	(10,655.21)	1,127.79)	90.43
TOTAL 00-NON-PROGRAM	76,537.94	124,883.00	8,381.38	63,449.38	61,433.62	50.81
TOTAL HUMAN RESOURCE	76,537.94	124,883.00	8,381.38	63,449.38	61,433.62	50.81

EXPENDITURES	PRIOR	CURRENT	M-T-D	Y-T-D	BUDGET	% OF
	Y-T-D	BUDGET	ACTUAL	ACTUAL	BALANCE	BUDGET

INFORMATION TECHNOLOGY

00-NON-PROGRAM						
PERSONNEL COSTS	71,086.82	173,365.00	13,639.20	113,920.26	59,444.74	65.71
SUPPLIES & MATERIALS	5,877.61	19,050.00	561.62	11,169.41	7,880.59	58.63
MAINTENANCE & REPAIRS	60,005.96	129,100.00	48,964.44	95,043.68	34,056.32	73.62
OCCUPANCY	5,428.64	11,128.00	78.55	7,999.38	3,128.62	71.89
CONTRACTUAL SERVICES	3,362.76	11,471.00	2,490.00	3,490.00	7,981.00	30.42
OTHER CHARGES	4,432.97	(107,380.00)	(9,521.63)	(74,923.14)	(32,456.86)	69.77
CAPITAL OUTLAY	0.00	25,000.00	0.00	24,245.00	755.00	96.98
TOTAL 00-NON-PROGRAM	150,194.76	261,734.00	56,212.18	180,944.59	80,789.41	69.13
TOTAL INFORMATION TECHNOLOGY	150,194.76	261,734.00	56,212.18	180,944.59	80,789.41	69.13

FILMING/BROADCASTING

00-NON-PROGRAM						
TOTAL						

POLICE

ADMINISTRATION						
PERSONNEL COSTS	286,059.63	468,325.00	36,759.04	316,179.53	152,145.47	67.51
SUPPLIES & MATERIALS	14,233.52	28,145.00	2,117.60	17,416.75	10,728.25	61.88
MAINTENANCE & REPAIRS	21,500.02	32,710.00	4,166.90	21,229.67	11,480.33	64.90
OCCUPANCY	37,016.88	56,380.00	2,296.85	31,636.86	24,743.14	56.11
CONTRACTUAL SERVICES	97,142.56	197,345.00	384.47	96,238.71	101,106.29	48.77
OTHER CHARGES	13,323.45	35,155.00	4,764.34	22,883.41	12,271.59	65.09
CAPITAL OUTLAY	34,405.00	505,375.00	0.00	1,497.50	503,877.50	0.30
TOTAL ADMINISTRATION	503,681.06	1,323,435.00	50,489.20	507,082.43	816,352.57	38.32

CODE ENFORCEMENT						
PERSONNEL COSTS	34,825.91	56,996.00	4,331.04	36,662.80	20,333.20	64.33
SUPPLIES & MATERIALS	601.98	5,200.00	203.13	1,078.92	4,121.08	20.75
MAINTENANCE & REPAIRS	131.06	1,950.00	698.31	921.27	1,028.73	47.24
CONTRACTUAL SERVICES	4,795.00	12,875.00	1,250.00	1,589.99	11,285.01	12.35
OTHER CHARGES	3,261.33	21,945.00	12,008.14	12,012.08	9,932.92	54.74
TOTAL CODE ENFORCEMENT	43,615.28	98,966.00	18,490.62	52,265.06	46,700.94	52.81

EMERGENCY MANAGEMENT						
SUPPLIES & MATERIALS	1.19	2,160.00	0.00	29.49	2,130.51	1.37
MAINTENANCE & REPAIRS	106.94	1,640.00	0.00	1,631.97	8.03	99.51
OTHER CHARGES	188.52	2,000.00	475.95	1,552.84	447.16	77.64
TOTAL EMERGENCY MANAGEMENT	296.65	5,800.00	475.95	3,214.30	2,585.70	55.42

FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
POLICE-CID						
PERSONNEL COSTS	89,569.30	247,540.00	19,120.87	156,774.43	90,765.57	63.33
SUPPLIES & MATERIALS	1,553.30	4,400.00	142.07	1,103.35	3,296.65	25.08
MAINTENANCE & REPAIRS	216.55	3,360.00	139.90	242.03	3,117.97	7.20
CONTRACTUAL SERVICES	1,362.37	3,600.00	0.00	0.00	3,600.00	0.00
OTHER CHARGES	2,973.00	6,700.00	2,259.00	4,526.65	2,173.35	67.56
TOTAL POLICE-CID	95,674.52	265,600.00	21,661.84	162,646.46	102,953.54	61.24
POLICE-PATROL						
PERSONNEL COSTS	776,698.92	1,386,860.00	98,106.56	876,031.36	510,828.64	63.17
SUPPLIES & MATERIALS	61,401.67	108,986.00	4,243.12	66,309.36	42,676.64	60.84
MAINTENANCE & REPAIRS	13,117.45	21,241.00	3,612.85	12,620.29	8,620.71	59.41
CONTRACTUAL SERVICES	16,102.12	12,870.00	1,564.49	3,043.64	9,826.36	23.65
OTHER CHARGES	4,606.87	9,800.00	1,227.46	3,056.45	6,743.55	31.19
CAPITAL OUTLAY	91,516.89	168,539.00	0.00	168,537.38	1.62	100.00
TOTAL POLICE-PATROL	963,443.92	1,708,296.00	108,754.48	1,129,598.48	578,697.52	66.12
POLICE-CRIME PREVENTION						
PERSONNEL COSTS	54,771.06	0.00	0.00	0.00	0.00	0.00
SUPPLIES & MATERIALS	453.30	2,650.00	35.62	957.56	1,692.44	36.13
MAINTENANCE & REPAIRS	174.82	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	532.00	900.00	0.00	84.50	815.50	9.39
OTHER CHARGES	65.00	1,150.00	(250.00)	354.00	796.00	30.78
TOTAL POLICE-CRIME PREVENTION	55,996.18	4,700.00	(214.38)	1,396.06	3,303.94	29.70
TOTAL POLICE	1,662,707.61	3,406,797.00	199,657.71	1,856,202.79	1,550,594.21	54.49
FIRE-VOLUNTEER						
00-NON-PROGRAM						
PERSONNEL COSTS	4,670.43	92,291.00	7,783.31	43,716.13	48,574.87	47.37
SUPPLIES & MATERIALS	8,468.02	52,060.00	2,799.63	27,972.75	24,087.25	53.73
MAINTENANCE & REPAIRS	79,615.02	177,250.00	6,453.76	44,615.54	132,634.46	25.17
OCCUPANCY	21,935.68	46,150.00	1,154.00	29,722.92	16,427.08	64.41
CONTRACTUAL SERVICES	26,407.46	29,500.00	(1,993.24)	20,603.52	4,896.48	80.80
OTHER CHARGES	14,636.23	22,325.00	561.63	12,970.05	9,354.95	58.10
CAPITAL OUTLAY	0.00	67,300.00	0.00	0.00	67,300.00	0.00
TOTAL 00-NON-PROGRAM	155,732.84	482,876.00	16,759.09	179,600.91	303,275.09	37.19
TOTAL FIRE-VOLUNTEER	155,732.84	482,876.00	16,759.09	179,600.91	303,275.09	37.19
MUNICIPAL COURT						
00-NON-PROGRAM						
PERSONNEL COSTS	192,555.45	227,530.00	14,708.79	143,527.95	84,002.05	63.08
SUPPLIES & MATERIALS	7,376.77	11,250.00	759.65	6,115.60	5,134.40	54.36
MAINTENANCE & REPAIRS	12,653.40	9,300.00	0.00	8,026.02	1,273.98	86.30
OCCUPANCY	6,703.29	10,310.00	457.61	5,647.21	4,662.79	54.77
CONTRACTUAL SERVICES	20,076.64	35,750.00	5,538.40	20,872.37	14,877.63	58.38

FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
OTHER CHARGES	5,516.73	7,300.00	98.45	3,976.67	3,323.33	54.47
TOTAL 00-NON-PROGRAM	244,882.28	301,440.00	21,562.90	188,165.82	113,274.18	62.42
TOTAL MUNICIPAL COURT	244,882.28	301,440.00	21,562.90	188,165.82	113,274.18	62.42
PLANNING & DEVELOPMENT						
00-NON-PROGRAM						
PERSONNEL COSTS	308,434.39	497,825.00	38,046.84	319,465.16	178,359.84	64.17
SUPPLIES & MATERIALS	7,222.36	14,550.00	1,714.89	4,926.98	9,623.02	33.86
MAINTENANCE & REPAIRS	331.93	2,000.00	0.00	1,744.65	255.35	87.23
OCCUPANCY	6,977.66	12,700.00	468.41	6,207.66	6,492.34	48.88
CONTRACTUAL SERVICES	131,691.24	307,500.00	6,972.45	202,724.39	104,775.61	65.93
OTHER CHARGES	35,679.96	49,291.00	(18.22)	33,412.56	15,878.44	67.79
CAPITAL OUTLAY	0.00	73,000.00	0.00	0.00	73,000.00	0.00
TOTAL 00-NON-PROGRAM	490,337.54	956,866.00	47,184.37	568,481.40	388,384.60	59.41
TOTAL PLANNING & DEVELOPMENT	490,337.54	956,866.00	47,184.37	568,481.40	388,384.60	59.41
PUBLIC WORKS						
ADMINISTRATION						
PERSONNEL COSTS	420,867.44	684,110.00	47,414.94	400,846.90	283,263.10	58.59
SUPPLIES & MATERIALS	39,376.80	70,400.00	4,759.84	40,780.85	29,619.15	57.93
MAINTENANCE & REPAIRS	23,325.27	109,000.00	2,881.47	84,455.53	24,544.47	77.48
OCCUPANCY	7,246.22	14,010.00	489.67	7,660.30	6,349.70	54.68
CONTRACTUAL SERVICES	19,882.98	61,225.00	4,485.16	40,698.78	20,526.22	66.47
OTHER CHARGES	46,177.08	9,900.00	661.51	4,951.53	4,948.47	50.02
CAPITAL OUTLAY	0.00	979,000.00	46,454.25	141,091.30	837,908.70	14.41
TOTAL ADMINISTRATION	556,815.79	1,927,645.00	107,146.84	720,485.19	1,207,159.81	37.38
RECREATION						
CONTRACTUAL SERVICES	10,424.00	42,500.00	9,875.00	19,750.00	22,750.00	46.47
TOTAL RECREATION	10,424.00	42,500.00	9,875.00	19,750.00	22,750.00	46.47
PARKS						
PERSONNEL COSTS	283,484.22	556,460.00	41,903.36	325,670.74	230,789.26	58.53
SUPPLIES & MATERIALS	16,873.66	42,200.00	3,662.43	19,372.65	22,827.35	45.91
MAINTENANCE & REPAIRS	32,326.11	83,950.00	6,454.29	53,878.71	30,071.29	64.18
OCCUPANCY	33,341.00	57,940.00	652.11	33,257.42	24,682.58	57.40
CONTRACTUAL SERVICES	4,631.96	24,880.00	2,138.06	11,895.84	12,984.16	47.81
OTHER CHARGES	5,102.78	11,750.00	853.52	7,295.99	4,454.01	62.09
CAPITAL OUTLAY	(104.00)	388,000.00	5,545.00	116,894.00	271,106.00	30.13
TOTAL PARKS	375,655.73	1,165,180.00	61,208.77	568,265.35	586,914.65	48.77

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-F-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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BUILDING MAINTENANCE						
PERSONNEL COSTS	95,891.55	161,265.00	10,006.18	88,300.79	72,964.21	54.76
SUPPLIES & MATERIALS	7,331.72	13,900.00	1,563.83	8,643.57	5,256.43	62.18
MAINTENANCE & REPAIRS	526.31	1,300.00	10.47	551.60	748.40	42.43
OCCUPANCY	265.01	1,800.00	0.00	219.52	1,580.48	12.20
CONTRACTUAL SERVICES	751.43	1,600.00	209.55	952.16	647.84	59.51
OTHER CHARGES	175.70	(32,254.00)	(2,582.05)	(21,571.85)	(10,682.15)	66.88
CAPITAL OUTLAY	0.00	30,000.00	0.00	0.00	30,000.00	0.00
TOTAL BUILDING MAINTENANCE	104,941.72	177,611.00	9,207.98	77,095.79	100,515.21	43.41
TOTAL PUBLIC WORKS	1,047,837.24	3,312,936.00	187,438.59	1,385,596.33	1,927,339.67	41.82

LIBRARY

00-NON-PROGRAM						
PERSONNEL COSTS	322,027.60	533,514.00	41,396.17	343,818.10	189,695.90	64.44
SUPPLIES & MATERIALS	49,914.21	58,229.00	8,795.21	43,702.00	14,527.00	75.05
MAINTENANCE & REPAIRS	10,752.77	15,475.00	1,914.36	8,569.78	6,905.22	55.38
OCCUPANCY	26,783.58	42,224.00	2,377.31	22,196.37	20,027.63	52.57
CONTRACTUAL SERVICES	13,532.40	23,765.00	2,339.00	14,815.20	8,949.80	62.34
OTHER CHARGES	8,185.74	11,896.00	1,392.16	8,461.76	3,434.24	71.13
TOTAL 00-NON-PROGRAM	431,196.30	685,103.00	58,214.21	441,563.21	243,539.79	64.45
TOTAL LIBRARY	431,196.30	685,103.00	58,214.21	441,563.21	243,539.79	64.45

BENC ADMINISTRATION

00-NON-PROGRAM						
TOTAL						
*** TOTAL EXPENSES ***	6,279,911.50	12,245,442.56	693,410.25	6,857,128.50	5,388,314.06	56.00
REVENUES OVER/(UNDER) EXPENDITURES	644,770.11	(3,095,766.56)	(35,066.05)	437,361.84	(3,533,128.40)	14.13-

*** END OF REPORT ***

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	W-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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CHARGES FOR SERVICES

TOTAL

WATER REVENUES

00-00-4101 WATER SALES-RESIDENTIAL	812,444.26	1,362,500.00	113,998.27	862,554.14	499,945.86	63.31
00-00-4102 WATER SALES-COMMERCIAL	695,016.77	1,100,900.00	109,128.26	823,163.48	277,736.52	74.77
00-00-4150 PENALTIES	21,132.15	32,700.00	2,609.01	23,392.32	9,307.68	71.54
00-00-4152 WATER TAPPING FEES	6,000.00	5,000.00	300.00	4,400.00	600.00	88.00
00-00-4154 WATER SERVICE FEES	13,140.00	22,000.00	1,195.00	10,550.00	11,450.00	47.95
00-00-4156 OTHER	150.00	0.00	0.18	400.18	(400.18)	0.00
TOTAL WATER REVENUES	1,547,883.18	2,523,100.00	227,230.72	1,724,460.12	798,639.88	68.35

WASTEWATER REVENUES

00-00-4201 WASTEWATER SALES-RESIDENTIAL	594,384.10	904,700.00	81,015.28	614,292.08	290,407.92	67.90
00-00-4202 WASTEWATER SALES-COMMERCIAL	467,098.93	686,700.00	63,654.01	499,106.04	187,593.96	72.68
00-00-4250 PENALTIES	15,463.92	23,980.00	1,904.61	15,824.57	8,155.43	65.99
00-00-4252 SEWER TAPPING FEES	1,350.00	2,000.00	300.00	1,800.00	200.00	90.00
00-00-4256 OTHER	560.00	5,000.00	0.00	450.00	4,550.00	9.00
TOTAL WASTEWATER REVENUES	1,078,856.95	1,622,380.00	146,873.90	1,131,472.69	490,907.31	69.74

OTHER REVENUE

TOTAL

INTEREST INCOME						
00-00-4400 INTEREST RECEIPTS	2,278.24	3,000.00	2,151.11	11,227.91	(8,227.91)	374.26
TOTAL INTEREST INCOME	2,278.24	3,000.00	2,151.11	11,227.91	(8,227.91)	374.26

INTERGOVERNMENTAL

TOTAL

MISCELLANEOUS

00-00-4519 BACKFLOW TESTING COST	1,500.00	3,000.00	1,500.00	6,700.00	(3,700.00)	223.33
00-00-4547 BY THE WAY CAMPGROUND	9,755.34	22,000.00	4,458.97	8,695.15	13,344.85	39.34
00-00-4548 LCRA/WCID	59,416.35	85,000.00	11,194.33	82,847.90	2,152.10	97.47
TOTAL MISCELLANEOUS	70,671.69	110,000.00	17,153.30	98,203.05	11,796.95	89.28

TRANSFERS-IN

00-00-4732 TRANS IN - IMPACT FUND #303	0.00	0.00	0.16	246,683.55	(246,683.55)	0.00
00-00-4737 TRANS IN - FUND #725	0.00	0.00	0.00	37,026.59	(37,026.59)	0.00
TOTAL TRANSFERS-IN	0.00	0.00	0.16	283,710.14	(283,710.14)	0.00

FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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OTHER SOURCES						
00-00-4910 INSURANCE PROCEEDS	0.00	0.00	0.00	441.85	(441.85)	0.00
TOTAL OTHER SOURCES	0.00	0.00	0.00	441.85	(441.85)	0.00

** TOTAL REVENUE **	2,699,690.06	4,258,480.00	393,409.19	3,249,515.76	1,008,964.24	76.31
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202-WATER/MASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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NON-DEPARTMENT

00-NON-PROGRAM						
TOTAL						

WATER/MASTEWATER DEPT.

ADMINISTRATION	436,227.49	890,111.00	61,627.96	527,773.43	362,337.57	59.29
PERSONNEL COSTS	22,622.44	52,710.00	12,335.28	29,355.69	23,354.31	55.69
SUPPLIES & MATERIALS	4,489.63	19,430.00	440.36	8,371.59	11,058.41	43.09
MAINTENANCE & REPAIRS	13,778.58	23,470.00	1,270.05	12,319.96	11,150.04	52.49
OCCUPANCY	445,006.59	699,060.00	166,598.33	691,390.02	7,669.98	98.90
CONTRACTUAL SERVICES	39,751.81	46,000.00	1,809.57	12,774.76	33,225.24	27.77
OTHER CHARGES	0.00	10,000.00	0.00	0.00	10,000.00	0.00
CONTINGENCY	832,846.99	1,460,311.00	121,692.46	973,539.68	486,771.32	66.67
DEBT SERVICE	114,666.72	275,000.00	275,000.00	275,000.00	0.00	100.00
TRANSFERS OUT	1,309,390.25	3,476,092.00	640,774.01	2,530,525.13	945,566.87	72.80
TOTAL ADMINISTRATION						

W/W DISTRIBUTION/COLLECT

SUPPLIES & MATERIALS	1,683.57	21,800.00	10,524.34	21,360.47	439.53	97.98
MAINTENANCE & REPAIRS	15,572.56	73,400.00	7,126.67	54,818.74	18,581.26	74.68
CONTRACTUAL SERVICES	1,537.30	9,840.00	805.20	3,994.55	5,845.45	40.60
OTHER CHARGES	148.50	1,500.00	0.00	497.50	1,002.50	33.17
CAPITAL OUTLAY	0.00	2,300,000.00	0.00	0.00	2,300,000.00	0.00
TOTAL W/W DISTRIBUTION/COLLECT	18,941.93	2,406,540.00	18,456.41	80,671.26	2,325,868.74	3.35

WATER PRODUCTION/TREAT

SUPPLIES & MATERIALS	22,712.86	31,000.00	4,658.40	23,067.04	7,932.96	74.41
MAINTENANCE & REPAIRS	27,135.32	210,712.00	21,459.28	183,768.43	26,943.57	87.21
OCCUPANCY	84,403.74	116,000.00	4,376.15	63,565.78	52,434.22	54.80
CONTRACTUAL SERVICES	64,898.86	124,350.00	19,880.99	79,782.59	44,567.41	64.16
TOTAL WATER PRODUCTION/TREAT	199,150.78	482,062.00	50,374.82	350,183.84	131,878.16	72.64

NW TREATMENT PLANT

SUPPLIES & MATERIALS	17,751.01	29,800.00	4,757.16	18,519.94	11,280.06	62.15
MAINTENANCE & REPAIRS	65,254.81	245,100.00	16,865.56	80,356.80	164,743.20	32.79
OCCUPANCY	103,718.28	150,000.00	1,097.12	98,046.56	51,953.44	65.36
CONTRACTUAL SERVICES	45,881.54	77,000.00	7,970.00	38,973.11	38,026.89	50.61
CAPITAL OUTLAY	0.00	93,692.00	0.00	93,400.00	292.00	99.69
TOTAL NW TREATMENT PLANT	232,605.64	595,592.00	30,689.84	329,296.41	266,295.59	55.29
TOTAL WATER/MASTEWATER DEPT.	2,360,088.60	6,960,286.00	740,295.08	3,290,676.64	3,669,609.36	47.28

*** TOTAL EXPENSES *** 2,360,088.60 6,960,286.00 740,295.08 3,290,676.64 3,669,609.36 47.28

FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

202-WATER/MASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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REVENUES OVER/(UNDER) EXPENDITURES	339,601.46	(2,701,806.00)	(346,885.89)	(41,160.88)	(2,660,645.12)	1.52
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*** END OF REPORT ***

501-HOTEL/MOTEL TAX FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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TAXES & PENALTIES						
00-00-4007 HOTEL/MOTEL TAX RECEIPTS	1,681,134.39	2,800,000.00	227,104.72	1,671,936.92	1,128,063.08	59.71
TOTAL TAXES & PENALTIES	1,681,134.39	2,800,000.00	227,104.72	1,671,936.92	1,128,063.08	59.71

INTEREST INCOME						
00-00-4400 INTEREST EARNED	1,171.02	1,500.00	797.57	4,234.68	(2,734.68)	282.31
TOTAL INTEREST INCOME	1,171.02	1,500.00	797.57	4,234.68	(2,734.68)	282.31

MISCELLANEOUS						
00-00-4514 MISCELLANEOUS INCOME	152.81	0.00	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS	152.81	0.00	0.00	0.00	0.00	0.00

** TOTAL REVENUE **	1,682,458.22	2,801,500.00	227,902.29	1,676,171.60	1,125,328.40	59.83
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FINANCIAL STATEMENT
AS OF: MAY 31ST, 2016

501-HOTEL/MOTEL TAX FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-F-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
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NON-DEPARTMENT

00-NON-PROGRAM						
TOTAL						
TOTAL						

HOTEL/MOTEL TAX FUND

00-NON-PROGRAM						
CONTRACTUAL SERVICES	914,341.35	1,160,619.00	159,499.64	744,422.15	416,196.85	64.14
OTHER CHARGES	10,613.00	62,274.00	1,238.40	8,168.45	54,105.55	13.12
TRANSFERS OUT	817,545.64	1,455,813.00	113,567.75	1,001,542.00	454,271.00	68.80
TOTAL 00-NON-PROGRAM	1,742,499.99	2,678,706.00	274,305.79	1,754,132.60	924,573.40	65.48
TOTAL HOTEL/MOTEL TAX FUND	1,742,499.99	2,678,706.00	274,305.79	1,754,132.60	924,573.40	65.48

*** TOTAL EXPENSES ***	1,742,499.99	2,678,706.00	274,305.79	1,754,132.60	924,573.40	65.48
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REVENUES OVER/(UNDER) EXPENDITURES	(60,041.77)	122,794.00	(46,403.50)	(77,961.00)	200,755.00	63.49-
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*** END OF REPORT ***

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 23, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes _____ No _____
At the June 14, 2016 City Council Meeting the Council instructed that a "Public Hearing" be placed on the June 28, 2016 City Council Agenda. The purpose of the "Public Hearing" is for the City Council to receive input from citizens and business who experienced flooding conditions during the storm event that in the City of Bastrop on May 26 & 27 2016. The caption of the "Public Hearing" is structured so that City Council may discussion with the citizens and business who address the City Council on this item.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 24, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: City Manager, Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes _____ No X
This item is being placed on the City Council agenda as a follow-up to item B.1 regarding citizens input on flooding conditions that occurred on May 26 and 27 2016. Also the Mayor-Pro Tem has request that he would like to have a discussion with the City Council regarding the "Gills Branch – Drainage Basin".

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **City Manager, Mike Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes _____ No X

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested:

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **City Manager, Mike Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes No

4. Policy Implication: _____

5. Budgeted: Yes No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation:

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Motion Requested:

CERTIFICATE OF CITY SECRETARY

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

THE UNDERSIGNED HEREBY CERTIFIES that:

The Bastrop City Council (the "City Council") convened on the ____ day of ___, 2016, in regular session in the regular meeting place of the City Council in the City Council Chambers (the "Meeting"), which Meeting was at all times open to the public, the councilmembers being as follows:

- | | |
|------------------------------|-------------------------|
| Ken W. Kesselus | Mayor |
| Willie Lewis "Bill" Peterson | Council Member, Place 1 |
| Gary Schiff | Council Member, Place 2 |
| Kay Garcia McAnally | Council Member, Place 3 |
| Willie DeLaRosa | Council Member, Place 4 |
| Deborah Jones | Council Member, Place 5 |

and all of such persons were present at the Meeting, thus constituting a quorum. Among other business considered at the Meeting, the attached ordinance (the "Ordinance") entitled:

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

was introduced for the consideration of the City Council. After presentation and discussion of the Ordinance, a motion was made by Council Member _____ that the Ordinance be passed and adopted. The motion was seconded by Council Member _____ and carried by the following vote:

__ voted "For" __ voted "Against" __ "Abstained"

all as shown in the official Minutes of the City Council for the Meeting.

The attached Ordinance is a true and correct copy of the original on file in the official records of the City; the members of the City Council on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the City Council was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Ordinance would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Ordinance, was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the City Council, this __ day of _____, 2016.

Ann Franklin
City Secretary
City of Bastrop, Texas

(SEAL OF THE CITY)

ORDINANCE NO. 2016-__

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

WHEREAS, on July 14, 2015, a petition was submitted and filed with the City Secretary (the "City Secretary") of the City of Bastrop, Texas (the "City") pursuant to the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code, as amended (the "PID Act"), requesting the creation of a public improvement district within the extraterritorial jurisdiction of the City and within Bastrop County, Texas; and

WHEREAS, the petition contained the signatures of the owners of taxable real property representing more than fifty percent of the appraised value of taxable real property liable for assessment within the District, as determined by the then current ad valorem tax rolls of the Bastrop Central Appraisal District and the signatures of the real property owners who own taxable real property that constitutes more than fifty percent of the area of all taxable real property within the District that are liable for assessment; and

WHEREAS, on August 11, 2015, after legally required notice, the Bastrop City Council (the "City Council") held a public hearing in the manner required by law on the advisability of the public improvements and services described in the petition as required by Sec. 372.009 of the PID Act and made the findings required by Section 372.009(b) of the PID Act and, by Resolution (the "Authorization Resolution") adopted by a majority of the members of the City Council on August 25, 2015, authorized and created the XS Ranch Public Improvement District (the "District") in accordance with its finding as to the advisability of the services and improvements of the District described in the Authorization Resolution; and

WHEREAS, on September 10, 2015, the City published the Authorization Resolution in the *Bastrop Advertiser* and the *Smithville Times*, newspapers of general circulation in the City and the extraterritorial jurisdiction of the City; and

WHEREAS, no written protests regarding the creation of the District from any owners of record of property within the District were filed with the City Secretary within 20 days after September 10, 2015; and

WHEREAS, on _____, 2016, the City Council adopted a resolution approving the preliminary services and assessment plan, including the proposed assessment roll, calling for a public hearing to consider an ordinance levying assessments on property within the District (the “Special Assessment”), authorizing the publication of notice of a public hearing to consider the levying of the Special Assessment for financing the costs of the Public Improvements against the property within the District (the “Levy and Assessment Hearing”) in a newspaper of general circulation in the City and the extraterritorial jurisdiction of the City, and directing related action; and

WHEREAS, the City Council, pursuant to Section 372.016(b) of the PID Act, published notice of the Levy and Assessment Hearing on June 16, 2016, in the *Bastrop Advertiser*, a newspaper of general circulation in the City and the extraterritorial jurisdiction of the City; and

WHEREAS, the City Council, pursuant to Section 372.016(c) of the PID Act, mailed the notice of the Levy and Assessment Hearing to the last known address of the owners of the property liable for the Special Assessments; and

WHEREAS, the City Council convened the Levy and Assessment Hearing on June 28, 2016, at which all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Assessment Roll, and the proposed Special Assessments, and to offer testimony pertinent to any issue presented on the amount of the Special Assessments, the allocation of costs of the Public Improvements, the purposes of the Special Assessments, the special benefits of the Special Assessment, and the penalties and interest on annual installments and on delinquent annual installments of the Special Assessments; and

WHEREAS, the City Council finds and determines that the Assessment Roll and the XS Ranch Public Improvement District Service and Assessment Plan, dated June 8, 2016 (the “Service and Assessment Plan”), in a form substantially similar to the attached Exhibit A and which is incorporated herein for all purposes, should be approved and that the Special Assessments should be levied as provided in this Ordinance and the Service and Assessment Plan and Assessment Roll attached thereto as Appendix A (the “Assessment Roll”); and

WHEREAS, the City Council further finds that there were no written objections or evidence submitted to the City Secretary in opposition to the Service and Assessment Plan, the allocation of the costs of the Public Improvements, the Assessment Roll, or the levy of the Special Assessments; and

WHEREAS, prior to the issuance of bonds secured by the Assessment, the owners (the “Landowner” or the “Assessed Parties”) of the majority of the privately-owned and taxable real property located within the District, and who are the persons to be assessed pursuant to this Ordinance, will have executed and presented to the City Council for approval and acceptance a landowner agreement (the “Landowner Agreement”) in the form and substance acceptable to the City, in which the Assessed Parties approve and accept the Service and Assessment Plan, approve the Assessment Roll, approve this Ordinance and approve the levy of the Assessment against their property located within the District, and agree to pay the Assessment when due and payable; and

WHEREAS, the City Council closed the hearing, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the City, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the PID Act.

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

SECTION 1. Terms. Terms not otherwise defined herein are defined in the Service and Assessment Plan.

SECTION 2. Findings. The findings and determinations set forth in the preambles hereof are incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section. The City Council finds, determines, and ordains, as follows:

(a) The apportionment of the costs of the Public Improvements (as reflected in the Service and Assessment Plan, and the Administrative Expenses pursuant to the Service and Assessment Plan) is fair and reasonable, reflects an accurate presentation of the special benefit each Assessed Parcel will receive from the construction of the Public Improvements identified in the Service and Assessment Plan, and is approved;

(b) The Service and Assessment Plan covers a period of at least five years and defines the annual indebtedness and projected costs for the Public Improvements and the Future Public Improvements;

(c) The Service and Assessment Plan apportions the costs of the Public Improvements to be assessed against the property in the District and such apportionment is made on the basis of special benefits accruing to the real property because of the Public Improvements;

(d) All of the real property in the District which is being assessed in the amounts shown in the Assessment Roll will be benefited by the Public Improvements proposed to be constructed as described in the Service and Assessment Plan, and each Assessed Parcel will receive special benefits in each year equal to or greater than each annual Assessment and will receive special benefits during the term of the Special Assessments equal to or greater than the total amount assessed;

(e) The method of apportionment of the costs of the Public Improvements and Administrative Expenses set forth in the Service and Assessment Plan results in imposing equal shares of the costs of the Public Improvements and Administrative Expenses on real property similarly benefited, and results in a reasonable classification and formula for the apportionment of the Actual Costs;

(f) The Service and Assessment Plan should be approved as the service plan and assessment plan for the District as described in Sections 372.013 and 372.014 of the PID Act;

(g) The Assessment Roll in the form attached as Appendix A to the Service and Assessment Plan (the "Assessment Roll") should be approved as the Assessment Roll for the District;

(h) The provisions of the Service and Assessment Plan relating to due and delinquency dates for the Special Assessments, interest on Annual Installments, interest and penalties on delinquent Special Assessments and delinquent Annual Installments, and procedures in connection with the imposition and collection of Special Assessments should be approved and will expedite collection of the Special Assessments in a timely manner in order to provide the services and improvements needed and required for the area within the District; and

(i) A written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered, and formally acted upon.

SECTION 3. Assessment Plan. The Service and Assessment Plan is accepted and approved pursuant to Sections 372.013 and 372.014 of the PID Act as the service plan and the assessment plan for the District.

SECTION 4. Assessment Roll. The Assessment Roll is accepted and approved pursuant to Section 372.016 of the PID Act as the Assessment Roll of the District.

SECTION 5. Levy and Payment of Special Assessment for Costs of Public Improvement Projects.

(a) The City Council levies a special assessment on each tract of property (excluding nonbenefited property) located within the District, as shown and described on the Service and Assessment Plan and the Assessment Roll, in the respective amounts shown on the Assessment Roll as a special assessment on the properties set forth in the Assessment Roll.

(b) The levy of the Special Assessments shall be effective on the date of execution of this Ordinance levying Special Assessments and strictly in accordance with the terms of the Service and Assessment Plan and the PID Act.

(c) The collection of the Special Assessments shall be as described in the Service and Assessment Plan and the PID Act.

(d) Each Special Assessment may be paid in a lump sum at any time or may be paid in Annual Installments pursuant to the terms of the Service and Assessment Plan.

(e) Each Special Assessment shall bear interest at the rate or rates specified in the Service and Assessment Plan.

(f) Each Annual Installment shall be collected each year in the manner set forth in the Service and Assessment Plan.

(g) The Administrative Expenses for Assessed Parcels shall be calculated pursuant to the terms of the Service and Assessment Plan.

SECTION 6. Method of Assessment. The method of apportioning the costs of the Public Improvements and Administrative Expenses are set forth in the Service and Assessment Plan.

SECTION 7. Penalties and Interest on Delinquent Special Assessments. Delinquent Special Assessments shall be subject to the penalties, interest, procedures, and foreclosure sales set forth in the Service and Assessment Plan and as allowed by law. The Special Assessments shall have lien priority as specified in the PID Act and the Service and Assessment Plan.

SECTION 8. Prepayments of Special Assessments. As provided in Section VII G.1.(a) of the Service and Assessment Plan, the owner of any Assessed Parcel may prepay the Special Assessment levied by this Ordinance.

SECTION 9. Lien Priority. As provided in the Landowner Agreement, the City Council and the Landowner intend for the obligations, covenants, and burdens on the Landowner of Assessed Parcels, including without limitation such Landowner's obligations related to payment of the Special Assessment and the Annual Installments thereof, to constitute covenants that shall run with the land. The Special Assessments and the Annual Installments thereof which are levied shall be binding upon the Landowner and all future owners of any Assessed Parcel, and their respective transferees, legal representatives, heirs, devisees, successors, and assigns in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. Special Assessments shall have lien priority as specified in the Service and Assessment Plan and the PID Act.

SECTION 10. Appointment of Administrator and Collector of Special Assessments.

(a) Appointment of Administrator. The City Secretary, or her designee, is appointed and designated as the initial Administrator of the Service and Assessment Plan and of the Special Assessments levied by this Ordinance until such time as he brings forth a contract for such services that is approved by the City Council. The administrator shall perform the duties of the Administrator described in the Service and Assessment Plan and in this Ordinance. The Administrator's fees, charges, and expenses for providing such service shall constitute an Administrative Expense.

(b) Appointment of Temporary Collector. The Bastrop County Tax Assessor and Collector is appointed and designated as the collector of the Special Assessments (the "Collector"). The Collector shall serve in such capacity until such time as the City shall arrange for the Collector's duties to be performed by another qualified collection agent selected by the City.

SECTION 11. Applicability of Tax Code. To the extent not inconsistent with this Ordinance, and not inconsistent with the PID Act or the other laws governing public improvement districts, the provisions of the Texas Tax Code shall be applicable to the imposition and collection of Special Assessments by the City.

SECTION 12. Severability. If any portion of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 13. Effective Date. This Ordinance shall take effect, and the levy of the Special Assessments, and the provisions and terms of the Service and Assessment Plan shall be and become effective upon passage and execution hereof.

[Execution page follows.]

ADOPTED, PASSED, AND APPROVED on this the ____ day of _____, 2016.

CITY OF BASTROP, TEXAS

KEN W. KESSELUS, Mayor
City of Bastrop, Texas

(COUNTY SEAL)

ATTEST:

ANN FRANKLIN
City Secretary
City of Bastrop, Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the ____ day of _____, 2016
by _____, and _____, the Mayor and City Secretary of
the City of Bastrop, Texas, respectively, on behalf of the City.

Notary Public, State of Texas

Name printed or typed
Commission Expires:_____

(NOTARY SEAL)

EXHIBIT A
SERVICE AND ASSESSMENT PLAN



XS Ranch Public Improvement District

Service and Assessment Plan

6/8/16

SERVICE AND ASSESSMENT PLAN

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Section I

PLAN DESCRIPTION AND DEFINED TERMS

A. Introduction

On August 25, 2015, (the "**Creation Date**"), the City Council (the "**City Council**") of the City of Bastrop, Texas (the "**City**") approved Resolution No. R-2015-12, which authorized the creation of the XS Ranch Public Improvement District (the "**PID**") to finance the Actual Costs of the Authorized Improvements for the benefit of certain property in the PID, all of which is currently located within the extraterritorial jurisdiction of the City and will be annexed into the corporate limits of the City.

Chapter 372 of the Texas Local Government Code (as amended, the "**PID Act**"), governs the creation and operation of public improvement districts within the State of Texas. This Service and Assessment Plan (this "**SAP**") was prepared pursuant to the PID Act. The PID Act requires that a service plan "cover a period of at least five years and must also define the annual indebtedness and the projected costs for improvements." The PID Act also requires a service plan "be reviewed and updated annually for the purpose of determining the annual budget for improvements." The service plan for the PID is described in more detail in **Section V** herein.

The Assessment Rolls for the PID are attached hereto as **Appendix A** and **Appendix B**, and are addressed in **Section VII** of this SAP. The Special Assessments, as shown on the Assessment Rolls, are based on the method for establishing and levying the Special Assessments described in **Sections IV** and **VI** of this SAP.

B. Definitions

Capitalized terms shall have the meanings ascribed to them as follows:

"**Actual Cost(s)**" means, with respect to a Public Improvement, the demonstrated, reasonable, allocable, and allowable costs of constructing such Public Improvement as specified in a payment request in a form that has been reviewed and approved by the City. Actual Cost may include (a) the costs incurred for the design, planning, financing, administration, management, acquisition, installation, construction and/or implementation of such Public Improvement, (b) the costs incurred in preparing the construction plans for such Public Improvement, (c) the fees paid for obtaining permits, licenses or other governmental approvals for such Public Improvement, (d) a construction management fee of 4.0% of the costs incurred for the construction of such Public Improvement if an Owner is serving as the construction manager but not the general contractor, (e) the costs incurred for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, advertising, marketing and research studies, appraisals, legal, accounting and similar professional services, taxes (property and franchise) related to such Public Improvement (f) all labor, bonds and materials, including equipment and fixtures, incurred by contractors, builders and materialmen in connection

with the acquisition, construction or implementation of such Public Improvement, (g) all related permitting, zoning and public approval expenses, architectural, engineering, legal and consulting fees, financing charges, taxes, governmental fees and charges, insurance premiums, and miscellaneous expenses, and (h) all payments for Administrative Expenses.

“Administrative Expenses” means the administrative, organization, maintenance and operation costs and expenses associated with, or incident to, the administration, organization, maintenance and operation of the PID, including, but not limited to, the costs of (i) legal counsel, engineers, accountants, financial advisors, investment bankers or other consultants and advisors, (ii) creating and organizing the PID and preparing the Assessment Rolls, (iii) computing, levying, collecting and transmitting the Special Assessments or the Annual Installments thereof, (iv) maintaining the record of Special Assessments, including payments, reallocations and/or cancellations of the Special Assessments or Annual Installments thereof, (v) issuing, paying, and redeeming the PID Bonds, (vi) investing or depositing the Special Assessments or other monies, (vii) complying with the PID Act with respect to the PID Bonds, (viii) paying the paying agent/registrar’s and trustee’s fees and expenses (including the fees and expenses of its legal counsel) related to the PID Bonds, and (ix) administering the construction of the Authorized Improvements.

“Administrator” means an employee of the City or third party designee of the City who shall have the responsibilities provided for herein, in an Indenture relating to PID Bonds or in any other agreement approved by the City Council.

“Annual Installment” means, with respect to the Assessed Property, each annual payment of: (i) the Special Assessment (including the principal of and interest on), as shown on the Assessment Rolls attached hereto as **Appendix A** or **Appendix B**, as applicable, or in an Annual Service Plan Update, and calculated as provided in **Section VI** of this SAP, (ii) Administrative Expenses, (iii) the portion of the interest on the Special Assessment designated for the Prepayment Reserve described in **Section IV** of this SAP, and (iv) the portion of the interest on the Special Assessment designated for the Delinquency Reserve described in **Section IV** of this SAP.

“Annual Service Plan Update” has the meaning set forth in **Section V** of this SAP.

“Assessed Property” or **“Assessed Properties”** means property on which Special Assessments have been levied as shown on the Assessment Rolls attached hereto as **Appendix A** or **Appendix B** (as each may be updated each year by the Annual Service Plan Update) and which includes any and all Parcels within the PID other than Non-Benefited Property.

“Assessment Ordinance” means each ordinance adopted by the City Council approving this SAP (or amendments or supplements to the SAP) and levying the Special Assessments.

“Assessment Roll” or **“Assessment Rolls”** means collectively or separately as applicable, the Major Improvement Area Assessment Roll and the Neighborhood Improvement Area Assessment Roll included in this SAP as **Appendix A** and **Appendix B**, respectively, as each may be updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including updates prepared in connection with the issuance of PID Bonds or in connection with any Annual Service Plan Update.

“Authorized Improvements” means improvements authorized by Section 372.003 of the PID Act including those listed in **Section III.A** of this SAP.

“City” means the City of Bastrop, Texas.

“City Council” means the duly elected governing body of the City.

“County” means Bastrop County, Texas.

“Delinquency Reserve” has the meaning set forth in **Section IV.K** of this SAP.

“Delinquent Collection Costs” means interest, penalties and expenses incurred or imposed with respect to any delinquent Special Assessment, or an Annual Installment thereof, in accordance with the PID Act which includes the costs related to pursuing collection of such delinquent Special Assessment, or an Annual Installment thereof, and the costs related to foreclosing the lien against the Assessed Property, including attorney’s fees.

“Development Agreement” means that certain "Development Agreement" by and between the City and the Owner and related to the Property entered into as of November 19, 2009, and any future amendments thereto.

“Future Neighborhood Improvement Areas” means those Neighborhood Improvement Areas to be defined and developed within the Major Improvement Area portion of the PID but which are not subject to development at this time.

“Future Neighborhood Improvement Area Bonds” means bonds issued to fund Future Neighborhood Improvement Area Improvements (or a portion thereof) in a Future Neighborhood Improvement Area that are secured by Special Assessments levied on Assessed Property within such Future Neighborhood Improvement Area. In connection with Future Neighborhood Improvement Area Bonds, Special Assessments related to such Future Neighborhood Improvement Area Bonds will be levied only on property located within the applicable Future Neighborhood Improvement Area to finance Authorized Improvements which will only benefit such Future Neighborhood Improvement Area.

“Future Neighborhood Improvement Area Improvements” means those Authorized Improvements which will confer a special benefit on the related Future Neighborhood Improvement Area.

“Indenture” means an indenture of trust, trust agreement, ordinance or similar document between the City and Trustee setting forth the terms and other provisions relating to a series of PID Bonds, as modified, amended, and/or supplemented from time to time.

“Lot” means (i) for any portion of the Property for which a subdivision plat has been recorded in the official public records of the County, a tract of land described as a “lot” in such subdivision plat, and (ii) for any portion of the Property for which a subdivision plat has not been recorded in the official public records of the County, a tract of land anticipated to be described as a “lot” in a final recorded subdivision plat.

“Lot Type” means a classification of final building Lots with similar characteristics (e.g. commercial, light industrial, multifamily residential, single family residential, or other uses), as determined by the Administrator and confirmed by the City Council. In the case of single family residential Lots, the Lot Type shall be further defined by classifying the residential Lots based on the front footage of the Lot, as determined by the Administrator and confirmed by the City Council.

“Major Improvements” means the Authorized Improvements which benefit all Assessed Property within the PID and are described in **Section III.B.**

“Major Improvement Area” means the property within the PID not within Neighborhood Improvement Area #1, as generally shown on **Table II-B** and as specifically described in **Appendix C** and as depicted in **Appendix D.**

“Major Improvement Area Assessed Property” means, for any year, all Parcels within the Major Improvement Area other than Non-Benefited Property and listed in the Major Improvement Area Assessment Roll against which Special Assessments relating to the Major Improvements are levied.

“Major Improvement Area Assessment Roll” means the document included in this SAP as **Appendix A**, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including updates prepared in connection with the issuance of the Major Improvement Area Bonds or in connection with any Annual Service Plan Update.

“Major Improvement Area Bonds” means those certain City of Bastrop, Texas Special Assessment Revenue Bonds, Series 2016 (XS Ranch Public Improvement District Major Improvement Area Project) that are secured by Special Assessments levied on Major Improvement Area Assessed Property.

“Neighborhood Improvement Area” means one or more Parcels within the PID that are anticipated to be developed in the same general time period. The Parcels within a Neighborhood Improvement Area other than the Non-Benefited Property will be assessed in connection with the issuance of PID Bonds for the Authorized Improvements (or the portion thereof) designated in an update to the Assessment Plan that specially benefit the Assessed Property within said Neighborhood Improvement Area, but any Parcels outside of the Neighborhood Improvement Area will not be assessed.

“Neighborhood Improvement Area #1” means the property within the PID as depicted on the map on **Table II.B** consisting of approximately 292 acres within the PID and as specifically described in **Appendix C** and as depicted in **Appendix D**.

“Neighborhood Improvement Area Assessed Property” means, for any year, all Parcels within an Neighborhood Improvement Area other than Non-Benefited Property and listed in the applicable Neighborhood Improvement Area Assessment Roll against which Special Assessments relating to the Neighborhood Improvement Area Improvements are levied.

“Neighborhood Improvement Area #1 Assessment Roll” means the Assessment Roll covering Neighborhood Improvement Area #1 and included in this SAP as **Appendix B**, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act.

“Neighborhood Improvement Area #1 Bonds” means those certain City of Bastrop, Texas Special Assessment Revenue Bonds, Series 2016 (XS Ranch Public Improvement District Neighborhood Improvement Area #1 Project) that are secured by Special Assessments levied on the Neighborhood Improvement Area #1 Assessed Property.

“Neighborhood Improvement Area #1 Improvements” means those Authorized Improvements that confer a special benefit solely on Neighborhood Improvement Area #1 and are described in **Section III.C**; and, that are to be financed with Neighborhood Improvement Area #1 Bonds, and any future issuance of bonds secured by assessments levied in Neighborhood Improvement Area #1.

“Non-Benefited Property” means Parcels within the boundaries of the PID that accrue no special benefit from the Authorized Improvements as determined by City Council, which may include Public Property. Property identified as Non-Benefited Property at the time the Special Assessments (i) are levied or (ii) are reallocated pursuant to a subdivision of a Parcel is not assessed. Assessed Property converted to Non-Benefited Property, if the Special Assessments may not be reallocated pursuant to **Section VI.E** or **Section VI.F**, remains subject to the Special Assessments and requires the Special Assessments to be prepaid as provided for in **Section VI.F**.

“Owner” means XS Ranch Fund VI, L.P., a Texas limited partnership, or other entity affiliated with XS Ranch Fund VI, L.P.

“Owners Association” means a homeowner’s association or property owner’s association.

“Owners Association Special Assessment Allocation” means 1% of the total Special Assessment for a specific Parcel or Neighborhood Improvement Area that is allocated to cover the PID benefit received by the Owners Association from the Authorized Improvements benefitting the Owners Association Property.

“Owners Association Property” means property within the boundaries of the PID that is owned by or irrevocably offered for dedication to, whether in fee simple or through an easement, to an owners association established for the benefit of a group of homeowners or property owners within the PID.

“Parcel” means a property identified by either a tax map identification number assigned by the Bastrop County Appraisal District for real property tax purposes, by metes and bounds description, by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the City.

“PID” means the XS Ranch Public Improvement District created by the City pursuant to Resolution No. R-2015-12 approved August 25, 2015.

“PID Act” means Chapter 372 of the Texas Local Government Code, as amended.

“PID Bonds” means the Major Improvement Area Bonds, the Neighborhood Improvement Area #1 Bonds, and any Future Neighborhood Improvement Area Bonds which may be issued to finance Authorized Improvements in the Major Improvement Area, Neighborhood Improvement Area, or in the Future Neighborhood Improvement Areas.

“PID Financing Agreement” means the "PID Financing Agreement – XS Ranch" between the City and the Owner related to the PID Bonds, dated as of _____, 2016, which provides, in part, the payment of costs of Authorized Improvements within the PID, the issuance of PID Bonds, the reimbursement of costs of the Authorized Improvements and other matters related thereto.

“Prepayment Costs” mean interest and expenses to the date of prepayment, plus any additional expenses related to the prepayment allowed by applicable law, reasonably expected to be incurred by or imposed upon the City as a result of any prepayment of a Special Assessment and the PID Bonds secured by such Special Assessment.

“Prepayment Reserve” has the meaning set forth in **Section IV.J** of this SAP.

“Property” means the approximately 893 acres of property depicted and described by metes and bounds on Exhibit B to Resolution No. R-2015-12 as adopted by City Council on August 25, 2015 and is legally described in **Appendix C** to this SAP and is depicted in **Table II.A** of this SAP.

“Public Improvements” mean the Authorized Improvements designed, constructed, and installed in accordance with this SAP for which Special Assessments are levied against the Assessed Property that receives a special benefit from such improvement.

“Public Property” means real property, right-of-way and easements located within the boundaries of the PID owned by or irrevocably offered for dedication to the federal government, the State of Texas, the County, the City, a school district, a public utility provider or any other political subdivision or public agency, whether in fee simple, through an easement, or by plat.

“Residential Parcel” means a Parcel located within the PID which has been designated at the time of the adoption of the initial Neighborhood Improvement Area Assessment Roll and approval of this SAP for the future development of single family residential homes.

“SAP” means this XS Ranch Public Improvement District Service and Assessment Plan (as such plan is amended, supplemented or updated from time to time) approved by the City Council in the first Assessment Ordinance.

“Special Assessment” means the assessment levied against a Parcel imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on any Assessment Roll, subject to reallocation upon the subdivision of such Parcel created by such subdivision or reduction according to the provisions hereof and the PID Act.

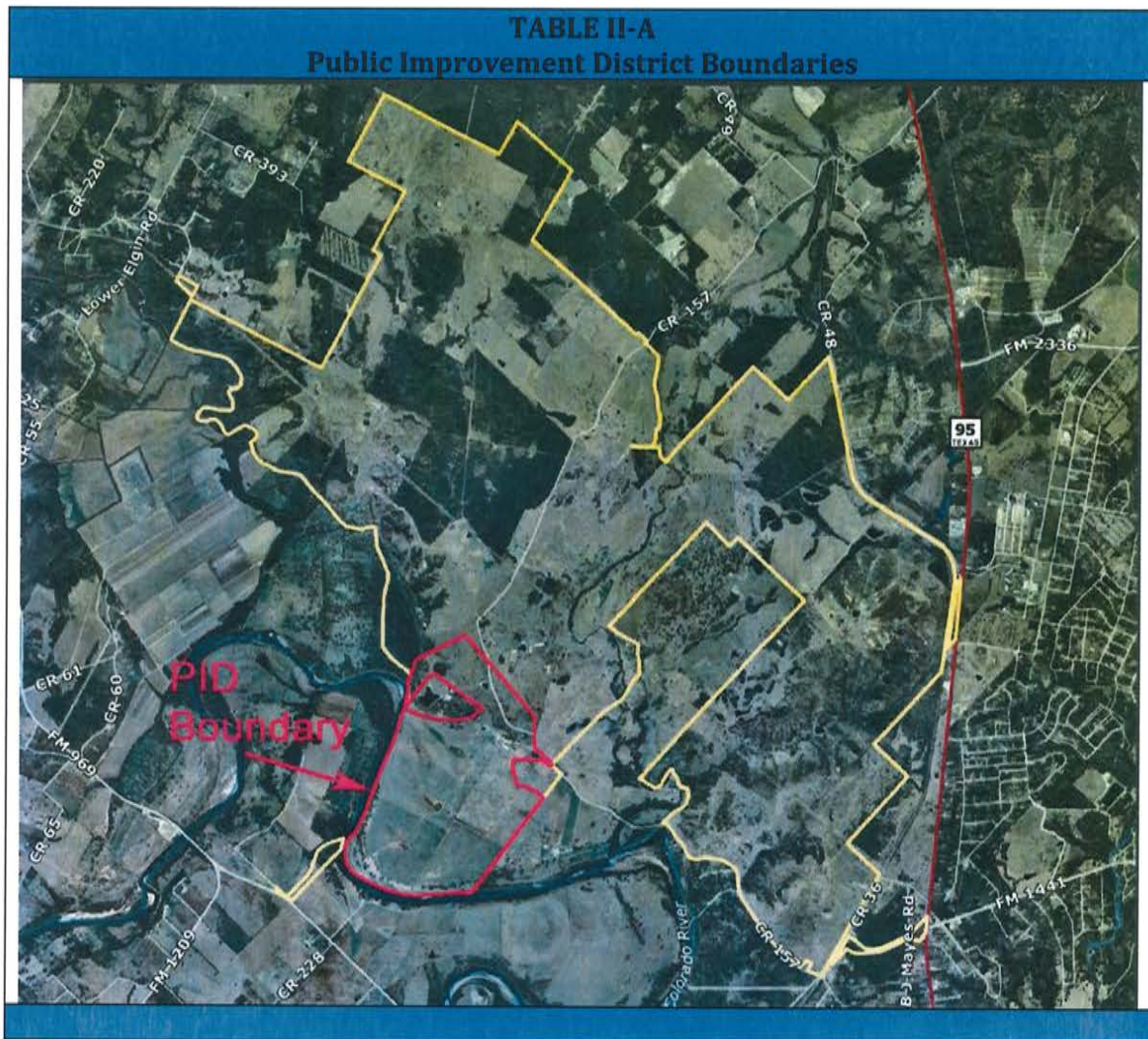
“Trustee” means the trustee as specified in an Indenture, and any successor thereto permitted under such Indenture.

Section II

PROPERTY INCLUDED IN THE PID

A. Property Included in the PID

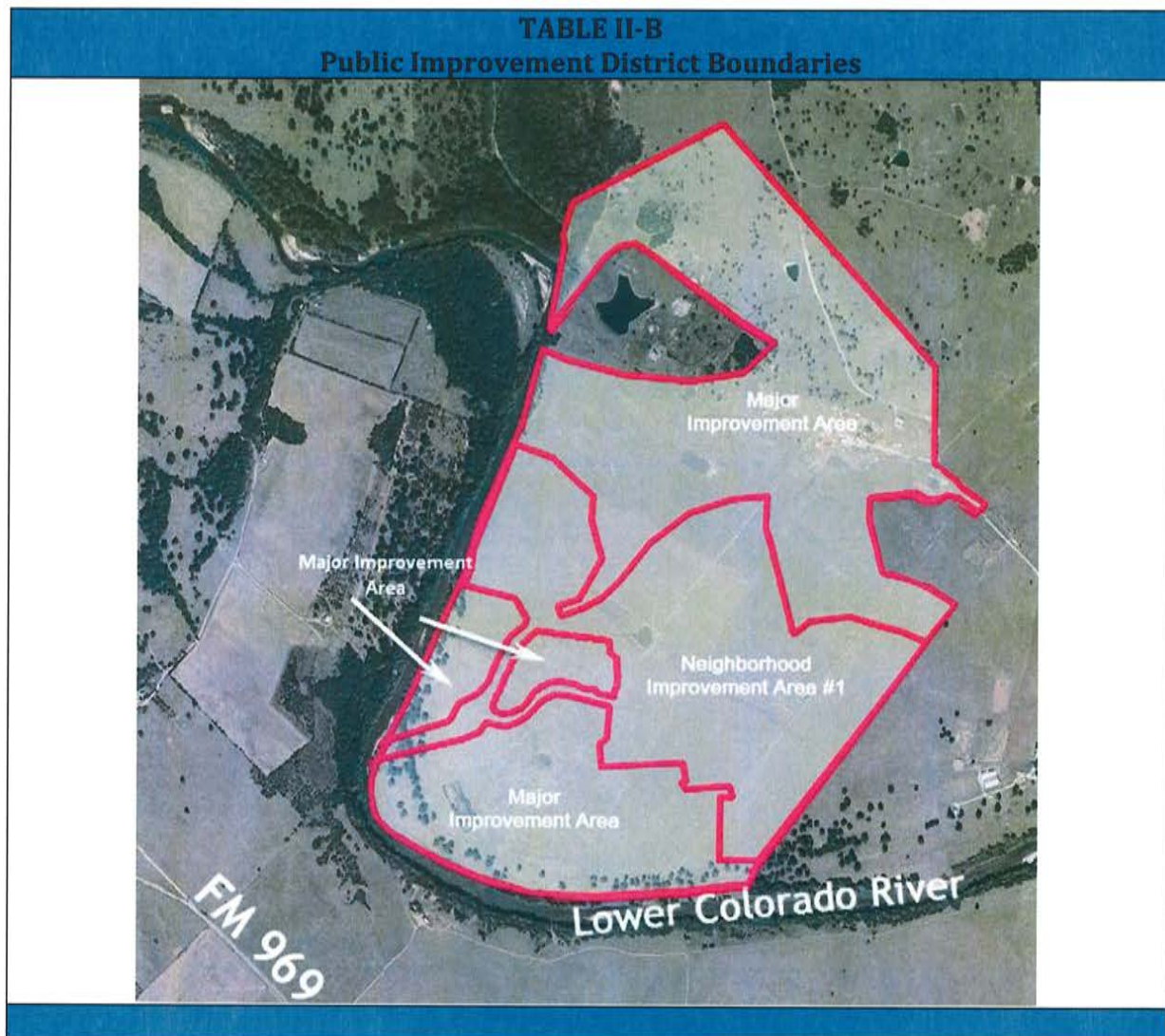
The PID is comprised of the Property. The PID is located entirely within the City's extraterritorial jurisdiction; but, the Property may be annexed into the City's corporate limits as provided for in the Development Agreement. If the Property is annexed into the City's corporate limits, the City is obligated to concurrently assume all of the debts, liabilities, and obligations relating to the PID. The PID contains approximately 893 acres planned for a residential development as well as the associated rights-of-way, landscaping, and infrastructure necessary to provide roadways, drainage, and utilities to the PID. A map of the property within the PID is shown in Table II-A. Legal descriptions for all Parcels within the PID are included in **Appendix C**.



B. Property Located in the Major Improvement Area and Neighborhood Improvement Area #1

The Major Improvement Area consists of approximately 601 acres. Neighborhood Improvement Area #1 consists of approximately 292 acres projected to consist of 466 single family residential units, to be developed in one phase and which will be specially benefitted by the Authorized Improvements described in **Section III.C.**

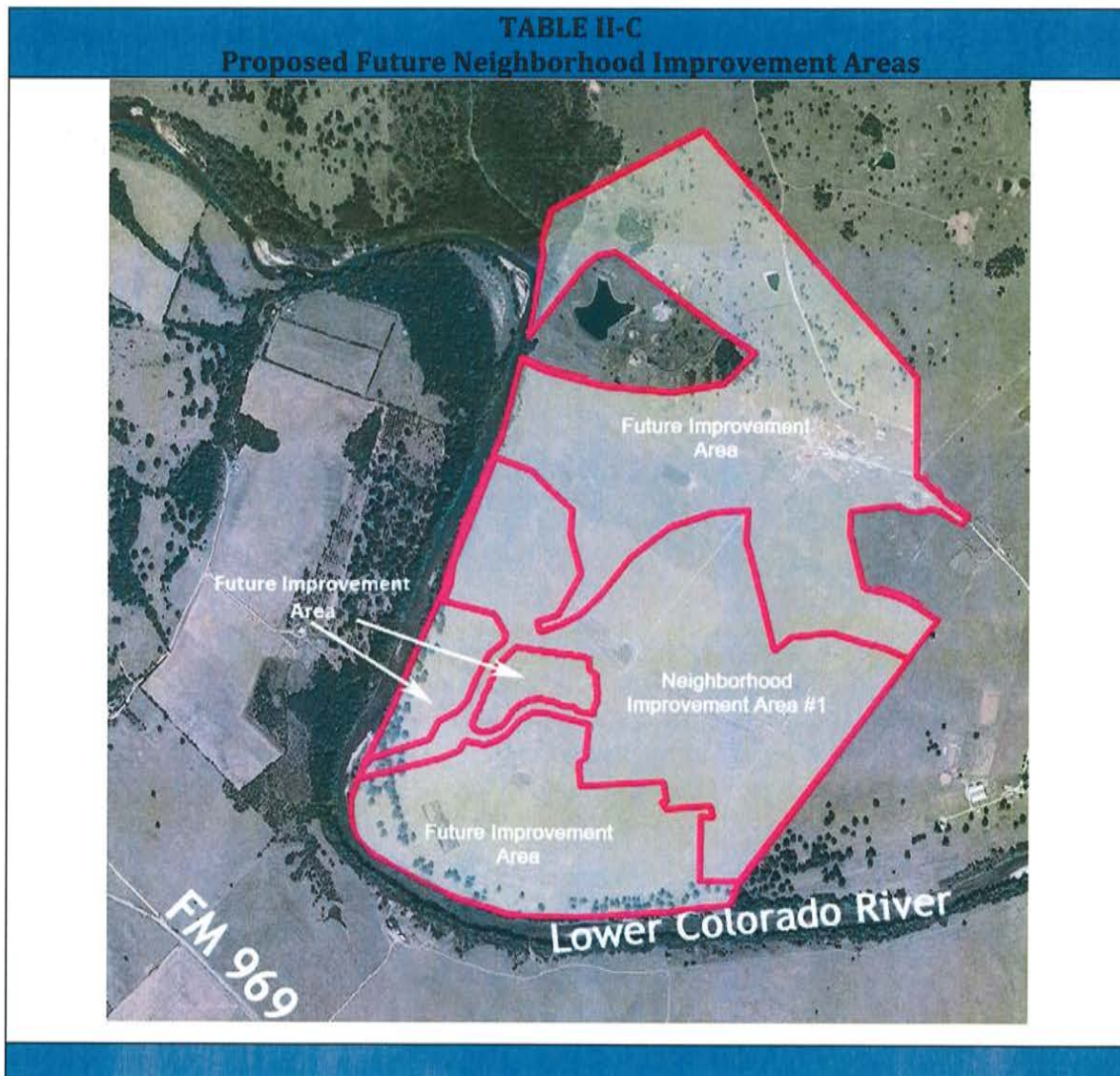
A map of the Major Improvement Area and Neighborhood Improvement Area #1 is shown in **Table II-B.** Legal descriptions for all Parcels within the PID are included in **Appendix C.**



C. Property Included in Future Neighborhood Improvement Areas

As Future Neighborhood Improvement Areas are developed and in connection with the issuance of any Future Neighborhood Improvement Area Bonds, this SAP will be amended to revise the table shown in **Section II.B** above (e.g. **Table II-B** will be revised to show the addition of such Future Neighborhood Improvement Area).

A map of the projected property within each Future Neighborhood Improvement Area is shown in **Table II-C**. The Future Neighborhood Improvement Area are shown for illustrative purposes only and are subject to adjustment in the future.



Section III

DESCRIPTION OF THE AUTHORIZED IMPROVEMENTS

A. Authorized Improvement Overview

Section 372.003 of the PID Act identifies the public improvements that a City may choose to undertake with the establishment of a PID. The Authorized Improvements identified in the PID Act include:

- (i) landscaping;
- (ii) erection of fountains, distinctive lighting, and signs;
- (iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of way;
- (iv) construction or improvement of pedestrian mall;
- (v) acquisition and installment of pieces of art;
- (vi) acquisition, construction or improvement of libraries;
- (vii) acquisition, construction or improvement of off-street parking facilities;
- (viii) acquisition, construction or improvement of rerouting of mass transportation facilities;
- (ix) acquisition, construction or improvement of water, wastewater, or drainage facilities or improvements;
- (x) the establishment or improvement of parks;
- (xi) projects similar to those listed in Subdivisions (i)-(x)
- (xii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;
- (xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development recreation and cultural enhancement;
- (xiv) payment of expenses incurred in the establishment, administration and operation of the district; and
- (xv) development, rehabilitation, or expansion of affordable housing.

The City has determined that of the improvements authorized under the PID Act, it will undertake at this time only those Authorized Improvements more particularly described in **Section III.B**, **Section III.C** and **Section III.D**. Any change to the list of Authorized Improvements, including any Future Neighborhood Improvement Area Improvements as described in **Section III.D**, will require the approval of the City.

B. Descriptions and Costs of Major Improvements

The Major Improvements benefit the entire PID. However, the Major Improvement Area Assessed Property does not include Neighborhood Improvement Area #1 Assessed Property; therefore the Actual Costs of the Major Improvements are allocated proportionally between Major Improvement Area Assessed Property and the Neighborhood Improvement Area #1 Assessed Property. The Major Improvement Area Bonds will fund the Major Improvement Area's proportionate share of the costs of the Major Improvements; and, the Neighborhood Improvement Area #1 Bonds will fund both Neighborhood Improvement Area #1's proportionate share of the costs of the Major Improvements as well as the Neighborhood Improvement Area #1 Improvements. This cost allocation between the Major Improvement Area and Neighborhood Improvement Area is shown in more detail on **Table IV-A**.

The Major Improvements are described below. **Table III-A** shows the Actual Costs of the Major Improvements. The Actual Cost to construct the Major Improvements is \$22,621,520. The costs shown in **Table III-A** may be revised in Annual Service Plan Updates.

The Actual Costs for Major Improvements are to be funded from (i) the proceeds of the Major Improvement Area Bonds, (ii) a portion of the proceeds of the Neighborhood Improvement Area #1 Bonds, and (iii) from funds contributed by the Owner, all as described herein.

A description of the Major Improvements follows:

- *Offsite Wastewater Treatment Plant (WWTP)*

The proposed Wastewater Treatment Plant has been permitted by the Texas Commission on Environmental Quality ("TCEQ") TPDES Permit No. WQ0014946-001. The wastewater facilities will be constructed in three (3) phases, treating wastewater in the following quantities: 0.1 million gallons per day ("MGD"), 0.5 MGD, and 0.99 MGD; expansions will be constructed as dictated by demand.

The first phase facility will be a package type activated sludge plant using the extended aeration mode of treatment. Specific treatment components will include a grit chamber/bar screen at the headworks, an aeration basin, a clarifier, and a chlorine contact chamber.

The second phase will provide treatment up to 0.5 MGD using two (2) site-constructed 0.25 MGD circular-type activated sludge facilities utilizing the conventional complete mix aeration mode with nitrification. Once these second phase facilities are in operation, the first phase facilities will be essentially abandoned but may perhaps be used for additional waste sludge digestions and storage. These second phase facilities will include a new grit chamber/bar screen headworks, a splitter box, an aeration basin, a clarifier, and a chlorine contact chamber prior to discharge in a pipe and thence to the Colorado River.

The third phase facilities will provide treatment up to 0.99 MGD with the addition of a 0.49 MGD circular type activated sludge facility utilizing the conventional complete mix aeration mode with nitrification. The third phase 0.49 MGD facilities will include the installation of a second splitter box immediately upstream of the existing splitter box, but downstream of the existing grit chamber/bar screen headworks.

It is more likely, however, that a single splitter box capable of providing flow splitting to the third phase will be constructed in the second phase to handle the first 25%, then upgrade to the next 25%, and then upgrade to the remaining 50% for a total of 100% splits.

A certified operator or professional services company will operate and maintain the sewer system according to State/TCEQ standards.

Sludge disposal from the plant has been approved to be hauled off by a registered transporter to the City of Austin Walnut Creek Wastewater Treatment Facility where it will be digested, dewatered, and then disposed of with the bulk sludge from the plant accepting the sludge, which is then authorized to dispose of the sludge at a TCEQ authorized land application site or co-disposal landfill.

Effluent Limitations are 10 milligram per liter ("mg/l") CBOD₅, 15 mg/l TSS, 2 mg/l NH₃-N & 5.0 mg/l DO. The effluent shall contain a chlorine residual of 4.0 mg/l after detention time of at least 20 minutes based on peak flow.

- *WW TP Effluent Line (Phase 1 Only)*

The effluent line from the lift station is proposed as a 24-inch SDR 26 PVC gravity line (along with associated manholes) extending approximately 8,500 linear feet ("LF") from the wastewater treatment plant and discharging directly into the Colorado River about 500 LF downstream of the confluence of Wilbarger Creek. The 24-inch line is sized for ultimate build-out for the entire XS Ranch property with an estimated 10,500 Living Unit Equivalents ("LUEs"), which equates to approximately a 2.6 MGD Wastewater Treatment Plant Facility.

- *Offsite Waterline to Aqua Tie In*

A 24-inch waterline (class 250 Ductile Iron Pipe) will be extended approximately 30,500 LF from the Aqua point of delivery to the first phase of the development to the west side of XS Ranch Road/Riverhaven Boulevard. This 24-inch waterline will serve the first phase of the development with adequate pressure and fire flow. The water line improvements will generally follow Aqua Water Supply Corp, City of Bastrop, and TCEQ design criteria and will include air release valves, fire hydrants, 2-inch gate valves, a bore underneath the Union Pacific Railroad, a bore underneath Big Sandy Creek, and several locations with encasement pipe added for ease of maintenance in the future along with associated joint restraints, thrust blockings and appurtenances necessary for installation of this line. The line is designed to be a minimum of 48 inches deep from top of pipe or 36 inches from bottom of subgrade of any future roadways. This item will not be funded by the PID.

- *Road A Offsite (from FM 969 to Bridge)*

The roadway from FM 969 to the Colorado River Bridge (XS Ranch Road/Riverhaven Boulevard) is estimated at 2,700 LF with a right-of-way ("ROW") ranging in width from 120 feet to 195 feet. The standard roadway section is planned to include four 12-foot lanes, a median varying in width from 14 feet to 78 feet, a 6-foot sidewalk on the east side and bar ditches on both sides of the roadway. The median is proposed to include a 6-inch curb gutter and a 2-foot ribbon curb along the outside edges of the pavement. The standard roadway section is also planned to include a 6-inch Moisture Condition Subgrade ("MCS"), 10 inches of Crushed Limestone Base ("CLB"), one layer of triaxial geogrid, 2.5 inches of Type B asphalt and 2 inches of Type C asphalt with a design speed of 40 mph.

The first phase of this roadway is proposed with the two 12-foot lanes located on each side of the median. The roadway section begins with a full section at the FM 969 and XS Road/Riverhaven Boulevard intersection, then transitions to the two lane section.

The intersection improvements proposed on FM 969 will include a left turn lane from the west and a right turn from the east into the Property.

At the northern end of the roadway, the median gradually ends and the two lanes will come together as they transition into the Colorado River Bridge.

- *Colorado River Bridge (1/2 Section)*

The Colorado River Bridge is planned to be 30 feet wide and will accommodate two lanes of traffic via two 12-foot lanes, a 2-foot shoulder and a 1-foot area for a guard rail on each side with six (6) spans (135 feet each) for a total span of 810 feet over the Colorado River. The bridge construction will include an estimated 400 feet of 42-inch concrete drilled shaft piers, 840 feet of 54-inch concrete drilled shaft piers, approximately 2,600 square feet of concrete slab, 3,200 LF of pre-stressed concrete beams along with associated guardrails, mechanically stabilized earth ("MSE") retaining walls, and conduit for electric improvements and decorative lighting improvements.

The bridge is designed to support American Association of State Highway and Transportation Officials ("AASHTO") Highway Loading("HL")-93 highway traffic loading standards and resist wind loads up to 115 miles per hour and stream forces up to 9.4 feet per second. The low cord of the bridge is proposed to be five feet above the FEMA 100-year floodplain to allow for an adequate safety factor in case of a flood. This makes the driving surface of the bridge to be approximately 9.7 feet above the 100-year floodplain.

- *Road A within PID Boundary (1/2 Section)*

The roadway from the Colorado River Bridge (XS Ranch Road/Riverhaven Boulevard) is estimated to be 8,000 LF with a ROW varying in width from 120 feet to 350 feet. The standard roadway section is planned to include four 12-foot lanes, a median with widths varying from 14 feet to 350 feet, a 6-foot sidewalk on the east side and bar ditches on both sides of the roadway. The median is also planned to include a six-inch curb gutter and a two-foot ribbon curb along the outside edges. The roadway section is proposed with 6 inches of MCS, 12 inches of CLB, one layer of Triaxial Geogrid, 5.5 inches of Type A/B asphalt and 2.0 inches of Type C asphalt for a total thickness of 25.5 inches. However, the cross section width may be reduced three inches (reduction of CLB) when/if the subgrade plasticity index ("PI") is less than 20.

The first phase of the roadway is planned to include two 12-foot lanes located on each side of the median. The roadway section begins with a full section from the bridge through the traffic circle and then reduces to the first phase section described above. The roadway continues north with the section until near Sayers Road. At this location, the two-lane section transitions into the full section traffic circle where the two-lane section merges into Sayers Road, an existing substandard roadway that ultimately will have similar sections as XS Ranch Road/Riverhaven Boulevard.

- *Road G*

Road G (Sweetsong Boulevard) is planned to be an 80-foot ROW section with three 12-foot lanes (36 feet of pavement) for 7,000 LF, a 6-inch curb and gutter section and an 8-foot sidewalk on one side. The pavement section is proposed as six inch MCS, 15 inches of CLB, and 2.5 inches of Type C asphalt, for a total thickness of 23.5 inches. However, the cross section width may be reduced by five inches (reduction of CLB) when/if the subgrade PI is less than 20. The roadway is a loop road that intersects XS Ranch/Riverhaven Boulevard at two locations.

The roadway is classified as a neighborhood collector and provides for central access through the Phase 1 development. Associated water, wastewater, storm, and electric/telecommunication improvements will be constructed within the ROW or immediately adjacent.

- *Lift Station #1, Trunk Line, Force Main*

There are two main trunklines that will drain into the lift station, one coming from the west Trunkline A, and the other coming from the north Trunkline B, each of which will have 12-inch PVC SDR 26 pipes. All wastewater flows from the project will drain into one of these trunklines. Trunkline A will be the deeper of the two and is estimated to be constructed approximately 28 feet deep at the lift station. In order to service the entire project area, the slope of this line will be a minimum of 0.20%.

The trunk-lines decrease in size as they go upstream. Both trunklines will vary in size from 12 inches at the lift station to 8 inches when they enter the upstream sections.

The lift station is to be located in the Section 1 preliminary plan and is shown on the preliminary plan as a separate lot and block. This lift station's service area is estimated to be 400 acres with an estimated 1,657 LUEs, which equates to 1,229 single family dwellings, 550,000 square feet of commercial uses, two Amenity Centers, and a 750 student middle school.

The lift station is proposed to include a 28-foot deep influent line (40-foot deep wet well) which will service the entire development area. The deeper effluent line eliminated the need for a second lift station. The lift station will ultimately have two hydroneumatic pumps (size to be determined) with an ultimate forcemain size between 10 inches and 12 inches. The forcemain (SDR-21 Yelomine PVC) length is estimated to be approximately 9,000 LF in length and will be along the eastern property line to the wastewater treatment plant facility. The lift station will be equipped with odor control, a back-up generator in case of power failure, a control panel, and a jib crane for maintenance. It is not anticipated that the construction of the lift station will need to be phased.

The forcemain will discharge into the wastewater treatment plant's "Equalizer Tank," where its output will then be metered into the wastewater plant at an acceptable flowrate.

- *Mass Grading*

The development area along the Colorado River is extremely flat. As such, the optimal manner to develop the property and safely convey stormwater will be to construct linear lakes to safely convey stormwater through the Property. The mass grading project encompasses seven linear lakes ranging in size from 1 acre to 35 acres in area, for approximately 45 acres of lake area. The lakes are all planned to be constructed with depths ranging between 12 feet and 15 feet.

The lakes, when constructed, will be lined with a clay liner to avoid/minimize seepage. An extensive geotechnical analysis of the entire area consisting over 100 borings and associated test pits determined that there was an adequate amount of clay (in the proposed areas of the lakes) to install a 2-foot clay liner around each lake which is expected to limit the seepage rate to less than 0.2 inches per day, the maximum infiltration rate that could be supported with make-up water.

Because of the flat topography, a significant amount of fill will be needed to raise the development pods so they can safely drain stormwater through the subdivision directly to these lakes. These linear lakes will then also serve as the source of the fill material needed for the fill areas with the goal to balance the site through the various cut and fill activities.

To determine the excavation needed and the depths of the lakes, a mass balancing of the site was undertaken. After extensive soil analysis by geotechnical engineers, a compaction factor of 1.22 was utilized (i.e., for every cubic yard coming out of the ground, 1.22 cubic yards will be needed to compact it on site). Utilizing this factor and taking into account the cut/fill areas, there will need to be approximately 1,600,000 cubic yards of earthwork to balance the site and build it according to plan.

In order to ensure a balanced site, the contractor will be provided other locations to both obtain and place dirt.

- *Public Colorado River Trail*

The Colorado River Trail consists of approximately 10,890 LF of 10-foot wide concrete walk. This trail will be located within a 20-foot wide easement. Other appurtenances will include drainage culverts and swales, trail signage, and six benches that will be constructed separately from the Neighborhood Improvement Area #1 Public Improvements.

Table III-A	
Actual Costs of Authorized Improvements - Major Improvements	
Description	Authorized Improvements
Offsite Wastewater Treatment Plant (WWTP)	\$ 799,781
WWTP Effluent Line	\$ 531,038
Road A Offsite (from 969 to Bridge)	\$ 3,293,264
Colorado River Bridge (1/2 Section)	\$ 4,682,000
Road A within PID Boundary (1/2 Section)	\$ 1,096,872
Road G	\$ 1,592,715
Lift Station #1, Trunk Line, Force Main	\$ 3,050,391
Mass Grading	\$ 7,091,338
Public Colorado River Trail	\$ 484,123
Total Authorized Improvements	\$ 22,621,520
<small>Note: Costs provided by RMD Development Partners, LLC. The figures shown in Table III-A may be revised in Annual Service Plan Updates. Some soft costs shown in Table III-A have been completed and will be reimbursed upon issuance of the Major Improvement Bond pursuant to the PID Financing Agreement.</small>	

C. Descriptions and Costs of Neighborhood Improvement Area #1 Improvements

The Neighborhood Improvement Area #1 Improvements are described below. **Table III-B** shows the Actual Costs to construct the Neighborhood Improvement Area #1 Improvements is \$9,153,106 and are distinct from Neighborhood Improvement Area #1's allocable share of the Major Improvements described above in **Section III.B**. The proceeds of the Neighborhood Improvement Area #1 Bonds will only fund Authorized Improvements that benefit Neighborhood Improvement Area #1 and the portion of the Major Improvements allocable to Neighborhood Improvement Area #1. The Actual Costs shown in **Table III-B** may be revised through Annual Service Plan Updates.

The Actual Costs for Neighborhood Improvement Area #1 Improvements are to be funded both from the proceeds of the Neighborhood Improvement Area #1 Bonds as described herein, from funds contributed by the Owner, pursuant to the PID Reimbursement Agreement, and the issuance of any additional bonds secured by assessments levied within Neighborhood Improvement Area #1.

A description of the Neighborhood Improvement Area #1 Improvements follows:

- *Roadway Improvements*

Internal roadways for all of the sections are classified as local street cluster, all of which will have a 48-foot ROW with 28 feet of pavement with 6 inch curb & gutter, two 10-foot driving lanes, one 8-foot parking lane, and a 4-foot detached sidewalk on both sides.

Each roadway section will generally include 6 inches of MCS, 10 inches of CLB and 2 inches of Type C asphaltic concrete for a total thickness of 18.0 inches. However, the cross-section may be reduced by 2 inches via a reduction of CLB when/if the subgrade PI is less than 20.

- *Water Improvements*

Water improvements will consist primarily of 8-inch PVC C-900 waterlines with single and double services to the lots. Fire hydrants will be placed at approximately 300-foot intervals with all fire hydrants tying into the 8-inch waterline with 6-inch ductile iron leads. All associated tees and valves will be installed as necessary and designed to meet TCEQ and City of Bastrop design standards.

All waterlines will have a minimum of a 9-foot clearance (from outside of pipe) between a wastewater line and a minimum of 5 feet of clearance from other utilities. These items will not be funded by the PID.

- *Wastewater Improvements*

Wastewater improvements will consist primarily of 8-inch PVC SDR 26 wastewater lines with single and double services to the lots. Manholes will be provided at every bend and will be no more than 300 feet in distance from each other. These improvements will be designed to meet TCEQ and City of Bastrop design standards.

- *Drainage Improvements*

Drainage improvements will primarily consist of 5-foot or 10-foot street inlets and associated storm lines draining from each inlet to the proposed lakes mentioned earlier. The drainage improvements will be designed to meet the City of Bastrop standards. All storm sewer pipe will be Reinforced Concrete Pipe ("RCP") Class III except in those areas where adequate depth is not available. In those limited instances, Class IV pipe will be utilized.

The design standards for the City of Bastrop are designed to ensure that water remains within the inlets for a 25-year storm and that water is permitted to spread across the width of the ROW in the event of a 100-year storm.

Detention for the site is provided by the area lakes mentioned above for that portion of the flow that drains to the eastern portion of the property. The City requires that detention be provided for 5-year, 10-year, 25-year, and 100-year storm events. For the portion of the drainage that will flow directly to the Colorado River, no detention will be required.

- *Erosion Control*

Temporary erosion control will be provided throughout the entire site in stages and will be in place and monitored during construction. These temporary erosion control devices will consist of silt fences, rock berms, hay bales, and mulch socks; constructing sequencing methods (building lakes or drainage ponds first so as to have any runoff enter these ponds before exiting off the property) and as watering the site (dust control) during dry periods. Upon final completion of the improvements, all disturbed areas will be hydromulched or seeded or top soil provided with coastal Bermuda grass will be placed within disturbed areas.

A Stormwater Pollution Prevention Plan will be prepared to meet TCEQ requirements and will be provided to the contractor. TCEQ requires that on-site observations be performed every two weeks (in a non-rain event) or when there is 0.5 inch of rainfall within a 24 hour period. The observations must be performed by a qualified individual who must keep a log of all site visits. Prior to commencing construction, the contractor is required to complete and send out to the TCEQ a Notice of Intent which authorizes the contractor to begin construction within 72 hours of mailing the notice. Upon completion of the project and after all vegetation is grown, the contractor must file a Notice of Termination after which no more reporting or observations are required.

Table III-B	
Actual Costs of Authorized Improvements - Neighborhood Improvement Area #1	
Description	Authorized Improvements
Roadway Improvements	\$ 3,348,697
Wastewater Improvements	\$ 2,455,711
Drainage Improvements	\$ 2,790,581
Erosion Control	\$ 558,116
Total Authorized Improvements	\$ 9,153,106
Note: Costs provided by RMD Development Partners, LLC. The figures shown in Table III-B may be revised in Annual Service Plan Updates. Some soft costs shown in Table III-B have been completed and will be reimbursed upon issuance of the Neighborhood Improvement Area #1 Bond pursuant to the PID Financing Agreement.	

D. Future Neighborhood Improvement Area Improvements

As Future Neighborhood Improvement Areas are developed and Future Neighborhood Improvement Area Bonds are issued, this SAP will be amended to identify the specific Future Neighborhood Improvement Area Improvements that confer a special benefit to the property inside each Future Neighborhood Improvement Area (e.g., a **Table III-C** will be added to show the Actual Costs for the specific Future Neighborhood Improvement Area Improvements financed within the specific Future Neighborhood Improvement Area being developed.)

Section IV

ASSESSMENT PLAN

A. Introduction

The PID Act requires the City Council to apportion the cost of the Authorized Improvements based on the special benefits conferred to each Parcel from the Authorized Improvements. The PID Act provides that the Actual Costs may be assessed: (i) equally per front foot or square foot; (ii) according to the value of the property as determined by the governing body, with or without regard to improvements on the property; or (iii) in any other manner that results in imposing equal shares of the cost on property similarly benefited. The PID Act further provides that the City Council may establish the methods of assessing the special benefits for various classes of improvements.

Table IV-A details the allocation of costs of the Major Improvements between the Major Improvement Area Assessed Property and the Neighborhood Improvement Area #1 Assessed Property. **Table IV-B** details the allocation of costs of the Neighborhood Improvement Area Improvements between Neighborhood Improvement Area #1's share of the Major Improvements and the specific Neighborhood Improvement Area #1 Improvements.

This section of this SAP is intended to describe the special benefit conferred to each Parcel within the PID as a result of the Major Improvements and the Neighborhood Improvement Area #1 Improvements, to provide the basis and justification for the determination that this special benefit exceeds the amount of the Special Assessments, and to explain the methodologies by which the City Council allocates and reallocates the special benefit of the Major Improvements and Neighborhood Improvement Area #1 Improvements to Parcels or Lots so that there is an equal share of the Actual Cost being apportioned to Parcels or Lots similarly benefited. The determination by the City Council of the assessment methodology set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Owner and all future owners and developers of any Assessed Property.

The timetable for the development of Future Neighborhood Improvement Areas are difficult to establish at this time and, as such, the special benefit conferred by Future Neighborhood Improvement Area Improvements, if any, cannot be determined with absolute certainty. Accordingly, it is hereby understood and acknowledged by the City and the Owner that the Special Assessments associated with the Major Improvement Area Bonds and the Neighborhood Improvement Area #1 Bonds are the only Special Assessments that can be addressed with reasonable certainty in this SAP. As a result, this SAP will need to be amended, subject to City Council approval, if and when a Future Neighborhood Improvement Area is developed and Future Neighborhood Improvement Area Bonds, if any, are issued.

B. Special Benefit

The Assessed Property must receive a direct and special benefit from the Authorized Improvements, which must be equal to or greater than the amount of the Special Assessments. The Major Improvements are provided for the benefit of the Major Improvement Area Assessed Property and the Neighborhood Improvement Area #1 Assessed Property; and, the Neighborhood Improvement Area #1 Improvements are provided solely for the benefit of the Neighborhood Improvement Area #1 Assessed Property.

When the City Council approved this SAP, the Owner owned 100% of the Major Improvement Area Assessed Property and Neighborhood Improvement Area #1 Assessed Property. The Owner has acknowledged that the Major Improvements and Neighborhood Improvement Area #1 Improvements confer a special benefit on the Assessed Property and consented to the imposition of the Special Assessments to pay for the Actual Costs associated therewith. The Owner has ratified, confirmed, accepted, agreed to and approved: (i) the determinations and findings by the City Council as to the special benefits described herein and the Assessment Ordinance; (ii) this SAP and the Assessment Ordinance, and (iii) the levying of Special Assessments on the Major Improvement Area Assessed Property and the Neighborhood Improvement Area #1 Assessed Property.

The City Council determined that funding the Actual Costs for the Major Improvements and the Neighborhood Improvement Area #1 Improvements through the PID is beneficial to the City. Accordingly, the Major Improvements and the Neighborhood Improvement Area #1 Improvements confer a special benefit to the Assessed Property, and such special benefit exceeds the amount of the Special Assessment levied on the Major Improvement Area Assessed Property and the Neighborhood Improvement Area Assessed Property. This conclusion is supported by the evidence, information, and testimony provided to the City Council.

C. Allocation of Costs of Major Improvements

The Major Improvements will provide a special benefit to the Property, other than the Non-Benefited Property, in the Major Improvement Area and in the Neighborhood Improvement Area #1. The Actual Costs of the Major Improvements, are, therefore, allocated to the Major Improvement Area Assessed Property and the Neighborhood Improvement Area #1 Assessed Property, as shown in **Table IV-A**. The Actual Costs detailed in **Table IV-A** are subject to revision through the Annual Service Plan Updates, but may not result in increased Special Assessments except as authorized under this SAP or the PID Act.

**Table IV-A
Major Improvements
Cost Allocation - Major Improvement Costs
Major Improvement Area & Neighborhood Improvement Area #1**

Authorized Improvement	Total Cost (a) (b)	MIA Major Improvements		NIA #1 Major Improvements	
		% Allocation	Share of Costs	% Allocation	Share of Costs
Offsite Wastewater Treatment Plant (WWTP)	\$ 799,781	71%	\$ 564,521	29%	\$ 235,259
WWTP Effluent Line	531,038	0%	-	100%	531,038
Road A Offsite (from 969 to Bridge)	3,293,264	71%	2,324,534	29%	968,730
Colorado River Bridge (1/2 Section)	4,682,000	71%	3,304,767	29%	1,377,233
Road A within PID Boundary (1/2 Section)	1,096,872	71%	774,222	29%	322,650
Road G	1,592,715	71%	1,124,210	29%	468,505
Lift Station #1, Trunk Line, Force Main	3,050,391	71%	2,153,103	29%	897,287
Mass Grading	7,091,338	71%	5,005,386	29%	2,085,951
Public Colorado River Trail	484,123	71%	341,716	29%	142,407
Total Authorized Improvements	\$ 22,621,520		\$ 15,592,460		\$ 7,029,060

(a) See Table III-A for details.

D. Allocation of Costs of Neighborhood Improvement Area Improvements

The Neighborhood Improvement Area #1 Improvements will provide a special benefit only to the property, other than the Non-Benefited Property, in Neighborhood Improvement Area #1. The Actual Costs of the Neighborhood Improvement Area #1 Improvements are, therefore, allocated entirely to Neighborhood Improvement Area #1 Assessed Property, as shown in **Table IV-B**. The Actual Costs detailed in **Table IV-B** are subject to revision through the Annual Service Plan Updates, but may not result in increased Special Assessments except as authorized under this SAP and the PID Act.

**Table IV-B
Neighborhood Improvement Area #1
Cost Allocation of Neighborhood Improvement Area #1 Improvements**

Authorized Improvement	Total Cost (a) (b)	NIA #1 Major Improvements		NIA #1 Onsite Improvements	
		% Allocation	Share of Costs	% Allocation	Share of Costs
Offsite Wastewater Treatment Plant (WWTP)	\$ 235,259	100%	\$ 235,259	0%	\$ -
WWTP Effluent Line	531,038	100%	531,038	0%	-
Road A Offsite (from 969 to Bridge)	968,730	100%	968,730	0%	-
Colorado River Bridge (1/2 Section)	1,377,233	100%	1,377,233	0%	-
Road A within PID Boundary (1/2 Section)	322,650	100%	322,650	0%	-
Road G	468,505	100%	468,505	0%	-
Lift Station #1, Trunk Line, Force Main	897,287	100%	897,287	0%	-
Mass Grading	2,085,951	100%	2,085,951	0%	-
Public Colorado River Trail	142,407	100%	142,407	0%	-
Roadway Improvements	3,348,697	0%	-	100%	3,348,697
Wastewater Improvements	2,455,711	0%	-	100%	2,455,711
Drainage Improvements	2,790,581	0%	-	100%	2,790,581
Erosion Control	558,116	0%	-	100%	558,116
Total Authorized Improvements	\$ 16,182,166		\$ 7,029,060		\$ 9,153,106

(a) See Table III-B for details.

E. Allocation of Costs of Future Improvement Area Improvements

As Future Neighborhood Improvement Areas are developed and Future Neighborhood Improvement Area Bonds are issued, this SAP will be amended to identify the specific Future Neighborhood Improvement Area Improvements that confer a special benefit to the property inside such Future Neighborhood Improvement Areas (e.g., **Table IV-E** will be created and amended to show the allocation of Actual Costs for Future Neighborhood Improvement Area Improvements.)

F. Special Assessment Methodology

The City Council may assess Actual Costs against Assessed Property so long as the special benefit conferred upon the Assessed Property by the Authorized Improvements equals or exceeds the amount of the Special Assessments. The Actual Costs may be assessed using any methodology that results in the imposition of equal shares of the Actual Costs on Assessed Property similarly benefited.

- *Assessment Methodology for Major Improvement Area*

For purpose of this SAP, the City Council has determined that the Actual Costs of the portion of the Major Improvements to be financed with the Major Improvement Area Bonds shall be allocated to the Major Improvement Area Assessed Property by spreading the entire Special Assessment for the Major Improvement Area across all Parcels and Lots within the Major Improvement Area based on the ratio of the estimated build out value of each Lot or Parcel to the total build out value for all Parcels within the Major Improvement Area. **Table IV-C** summarizes the allocation of the Special Assessments, including the Owners Association Assessment Allocation, relating to the Major Improvement Area Bonds for the Assessed Property within the Major Improvement Area.

Based on the Actuals Costs provided by the Owner for the Authorized Improvements, the City Council has determined that the benefit to the Assessed Property from the Authorized Improvements is at least equal to the Special Assessments levied on the Assessed Property.

The Special Assessments and Annual Installments for each Parcel or Lot located in the Major Improvement Area is shown on the Assessment Roll, attached as **Appendix A**, and no Special Assessment shall be changed except as authorized by this SAP and the PID Act. **Table IV-C** summarizes the initial allocation of the Special Assessment relating to the Major Improvement Area Bonds for the Major Improvement Area Assessed Property at the time the Assessment Ordinance relating to the Major Improvement Area Bonds was adopted by the City Council. This SAP will be modified as appropriate based on the actual amount of Major Improvement Area Bonds that are sold.

**Table IV-C
Assessment Allocation - Major Improvement Bond**

Lot Type (a)	# of Lots (a)	Estimated Buildout AV	% of Total	Total Assessment (a)	Annual Total Installment (b)	Total Assessment per Lot	Annual Installment per Lot
45'	113	11,475,000	6.1%	\$ 304,075	\$ 25,020	\$ 2,691	\$ 221
50'	270	30,000,000	16.1%	\$ 794,968	\$ 65,412	\$ 2,944	\$ 242
60'	130	6,900,000	3.7%	\$ 182,843	\$ 15,045	\$ 1,406	\$ 116
70'	45	15,750,000	8.4%	\$ 417,358	\$ 34,341	\$ 9,275	\$ 763
80'	27	10,800,000	5.8%	\$ 286,188	\$ 23,548	\$ 10,600	\$ 872
110'	90	42,900,000	23.0%	\$ 1,136,804	\$ 93,539	\$ 12,631	\$ 1,039
50' Club Cottage	73	18,250,000	9.8%	\$ 483,605	\$ 39,792	\$ 6,625	\$ 545
45' Active Adult	61	13,725,000	7.3%	\$ 363,698	\$ 29,926	\$ 5,962	\$ 491
50' Active Adult	122	30,500,000	16.3%	\$ 808,217	\$ 66,502	\$ 6,625	\$ 545
65' Active Adult	20	6,500,000	3.5%	\$ 172,243	\$ 14,173	\$ 8,612	\$ 709
Subtotal	951	186,800,000	100.0%	\$ 4,950,000	\$ 407,300		
Owners Association	-	-		\$ 50,000	\$ 4,114		
Total	951	\$ 186,800,000	100.0%	\$ 5,000,000	\$ 411,414		

(a) Estimates show the principal amounts of each assessment and are based on information available as of x/xx/2016, the date the original SAP was adopted by the City Council. Although the actual unit counts and buildout values may vary from the estimates shown above, the initial assessment allocation for each Lot Type will not change unless modified in a Service Plan Update approved by the City Council, subject to the terms of this SAP, the PID Act, and any other documents associated with the Major Improvement Bond.

(b) Annual Total Installment is for first full year after use of capitalized interest.

- *Assessment Methodology for Neighborhood Improvement Area #1*

For purpose of this SAP, the City Council has determined that the Actual Costs of the portion of the Major Improvement Area Authorized Improvements allocated to Neighborhood Improvement Area #1 and the Neighborhood Improvement Area #1 Improvements to be financed with the Neighborhood Improvement Area #1 Bonds shall be allocated to the Neighborhood Improvement Area #1 Assessed Property by spreading the entire Special Assessment for Neighborhood Improvement Area #1 across all Parcels or Lots within the Neighborhood Improvement Area #1 based on the ratio of the estimated build out value of each Parcel or Lot within Neighborhood Improvement Area #1 to the total build out value for the Neighborhood Improvement Area #1. **Table IV-D** summarizes the allocation of the Special Assessments, including the Owners Association Special Assessment Allocation, relating to PID Bonds for the Neighborhood Area #1 Assessed Property.

Based on the Actual Costs provided by the Owner for the Neighborhood Area #1 Improvements, the City Council has determined that the benefit to the Neighborhood Area #1 Assessed Property from the Neighborhood Area #1 Authorized Improvements and allocated share of the Major Improvements is at least equal to the Special Assessments levied on the Neighborhood Improvement Area #1 Assessed Property.

The Special Assessments and Annual Installments for each Parcel or Lot located in Neighborhood Improvement Area #1 are shown on the Assessment Roll, attached as **Appendix B**, and no Special Assessment shall be changed except as authorized by this SAP and the PID Act. **Table IV-D** summarizes the initial allocation of the Special Assessment relating to the Neighborhood Improvement Area #1 Bonds for the Neighborhood Improvement Area #1 Assessed Property at the time the Assessment Ordinance relating to the Neighborhood Improvement Area #1 Bonds was adopted by the City Council. This SAP will be modified as appropriate based on the actual amount of Neighborhood Improvement Area #1 Bonds that are sold.

Lot Type (a)	# of Lots (a)	Estimated Buildout AV	% of Total	Total Assessment (a)	Annual Total Installment (b)	Total Assessment per Lot	Annual Installment per Lot
45'	67	13,138,788	11.4%	\$ 1,352,396	\$ 109,144	\$ 20,185	\$ 1,629
50'	115	25,057,389	21.7%	\$ 2,579,196	\$ 208,152	\$ 22,428	\$ 1,810
60'	138	36,082,641	31.3%	\$ 3,714,042	\$ 299,739	\$ 26,913	\$ 2,172
70'	23	7,016,069	6.1%	\$ 722,175	\$ 58,283	\$ 31,399	\$ 2,534
80'	3	1,045,874	0.9%	\$ 107,653	\$ 8,688	\$ 35,884	\$ 2,896
110'	10	4,793,588	4.2%	\$ 493,411	\$ 39,820	\$ 49,341	\$ 3,982
50' Active Adult	44	9,587,175	8.3%	\$ 986,823	\$ 79,641	\$ 22,428	\$ 1,810
65' Active Adult	66	18,694,991	16.2%	\$ 1,924,304	\$ 155,299	\$ 29,156	\$ 2,353
Subtotal	466	115,416,515	100.0%	\$ 11,880,000	\$ 958,766		
Owners Association	-	-		\$ 120,000	\$ 9,685		
Total	466	\$ 115,416,515	100.0%	\$ 12,000,000	\$ 968,450		

(a) Estimates show the principal amounts of each assessment and are based on information available as of x/xx/2016, the date the original SAP was adopted by the City Council. Although the actual unit counts and buildout values may vary from the estimates shown above, the initial assessment allocation for each Lot Type will not change unless modified in a Service Plan Update approved by the City Council, subject to the terms of this SAP, the PID Act, and any other documents associated with the Neighborhood Improvement Area #1 Bonds.

(b) Annual Total Installment is for first full year after use of capitalized interest.

- *Assessment Methodology for Future Improvement Areas*

When and if the Future Neighborhood Improvement Areas are developed and the issuance of Future Neighborhood Improvement Area Bonds are contemplated, this SAP will be amended to determine the assessment methodology necessary to apply equal shares of the Actual Costs of Future Neighborhood Improvement Area Improvements on Assessed Property similarly benefited within that Future Neighborhood Improvement Area.

G. Special Assessment and Annual Installments

The Special Assessments for the Major Improvement Area Bonds and the Neighborhood Improvement Area Bonds will be levied on each Parcel or Lot according to the Major Improvement Area Assessment Roll and according to the Neighborhood Improvement Area Assessment Roll, as applicable. The Annual Installments for the Major Improvement Area Bonds and the Neighborhood Improvement Area Bonds will be collected on the dates and in the amounts shown on the Major Improvement Area Assessment Roll and the Neighborhood Improvement Area Assessment Roll, subject to any revisions made during an Annual Service Plan Update.

H. Administrative Expenses

The cost of administering the PID and collecting the Annual Installments shall be paid for on a pro rata basis by each Parcel or Lot based on the amount of outstanding assessment remaining on the Parcel or Lot. The Administrative Expenses shall be collected as part of and in the same manner as Annual Installments in the amounts shown on the Major Improvement Area Assessment Roll and the Neighborhood Improvement Area Assessment Roll shown on **Appendix A** and **Appendix B**, which are subject to revision through Annual Service Plan Updates.

I. Excess Interest Rate

Pursuant to the PID Act, the interest rate for Special Assessments may exceed the actual interest rate per annum paid on bonds issued by a PID by no more than one half of one percent (0.50%) per annum, (the "**Excess Interest Rate**"). Forty percent (40.0%) of the funds generated by the Excess Interest Rate (i.e., 0.20%) per annum will be dedicated to fund the Prepayment Reserve as described in **Section IV.J** below. The remaining sixty percent (60.0%) balance of the funds generated by the Excess Interest Rate (i.e., 0.30%) per annum is dedicated to the Delinquency Reserve as described in **Section IV.K** below.

J. Prepayment Reserve

As described above, a portion of the funds generated by the Excess Interest Rate will be allocated to fund the associated interest charged between the date of prepayment of a Special Assessment and the date on which related PID Bonds are actually redeemed (the "**Prepayment Reserve**"). The Prepayment Reserve shall be funded each year until it reaches 1.5% of the par amount of the related PID Bonds, but in no event will the annual collections be more than 0.20% per annum higher than the actual interest rate paid on the related PID Bonds. If the PID Act is subsequently amended to allow a prepayment of a Special Assessment to include all applicable interest from the date of prepayment through and including the date of the regularly scheduled PID Bond payments to be charged upon the prepayment of the Special Assessment, the 0.20% per annum allocated to fund the associated interest charged between the date of prepayment of the Special Assessment and the date on which PID Bonds are actually prepaid may be eliminated at the election of the City. If the Prepayment Reserve requirement is so eliminated or in a given year the

additional reserve is fully funded at 1.5% of the par amount of the PID Bonds, the City can allocate the Prepayment Reserve component of the Excess Interest Rate collected during that year to the Delinquency Reserve or to pay Administrative Expenses or for any other use that benefits the Assessed Property as set forth in the Indenture related to such PID Bonds and as determined by the City.

K. Delinquency Reserve

As described above, a portion of the funds generated by the Excess Interest Rate will be allocated to offset any possible delinquent payments. This additional reserve (the "**Delinquency Reserve**") shall be funded each year up to 4.0% of the par amount of the related PID Bonds, but in no event will the annual collection of the Delinquency Reserve be more than 0.30% per annum higher than the actual interest rate paid on the related PID Bonds. If in a given year the additional reserve is fully funded at 4.0% of the par amount of the related PID Bonds, the City can allocate the Delinquency Reserve component of the Excess Interest Rate collected during that year to redeem PID Bonds or for any other use that benefits the Assessed Property as set forth in the Indenture related to such PID Bonds and as determined by the City.

Section V

SERVICE PLAN

The PID Act requires the Service Plan (i) cover a period of at least five years, and (ii) define the annual projected costs and indebtedness for the Authorized Improvements undertaken within the PID during the five year period. It is anticipated that it will take approximately 12 months for the Major Improvements to be constructed. It is anticipated that it will take approximately 12 months for the Neighborhood Improvement Area #1 Improvements to be constructed.

The Actual Costs for the Major Improvements plus costs related to the issuance of the Major Improvement Area Bonds, and payment of expenses incurred in the establishment, administration and operation of the PID is \$17,292,460 as shown in **Table V-A**. The Actual Costs for the Neighborhood Improvement Area #1 Improvements and Neighborhood Improvement Area#1 's allocable share of the Major Improvements plus costs related to the issuance of the Neighborhood Improvement Area #1 Bonds, and payment of expenses incurred in the establishment, administration and operation of the PID is \$19,300,666 as shown in **Table V-B**. The Service Plan shall be reviewed and updated at least annually for purposes of determining the annual budget for Administrative Expenses, updating the Actual Costs of the Authorized Improvements, and updating the Assessment Rolls shown on **Appendix A** and **Appendix B**. Any update to this SAP is herein referred as an "**Annual Service Plan Update.**"

Table V-A summarizes the sources and uses of funds required to construct the Major Improvements, establish the PID, and issue the Major Improvement Area Bonds. The sources and uses of funds shown in **Table V-A** shall be updated each year in the Annual Service Plan Update to reflect any revisions to the Actual Costs and additional PID Bond issues, if any.

Table V-A	
Major Improvement Bond	
Sources and Uses of Funds	
Sources of Funds	
Gross Bond Amount	\$ 5,000,000
Owner Contribution (a)	12,292,460
	<u>\$ 17,292,460</u>
Uses of Funds	
Authorized Improvements (b)	\$ 15,592,460
	<u>\$ 15,592,460</u>
Other Fund Deposits:	
Reserve Fund Account(c)	\$ 500,000
Capitalized Interest Account (d)	700,000
	<u>\$ 1,200,000</u>
Costs of Issuance (e):	<u>\$ 350,000</u>
Underwriter Discount/Underwriter Counsel Fee (f):	<u>\$ 150,000</u>
	<u>\$ 17,292,460</u>
<p>(a) Owner will fund all costs not covered by the Major Improvement Bond.</p> <p>(b) See Table III-A and Table IV-A for details. Excludes the Major Improvement Bond Costs of Issuance, which are identified separately.</p> <p>(c) The Major Improvement Bond will include a reserve fund calculated in accordance with IRS rules.</p> <p>(d) The Major Improvement Bond will include 24 months of capitalized interest.</p> <p>(e) The Costs of Issuance will include a prepayment of the first year's Administrative Expenses.</p> <p>(f) The Major Improvement Bond will have a 3% Underwriter's Discount & Underwriter</p>	

Table V-B summarizes the sources and uses of funds required to construct the Neighborhood Improvement Area #1's share of the Major Improvements and Neighborhood Improvement Area #1 Improvements, establish the PID, and issue the Neighborhood Improvement Area #1 Bonds. The sources and uses of funds shown in **Table V-B** shall be updated each year in the Annual Service Plan Update to reflect any revisions to the Actual Costs and additional PID Bond issues, if any.

Table V-B	
Neighborhood Improvement Area #1 Bond Series A	
Sources and Uses of Funds	
Sources of Funds	
Gross Bond Amount	\$ 11,550,000
Owner Contribution (a)	7,750,666
	<u>\$ 19,300,666</u>
Uses of Funds	
Authorized Improvements (b)	\$ 16,182,166
	<u>\$ 16,182,166</u>
Other Fund Deposits:	
Reserve Fund Account(c)	\$ 1,155,000
Capitalized Interest Account (d)	808,500
	<u>\$ 1,963,500</u>
Costs of Issuance (e):	<u>\$ 808,500</u>
Underwriter Discount/Underwriter Counsel Fee (e):	<u>\$ 346,500</u>
	<u>\$ 19,300,666</u>
<p>(a) Owner will fund all costs not covered by the Neighborhood Improvement Area #1 Bond.</p> <p>(b) See Table III-B and Table IV-B for details. Excludes the Neighborhood Improvement Area #1 Bond Costs of Issuance, which are identified separately.</p> <p>(c) The Neighborhood Improvement Area #1 Bond will include a reserve fund calculated in accordance with IRS rules.</p> <p>(d) The Neighborhood Improvement Area #1 Bond will include 12 months of capitalized interest.</p> <p>(e) The Neighborhood Improvement Area #1 Bond will have a 3% Underwriter's Discount & Underwriter Counsel Fee.</p>	

The projected Annual Installments for the first five years after the approval of this SAP for the Major Improvement Area Bonds are presented in **Table V-C**. The projected Annual Installments are subject to revision and shall be updated in the Annual Service Plan Update to reflect any change expected for each year.

**Table V-C
Major Improvement Bond
Projected Annual Installments**

Year Ending January 1,	Principal Payments	Interest Expense	Administrative Expenses	Prepayment Reserve	Delinquency Reserve	Total Debt Service & Administrative Expenses	Capitalized Interest	Annual Installments
2017	\$ -	\$ 350,000	\$ 35,000	\$ 10,000	\$ 15,000	\$ 410,000	\$ 350,000	\$ 60,000
2018	\$ -	\$ 350,000	\$ 35,700	\$ 10,000	\$ 15,000	\$ 410,700	\$ 350,000	\$ 60,700
2019	\$ -	\$ 350,000	\$ 36,414	\$ 10,000	\$ 15,000	\$ 411,414	\$ -	\$ 411,414
2020	\$ -	\$ 350,000	\$ 37,142	\$ 10,000	\$ 15,000	\$ 412,142	\$ -	\$ 412,142
2021	\$ -	\$ 350,000	\$ 37,885	\$ 10,000	\$ 15,000	\$ 412,885	\$ -	\$ 412,885
Total	\$ -	\$ 1,750,000	\$ 182,141	\$ 50,000	\$ 75,000	\$ 2,057,141	\$ 700,000	\$ 1,357,141

Note: The Projected Annual Installments are the expenditures associated with the formation of the PID, the costs of issuance and repayment of the PID Bonds and the administration of the PID less the Capitalized Interest. The debt service estimates are based on a proposed debt service schedule which includes a 7.00% interest rate and a 30 year term for the Major Improvement Bond.

The projected Annual Installments for the first five years after the approval of this SAP for the Neighborhood Improvement Area #1 Bonds are presented in **Table V-D**. The projected Annual Installments are subject to revision and shall be updated in the Annual Service Plan Update to reflect any change expected for each year.

**Table V-D
Neighborhood Improvement Area #1 Bond Series A and Series B
Projected Annual Installments**

Year Ending January 1,	Principal Payments	Interest Expense	Administrative Expenses	Prepayment Reserve	Delinquency Reserve	Total Debt Service & Administrative Expenses	Capitalized Interest	Annual Installments
2017	\$ -	\$ 808,500	\$ 35,000	\$ 23,100	\$ 34,650	\$ 901,250	\$ 808,500	\$ 92,750
2018	\$ -	\$ 808,500	\$ 35,700	\$ 23,100	\$ 34,650	\$ 901,950	\$ -	\$ 901,950
2019	\$ -	\$ 808,500	\$ 36,414	\$ 23,100	\$ 34,650	\$ 902,664	\$ -	\$ 902,664
2020	\$ -	\$ 837,750	\$ 37,142	\$ 24,000	\$ 36,000	\$ 969,892	\$ -	\$ 969,892
2021	\$ -	\$ 837,750	\$ 37,885	\$ 24,000	\$ 36,000	\$ 971,335	\$ -	\$ 971,335
Total	\$ -	\$ 4,101,000	\$ 182,141	\$ 117,300	\$ 175,950	\$ 4,647,091	\$ 808,500	\$ 3,838,591

Note: The Projected Annual Installments are the expenditures associated with the formation of the PID, the costs of issuance and repayment of the PID Bonds and the administration of the PID less the Capitalized Interest. The debt service estimates are based on a proposed debt service schedule which includes a 7.00% interest rate for Neighborhood Improvement Area #1 Bond Series A, a 6.50% interest rate for Neighborhood Improvement Area #1 Bond Series B, and a 30 year term for the Neighborhood Improvement Area #1 Bonds. The Projected Annual Installments assume Neighborhood Improvement Area #1 Bond Series B will be issued in 2020.

Section VI

TERMS OF THE SPECIAL ASSESSMENTS

A. Amount of Special Assessments and Annual Installments for Parcels Located Within the Major Improvement Area

The Special Assessments and Annual Installments for the Major Improvement Area Assessed Property are shown on the Major Improvement Area Assessment Roll in **Appendix A**. The Special Assessment and Annual Installments shall not be changed except as authorized under the terms of this SAP and the PID Act. The Annual Installments shall be collected in an amount sufficient to pay (i) the principal and interest on the Major Improvement Area Bonds, (ii) to fund the Prepayment Reserve for the Major Improvement Area Bonds, (iii) to fund the Delinquency Reserve for the Major Improvement Area Bonds, and (iv) to cover the Administrative Expenses of the Major Improvement Area.

B. Amount of Special Assessments and Annual Installments for Parcels Located Within Neighborhood Improvement Area #1

The Special Assessments and Annual Installments for the Neighborhood Improvement Area #1 Assessed Property are shown on the Neighborhood Improvement Area #1 Assessment Roll in **Appendix B**. The Special Assessment and Annual Installments shall not be changed except as authorized under the terms of this SAP and the PID Act. The Annual Installments shall be collected in an amount sufficient to pay (i) the principal and interest on the Neighborhood Improvement Area #1 Bonds, (ii) to fund the Delinquency Reserve for the Neighborhood Improvement Area #1 Bonds, and (iii) to cover the Administrative Expenses of Neighborhood Improvement Area #1.

C. Amount of Special Assessments and Annual Installments for Parcels Located Within Future Neighborhood Improvement Areas

When and if Future Neighborhood Improvement Areas are developed, this SAP will be amended to determine the Special Assessment and Annual Installments associated with the costs of Future Neighborhood Improvement Area Improvements for each Parcel or Lot located within a Future Neighborhood Improvement Area. The Special Assessment shall not exceed the benefit received by the Assessed Property.

D. Reallocation of Assessments for Parcels Located Within the Major Improvement Area and Neighborhood Improvement Area #1

i. Upon Division Prior to Recording of Subdivision Plat

The Special Assessments for each initial Parcel are based on the estimated build out value for the number and type of expected Lots within that Parcel shown on the parcel map attached hereto as **Appendix D** (“**the Parcel Map**”). The number of each type of Lot contained in each Parcel was counted and the amount of Special Assessments shown on **Table IV-C** and **Table IV-D** for each Lot type was added up to calculate the amount of the Special Assessment for each Parcel. As Lots are platted in accordance with the Parcel Map, each Lot will be assessed the Special Assessment that it was assigned pursuant to **Table IV-C** and **Table IV-D**.

If Lots are not platted in accordance with the Parcel Map, the Special Assessments for each affected Lot will be allocated in an equitable manner, but in no event will such new allocation increase the total Special Assessment for each Lot as identified in **Table IV-C** and **Table IV-D**.

ii. Upon Subdivision by a Recorded Subdivision Plat

Once a Lot has a Special Assessment applied to it, as shown in **Table IV-C** and **Table IV-D**, and then proceeds to be subdivided again, in no event will the new subdivision cause the sum of the Special Assessments for the subdivided Lots to be greater than the Special Assessment for the Lot prior to its subdivision.

The allocation method used above is to insure there will not be an increase in the Special Assessment for each specific Parcel. If Lots are not platted in accordance with the Parcel Map, the Special Assessments for each affected Lot will be allocated in an equitable manner, but in no event will such new allocation increase the total Special Assessment for each Lot as identified in **Table IV-C** and **Table IV-D**.

iii. Upon Consolidation

Upon the consolidation of two or more Assessed Properties, the Special Assessment for the consolidated Assessed Property shall be the sum of the Special Assessments for the Assessed Properties prior to consolidation. The reallocation of a Special Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Special Assessment prior to the reallocation. Any reallocation pursuant to this section shall be calculated by the Administrator and reflected in an update to this SAP approved by the City Council. The consolidation of any Assessed Property as described herein shall be considered an administrative action and will not require any notice or public hearing (as defined in the PID Act) by the City Council.

E. Reallocation of Assessments for Parcels Located Within Future Neighborhood Improvement Areas

As Future Neighborhood Improvement Areas are developed, this SAP will be amended to determine the assessment reallocation methodology that results in the imposition of equal shares of the Actual Costs on Assessed Property similarly benefited within each Future Neighborhood Improvement Area.

F. Mandatory Prepayment of Assessments

If Assessed Property or a portion thereof is transferred to a party that is exempt from the payment of the Special Assessment under applicable law, or if an owner causes a Parcel or portion thereof to become Non-Benefited Property, the owner of such Parcel or portion thereof shall pay to the City the full amount of the Special Assessment, plus all Prepayment Costs, for such Parcel, Lot or portion thereof prior to any such transfer or act.

The City may, but is not obligated to, annex the PID Property not sooner than ten (10) years after the first PID bond issuance. In the event the City determines that it will annex the PID Property, then, upon annexation, the City shall concurrently assume all debts, liabilities, and obligations relating to the PID.

G. Reduction of Special Assessments

If after all Authorized Improvements to be funded with a series of PID Bonds have been completed and the Actual Costs for the Authorized Improvements are less than the Actual Costs used to calculate the Special Assessments securing such PID Bonds, resulting in excess PID Bond proceeds, then the City may, at its discretion and in accordance with the Indenture related to such series of PID Bonds, reduce the Special Assessment securing the series of PID Bonds for each Assessed Property pro rata such that the sum of the resulting reduced Special Assessments for all Assessed Properties equals the reduced Actual Costs and such excess PID Bond proceeds shall be applied to redeem PID Bonds of such series. Additionally, the City may, at its discretion and in accordance with the Indenture related to such series of PID Bonds, use such excess bond proceeds to fund additional Authorized Improvements in the PID. The Special Assessments shall not be reduced to an amount less than the principal amount of the related outstanding series of such PID Bonds.

Similarly, if the City does not undertake some of the Authorized Improvements to be funded with a series of PID Bonds resulting in excess PID Bond proceeds then the City may, at its discretion and in accordance with the Indenture related to such series of PID Bonds, reduce the Special Assessment securing such PID Bonds for each Assessed Property pro-rata to reflect only the Actual Costs that were expended and apply such excess PID Bond proceeds as described in the paragraph immediately above. The Special Assessments shall not be reduced to an amount less than the principal amount of the related outstanding series of such PID Bonds.

H. Payment of Special Assessments

i. Payment in Full

- a. The Special Assessment for any Parcel or Lot may be paid in full at any time in accordance the PID Act. The Payment shall include all Prepayment Costs, if any. If prepayment in full will result in redemption of PID Bonds, the payment amount shall be reduced by the applicable portion of the proceeds from a debt service reserve fund applied to the redemption pursuant to the Indenture, net of any other costs applicable to the redemption of PID Bonds.
- b. If an Annual Installment has been billed prior to payment in full of a Special Assessment, the Annual Installment shall be due and payable and shall be credited against the payment in full amount upon payment.
- c. Upon payment in full of a Special Assessment and all Prepayment Costs, the City shall deposit the payment in accordance with the related Indenture; whereupon, the Special Assessment for the Parcel or Lot shall be reduced to zero, and the Parcel or Lot owner's obligation to pay the Special Assessment and Annual Installments thereof shall automatically terminate. The City shall provide the owner of the affected Assessed Property a recordable "Notice of PID Assessment Termination."
- d. At the option of a Parcel or Lot owner, the Special Assessment on any Parcel or Lot may be paid in part in an amount equal to the amount of prepaid Special Assessments plus Prepayment Costs, if any, with respect thereto. Upon the partial payment of such amount for a Parcel or Lot, the Special Assessment for the Parcel or Lot shall be reduced by the amount of such partial payment, the Assessment Roll shall be updated to reflect such partial payment, and the obligation to pay the Annual Installment for such Parcel or Lot shall be reduced to the extent the partial payment is made.

ii. Payment of Annual Installments

- a. If a Special Assessment is not paid in full, the PID Act authorizes the City to collect interest and collection costs on the outstanding Special Assessment. A Special Assessment for a Parcel or Lot that is not paid in full will be collected in Annual Installments, as adjusted for partial payments, if any, each year in the amounts shown in the applicable Assessment Roll, which includes interest on the outstanding Special Assessment and Administrative Expenses.

- b. The Annual Installments as listed on the Major Improvement Area Assessment Roll and the Neighborhood Improvement Area #1 Assessment Roll have been calculated assuming interest rate on the Major Improvement Area Bonds of 7.0%, and an interest rate on the Neighborhood Improvement Area #1 Series A Bonds of 7.0% and an interest rate of the expected Neighborhood Improvement Area #1 Series B Bonds of 6.50%. The Annual Installments may not exceed the amounts shown on the Major Improvement Area Assessment Roll and the Neighborhood Improvement Area #1 Assessment Roll except pursuant to any amendment or update to this SAP.
- c. The Annual Installments shall be reduced to equal the actual costs of repaying the related series of PID Bonds and actual Administrative Expenses (as provided for in the definition of such term), taking into consideration any other available funds for these costs, such as interest income on account balances.
- d. The City reserves and shall have the right and option to refund PID Bonds in accordance with Section 372.027 of the PID Act and the Indenture related to such PID Bonds. In the event of issuance of refunding bonds, the Administrator shall recalculate the Annual Installments, and if necessary, may adjust, or decrease, the amount of the Annual Installment so that total Annual Installments of Special Assessments will be produced in annual amounts that are required to pay the debt service on the refunding bonds when due and payable as required by and established in the ordinance and/or the indenture authorizing and securing the refunding bonds, and such refunding bonds shall constitute “PID Bonds” for purposes of this SAP.

I. Collection of Annual Installments

The Administrator shall, no less frequently than annually, prepare and submit to the City for its approval, an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include an updated Assessment Roll and a calculation of the Annual Installment for each Assessed Property. Administrative Expenses shall be allocated among Assessed Properties in proportion to the amount of the Annual Installments for the Assessed Property. Each Annual Installment shall be reduced by any credits applied under the applicable Indenture, such as capitalized interest, interest earnings on any account balances, and any other funds available to the Trustee for such purpose, and existing deposits for a Prepayment Reserve. Annual Installments may be collected by the City (or such entity to whom the City directs) in the same manner and at the same time as ad valorem taxes. Annual Installments shall be subject to the penalties, procedures, and foreclosure sale in case of delinquencies as set forth in the PID Act. The Assessments shall have lien priority as specified in the PID Act.

Any sale of Assessed Property for nonpayment of the delinquent Annual Installments shall be subject to the lien established for the remaining unpaid Special Assessment against such Assessed Property and such Assessed Property may again be sold at a judicial foreclosure sale if the purchaser thereof fails to make timely payment of the non-delinquent Annual Installments against such Assessed Property as they become due and payable.

Each Annual Installment, including the interest on the unpaid amount of a Special Assessment, shall be updated annually. Each Annual Installment together with interest thereon shall be delinquent if not paid prior to February 1 of the following year. The initial Annual Installments relating to the Major Improvement Area Bonds and the Neighborhood Improvement Area Bonds will be due when billed, and will be delinquent if not paid prior to February 1, 2017.

J. Surplus Funds Remaining in the Major Improvement Area Bond Account

If proceeds from the Major Improvement Area Bonds still remain after all of the Major Improvements are constructed and accepted by the City, the proceeds may be utilized in accordance with **Section VI.G** of this SAP.

K. Surplus Funds Remaining in the Neighborhood Improvement Area #1 Bond Account

If proceeds from the Neighborhood Improvement Area # 1 Bonds still remain after all of the Neighborhood Improvement Area Improvements are constructed and accepted by the City, the proceeds may be utilized in accordance with **Section VI.G** of this SAP.

Section VII

THE ASSESSMENT ROLL

A. Major Improvement Area Assessment Roll

The City Council has evaluated each Parcel in the Major Improvement Area (based on numerous factors such as the applicable zoning for developable area, the use of proposed Owners Association Property, the Public Property, the types of Authorized Improvements, and other development factors deemed relevant by the City Council) to determine the amount of Assessed Property within the Parcel.

The Major Improvement Area Assessed Property will be assessed for the special benefits conferred upon the property resulting from the Major Improvements. **Table VII-A** summarizes the \$17,292,460 in special benefit received by the Major Improvement Area Assessed Property from the Major Improvements, the costs of the PID formation, and the Major Improvement Area Bond issuance costs. The par amount of the Major Improvement Area Bonds is \$5,000,000, which is less than the benefit received by the Major Improvement Area Assessed Property. Accordingly, the total Special Assessment to be applied to all the Major Improvement Area Assessed Property is \$5,000,000 plus annual Administrative Expenses. The Special Assessment for each Major Improvement Area Assessed Property is calculated based on the allocation methodologies described in **Section IV-F**. The Major Improvement Area Assessment Roll is attached hereto as **Appendix A**.

Table VII-A Special Benefit Summary Major Improvement Bond	
Authorized Improvement	Total Cost
<i>Major Improvements</i>	
Total Authorized Improvements	\$ 15,592,460
<i>PID Formation/Bond Cost of Issuance</i>	
Reserve Fund	\$ 500,000
Capitalized Interest	\$ 700,000
Underwriter's Discount/Underwriter Counsel	\$ 150,000
Cost of Issuance	\$ 350,000
Total PID Formation/Bond Cost of Issuance	\$ 1,700,000
Total Special Benefit	\$ 17,292,460
Proposed Special Assessment	\$ 5,000,000
Excess Benefit	\$ 12,292,460

B. Neighborhood Improvement Area #1 Assessment Roll

The City Council has evaluated each Parcel in Neighborhood Improvement Area #1 (based on numerous factors such as the applicable zoning for developable area, the use of proposed Owner's Association Property, the Public Property, the types of Authorized Improvements, and other development factors deemed relevant by the City Council) to determine the amount of Assessed Property within the Parcel.

The Neighborhood Improvement Area #1 Assessed Property will be assessed for the special benefits conferred upon the property resulting from the Neighborhood Improvement Area Improvements and the portion of the Major Improvements allocable to Neighborhood Improvement Area #1. **Table VII-B** summarizes the \$19,390,666 in special benefit received by the Neighborhood Improvement Area #1 Property from the Neighborhood Improvement Area #1 Improvements, the costs of the PID formation, and the Neighborhood Improvement Area #1 Bond issuance costs. The par amount of the Neighborhood Improvement Area #1 Bonds is \$12,000,000, which is less than the benefit received by the Neighborhood Improvement Area Assessed Property. Accordingly, the total Special Assessment to be applied to all the Neighborhood Improvement Area #1 Assessed Property is \$12,000,000 plus annual Administrative Expenses. The Special Assessment for each Neighborhood Improvement Area #1 Assessed Property is calculated based on the allocation methodologies described in **Section IV-F**. The Neighborhood Improvement Area #1 Assessment Roll is attached hereto as **Appendix B**.

Table VII-B Special Benefit Summary Neighborhood Improvement Area #1 Bond Series A and Series B	
Authorized Improvement	Total Cost
<i>Neighborhood Improvements</i>	
Total Authorized Improvements	\$ 16,182,166
<i>PID Formation/Bond Cost of Issuance</i>	
Reserve Fund	\$ 1,200,000
Capitalized Interest	\$ 808,500
Underwriter's Discount/Underwriter Counsel	\$ 360,000
Cost of Issuance	\$ 840,000
Total PID Formation/Bond Cost of Issuance	\$ 3,208,500
Total Special Benefit	\$ 19,390,666
Proposed Special Assessment	\$ 12,000,000
Excess Benefit	\$ 7,390,666

C. Future Neighborhood Improvement Area Assessment Roll

As Future Neighborhood Improvement Areas are developed, this SAP will be amended to determine the Assessment for each Parcel or Lot located within such Future Neighborhood Improvement Areas (e.g. an appendix will be added as the Assessment Roll for Future Improvement Areas).

D. Annual Assessment Roll Updates

The Administrator shall prepare, and shall submit to the City for approval, updates to the Assessment Roll and the Annual Service Plan Update to reflect changes such as (i) the identification of each Parcel (ii) the Special Assessment for each Assessed Property, including any adjustments authorized by this SAP or in the PID Act; (iii) the Annual Installment for the Assessed Property for the year (if the Special Assessment is payable in installments); and (iv) payments of the Special Assessment, if any, as provided by **Section VI.H** of this SAP.

The SAP Update shall reflect the actual interest on the Major Improvement Area Bonds and the Neighborhood Improvement Area #1 Bonds on which the Annual Installments shall be paid, any reduction in the Major Improvement Area Special Assessments or Neighborhood Improvement Area #1 Special Assessments, and any revisions in the Actual Costs to be funded by the Major Improvement Area Bonds and the Neighborhood Improvement Area #1 Bonds and Owner funds.

Section XIII

MISCELLANEOUS PROVISIONS

A. Administrative Review

The City may elect to designate a third party to serve as Administrator of the PID. The City shall notify the Owners in writing upon appointing a third party Administrator.

To the extent consistent with the PID Act, if an owner of the Assessed Property claims that a calculation error has been made in the Assessment Roll, including the calculation of the Annual Installment, that owner must send a written notice describing the error to the Administrator no later than thirty (30) days after the date the invoice or other bill for the Annual Installment is received. If the Assessed Property owner fails to give such notice, such Assessed Property owners shall be deemed to have accepted the calculation of the Assessment Roll (including the Annual Installments) and to have waived any objection to the calculation. The Administrator shall promptly review the notice, and if necessary, meet with the Assessed Property owner, consider written and oral evidence regarding the alleged error and decide whether, in fact, such a calculation error occurred.

If the Administrator determines that a calculation error has been made and the Assessment Roll should be modified or changed in favor of the Assessed Property owner, such change or modification shall be presented to the City for approval, to the extent permitted by the PID Act. A cash refund may not be made for any amount previously paid by the Assessed Property owner (except for the final year during which the Annual Assessment shall be collected), but an adjustment may be made in the amount of the Annual Installment to be paid in the following year. The decision of the Administrator regarding a calculation error relating to the Assessment Roll may be appealed to City Council. Any amendments made to the Assessment Roll pursuant to calculation errors shall be made pursuant to the PID Act.

B. Termination of Assessments

Each Special Assessment shall terminate on the date the Special Assessment is paid in full, including payment of any unpaid Annual Installments and Delinquent Collection Costs, if any. After the termination of the Special Assessment, and the collection of any delinquent Annual Installments and Delinquent Collection Costs, the City shall provide the owner of the affected Parcel a recordable "Notice of the PID Assessment Termination."

C. Amendments

Amendments to the SAP may be made as permitted or required by the PID Act and Texas law.

D. Administration and Interpretation of Provisions

The City Council shall administer (or cause the administration of) the PID, this SAP, and all Annual Service Plan Updates consistent with the PID Act.

E. Severability

If any provision, section, subsection, sentence, clause or phrase of this SAP, or the application of same to an Assessed Parcel or any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this SAP or the application to all or any portion of the Property or other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this SAP that no part thereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other part hereof, and all provisions of this SAP are declared to be severable for that purpose.

If any provision of this SAP is determined by a court to be unenforceable, the unenforceable provision shall be deleted from this SAP and the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of the City.

Appendix A

Major Improvement Area Assessment Roll

Appendix A Special Assessment by Parcel		
Phase	Owner	PID Bond Special Assessment
2	XS Ranch Fund VI, L.P.	\$ 2,432,104
3	XS Ranch Fund VI, L.P.	\$ 2,517,896
HOA	XS Ranch Fund VI, L.P.	\$ 50,000
Totals		\$ 5,000,000

**Appendix A-1
Annual Installments - All Parcels**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	350,000.00	\$ 350,000	\$ 35,000	\$ 10,000	\$ 15,000	\$ -	\$ (350,000)	\$ 60,000
1/1/2018	\$ -	350,000.00	\$ 350,000	\$ 35,700	\$ 10,000	\$ 15,000	\$ -	\$ (350,000)	\$ 60,700
1/1/2019	\$ -	350,000.00	\$ 350,000	\$ 36,414	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ 411,414
1/1/2020	\$ -	350,000.00	\$ 350,000	\$ 37,142	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ 412,142
1/1/2021	\$ -	350,000.00	\$ 350,000	\$ 37,885	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ 412,885
1/1/2022	\$ -	350,000.00	\$ 350,000	\$ 38,643	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ 413,643
1/1/2023	\$ 25,000	350,000.00	\$ 375,000	\$ 39,416	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ 439,416
1/1/2024	\$ 25,000	348,250.00	\$ 373,250	\$ 40,204	\$ 4,625	\$ 14,925	\$ -	\$ -	\$ 433,004
1/1/2025	\$ 25,000	346,500.00	\$ 371,500	\$ 41,008	\$ -	\$ 14,850	\$ -	\$ -	\$ 427,358
1/1/2026	\$ 50,000	344,750.00	\$ 394,750	\$ 41,828	\$ -	\$ 14,775	\$ -	\$ -	\$ 451,353
1/1/2027	\$ 50,000	341,250.00	\$ 391,250	\$ 42,665	\$ -	\$ 14,625	\$ -	\$ -	\$ 448,540
1/1/2028	\$ 75,000	337,750.00	\$ 412,750	\$ 43,518	\$ -	\$ 14,475	\$ -	\$ -	\$ 470,743
1/1/2029	\$ 75,000	332,500.00	\$ 407,500	\$ 44,388	\$ -	\$ 14,250	\$ -	\$ -	\$ 466,138
1/1/2030	\$ 100,000	327,250.00	\$ 427,250	\$ 45,276	\$ -	\$ 7,100	\$ -	\$ -	\$ 479,626
1/1/2031	\$ 100,000	320,250.00	\$ 420,250	\$ 46,182	\$ -	\$ -	\$ -	\$ -	\$ 466,432
1/1/2032	\$ 125,000	313,250.00	\$ 438,250	\$ 47,105	\$ -	\$ -	\$ -	\$ -	\$ 485,355
1/1/2033	\$ 150,000	304,500.00	\$ 454,500	\$ 48,047	\$ -	\$ -	\$ -	\$ -	\$ 502,547
1/1/2034	\$ 150,000	294,000.00	\$ 444,000	\$ 49,008	\$ -	\$ -	\$ -	\$ -	\$ 493,008
1/1/2035	\$ 175,000	283,500.00	\$ 458,500	\$ 49,989	\$ -	\$ -	\$ -	\$ -	\$ 508,489
1/1/2036	\$ 200,000	271,250.00	\$ 471,250	\$ 50,988	\$ -	\$ -	\$ -	\$ -	\$ 522,238
1/1/2037	\$ 225,000	257,250.00	\$ 482,250	\$ 52,008	\$ -	\$ -	\$ -	\$ -	\$ 534,258
1/1/2038	\$ 250,000	241,500.00	\$ 491,500	\$ 53,048	\$ -	\$ -	\$ -	\$ -	\$ 544,548
1/1/2039	\$ 275,000	224,000.00	\$ 499,000	\$ 54,109	\$ -	\$ -	\$ -	\$ -	\$ 553,109
1/1/2040	\$ 300,000	204,750.00	\$ 504,750	\$ 55,191	\$ -	\$ -	\$ -	\$ -	\$ 559,941
1/1/2041	\$ 350,000	183,750.00	\$ 533,750	\$ 56,295	\$ -	\$ -	\$ -	\$ -	\$ 590,045
1/1/2042	\$ 375,000	159,250.00	\$ 534,250	\$ 57,421	\$ -	\$ -	\$ -	\$ -	\$ 591,671
1/1/2043	\$ 400,000	133,000.00	\$ 533,000	\$ 58,570	\$ -	\$ -	\$ -	\$ -	\$ 591,570
1/1/2044	\$ 450,000	105,000.00	\$ 555,000	\$ 59,741	\$ -	\$ -	\$ -	\$ -	\$ 614,741
1/1/2045	\$ 500,000	73,500.00	\$ 573,500	\$ 60,936	\$ -	\$ -	\$ -	\$ -	\$ 634,436
1/1/2046	\$ 550,000	38,500.00	\$ 588,500	\$ 62,155	\$ -	\$ -	\$ (650,655)	\$ -	\$ -
Totals	\$ 5,000,000	\$ 8,235,500	\$ 13,235,500	\$ 1,419,883	\$ 74,625	\$ 200,000	\$ (650,655)	\$ (700,000)	\$ 13,579,353

(a) The 1/1/XX dates represent the fiscal year end for the Bonds.
 (b) Gross of Capitalized Interest
 (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
 (d) Annual Installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

**Appendix A-2
Annual Installments - Phase 2**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	\$ 170,247	\$ 170,247	\$ 17,025	\$ 4,864	\$ 7,296	\$ -	\$ (170,247)	\$ 29,185
1/1/2018	\$ -	\$ 170,247	\$ 170,247	\$ 17,365	\$ 4,864	\$ 7,296	\$ -	\$ (170,247)	\$ 29,526
1/1/2019	\$ -	\$ 170,247	\$ 170,247	\$ 17,713	\$ 4,864	\$ 7,296	\$ -	\$ -	\$ 200,120
1/1/2020	\$ -	\$ 170,247	\$ 170,247	\$ 18,067	\$ 4,864	\$ 7,296	\$ -	\$ -	\$ 200,475
1/1/2021	\$ -	\$ 170,247	\$ 170,247	\$ 18,428	\$ 4,864	\$ 7,296	\$ -	\$ -	\$ 200,836
1/1/2022	\$ -	\$ 170,247	\$ 170,247	\$ 18,797	\$ 4,864	\$ 7,296	\$ -	\$ -	\$ 201,204
1/1/2023	\$ 12,161	\$ 170,247	\$ 182,408	\$ 19,173	\$ 4,864	\$ 7,296	\$ -	\$ -	\$ 213,741
1/1/2024	\$ 12,161	\$ 169,396	\$ 181,557	\$ 19,556	\$ 2,250	\$ 7,260	\$ -	\$ -	\$ 210,622
1/1/2025	\$ 12,161	\$ 168,545	\$ 180,705	\$ 19,947	\$ -	\$ 7,223	\$ -	\$ -	\$ 207,876
1/1/2026	\$ 24,321	\$ 167,694	\$ 192,015	\$ 20,346	\$ -	\$ 7,187	\$ -	\$ -	\$ 219,548
1/1/2027	\$ 24,321	\$ 165,991	\$ 190,312	\$ 20,753	\$ -	\$ 7,114	\$ -	\$ -	\$ 218,179
1/1/2028	\$ 36,482	\$ 164,289	\$ 200,770	\$ 21,168	\$ -	\$ 7,041	\$ -	\$ -	\$ 228,979
1/1/2029	\$ 36,482	\$ 161,735	\$ 198,216	\$ 21,591	\$ -	\$ 6,931	\$ -	\$ -	\$ 226,739
1/1/2030	\$ 48,642	\$ 159,181	\$ 207,823	\$ 22,023	\$ -	\$ 3,454	\$ -	\$ -	\$ 233,300
1/1/2031	\$ 48,642	\$ 155,776	\$ 204,418	\$ 22,464	\$ -	\$ -	\$ -	\$ -	\$ 226,882
1/1/2032	\$ 60,803	\$ 152,371	\$ 213,174	\$ 22,913	\$ -	\$ -	\$ -	\$ -	\$ 236,087
1/1/2033	\$ 72,963	\$ 148,115	\$ 221,078	\$ 23,371	\$ -	\$ -	\$ -	\$ -	\$ 244,450
1/1/2034	\$ 72,963	\$ 143,008	\$ 215,971	\$ 23,839	\$ -	\$ -	\$ -	\$ -	\$ 239,810
1/1/2035	\$ 85,124	\$ 137,900	\$ 223,024	\$ 24,316	\$ -	\$ -	\$ -	\$ -	\$ 247,339
1/1/2036	\$ 97,284	\$ 131,942	\$ 229,226	\$ 24,802	\$ -	\$ -	\$ -	\$ -	\$ 254,028
1/1/2037	\$ 109,445	\$ 125,132	\$ 234,576	\$ 25,298	\$ -	\$ -	\$ -	\$ -	\$ 259,874
1/1/2038	\$ 121,605	\$ 117,471	\$ 239,076	\$ 25,804	\$ -	\$ -	\$ -	\$ -	\$ 264,880
1/1/2039	\$ 133,766	\$ 108,958	\$ 242,724	\$ 26,320	\$ -	\$ -	\$ -	\$ -	\$ 269,044
1/1/2040	\$ 145,926	\$ 99,595	\$ 245,521	\$ 26,846	\$ -	\$ -	\$ -	\$ -	\$ 272,367
1/1/2041	\$ 170,247	\$ 89,380	\$ 259,627	\$ 27,383	\$ -	\$ -	\$ -	\$ -	\$ 287,010
1/1/2042	\$ 182,408	\$ 77,463	\$ 259,870	\$ 27,931	\$ -	\$ -	\$ -	\$ -	\$ 287,801
1/1/2043	\$ 194,568	\$ 64,694	\$ 259,262	\$ 28,489	\$ -	\$ -	\$ -	\$ -	\$ 287,752
1/1/2044	\$ 218,889	\$ 51,074	\$ 269,964	\$ 29,059	\$ -	\$ -	\$ -	\$ -	\$ 299,023
1/1/2045	\$ 243,210	\$ 35,752	\$ 278,962	\$ 29,640	\$ -	\$ -	\$ -	\$ -	\$ 308,603
1/1/2046	\$ 267,531	\$ 18,727	\$ 286,259	\$ 30,233	\$ -	\$ -	\$ (316,492)	\$ -	\$ -
Totals	\$ 2,432,104	\$ 4,005,919	\$ 6,438,023	\$ 690,661	\$ 36,299	\$ 97,284	\$ (316,492)	\$ (340,495)	\$ 6,605,280

(a) The 1/1/XX dates represent the fiscal year end for the Bonds.
 (b) Gross of Capitalized Interest
 (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
 (d) Annual installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

**Appendix A-3
Annual Installments - Phase 3**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	\$ 176,253	\$ 176,253	\$ 17,625	\$ 5,036	\$ 7,554	\$ -	\$ (176,253)	\$ 30,215
1/1/2018	\$ -	\$ 176,253	\$ 176,253	\$ 17,978	\$ 5,036	\$ 7,554	\$ -	\$ (176,253)	\$ 30,567
1/1/2019	\$ -	\$ 176,253	\$ 176,253	\$ 18,337	\$ 5,036	\$ 7,554	\$ -	\$ -	\$ 207,180
1/1/2020	\$ -	\$ 176,253	\$ 176,253	\$ 18,704	\$ 5,036	\$ 7,554	\$ -	\$ -	\$ 207,546
1/1/2021	\$ -	\$ 176,253	\$ 176,253	\$ 19,078	\$ 5,036	\$ 7,554	\$ -	\$ -	\$ 207,920
1/1/2022	\$ -	\$ 176,253	\$ 176,253	\$ 19,460	\$ 5,036	\$ 7,554	\$ -	\$ -	\$ 208,302
1/1/2023	\$ 12,589	\$ 176,253	\$ 188,842	\$ 19,849	\$ 5,036	\$ 7,554	\$ -	\$ -	\$ 221,281
1/1/2024	\$ 12,589	\$ 175,371	\$ 187,961	\$ 20,246	\$ 2,329	\$ 7,516	\$ -	\$ -	\$ 218,052
1/1/2025	\$ 12,589	\$ 174,490	\$ 187,080	\$ 20,651	\$ -	\$ 7,478	\$ -	\$ -	\$ 215,209
1/1/2026	\$ 25,179	\$ 173,609	\$ 198,788	\$ 21,064	\$ -	\$ 7,440	\$ -	\$ -	\$ 227,292
1/1/2027	\$ 25,179	\$ 171,846	\$ 197,025	\$ 21,485	\$ -	\$ 7,365	\$ -	\$ -	\$ 225,875
1/1/2028	\$ 37,768	\$ 170,084	\$ 207,852	\$ 21,915	\$ -	\$ 7,289	\$ -	\$ -	\$ 237,056
1/1/2029	\$ 37,768	\$ 167,440	\$ 205,209	\$ 22,353	\$ -	\$ 7,176	\$ -	\$ -	\$ 234,738
1/1/2030	\$ 50,358	\$ 164,796	\$ 215,154	\$ 22,800	\$ -	\$ 3,575	\$ -	\$ -	\$ 241,530
1/1/2031	\$ 50,358	\$ 161,271	\$ 211,629	\$ 23,256	\$ -	\$ -	\$ -	\$ -	\$ 234,885
1/1/2032	\$ 62,947	\$ 157,746	\$ 220,694	\$ 23,721	\$ -	\$ -	\$ -	\$ -	\$ 244,415
1/1/2033	\$ 75,537	\$ 153,340	\$ 228,877	\$ 24,196	\$ -	\$ -	\$ -	\$ -	\$ 253,072
1/1/2034	\$ 75,537	\$ 148,052	\$ 223,589	\$ 24,680	\$ -	\$ -	\$ -	\$ -	\$ 248,269
1/1/2035	\$ 88,126	\$ 142,765	\$ 230,891	\$ 25,173	\$ -	\$ -	\$ -	\$ -	\$ 256,064
1/1/2036	\$ 100,716	\$ 136,596	\$ 237,312	\$ 25,677	\$ -	\$ -	\$ -	\$ -	\$ 262,988
1/1/2037	\$ 113,305	\$ 129,546	\$ 242,851	\$ 26,190	\$ -	\$ -	\$ -	\$ -	\$ 269,041
1/1/2038	\$ 125,895	\$ 121,614	\$ 247,509	\$ 26,714	\$ -	\$ -	\$ -	\$ -	\$ 274,223
1/1/2039	\$ 138,484	\$ 112,802	\$ 251,286	\$ 27,248	\$ -	\$ -	\$ -	\$ -	\$ 278,534
1/1/2040	\$ 151,074	\$ 103,108	\$ 254,182	\$ 27,793	\$ -	\$ -	\$ -	\$ -	\$ 281,975
1/1/2041	\$ 176,253	\$ 92,533	\$ 268,785	\$ 28,349	\$ -	\$ -	\$ -	\$ -	\$ 297,135
1/1/2042	\$ 188,842	\$ 80,195	\$ 269,037	\$ 28,916	\$ -	\$ -	\$ -	\$ -	\$ 297,953
1/1/2043	\$ 201,432	\$ 66,976	\$ 268,408	\$ 29,494	\$ -	\$ -	\$ -	\$ -	\$ 297,902
1/1/2044	\$ 226,611	\$ 52,876	\$ 279,486	\$ 30,084	\$ -	\$ -	\$ -	\$ -	\$ 309,571
1/1/2045	\$ 251,790	\$ 37,013	\$ 288,803	\$ 30,686	\$ -	\$ -	\$ -	\$ -	\$ 319,489
1/1/2046	\$ 276,969	\$ 19,388	\$ 296,356	\$ 31,300	\$ -	\$ -	\$ (327,656)	\$ -	\$ -
Totals	\$ 2,517,896	\$ 4,147,226	\$ 6,665,122	\$ 715,023	\$ 37,580	\$ 100,716	\$ (327,656)	\$ (352,505)	\$ 6,838,279

- (a) The 1/1/XX dates represent the fiscal year end for the Bonds.
- (b) Gross of Capitalized Interest
- (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
- (d) Annual installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

**Appendix A-4
Annual Installments - HOA**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	\$ 3,500	\$ 3,500	\$ 350	\$ 100	\$ 150	\$ -	\$ (3,500)	\$ 600
1/1/2018	\$ -	\$ 3,500	\$ 3,500	\$ 357	\$ 100	\$ 150	\$ -	\$ (3,500)	\$ 607
1/1/2019	\$ -	\$ 3,500	\$ 3,500	\$ 364	\$ 100	\$ 150	\$ -	\$ -	\$ 4,114
1/1/2020	\$ -	\$ 3,500	\$ 3,500	\$ 371	\$ 100	\$ 150	\$ -	\$ -	\$ 4,121
1/1/2021	\$ -	\$ 3,500	\$ 3,500	\$ 379	\$ 100	\$ 150	\$ -	\$ -	\$ 4,129
1/1/2022	\$ -	\$ 3,500	\$ 3,500	\$ 386	\$ 100	\$ 150	\$ -	\$ -	\$ 4,136
1/1/2023	\$ 250	\$ 3,500	\$ 3,750	\$ 394	\$ 100	\$ 150	\$ -	\$ -	\$ 4,394
1/1/2024	\$ 250	\$ 3,483	\$ 3,733	\$ 402	\$ 46	\$ 149	\$ -	\$ -	\$ 4,330
1/1/2025	\$ 250	\$ 3,465	\$ 3,715	\$ 410	\$ -	\$ 149	\$ -	\$ -	\$ 4,274
1/1/2026	\$ 500	\$ 3,448	\$ 3,948	\$ 418	\$ -	\$ 148	\$ -	\$ -	\$ 4,514
1/1/2027	\$ 500	\$ 3,413	\$ 3,913	\$ 427	\$ -	\$ 146	\$ -	\$ -	\$ 4,485
1/1/2028	\$ 750	\$ 3,378	\$ 4,128	\$ 435	\$ -	\$ 145	\$ -	\$ -	\$ 4,707
1/1/2029	\$ 750	\$ 3,325	\$ 4,075	\$ 444	\$ -	\$ 143	\$ -	\$ -	\$ 4,661
1/1/2030	\$ 1,000	\$ 3,273	\$ 4,273	\$ 453	\$ -	\$ 71	\$ -	\$ -	\$ 4,796
1/1/2031	\$ 1,000	\$ 3,203	\$ 4,203	\$ 462	\$ -	\$ -	\$ -	\$ -	\$ 4,664
1/1/2032	\$ 1,250	\$ 3,133	\$ 4,383	\$ 471	\$ -	\$ -	\$ -	\$ -	\$ 4,854
1/1/2033	\$ 1,500	\$ 3,045	\$ 4,545	\$ 480	\$ -	\$ -	\$ -	\$ -	\$ 5,025
1/1/2034	\$ 1,500	\$ 2,940	\$ 4,440	\$ 490	\$ -	\$ -	\$ -	\$ -	\$ 4,930
1/1/2035	\$ 1,750	\$ 2,835	\$ 4,585	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ 5,085
1/1/2036	\$ 2,000	\$ 2,713	\$ 4,713	\$ 510	\$ -	\$ -	\$ -	\$ -	\$ 5,222
1/1/2037	\$ 2,250	\$ 2,573	\$ 4,823	\$ 520	\$ -	\$ -	\$ -	\$ -	\$ 5,343
1/1/2038	\$ 2,500	\$ 2,415	\$ 4,915	\$ 530	\$ -	\$ -	\$ -	\$ -	\$ 5,445
1/1/2039	\$ 2,750	\$ 2,240	\$ 4,990	\$ 541	\$ -	\$ -	\$ -	\$ -	\$ 5,531
1/1/2040	\$ 3,000	\$ 2,048	\$ 5,048	\$ 552	\$ -	\$ -	\$ -	\$ -	\$ 5,599
1/1/2041	\$ 3,500	\$ 1,838	\$ 5,338	\$ 563	\$ -	\$ -	\$ -	\$ -	\$ 5,900
1/1/2042	\$ 3,750	\$ 1,593	\$ 5,343	\$ 574	\$ -	\$ -	\$ -	\$ -	\$ 5,917
1/1/2043	\$ 4,000	\$ 1,330	\$ 5,330	\$ 586	\$ -	\$ -	\$ -	\$ -	\$ 5,916
1/1/2044	\$ 4,500	\$ 1,050	\$ 5,550	\$ 597	\$ -	\$ -	\$ -	\$ -	\$ 6,147
1/1/2045	\$ 5,000	\$ 735	\$ 5,735	\$ 609	\$ -	\$ -	\$ -	\$ -	\$ 6,344
1/1/2046	\$ 5,500	\$ 385	\$ 5,885	\$ 622	\$ -	\$ -	\$ (6,507)	\$ -	\$ -
Totals	\$ 50,000	\$ 82,355	\$ 132,355	\$ 14,199	\$ 746	\$ 2,000	\$ (6,507)	\$ (7,000)	\$ 135,794

- (a) The 1/1/XX dates represent the fiscal year end for the Bonds.
- (b) Gross of Capitalized Interest
- (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
- (d) Annual Installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

Appendix B

Neighborhood Improvement Area #1 Assessment Roll

Appendix B Special Assessment by Parcel		
Phase	Owner	PID Bond Special Assessment
1	XS Ranch Fund VI, L.P.	\$ 11,880,000
HOA	XS Ranch Fund VI, L.P.	\$ 120,000
Totals		\$ 12,000,000

**Appendix B-1
Annual Installments - All Parcels**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	808,500.00	\$ 808,500	\$ 35,000	\$ 23,100	\$ 34,650	\$ -	\$ (808,500)	\$ 92,750
1/1/2018	\$ -	808,500.00	\$ 808,500	\$ 35,700	\$ 23,100	\$ 34,650	\$ -	\$ -	\$ 901,950
1/1/2019	\$ -	808,500.00	\$ 808,500	\$ 36,414	\$ 23,100	\$ 34,650	\$ -	\$ -	\$ 902,664
1/1/2020	\$ -	837,750.00	\$ 837,750	\$ 72,142	\$ 24,000	\$ 36,000	\$ -	\$ -	\$ 969,892
1/1/2021	\$ -	837,750.00	\$ 837,750	\$ 73,585	\$ 24,000	\$ 36,000	\$ -	\$ -	\$ 971,335
1/1/2022	\$ 25,000	837,750.00	\$ 862,750	\$ 75,057	\$ 24,000	\$ 36,000	\$ -	\$ -	\$ 997,807
1/1/2023	\$ 25,000	836,000.00	\$ 861,000	\$ 76,558	\$ 23,950	\$ 35,925	\$ -	\$ -	\$ 997,433
1/1/2024	\$ 50,000	834,250.00	\$ 884,250	\$ 78,089	\$ 11,750	\$ 35,850	\$ -	\$ -	\$ 1,009,939
1/1/2025	\$ 75,000	830,750.00	\$ 905,750	\$ 79,651	\$ 900	\$ 35,700	\$ -	\$ -	\$ 1,022,001
1/1/2026	\$ 100,000	825,500.00	\$ 925,500	\$ 81,244	\$ 900	\$ 35,475	\$ -	\$ -	\$ 1,043,119
1/1/2027	\$ 125,000	818,500.00	\$ 943,500	\$ 82,869	\$ 450	\$ 35,175	\$ -	\$ -	\$ 1,061,994
1/1/2028	\$ 150,000	809,750.00	\$ 959,750	\$ 84,526	\$ -	\$ 34,800	\$ -	\$ -	\$ 1,079,076
1/1/2029	\$ 175,000	799,250.00	\$ 974,250	\$ 86,217	\$ -	\$ 34,350	\$ -	\$ -	\$ 1,094,817
1/1/2030	\$ 200,000	787,000.00	\$ 987,000	\$ 87,941	\$ -	\$ 17,625	\$ -	\$ -	\$ 1,092,566
1/1/2031	\$ 250,000	773,000.00	\$ 1,023,000	\$ 89,700	\$ -	\$ 1,350	\$ -	\$ -	\$ 1,114,050
1/1/2032	\$ 275,000	755,500.00	\$ 1,030,500	\$ 91,494	\$ -	\$ 1,350	\$ -	\$ -	\$ 1,123,344
1/1/2033	\$ 350,000	736,250.00	\$ 1,086,250	\$ 93,324	\$ -	\$ 450	\$ -	\$ -	\$ 1,180,024
1/1/2034	\$ 400,000	711,875.00	\$ 1,111,875	\$ 95,190	\$ -	\$ -	\$ -	\$ -	\$ 1,207,065
1/1/2035	\$ 450,000	684,000.00	\$ 1,134,000	\$ 97,094	\$ -	\$ -	\$ -	\$ -	\$ 1,231,094
1/1/2036	\$ 500,000	652,625.00	\$ 1,152,625	\$ 99,036	\$ -	\$ -	\$ -	\$ -	\$ 1,251,661
1/1/2037	\$ 550,000	617,750.00	\$ 1,167,750	\$ 101,017	\$ -	\$ -	\$ -	\$ -	\$ 1,268,767
1/1/2038	\$ 600,000	579,375.00	\$ 1,179,375	\$ 103,037	\$ -	\$ -	\$ -	\$ -	\$ 1,282,412
1/1/2039	\$ 675,000	537,500.00	\$ 1,212,500	\$ 105,098	\$ -	\$ -	\$ -	\$ -	\$ 1,317,598
1/1/2040	\$ 725,000	490,375.00	\$ 1,215,375	\$ 107,200	\$ -	\$ -	\$ -	\$ -	\$ 1,322,575
1/1/2041	\$ 800,000	439,750.00	\$ 1,239,750	\$ 109,344	\$ -	\$ -	\$ -	\$ -	\$ 1,349,094
1/1/2042	\$ 900,000	383,875.00	\$ 1,283,875	\$ 111,530	\$ -	\$ -	\$ -	\$ -	\$ 1,395,405
1/1/2043	\$ 1,000,000	321,000.00	\$ 1,321,000	\$ 113,761	\$ -	\$ -	\$ -	\$ -	\$ 1,434,761
1/1/2044	\$ 1,100,000	251,250.00	\$ 1,351,250	\$ 116,036	\$ -	\$ -	\$ -	\$ -	\$ 1,467,286
1/1/2045	\$ 1,200,000	174,500.00	\$ 1,374,500	\$ 118,357	\$ -	\$ -	\$ -	\$ -	\$ 1,492,857
1/1/2046	\$ 1,300,000	90,750.00	\$ 1,390,750	\$ 120,724	\$ -	\$ -	\$ (1,469,405)	\$ -	\$ 42,070
Totals	\$ 12,000,000	\$ 19,679,125	\$ 31,679,125	\$ 2,656,934	\$ 179,250	\$ 480,000	\$ (1,469,405)	\$ (808,500)	\$ 32,717,405

(a) The 1/1/XX dates represent the fiscal year end for the Bonds.
(b) Gross of Capitalized Interest
(c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
(d) Annual Installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

**Appendix B-2
Annual Installments - Phase 1**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	\$ 800,415	\$ 800,415	\$ 34,650	\$ 22,869	\$ 34,304	\$ -	\$ (800,415)	\$ 91,823
1/1/2018	\$ -	\$ 800,415	\$ 800,415	\$ 35,343	\$ 22,869	\$ 34,304	\$ -	\$ -	\$ 892,931
1/1/2019	\$ -	\$ 800,415	\$ 800,415	\$ 36,050	\$ 22,869	\$ 34,304	\$ -	\$ -	\$ 893,637
1/1/2020	\$ -	\$ 829,373	\$ 829,373	\$ 71,421	\$ 23,760	\$ 35,640	\$ -	\$ -	\$ 960,193
1/1/2021	\$ -	\$ 829,373	\$ 829,373	\$ 72,849	\$ 23,760	\$ 35,640	\$ -	\$ -	\$ 961,622
1/1/2022	\$ 24,750	\$ 829,373	\$ 854,123	\$ 74,306	\$ 23,760	\$ 35,640	\$ -	\$ -	\$ 987,829
1/1/2023	\$ 24,750	\$ 827,640	\$ 852,390	\$ 75,792	\$ 23,711	\$ 35,566	\$ -	\$ -	\$ 987,459
1/1/2024	\$ 49,500	\$ 825,908	\$ 875,408	\$ 77,308	\$ 11,633	\$ 35,492	\$ -	\$ -	\$ 999,840
1/1/2025	\$ 74,250	\$ 822,443	\$ 896,693	\$ 78,854	\$ 891	\$ 35,343	\$ -	\$ -	\$ 1,011,781
1/1/2026	\$ 99,000	\$ 817,245	\$ 916,245	\$ 80,431	\$ 891	\$ 35,120	\$ -	\$ -	\$ 1,032,688
1/1/2027	\$ 123,750	\$ 810,315	\$ 934,065	\$ 82,040	\$ 446	\$ 34,823	\$ -	\$ -	\$ 1,051,374
1/1/2028	\$ 148,500	\$ 801,653	\$ 950,153	\$ 83,681	\$ -	\$ 34,452	\$ -	\$ -	\$ 1,068,285
1/1/2029	\$ 173,250	\$ 791,258	\$ 964,508	\$ 85,355	\$ -	\$ 34,007	\$ -	\$ -	\$ 1,083,869
1/1/2030	\$ 198,000	\$ 779,130	\$ 977,130	\$ 87,062	\$ -	\$ 17,449	\$ -	\$ -	\$ 1,081,640
1/1/2031	\$ 247,500	\$ 765,270	\$ 1,012,770	\$ 88,803	\$ -	\$ 1,337	\$ -	\$ -	\$ 1,102,909
1/1/2032	\$ 272,250	\$ 747,945	\$ 1,020,195	\$ 90,579	\$ -	\$ 1,337	\$ -	\$ -	\$ 1,112,110
1/1/2033	\$ 346,500	\$ 728,888	\$ 1,075,388	\$ 92,390	\$ -	\$ 446	\$ -	\$ -	\$ 1,168,223
1/1/2034	\$ 396,000	\$ 704,756	\$ 1,100,756	\$ 94,238	\$ -	\$ -	\$ -	\$ -	\$ 1,194,995
1/1/2035	\$ 445,500	\$ 677,160	\$ 1,122,660	\$ 96,123	\$ -	\$ -	\$ -	\$ -	\$ 1,218,783
1/1/2036	\$ 495,000	\$ 646,099	\$ 1,141,099	\$ 98,046	\$ -	\$ -	\$ -	\$ -	\$ 1,239,144
1/1/2037	\$ 544,500	\$ 611,573	\$ 1,156,073	\$ 100,006	\$ -	\$ -	\$ -	\$ -	\$ 1,256,079
1/1/2038	\$ 594,000	\$ 573,581	\$ 1,167,581	\$ 102,007	\$ -	\$ -	\$ -	\$ -	\$ 1,269,588
1/1/2039	\$ 668,250	\$ 532,125	\$ 1,200,375	\$ 104,047	\$ -	\$ -	\$ -	\$ -	\$ 1,304,422
1/1/2040	\$ 717,750	\$ 485,471	\$ 1,203,221	\$ 106,128	\$ -	\$ -	\$ -	\$ -	\$ 1,309,349
1/1/2041	\$ 792,000	\$ 435,353	\$ 1,227,353	\$ 108,250	\$ -	\$ -	\$ -	\$ -	\$ 1,335,603
1/1/2042	\$ 891,000	\$ 380,036	\$ 1,271,036	\$ 110,415	\$ -	\$ -	\$ -	\$ -	\$ 1,381,451
1/1/2043	\$ 990,000	\$ 317,790	\$ 1,307,790	\$ 112,623	\$ -	\$ -	\$ -	\$ -	\$ 1,420,413
1/1/2044	\$ 1,089,000	\$ 248,738	\$ 1,337,738	\$ 114,876	\$ -	\$ -	\$ -	\$ -	\$ 1,452,613
1/1/2045	\$ 1,188,000	\$ 172,755	\$ 1,360,755	\$ 117,173	\$ -	\$ -	\$ -	\$ -	\$ 1,477,928
1/1/2046	\$ 1,287,000	\$ 89,843	\$ 1,376,843	\$ 119,517	\$ -	\$ -	\$ (1,454,711)	\$ -	\$ 41,649
Totals	\$ 11,880,000	\$ 19,482,334	\$ 31,362,334	\$ 2,830,365	\$ 177,458	\$ 475,200	\$ (1,454,711)	\$ (800,415)	\$ 32,390,230

(a) The 1/1/XXX dates represent the fiscal year end for the Bonds.
 (b) Gross of Capitalized Interest
 (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
 (d) Annual Installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

**Appendix B-3
Annual Installments - HOA**

Year (a)	PID Bonds			Administrative Expenses (c)	Prepayment Reserve	Delinquency Reserve	Debt Service Reserve Fund	Capitalized Interest	Annual Installment (d)
	Principal	Interest (b)	Net Debt Service						
1/1/2017	\$ -	\$ 8,085	\$ 8,085	\$ 350	\$ 231	\$ 347	\$ -	\$ (8,085)	\$ 928
1/1/2018	\$ -	\$ 8,085	\$ 8,085	\$ 357	\$ 231	\$ 347	\$ -	\$ -	\$ 9,020
1/1/2019	\$ -	\$ 8,085	\$ 8,085	\$ 364	\$ 231	\$ 347	\$ -	\$ -	\$ 9,027
1/1/2020	\$ -	\$ 8,378	\$ 8,378	\$ 721	\$ 240	\$ 360	\$ -	\$ -	\$ 9,699
1/1/2021	\$ -	\$ 8,378	\$ 8,378	\$ 736	\$ 240	\$ 360	\$ -	\$ -	\$ 9,713
1/1/2022	\$ 250	\$ 8,378	\$ 8,628	\$ 751	\$ 240	\$ 360	\$ -	\$ -	\$ 9,978
1/1/2023	\$ 250	\$ 8,360	\$ 8,610	\$ 766	\$ 240	\$ 359	\$ -	\$ -	\$ 9,974
1/1/2024	\$ 500	\$ 8,343	\$ 8,843	\$ 781	\$ 118	\$ 359	\$ -	\$ -	\$ 10,099
1/1/2025	\$ 750	\$ 8,308	\$ 9,058	\$ 797	\$ 9	\$ 357	\$ -	\$ -	\$ 10,220
1/1/2026	\$ 1,000	\$ 8,255	\$ 9,255	\$ 812	\$ 9	\$ 355	\$ -	\$ -	\$ 10,431
1/1/2027	\$ 1,250	\$ 8,185	\$ 9,435	\$ 829	\$ 5	\$ 352	\$ -	\$ -	\$ 10,620
1/1/2028	\$ 1,500	\$ 8,098	\$ 9,598	\$ 845	\$ -	\$ 348	\$ -	\$ -	\$ 10,791
1/1/2029	\$ 1,750	\$ 7,993	\$ 9,743	\$ 862	\$ -	\$ 344	\$ -	\$ -	\$ 10,948
1/1/2030	\$ 2,000	\$ 7,870	\$ 9,870	\$ 879	\$ -	\$ 176	\$ -	\$ -	\$ 10,926
1/1/2031	\$ 2,500	\$ 7,730	\$ 10,230	\$ 897	\$ -	\$ 14	\$ -	\$ -	\$ 11,140
1/1/2032	\$ 2,750	\$ 7,555	\$ 10,305	\$ 915	\$ -	\$ 14	\$ -	\$ -	\$ 11,233
1/1/2033	\$ 3,500	\$ 7,363	\$ 10,863	\$ 933	\$ -	\$ 5	\$ -	\$ -	\$ 11,800
1/1/2034	\$ 4,000	\$ 7,119	\$ 11,119	\$ 952	\$ -	\$ -	\$ -	\$ -	\$ 12,071
1/1/2035	\$ 4,500	\$ 6,840	\$ 11,340	\$ 971	\$ -	\$ -	\$ -	\$ -	\$ 12,311
1/1/2036	\$ 5,000	\$ 6,526	\$ 11,526	\$ 990	\$ -	\$ -	\$ -	\$ -	\$ 12,517
1/1/2037	\$ 5,500	\$ 6,178	\$ 11,678	\$ 1,010	\$ -	\$ -	\$ -	\$ -	\$ 12,688
1/1/2038	\$ 6,000	\$ 5,794	\$ 11,794	\$ 1,030	\$ -	\$ -	\$ -	\$ -	\$ 12,824
1/1/2039	\$ 6,750	\$ 5,375	\$ 12,125	\$ 1,051	\$ -	\$ -	\$ -	\$ -	\$ 13,176
1/1/2040	\$ 7,250	\$ 4,904	\$ 12,154	\$ 1,072	\$ -	\$ -	\$ -	\$ -	\$ 13,226
1/1/2041	\$ 8,000	\$ 4,398	\$ 12,398	\$ 1,093	\$ -	\$ -	\$ -	\$ -	\$ 13,491
1/1/2042	\$ 9,000	\$ 3,839	\$ 12,839	\$ 1,115	\$ -	\$ -	\$ -	\$ -	\$ 13,954
1/1/2043	\$ 10,000	\$ 3,210	\$ 13,210	\$ 1,138	\$ -	\$ -	\$ -	\$ -	\$ 14,348
1/1/2044	\$ 11,000	\$ 2,513	\$ 13,513	\$ 1,160	\$ -	\$ -	\$ -	\$ -	\$ 14,673
1/1/2045	\$ 12,000	\$ 1,745	\$ 13,745	\$ 1,184	\$ -	\$ -	\$ -	\$ -	\$ 14,929
1/1/2046	\$ 13,000	\$ 908	\$ 13,908	\$ 1,207	\$ -	\$ -	\$ (14,694)	\$ -	\$ 421
Totals	\$ 120,000	\$ 196,791	\$ 316,791	\$ 26,569	\$ 1,793	\$ 4,800	\$ (14,694)	\$ (8,085)	\$ 327,174

(a) The 1/1/XX dates represent the fiscal year end for the Bonds.
 (b) Gross of Capitalized Interest
 (c) Preliminary Estimate. Assumes a 2% increase per year. The administrative charges will be revised in Annual Service Plan Updates based on actual costs.
 (d) Annual Installments are calculated assuming a 7% interest rate on the Bonds plus the Additional Interest plus Administrative Expenses.

Appendix C

Legal Descriptions for Parcels within the PID

A DESCRIPTION OF 893.222 ACRES IN THE S.M. WILLIAMS SURVEY NO. 4, ABS. NO. 71 AND THE LEMAN BARKER SURVEY NO. 3, ABS. NO. 6, BASTROP COUNTY, TEXAS, BEING A PORTION OF A 200.000 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN DOCUMENT NO. 200619025 AND BEING A PORTION OF A 5,566.770 ACRE TRACT AND 92.556 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN DOCUMENT NO. 200619026, BOTH OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 893.222 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the southeast line of the said 5,566.770 acre tract, being in the northwest line of a 200.00 acre tract described in Volume 819, Page 733 of the Deed Records of Bastrop County, Texas, from which a 5/8" rebar found in the south line of County Road 157 (Sayers Road) (no apparent defined right-of-way), being an angle point in the southeast line of the said 5,566.770 acre tract, being the northernmost corner of the said 200.00 acre tract, bears North 36°09'41" East, a distance of 1043.04 feet;

THENCE South 36°09'41" West with the southeast line of the said 5,566.770 acre tract and the northwest line of a 200.00 acre tract, a distance of 4204.38 feet to a 1/2" rebar with "Chaparral" cap set on the northern low bank of the Colorado River;

THENCE with the meanders of the Colorado River and the perimeter of the said 5,566.770 acre tract, the following twenty-four (24) courses and distances:

1. South 85°05'44" West, a distance of 730.40 feet to a 1/2" rebar with "Chaparral" cap set;
2. South 85°40'17" West, a distance of 707.27 feet to a 1/2" rebar with "Chaparral" cap set;
3. South 83°44'43" West, a distance of 273.16 feet to a 1/2" rebar with "Chaparral" cap set;
4. South 82°00'05" West, a distance of 216.47 feet to a 1/2" rebar with "Chaparral" cap set;
5. North 87°52'49" West, a distance of 509.38 feet to a 1/2" rebar with "Chaparral" cap set;

6. North 76°45'21" West, a distance of 635.73 feet to a 1/2" rebar with "Chaparral" cap set;
7. North 67°45'32" West, a distance of 696.58 feet to a 1/2" rebar with "Chaparral" cap set;
8. North 60°30'49" West, a distance of 400.67 feet to a 1/2" rebar with "Chaparral" cap set;
9. North 61°57'52" West, a distance of 178.15 feet to a 1/2" rebar with "Chaparral" cap set;
10. North 56°48'32" West, a distance of 172.52 feet to a 1/2" rebar with "Chaparral" cap set;
11. North 34°12'07" West, a distance of 315.00 feet to a 1/2" rebar with "Chaparral" cap set;
12. North 17°49'08" West, a distance of 194.48 feet to a 1/2" rebar with "Chaparral" cap set;
13. North 00°42'03" West, a distance of 330.38 feet to a 1/2" rebar with "Chaparral" cap set;
14. North 05°51'25" East, a distance of 216.57 feet to a 1/2" rebar with "Chaparral" cap set;
15. North 34°17'46" East, a distance of 328.17 feet to a 1/2" rebar with "Chaparral" cap set;
16. North 78°35'08" East, a distance of 86.26 feet to a 1/2" rebar with "Chaparral" cap set;
17. North 25°28'50" East, a distance of 805.50 feet to a 1/2" rebar with "Chaparral" cap set;
18. North 19°28'15" East, a distance of 922.47 feet to a 1/2" rebar with "Chaparral" cap set;
19. North 19°50'23" East, a distance of 477.86 feet to a 1/2" rebar with "Chaparral" cap set;

cap set;

20. North 21°15'22" East, a distance of 606.54 feet to a 1/2" rebar with "Chaparral" cap set;

21. North 23°34'42" East, a distance of 654.28 feet to a 1/2" rebar with "Chaparral" cap set;

22. North 17°12'19" East, a distance of 788.35 feet to a 1/2" rebar with "Chaparral" cap set;

23. North 16°03'41" East, a distance of 419.54 feet to a 1/2" rebar with "Chaparral" cap set;

24. North 21°34'10" East, a distance of 234.05 feet to a 1/2" rebar with "Chaparral" cap set;

THENCE crossing the said 5,566.770 acre tract and the said 200.000 acre tract, the following twelve (12) courses and distances:

1. South 63°35'36" East, a distance of 377.16 feet to a calculated point;
2. South 74°51'39" East, a distance of 717.79 feet to a calculated point;
3. South 85°35'58" East, a distance of 795.45 feet to a calculated point;
4. North 78°11'34" East, a distance of 596.55 feet to a calculated point;
5. North 48°59'42" East, a distance of 526.29 feet to a calculated point;
6. North 48°34'49" West, a distance of 133.31 feet to a calculated point;
7. North 61°39'56" West, a distance of 335.76 feet to a calculated point;
8. North 54°12'45" West, a distance of 1602.90 feet to a calculated point;
9. South 77°39'21" West, a distance of 142.75 feet to a calculated point;
10. South 53°07'06" West, a distance of 239.71 feet to a calculated point;
11. South 37°04'37" West, a distance of 1142.03 feet to a calculated point;

12. South 30°42'49" West, a distance of 175.07 feet to a 1/2" rebar with "Chaparral" cap set on the eastern low bank of the Colorado River, being the west line of the said 5,566.770 acre tract;

THENCE with the meanders of the Colorado River and the west line of the said 5,566.770 acre tract, the following two (2) courses and distances:

1. North 09°53'29" East, a distance of 465.10 feet to a 1/2" rebar with "Chaparral" cap set;
2. North 11°31'48" East, a distance of 355.87 feet to a 1/2" rebar with "Chaparral" cap set;

THENCE North 53°49'09" West leaving the eastern low bank of the Colorado River and with the west line of the said 92.556 acre tract, a distance of 69.34 feet to a calculated point where the centerline of Wilbarger Creek intersects the Colorado River, being the southeast corner of a 136.212 acre tract of land described in Volume 962, Page 195 of the Official Records of Bastrop County, Texas;

THENCE North 18°10'09" East with the centerline of Wilbarger Creek, same being the west line of the said 92.556 acre tract and the east line of the said 136.212 acre tract, a distance of 356.21 feet to a calculated point;

THENCE crossing the said 92.556 acre tract, the said 5,566.770 acre tract and the said 200.000 acre tract, the following ten (10) courses and distances:

1. North 18°10'09" East, a distance of 580.28 feet to a calculated point
2. North 62°46'43" East, a distance of 1973.55 feet to a calculated point;
3. South 41°49'48" East, a distance of 3804.43 feet to a calculated point;
4. South 00°48'26" East, a distance of 1177.42 feet to a calculated point;
5. South 84°23'07" East, a distance of 116.22 feet to a calculated point;
6. With a curve to the left, having a radius of 64.70 feet, a delta angle of 81°48'21", an arc length of 92.38 feet, and a chord which bears South 19°23'05" East, a distance of 84.73 feet to a calculated point;

7. With a curve to the right, having a radius of 358.80 feet, a delta angle of $30^{\circ}52'58''$, an arc length of 193.40 feet, and a chord which bears South $48^{\circ}03'52''$ East, a distance of 191.06 feet to a calculated point;
8. With a curve to the left, having a radius of 271.00 feet, a delta angle of $29^{\circ}02'00''$, an arc length of 137.32 feet, and a chord which bears South $47^{\circ}08'22''$ East, a distance of 135.86 feet to a calculated point;
9. With a curve to the right, having a radius of 1060.02 feet, a delta angle of $15^{\circ}50'08''$, an arc length of 292.97 feet, and a chord which bears South $53^{\circ}49'47''$ East, a distance of 292.04 feet to a calculated point;
10. South $46^{\circ}44'40''$ East, a distance of 34.08 feet to a calculated point in the southeast line of the said 5566.770 acre tract and the northwest line of a 521.94 acre tract described in Volume 173, Page 412 of the Deed Records of Bastrop County, Texas;

THENCE South $40^{\circ}53'50''$ West with the southeast line of the said 5,566.770 acre tract and the northwest line of a 521.94 acre tract, a distance of 59.95 feet to a 1/2" rebar with "Chaparral" cap set in the southwest line of County Road 157 (Sayers Road), from which the 5/8" rebar found in the south line of County Road 157 (Sayers Road), being an angle point in the southeast line of the said 5,566.770 acre tract, being the northernmost corner of the said 200.00 acre tract, bears South $46^{\circ}37'37''$ East, a distance of 483.43 feet;

THENCE crossing the said 5,566.770 acre tract, the following sixteen (16) courses and distances:

1. South $40^{\circ}53'50''$ West, a distance of 60.05 feet to a calculated point;
2. North $46^{\circ}43'58''$ West, a distance of 54.22 feet to a calculated point;
3. With a curve to the left, having a radius of 940.00 feet, a delta angle of $15^{\circ}05'48''$, an arc length of 247.68 feet, and a chord which bears North $54^{\circ}16'52''$ West, a distance of 246.96 feet to a calculated point;
4. With a curve to the left, having a radius of 271.00 feet, a delta angle of $45^{\circ}38'58''$, an arc length of 215.91 feet, and a chord which bears North $84^{\circ}39'15''$ West, a distance of 210.25 feet to a calculated point;
5. With a curve to the right, having a radius of 372.19 feet, a delta angle of

- 43°09'18", an arc length of 280.33 feet, and a chord which bears North 85°54'03" West, a distance of 273.75 feet to a calculated point;
6. With a curve to the left, having a radius of 271.00 feet, a delta angle of 35°27'27", an arc length of 167.71 feet, and a chord which bears North 82°03'07" West, a distance of 165.05 feet to a calculated point;
 7. With a curve to the right, having a radius of 2559.99 feet, a delta angle of 09°30'09", an arc length of 424.57 feet, and a chord which bears South 84°58'14" West, a distance of 424.08 feet to a calculated point;
 8. With a curve to the left, having a radius of 26.39 feet, a delta angle of 100°24'37", an arc length of 46.25 feet, and a chord which bears South 38°18'27" West, a distance of 40.55 feet to a calculated point;
 9. South 02°02'36" West, a distance of 131.09 feet to a calculated point;
 10. With a curve to the left, having a radius of 960.00 feet, a delta angle of 20°55'21", an arc length of 350.56 feet, and a chord which bears South 08°25'05" East, a distance of 348.62 feet to a calculated point;
 11. South 18°52'46" East, a distance of 230.74 feet to a calculated point;
 12. With a curve to the right, having a radius of 940.00 feet, a delta angle of 12°02'10", an arc length of 197.47 feet, and a chord which bears South 12°51'40" East, a distance of 197.10 feet to a calculated point;
 13. With a curve to the right, having a radius of 1494.00 feet, a delta angle of 22°01'56", an arc length of 574.49 feet, and a chord which bears South 74°49'56" East, a distance of 570.96 feet to a calculated point;
 14. South 63°48'58" East, a distance of 70.42 feet to a calculated point;
 15. With a curve to the right, having a radius of 239.77 feet, a delta angle of 10°09'14", an arc length of 42.49 feet, and a chord which bears South 58°52'50" East, a distance of 42.44 feet to a calculated point;
 16. South 53°50'19" East, a distance of 363.16 feet to the **POINT OF BEGINNING**, containing 893.222 acres of land, more or less.

Based upon previous surveys made by Chaparral and contained within the referenced Deeds. 5566.770 acre tract and 92.556 acre tract, all surveyed on the ground in August, September and October, 2005.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on 1983/93 HARN values from LCRA control network.

Attachments: Survey Drawing 457-001-MUD5

This document was prepared under 22 TAC §663.21, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

The metes and bounds description for the herein described land forms a "closed figure."

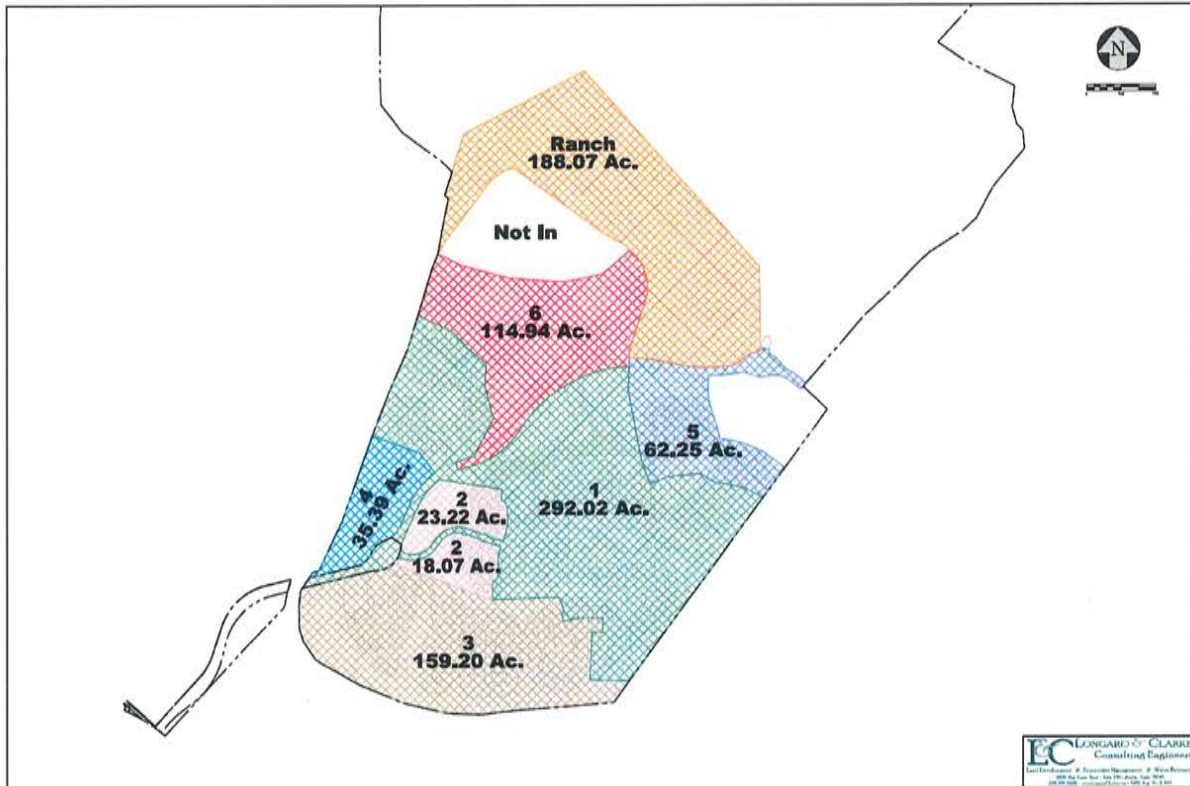
 2/9/16

Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016
TBPLS Firm No. 10124500



Appendix D

Parcel Map



Amendment to the Definitions of Custom Personal Service Shop and Tattoo Studio

- Current Code and Ordinance includes definitions for Tattoo Studio and Custom Personal Service Shop.
 - Changes will allow dermagraphics or permanent makeup to as an accessory/incidental use to the primary use for personal services such as barber shop/hair salon.
- Tattooing is regulated by the State and must get a State License. These changes would allow **permanent makeup** (tattoo license) to be allowed as an accessory use in barber shop/hair salon definition
- Barber Shop/Hair Salon is allowed in the Office, Neighborhood Services, General Retail, C-1, and C-2 Zoning Classifications. It would also be allowed the commercial area in FBC designations downtown (Historic Main Street, Downtown Mixed Use, Civic/Cultural Arts, and Commercial Mixed Use)

Comparison of Current vs. Proposed Ordinance

Current:

- Tattoo Studio definition does not reference dermagraphics or permanent makeup.
- Customer Personal Service Shop does not address permanent makeup as an allowed accessory use.

Amendment Will Allow:

- Tattoo Studio definition will be revised to highlight that Secondary services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use of a Custom Personal Service Shop.
- Custom Personal Service Shop definition will be revised to highlight other services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use.
- The changes in definitions only allow “permanent makeup” an accessory use, not full tattooing services.

Recommendation

- Planning and Zoning Commission held a Workshop/discussed these changes at their March 31, 2016 Meeting
 - Looked at Staffs Recommendation and Use Classifications and discussed other surrounding city/jurisdictions classifications
 - Presentations from potential business owners from both a stand alone Tattoo Studio and a Hair Salon Owner that would like to do permanent makeup as an accessory use
- Planning and Zoning Commission conducted a Public Hearing and meeting to discuss changes at their May 26, 2016 meeting and approved unanimously 6-0
- Recommended approval of both the changes to definitions and adding Tattoo Studio and Body Piercing Studio as stand alone uses to the Use Chart

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

June 28, 2016

Public Hearing:

Amendment to the Zoning Ordinance, A-3, Definitions.

- Section A-3 Definitions to update the 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.
-

This item was considered at the June 14, 2016 City Council meeting. This item is being split into two separate ordinances to address possible changes in regards to Tattoo and Body Piercing Studios and definitions to allow permanent makeup as an accessory use to Custom Personal Service Shop (Hair Salon).

Item Summary:

The City's zoning code limits tattoo or tattoo studios to the industrial zoning classification with a Conditional Use Permit (CUP). Tattooing is regulated by the State and must get a State License. We have had requests to have "makeup" tattoos as an accessory use to the "Barber shop/Hair Salon" primary use. "Permanent makeup" includes eyeliner, eyebrows, lip liner etc.

Permanent Makeup, (ie. micropigmentation, permanent cosmetics, cosmetic tattooing, dermagraphics), combines art and science to produce long lasting cosmetic enhancements by tattooing pigments into the skin to accentuate the color and shape of eyes, brows and lips.

Currently, our code will need to be amended to allow this as an accessory use to existing proposed barber shop/hair salon.

Background:

These code amendment changes are a result of discussions among staff and Planning and Zoning Commission. After presentations from potential business owners, this change would allow permanent makeup as an accessory use. This was discussed at a Workshop with the Planning and Zoning Commission on March 31, 2016.

*****Underline is the additional information added, ~~strikethrough~~ is language deleted.

Code Amendments:

A-3 DEFINITIONS

75. *CUSTOM PERSONAL SERVICE SHOP* - Tailor, dressmaker, shoe shop, barber shop, beauty shop or similar shop offering custom service. Other services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use.

270.2 TATTOO STUDIO means an establishment or facility in which tattooing is performed. Secondary services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use of a Custom Personal Service Shop.

Staff Recommendation: Staff recommends the above changes to Zoning Ordinance

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a public hearing May 26, 2016 and unanimously voted six (6) in favor to recommend approval of changes to the Zoning Ordinance, A-3 Definitions.

City Contact:

Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:

None

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X X No _____

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____

8. Staff Recommendation:

This item was considered at the June 14, 2016 City Council meeting. This item is being split into two separate ordinances to address possible changes in regards to Tattoo and Body Piercing Studios and definitions to allow permanent makeup as an accessory use to Custom Personal Service Shop (Hair Salon).

Staff recommends approval of the Amendment to the Zoning Ordinance, Chapter 14 Appendix A-3 Definitions.

9. Advisory Board Recommendation: XXX Recommended Approval _____ Denial _____ None
The Planning and Zoning Commission conducted a public hearing May 26, 2016 and unanimously voted six (6) in favor to recommend approval of changes to the Zoning Ordinance, Chapter 14 Section Appendix A-3 Definitions.

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Recommendation: **Approve the first reading of changes to the Zoning Ordinance, Chapter 14 Appendix A-3 Definitions and have the second reading on the Consent Agenda at the next City Council meeting.**

ORDINANCE NO. 2016 - 13

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.

WHEREAS, on March 31, 2016, the Planning and Zoning Commission held a Workshop to consider whether to recommend certain changes be made to the City's Zoning Ordinance with reference to: the amendment of an existing zoning code definitions to allow the practice of applying permanent makeup (i.e., micropigmentation and permanent cosmetics, etc.) to be considered an accessory use to the primary use of Barber Shops/Hair Salons; and

WHEREAS, on May 26, 2016, after proper notice and pursuant to the procedures set forth in the City's Zoning Ordinance, the Planning and Zoning Commission held a public hearing to consider the nature and performance of the proposed uses and changes to the Zoning Code, and its compatibility with the uses permitted in the various districts, and accordingly, after such hearing determined that made a recommendation of the zoning district within which the use is most similar and should be permitted; and

WHEREAS, on May 26, 2016, the Bastrop Planning and Zoning Commission convened and considered the input provided by the Public Hearing concerning the various amendments to the Zoning Code, as noted herein above, and determined that it is in the best interest of orderly planning and development of the City of Bastrop, that the City of Bastrop Zoning Ordinance be amended to recommend the changes noted herein below, and therefore recommended the amendments for the consideration and approval of the City Council; and

WHEREAS, on June 14, 2016, the City Council convened at a regular meeting and after considering the information from Staff, the input provided form the Public Hearing and the recommendation of the members of the Planning and Zoning Commission; and

WHEREAS, the City Council asked for additional information regarding the changes in the code and for the item to be reconsidered at a future City Council meeting; and

WHEREAS, on June 28, 2016, the City Council convened at a regular meeting and after considering the information from Staff, the input provided form the Public Hearing and the recommendation of the members of the Planning and Zoning Commission, have found and determined that the amendments noted herein below to the City's Zoning Ordinance are in the best interest of the general welfare, health and safety of the citizens of the City of Bastrop.

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

PART 1: That A-3 DEFINITIONS be amended as follows:

A-3 DEFINITIONS

75. *CUSTOM PERSONAL SERVICE SHOP* - Tailor, dressmaker, shoe shop, barber shop, beauty shop or similar shop offering custom service. Other services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use.

270.2 TATTOO STUDIO means an establishment or facility in which tattooing is performed. Secondary services such as dermagraphics, or permanent makeup may be offered as an accessory/incidental use to primary use of a Custom Personal Service Shop.

PART 2: That if any provision of this Ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

PART 3: That any provisions of the Bastrop City Code and any ordinances in conflict with this ordinance are, to the extent of any such conflict, hereby repealed.

PART 4: That this Ordinance shall take effect upon the date of final passage noted below, or when all applicable hearing and publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

Passed and Approved on First Reading on this 28th day of June, 2016

Passed and Adopted on Second Reading on this _____ day of _____, 2016

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

Agenda Item: **PUBLIC HEARING: 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.**

- 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
- Section 36 Use Regulation (Charts) Section 36.11 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X X No _____

June 14, 2016 City Council requested additional information regarding the proposed changes to the code.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

8. Staff Recommendation: **N/A (Public Hearing)**

This item is to conduct the Public Hearing to consider an Amendment to the Zoning Ordinance, Chapter 14 Section 36.11, Zoning Use Charts, Section 43.9(B) Supplemental Regulations.

This item was considered at the June 14, 2016 City Council meeting. This item is being split into two separate ordinances to address possible changes in regards to Tattoo and Body Piercing Studios and definitions to allow permanent makeup as an accessory use to Custom Personal Service Shop (Hair Salon).

9. Advisory Board Recommendation: _____ Recommended Approval _____ Denial _____ None

10. Manager’s Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: N/A (**Public Hearing**)

Amendment to the Use Chart for Tattoo and Body Piercing Studio

- Current Code and Ordinance includes Tattoo and Body Piercing Studios as part of the Sexually Oriented Business (SOB) use classification
 - Only allowed in IP, Industrial Park, Zoning Classification with a Conditional Use Permit (CUP)
- Definitions of Tattoo and Body Piercing Studio exist, but uses were not included in the Use Chart
- Established Tattoo Studio and Body Piercing Studio as stand alone uses allowed within the Zoning Classifications of C-2, IP, LI, and PD (if approved) and must also meet distance requirements (will not be allowed within the Form Base Code Area)
 - Tattoo and Body Piercing Studios, must not be located within 500 feet from any other Tattoo and Body Piercing Studio
 - Tattoo and Body Piercing Studio shall not be located on any lot within 500 feet of a lots zoned or used for residential purposes
- Removes the requirement for Tattoo and Body Piercing Studios to be 1000 feet from a school, church, public park, playground or licensed day-care center.

Comparison of Current vs. Proposed Ordinance

Current:

- Tattoo Studio and Body Piercing Studio not included in the Use Chart
- Part of the Sexually Oriented Business (SOB) use classification
- Only allowed in the IP, Industrial Park Zoning Classification with a Conditional Use Permit (CUP)
 - Must be 1000 feet away from a school, church, public park, playground, or licensed day-care center
 - Must be 500 feet away from another SOB use
 - Must be 500 feet away from a residential zoned/used property

Amendment Will Allow:

- Tattoo Studio and Body Piercing Studio will be stand alone uses in the Use Chart
 - Allowed within the C-2, IP, LI and PD (if approved as part of the PD), not allowed within any current PD in City Limits
 - Not allowed with the FBC/Downtown Area
- Tattoo Studio and Body Piercing Studio will have distance requirements
 - Must be 500 feet away from another Tattoo or Body Piercing Studio use
 - Must be 500 feet away from a residential zoned/used property

Recommendation

- Planning and Zoning Commission held a Workshop/discussed these changes at their March 31, 2016 Meeting
 - Looked at Staffs Recommendation and Use Classification and discussed other surrounding city/jurisdictions classifications
 - Presentations from potential business owners from both a stand alone Tattoo Studio and a Hair Salon Owner that would like to do permanent makeup as an accessory use
- Planning and Zoning Commission conducted a Public Hearing and meeting to discuss changes at their May 26, 2016 meeting and approved unanimously 6-0
- Recommended approval of both the changes to definitions and adding Tattoo Studio and Body Piercing Studio as stand alone uses to the Use Chart

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

June 28, 2016

Public Hearing:

Amendment to the Zoning Ordinance, Chapter 14, Section 36.11, Zoning Use Charts, and Section 43 Supplemental Regulations.

- Section 43 Supplemental Regulations, Section 43.9 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
- Section 36 Use Regulation (Charts) Section 36.11 to add Tattoo Studio and Body Piercing Studio to the Use Chart; and

This item was considered at the June 14, 2016 City Council meeting. This item is being split into two separate ordinances to address possible changes in regards to Tattoo and Body Piercing Studios and definitions to allow permanent makeup as an accessory use to Custom Personal Service Shop (Hair Salon).

Item Summary:

The City’s zoning code limits tattoo or tattoo studios as well as body piercing studios to the industrial zoning classification with a Conditional Use Permit (CUP). Tattooing is regulated by the State and must get a State License. We have had requests to have tattoo studio within the City limits.

Currently, our code will need to be amended to create “primary uses” for tattoo and body piercing studio.

Background:

These code amendment changes are a result of discussions among staff and Planning and Zoning Commission. After presentations from potential business owners, staff is revising the Use Chart to allow Tattoo Studios and Body Piercing Studios as standalone uses revising some of the distance requirements.

****Underline is the additional information added, ~~strikethrough~~ is language deleted. Other uses are included to provide additional information, and remain unchanged.

Code Amendments:

SECTION 36.11 ZONING USE CHART – Commercial Related Uses

Commercial Related Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
<u>Tattoo Studio (See [Sec.] 43.9)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-
<u>Body Piercing Studio (See [Sec.] 43.9)</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-

SECTION 36.12 ZONING USE CHART – Industrial Related Uses

Primary Industrial Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO	
Sexually Oriented Business (See [Sec.] 43.9)																				C			

SECTION 43 SUPPLEMENTAL REGULATIONS

43.9 USES CLASSIFIED AS SEXUALLY ORIENTED BUSINESS OR AS TATTOO STUDIO OR BODY PIERCING STUDIOS

A. General Regulations

On-premises advertisements, displays, or other promotional materials for sexually oriented business which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public places outside the business.

B. Location of Sexually Oriented Business or Body Piercing Studio or Tattoo Studio

1. A sexually oriented business shall not be located on any lot within five hundred feet (500') of any lot on which there is located another sexually oriented business. A body piercing studio or tattoo studio shall not be located on any lot Bastrop Code of Ordinances within five hundred feet (500') of any lot on which there is located another body piercing studio or tattoo studio.
2. A sexually oriented business or a ~~body piercing studio or tattoo studio~~ shall not be located on any lot within one thousand feet (1,000') of any lot on which there is located any school, church, public park or playground or licensed day-care center.
3. A sexually oriented business or a body piercing studio or tattoo studio shall not be located on any lot within five hundred (500') of any lot which is zoned or used for residential purposes.
4. For purposes of measuring a distance related to the location of a sexually oriented business, a tattoo studio or a body piercing studio, in relation to schools, churches, public parks, playgrounds, licensed day care centers, residential lots/properties and/or other sexually oriented businesses, tattoo studios or body piercing studios, the distance shall be determined by measuring the shortest possible distance between the property lines of properties involved, whether corner to corner, boundary to boundary, etc.

Staff Recommendation: Staff recommends the above changes to Zoning Ordinance

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a public hearing May 26, 2016 and unanimously voted six (6) in favor to recommend approval of changes to the Zoning Ordinance, Chapter 14 Section 36.11, Zoning Use Charts, and Section 43.9(B) Supplemental Regulations.

City Contact:

Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:

None

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X X No

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____

8. Staff Recommendation: **This item was considered at the June 14, 2016 City Council meeting. This item is being split into two separate ordinances to address possible changes in regards to Tattoo and Body Piercing Studios and definitions to allow permanent makeup as an accessory use to Custom Personal Service Shop (Hair Salon).**

Staff recommends approval of the Amendment to the Zoning Ordinance, Chapter 14 Section 36.11, Zoning Use Charts, Section 43.9 (B) Supplemental Regulations.

9. Advisory Board Recommendation: XXX Recommended Approval _____ Denial _____ None
The Planning and Zoning Commission conducted a public hearing May 26, 2016 and unanimously voted six (6) in favor to recommend approval of changes to the Zoning Ordinance, Chapter 14 Section 36.11, Zoning Use Charts, Section 43.9(B) Supplemental Regulations.

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Recommendation: **Approve the first reading of changes to the Zoning Ordinance, Chapter 14 Section 36.11, Zoning Use Charts, Section 43.9 (B) Supplemental Regulations and have the second reading on the Consent Agenda at the next City Council meeting.**

ORDINANCE NO. 2016-14

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.

WHEREAS, on March 31, 2016, the Planning and Zoning Commission held a Workshop to consider whether to recommend certain changes be made to the City's Zoning Ordinance with reference to: (1) updating the Code related to the location of tattoo studios and body piercing studios, and

WHEREAS, on May 26, 2016, after proper notice and pursuant to the procedures set forth in the City's Zoning Ordinance, the Planning and Zoning Commission held a public hearing to consider the nature and performance of the proposed uses and changes to the Zoning Code, and its compatibility with the uses permitted in the various districts, and accordingly, after such hearing determined that made a recommendation of the zoning district within which the use is most similar and should be permitted; and

WHEREAS, on May 26, 2016, the Bastrop Planning and Zoning Commission convened and considered the input provided by the Public Hearing concerning the various amendments to the Zoning Code, as noted herein above, and determined that it is in the best interest of orderly planning and development of the City of Bastrop, that the City of Bastrop Zoning Ordinance be amended to recommend the changes noted herein below, and therefore recommended the amendments for the consideration and approval of the City Council; and

WHEREAS, on or about June 14, 2016, the City Council convened at a regular meeting and after considering the information from Staff, the input provided form the Public Hearing and the recommendation of the members of the Planning and Zoning Commission: and

WHEREAS, the City Council asked for additional information regarding the changes in the code and for the item to be reconsidered at a future City Council meeting; and

WHEREAS, on or about June 28, 2016, the City Council convened at a regular meeting and after considering the information from Staff, the input provided form the Public Hearing and the recommendation of the members of the Planning and Zoning Commission, have found and determined that the amendments noted herein below to the City's Zoning Ordinance are in the best interest of the general welfare, health and safety of the citizens of the City of Bastrop.

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

PART 1: That the CHAPTER 36 ZONING USE CHARTS, Sec 36.11 for “Commercial Uses”, be added to read as follows:

SECTION 36.11 ZONING USE CHART – Commercial Related Uses

Commercial Related Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
Tattoo Studio (See [Sec.143.9])	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-
Body Piercing Studio (See [Sec.] 43.9)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-

PART 2: THAT SECTION 43 SUPPLEMENTAL REGULATIONS BE AMENDED AS FOLLOWS:

43.9 USES CLASSIFIED AS SEXUALLY ORIENTED BUSINESS OR AS TATTOO STUDIO OR BODY PIERCING STUDIOS

A. General Regulations

On-premises advertisements, displays, or other promotional materials for sexually oriented business which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public places outside the business.

B. Location of Sexually Oriented Business or Body Piercing Studio or Tattoo Studio

1. A sexually oriented business shall not be located on any lot within five hundred feet (500') of any lot on which there is located another sexually oriented business. A body piercing studio or tattoo studio shall not be located on any lot Bastrop Code of Ordinances within five hundred feet (500') of any lot on which there is located another body piercing studio or tattoo studio.
2. A sexually oriented business or a ~~body piercing studio or tattoo studio~~ shall not be located on any lot within one thousand feet (1,000') of any lot on which there is located any school, church, public park or playground or licensed day-care center.
3. A sexually oriented business or a body piercing studio or tattoo studio shall not be located on any lot within five hundred (500') of any lot which is zoned or used for residential purposes.
4. For purposes of measuring a distance related to the location of a sexually oriented business, a tattoo studio or a body piercing studio, in relation to schools, churches, public parks, playgrounds, licensed day care centers, residential lots/properties and/or other sexually oriented businesses, tattoo studios or body piercing studios, the distance shall be determined by measuring the shortest possible distance between the property lines of properties involved, whether corner to corner, boundary to boundary, etc.

PART 3: That if any provision of this Ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or

application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

PART 4: That any provisions of the Bastrop City Code and any ordinances in conflict with this ordinance are, to the extent of any such conflict, hereby repealed.

PART 5: That this Ordinance shall take effect upon the date of final passage noted below, or when all applicable hearing and publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

Passed and Approved on First Reading on this 28th day of June, 2016

Passed and Adopted on Second Reading on this _____ day of _____, 2016

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 24, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____
The City of Bastrop purchased the Parking lot located at the northwest corner of Spring Street and Main Street from First National Bank in 2007. There is a kiosk located on this parking lot which was built by the Chamber of Commerce several years ago as an added feature for the "Central Business District". The Chamber of Commerce has not used this kiosk for several years and wishes to sell it to the City for \$1.00.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

000001

Current Owner	CITY OF BASTROP (00103253) P O BOX 427 BASTROP, TX 78602-0427	Legal Description	Main & Spring Subdivision, Lot 1, ACRES 0.248	Exemptions	EX	Market	92,839
				Entities	C04, G01, RD1, S04	Assessed	92,839

Situs Address	702 SPRING ST BASTROP, TX 78602	History Information	2016	2015	2014	2013
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Sales	Date	Volume	Page	Seller Name
	06/26/2007	1753	795	FIRST NATIONAL BANK OF BASTRO FIRST NATIONAL BANK

Building Attributes	Construction	Foundation	Exterior	Interior	Roof	Flooring
	Heat/AC	Baths	Fireplace	Year Built	Rooms	Bedrooms
				2014		

Land Segments	SPTB Description	Area	Market	Ag Value
	XV Commercial	0.24800	79,360	0

Type	Description	Area	Year Built	Eff Year	Value
C	Commercial	10876	2014	1997	\$13,479
AP	Asphalt Paving				\$13,479

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: Trey Job Director of Public works, Parks, & Utilities

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

A request has been made to the public works department to determine the feasibility of adding parallel parking at the location shown in exhibit A The change in parking will require the removal of the head-in diagonal parking the is existing and will result in the loss of one parking space.

4. Policy Implication: _____

5. Budgeted: Yes X No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

8. Staff Recommendation:

Staff recommends approval of this request of the parking change.

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Motion Requested: I make a motion to remove the existing head-in parking and replace it with the larger 25'X 9' parallel parking.

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date: June 14, 2016

Agenda Item Description:

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

Item Summary:

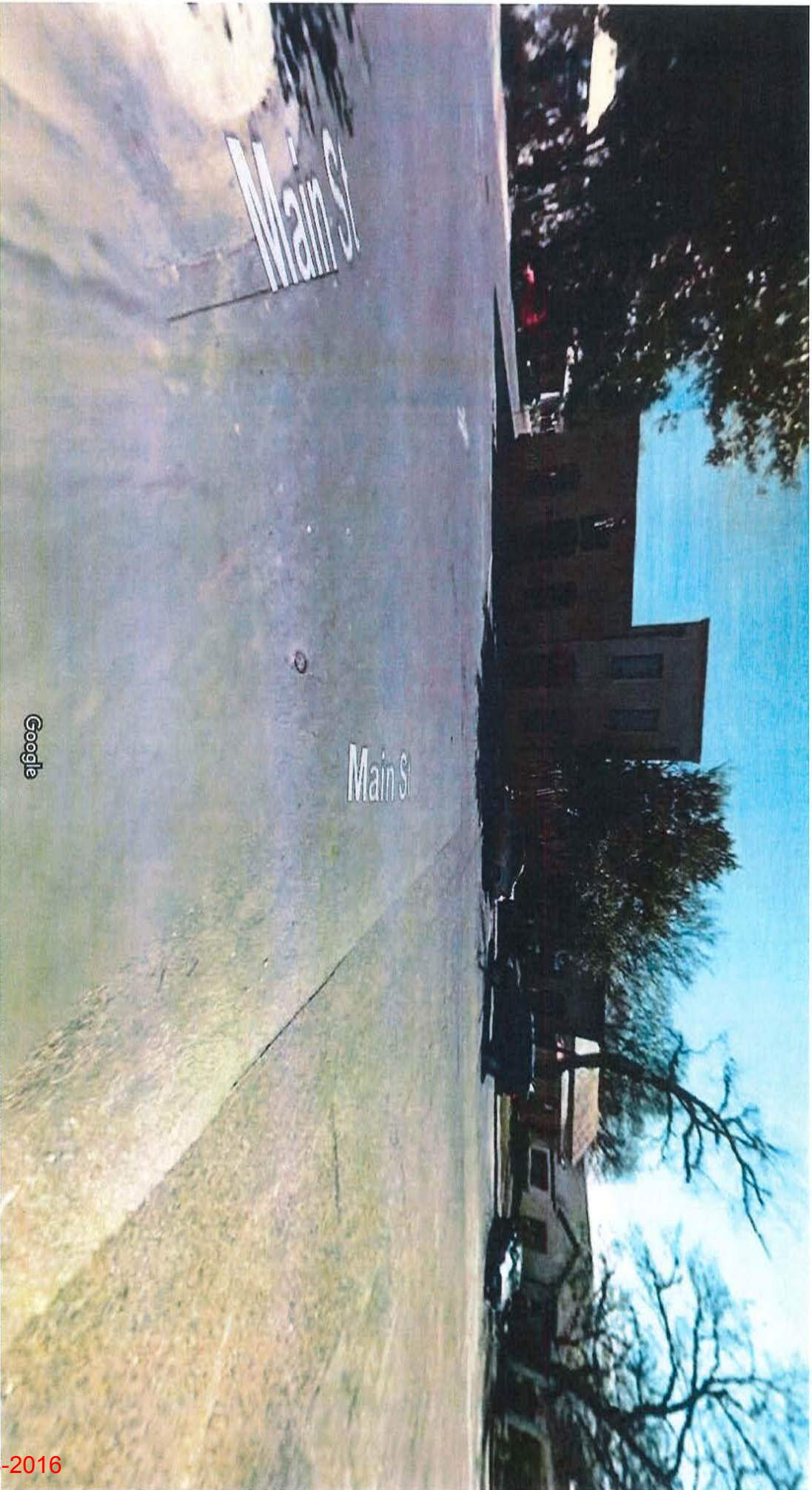
A request was made to determine the feasibility of changing the parking from head-in to parallel from the intersection of Pine street and Main street traveling south approximately 225' in length. The change in parking will improve site visibility, and widen the driving lane for traffic traveling north on Main street. The change in parking will result in the loss of one parking space. The current parking configuration will support 5 spaces and the larger parallel will support only 4 parking spaces.

City Contact:

Trey Job – Director of Public Works & Utilities

Attachments:

Agenda page and exhibit A



Google

Image capture: Feb 2008 © 2011 Google

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Council Member Jones**

3. Nature of Request: (Brief Overview) Attachments: Yes No

4. Policy Implication: _____

5. Budgeted: Yes No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation:

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Motion Requested:

RESOLUTION NO. R-2016-24

A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, REQUESTING THAT THE TEXAS DEPARTMENT OF PARKS AND WILDLIFE NOT REPURPOSE THE BASTROP STATE PARK GOLF COURSE.

WHEREAS, the Bastrop State Golf Course was an important part of the Bastrop sporting landscape for more than 3 quarters of a decade; and

WHEREAS, after serious financial difficulties and after on two occasions no vendor applied to contract with the State to manage a golf course at the Bastrop State Park; and

WHEREAS, the Texas Parks and Wildlife Department shut down the golf course and formed a plan to repurpose it; and

WHEREAS, this closure caused grief and disappointment for many citizens of Bastrop; and

WHEREAS, it is desirable for the State to reopen the golf course.

THEREFORE BE IT RESOLVED, that the City Council of the City of Bastrop request that Texas House Member Cyrier and Senator Watson as well as the Executive Director of the Texas Parks and Wildlife Department reconsider their decision and work with other interested parties to find grants as well as State funding to reopen this historic facility.

READ and ADOPTED on the 28th day of June, 2016.

APPROVED:

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 24, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING MOVING THE PROPOSED "GENERAL OBLIGATIONS BOND ELECTION" FROM NOVEMBER 2016 TO MAY 2017.

2. Party Making Request: Mayor Pro-Tem DeLaRosa

3. Nature of Request: (Brief Overview) Attachments: Yes _____ No X_____

The Mayor Pro-Tem would like to have a discussion with the City Council regarding moving the proposed "General Obligations Bond Elections" from November 2016 to May 2017.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____

Under Budget: _____ Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: Shawn Kirkpatrick, BEDC Executive Director

3. Nature of Request: (Brief Overview) Attachments: Yes No

At the 06/20/16 meeting of the Bastrop Economic Development Corporation, the BEDC Board of Directors approved a Resolution of Application for Amendments to the BEDC's Articles of Incorporation.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

8. Staff Recommendation: Approval

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

RESOLUTION NO. R-2016-22

MAKING CERTAIN FINDINGS REGARDING AN APPLICATION BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION; AUTHORIZING AND APPROVING AMENDMENTS TO THE BASTROP ECONOMIC DEVELOPMENT CORPORATION'S ARTICLES OF INCORPORATION

WHEREAS the Bastrop Economic Development Corporation (the "Corporation") has applied (the "Application") with the City of Bastrop City Council (the "Council") to amend their Articles of Incorporation; and

WHEREAS the Texas Local Government Code Chapter 501 Subchapter G (the "Code") provides for the process in which the Corporation may amend their Articles of Incorporation; and

WHEREAS, it is hereby officially found and determined that proper Application pursuant to Code has been made by the Corporation to the Council; and

WHEREAS, the Corporation's Application for amendments to their Articles of Incorporation is attached hereto as Exhibit "A" and fully incorporated herein as if fully set forth herein; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

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

SECTION 1. Finding and Determination

The Council hereby finds and determines that it is advisable to adopt the amendments to the Corporation's Articles of Incorporation as described in Exhibit "A".

SECTION 2. Authorization of Adoption

The Council hereby authorizes the Corporation to adopt the amendments to the Corporation's Articles of Incorporation as described in Exhibit "A".

SECTION 3. Approval

The Bastrop City Council hereby approves the form of the amendments to the Corporation's Articles of Incorporation as described in Exhibit "A".

READ and ADOPTED on the 28th of June 2016.

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Clerk

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

**RESOLUTION OF APPLICATION FOR AMENDMENTS TO ARTICLES OF
INCORPORATION OF THE BASTROP ECONOMIC DEVELOPMENT
CORPORATION**

WHEREAS the Bastrop Economic Development Corporation (the "Corporation") met on June 20, 2016, to review the attached Restatement with Additional Amendment of Amended Articles of Incorporation; and

WHEREAS the Texas Local Government Code Chapter 501 Subchapter G (the "Code") provides for the process in which the Corporation may restate and amend their Articles of Incorporation; and

WHEREAS, it is hereby officially found and determined the attached Restated and Amended Articles of Incorporation should be presented to in a proper application for amendment to the Bastrop City Council; and

WHEREAS, the Corporation desires to submit its application for amendments to their Articles of Incorporation as attached hereto as Exhibit "A" and fully incorporated herein as if fully set forth herein; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1. Finding and Determination

The Corporation hereby finds and determines that it is advisable to adopt the amendments to the Corporation's Articles of Incorporation as described in Exhibit "A".

SECTION 2. Application for Amendments

The Corporation hereby submits this Application to the City Council of the City of Bastrop for amendments to the Corporation's Articles of Incorporation as those amendments are set out in the attached Exhibit "A".

PASSED AND APPROVED, on this 20th day of June, 2016.

[SIGNATURE PAGE FOLLOWS]



Steve Mills, Board Chair

ATTEST:



Secretary

RESTATEMENT OF AMENDED ARTICLES OF INCORPORATION OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION

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WE, THE UNDERSIGNED natural persons, each of whom is at least 18 years of age, and each of whom is qualified to sign these Restated and Amended Articles of Incorporation of the Bastrop Economic Development Corporation (the "Corporation") under the TEX. LOC. GOV. CODE chapters 501, 502 and 505, as amended, with the approval of the City Council (the "Council") of the City of Bastrop, Texas (the "City") as evidenced by the Resolution attached as Attachment "A" and made a part of these Articles for all purposes, do hereby adopt the following Restated and Amended Articles of Incorporation for the Corporation:

- Deleted:** WE, the undersigned natural persons, not less than three (3) in number, each of whom is at least eighteen (18) years of age, and are residents of the City of Bastrop, Texas, which is a duly established City under the Texas Constitution, acting as Amending Incorporators of a public instrumentality and non-profit industrial development corporation (the "Corporation") under Article 5190.6, Texas Revised Civil Statutes, as amended, known as the Development Corporation Act of 1979 (the "Act"), with the approval of the governing body of the City of Bastrop, Texas (the "City"), do hereby adopt the following 2008 Amended and Restated Articles of Incorporation for the Corporation;¶
- ¶
- The amendments are as follows:¶
- ¶
- January 25, 2000¶
- (1) Article II: Added "...in March of 1995..."¶
- (2) Article VIII: Added length of term for a director if filling a vacancy at the end of paragraph 2. ¶
- July 25, 2000¶
- (3) Article I: . Added name, shall also be known as "BEDC".¶
- (4) Article IV: Added "or the lending of credit" to the last sentence.
- (5) Article VII: ¶
- (a) Changed street address of registered office to 903 Main Street, Bastrop, Texas 78602.¶
- (b) Changed Corporation's permanent registered agent to Joe D. Newman, President/CEO ¶
- (6) Article VIII: ¶
- (a) Changed number of City Council members from two to one in paragraph 1.¶
- . (b) Removed names and addresses of initial directors in paragraph 1.¶
- . (c) Added paragraph 2 regarding terms of office. ¶
- . (d) Added paragraph 3 regarding City Manager.¶
- . (e) Restated residential requirement paragraph 4.¶
- . (f) Identified terms of service in paragraph 5.¶
- August 14, 2001¶
- (7) Article VIII: Added "...may include up to two (2) other City Council Members; ..." to first paragraph.¶

**ARTICLE I
NAME**

The name of the Corporation is "Bastrop Economic Development Corporation," also referred to and known as "Bastrop EDC" or "BEDC."

**ARTICLE II
AUTHORIZATION**

The Corporation is a nonprofit corporation and is an industrial development corporation organized under TEX. LOC. GOV. CODE chapters 501, 502 and 505 (the "Code"). In the event of any conflict between any provision of these Articles of Incorporation and the Code, then the provisions of the Code shall control. Each amendment to the original Articles of Incorporation conforms to the Code. This restatement is an accurate copy of the original Articles of Incorporation and all amendments to the original Articles of Incorporation and contains no other changes other than those stated herein,

**ARTICLE III
DURATION**

The period of duration of the Corporation is perpetual.

**ARTICLE IV
PURPOSE AND LIMITATIONS**

(a) The Corporation is organized exclusively for the purposes of benefiting and accomplishing public purposes of, and to act on behalf of, the City, and the specific purposes for which the Corporation is organized. The Corporation may issue bonds, notes, and other forms of debt instruments, and acquire, maintain, lease, and sell property, and interests therein, on behalf of the City, and expend the proceeds of any sales and use tax levied for the benefit of the Corporation for the promotion and

- Deleted:** The Corporation is a non-profit corporation, and is an industrial development corporation which was organized in March of 1995, under the Development Corporation Act of 1979, and is governed by Section 4B of the Act. In the event of any conflict between any provision of these 2008 Amended and Restated Articles of Incorporation and the Act, then the provisions of the Act shall control.
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- Deleted:** 2008 Amended and Restated

development of commercial, industrial and manufacturing enterprises to promote and encourage employment and the public welfare, pursuant to the Code. The Corporation may finance and undertake any such project, subject to the regulations and limitations set forth in The Code. The Corporation is a constituted authority and a public instrumentality within the meaning of the regulations of the United States Treasury Department and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Service Code of 1954, as amended, and the Corporation is authorized to act on behalf of the City, as provided herein.

Deleted: Section 4B of the Development Corporation Act of 1979

(b) In the fulfillment of its corporate purpose, the Corporation shall have and may exercise the powers described in this Article, together with all of the other powers granted to the corporations that are incorporated under the Code, and to the extent not in conflict with the Code, the Corporation shall additionally have and may exercise all of the rights, powers, privileges, authorities, and functions given by the general laws of the State of Texas to nonprofit corporations under the Texas Non-Profit Corporation Act, as amended, Texas Rules of Civil Statutes Annotated Article 1396-101, et seq.

Deleted: in these 2008 Amended and Restated Articles of Incorporation

(c) The Corporation shall have the purposes and powers permitted by the Code pursuant to the authority granted in Article III, Section 52-a of the Texas Constitution, but the Corporation does not have, and shall not exercise the powers of sovereignty of the City, including the power to tax (except for the power to receive and use the sales and use taxes specified in the Code) and the police power, except that the Corporation shall have and may exercise the power of eminent domain when the exercise thereof is approved by the Council. However, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practice and Remedies Code), the Corporation is a governmental unit and its actions are governmental functions.

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ARTICLE VI
AMENDMENT

¶
The Articles of Incorporation may, at any time and from time to time, be amended as provided in the Development Corporation Act of 1979, so as to make any changes therein and add any provisions thereto which might have been included in the Articles of Incorporation in the first instance. Any such amendment shall be affected in either of the following manners: (i) the members of the Board of Directors of the Corporation shall file with the governing body of the City a written application requesting approval of the amendments to the Articles of Incorporation, specifying in such application the amendments proposed to be made, such governing body shall consider such application and, if it shall by appropriate resolution duly find and determine that it is advisable that the proposed amendments be made and shall approve the form of the proposed amendments, then the Board of Directors of the Corporation may amend the Articles of Incorporation by adopting such amendments at a meeting of the Board of Directors and delivering articles of amendment to the Secretary of State, or (ii) the governing body of the City may, at its sole discretion, and at any time, amend these Articles of Incorporation, and alter or change the structure, organization, programs or activities of the Corporation, or terminate or dissolve the Corporation (subject to the provisions of the Development Corporation Act of 1979, and subject to any limitation provided by the constitutions and laws of the State of Texas and the United States of America on the impairment of contracts entered into by the Corporation) by written resolution adopting the amendment to the Articles of Incorporation of the Corporation or articles of dissolution at a meeting of the governing body of the City and delivering articles of amendment or dissolution to the Secretary of State, as provided in the Development Corporation Act of 1979. Restated Articles of Incorporation may be filed with the Secretary of State as provided in the Development Corporation Act of 1979.¶

(d) The Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution and laws, including without limitation Article III, Section 52 of said constitution, and no agreements, bonds, debts or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them.

ARTICLE V
MEMBERS

The Corporation has no members and is a non-stock corporation.

ARTICLE VI
ADDRESS

The street address of the present registered office of the Corporation is Bastrop City Hall, 1311 Chestnut Street, Bastrop, Texas 78602. The name of its initial registered

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agent at 904 Main Street was Michael H. Talbot, City Manager of the City of Bastrop, Texas. The Corporation's permanent registered agent, at its present address, is Shawn A. Kirkpatrick, Executive Director of the Corporation (or Mr. Kirkpatrick's successor to the position of Executive Director of the Corporation), who may be served with process at the present registered office of the Corporation.

**ARTICLE VII
BOARD OF DIRECTORS**

(a) The affairs of the Corporation shall be managed by a Board of Directors consisting of seven (7) Directors. Three directors must be persons who are not employees, officers, or members of the governing body of the City of Bastrop. Eligibility for Board of Director Membership shall be as stated in the Corporation by-laws and otherwise consistent with applicable law.

(b) The names and street addresses of the persons who are to serve as the initial directors and the dates of expiration of their initial terms as directors, are as follows:

<u>NAMES</u>	<u>ADDRESSES</u>	<u>EXPIRATION OF TERM</u>
<u>Pat Crawford</u>	<u>1707 Pecan Street Bastrop, Texas 78602</u>	<u>March 1997</u>
<u>Robert Jenkins</u>	<u>1302 Pecan Street Bastrop, Texas 78602</u>	<u>March 1997</u>
<u>William Taylor</u>	<u>RTE 3, Box 3 - Hoffman Road Bastrop, Texas 78602</u>	<u>March 1997</u>
<u>Dr. Neil Gurwitz</u>	<u>1306 Jefferson Street Bastrop, Texas 78602</u>	<u>May 1996</u>
<u>Willie DeLaRosa</u>	<u>407 Oak Street Bastrop, Texas 78602</u>	<u>May 1995</u>
<u>David Lock</u>	<u>801 Main Street Bastrop, Texas 78602</u>	<u>May 1996</u>
<u>Tommy Goode</u>	<u>47(B) Laura Lane Bastrop, Texas 78602</u>	<u>May 1995</u>

Deleted: The street address of the present registered office of the Corporation is 903 Main Street, Bastrop, Texas 78602. The name of its initial registered agent at such address was Michael H. Talbot, City Manager of the City of Bastrop, Texas. The Corporation's permanent registered agent, at such address, is the Joe D. Newman, President/CEO of the Corporation (or Mr. Newman's successor to the position of President/CEO of the Corporation), who may be served with process at 903 Main Street, Bastrop, Texas 78602. ¶

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Deleted: , who are appointed by the governing body of the City for two (2) year terms of office, or as otherwise noted herein below

Deleted: The membership of the Board of Directors shall include the Mayor and may include up to two (2) other City Council members; however, in no event shall there be more than three (3) members of the Board of Directors who are also members of the City Council. At least four (4) Directors of the Board shall not be officers or employees of the City of Bastrop or members of its City Council, and these four Directors shall be referred to as "Public Members" and/or as "Public Directors" of the Board of Directors. ¶

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EXPIRATION OF TERM . ¶

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(c) The terms of office for the Board of Directors shall be two years. A director holds office until the next annual election of directors and until a successor is elected, appointed, or designated and qualified.

(d) Any vacancy occurring on the Board of Directors through death, resignation, removal, or otherwise shall be filled by appointment by the governing body of the City to hold office for a term to be determined as provided in the Corporations by-laws.

ARTICLE VIII CITY COUNCIL APPROVAL

The City has specifically authorized the Corporation, by Resolution, to act on its behalf to further the public purposes stated in said Resolution and these Amended and Restated Articles of Incorporation, and the City has, by said Resolution, approved these Amended and Restated Articles of Incorporation and made a part hereof for all purposes.

ARTICLE IX RESTRICTIONS

No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its expenses shall be distributed to or inure to the benefit of its Directors or officers or any individual, firm, corporation or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the City. No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in, (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE X DISSOLUTION

If the Corporation ever shall be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered to the City after satisfaction or provision for satisfaction of debts and claims.

ARTICLE XI

Deleted: The names and street addresses of the current directors are as follows:

Table with columns NAME and ADDRESS. Rows include Mayor Tom Scott, Gary Schiff, Gary Gutierrez, Steve Mills, Dr. Neil Gurwitz, Gwen O'Barr, Pat Crawford, and Mike Talbot (ex-officio).

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Deleted: (a) The term of Directors who are also members of the City Council shall coincide with the Council member's term of elected office; (b) The terms of Public Directors shall vary in length, with no term exceeding two years, and such Public Directors shall be appointed by the City Council for a term duration that results in staggered periods of service for such Directors.

The City Manager of Bastrop may be appointed by the City Council to be a non-voting ex officio member of the Board of Directors, and may attend all meetings of the Board, and shall provide staff assistance and administrative support to the Board as needed.

All Directors must be residents of the City of Bastrop or Bastrop County with no more than one Director having residence outside the corporate city limits but within Bastrop County, Texas. Directors are removable by the governing body of the City at any time with...

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Deleted: (a) until the expiration of the term being filled; or (b) for a term of two (2) years from the date of appointment by the City Council; or (c) if a Public Member, for a term less than but not to exceed two (2) years from the date of appointment, for a length of ...

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ORIGINAL INCORPORATORS

The name and street address of each original Incorporator is:

Michael H. Talbot, City Manager P. O. Box 427
Bastrop, Texas 78602

David Lock, Mayor 801 Main
Bastrop, Texas 78602

Willie DeLaRosa, Mayor Pro-Tem 407 Oak
Bastrop, Texas 78602

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ARTICLE XII
BOARD OF DIRECTORS

The initial bylaws of the Corporation shall be in the form and substance approved by the City Council in its Resolution approving its Articles. Such bylaws shall be adopted by the Corporation's Board and shall, together with these Articles of Incorporation, govern the internal affairs of the Corporation until and unless amended in accordance with these Articles.

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Neither the initial bylaws nor any subsequently effective bylaws of the Corporation may be amended without the consent and approval of the City Council. The Board shall make application to the City Council for the approval of any proposed amendments, but the same shall not become effective until or unless the same shall be approved by Resolution adopted by the City Council.¶

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SIGNED this _____ day of _____, 2016.

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CHAIR OF THE BOARD OF DIRECTORS:

Deleted: PRESIDENT

[NAME]

Deleted: Joe D. Newman

SECRETARY OF THE BOARD OF DIRECTORS:

Deleted: AMENDING AND RESTATING INCORPORATORS

[NAME]

Deleted: ¶

¶

STATE OF TEXAS

§
§
§

COUNTY OF BASTROP

BEFORE ME, the undersigned authority, on this day personally appeared _____, and _____, known to me to be the persons whose names are subscribed to the foregoing document as the Amending and Restating Incorporators, and being by me first duly sworn, declared that the statements therein contained are true and correct.

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GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ___th day of _____, 2016

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Notary Public in and for the State of Texas

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MEMORANDUM

Date: June 21, 2016

To: Bastrop City Council

Cc: Mike Talbot, Bastrop City Manager
JC Brown, Legal Counsel

From: Shawn A. Kirkpatrick, Executive Director

Subject: Restated and Amended Articles of Incorporation for BEDC

The Bastrop EDC Board approved making application with the City Council to restate and amend the Bastrop EDC Articles of Incorporation. Work has been ongoing with the EDC bylaws committee, and after completing the initial review of the bylaws, legal counsel advised the committee that a codification of the Articles was needed.

The restated and amended Articles of Incorporation is primarily a codification with state law in the Local Government Coder Chapters 501-505, updating the registered office and agent, and updating the legal formatting.

The attached Resolution needs to be adopted by the City Council so that the Articles can be filed and reviewed by the Secretary of State's office. Once accepted the EDC will begin the public discussion on the draft 9th amended bylaws as prepared by the EDC bylaws committee.

I will be available to answer any questions.

Recommendation

Pass the Resolution attached to adopt Restated and Amended Articles of Incorporation for the Bastrop EDC as presented.

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 21, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF A RESOLUTION REGARDING THE REPLACEMENT OF THE SPEED BUMPS ON ALLEY A.**

2. Party Making Request: **Council Member Peterson**

3. Nature of Request: (Brief Overview) Attachments: Yes No

4. Policy Implication: _____

5. Budgeted: Yes No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing:	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____

8. Staff Recommendation:

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Motion Requested:

RESOLUTION NO. R-2016-23

**A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, REPLACING THE SPEED
BUMPS ON ALLEY A**

WHEREAS, the speed bumps on Alley A are very rough and too high; and

WHEREAS, rubber bumps similar to the manufactured ones at HEB are more appropriate; and

WHEREAS, the bumps on Alley A are not needed while Calvary Episcopal School is on vacation.

THEREFORE BE IT RESOLVED, that the City Council authorize the City Manager to have the current bumps removed in short order and by the time the school resumes classes replace the bumps (with ones similar to those at HEB), and furthermore, if the City Manager determines there is only a need for two bumps in addition to the major one that he replace only the southernmost and northernmost bumps.

READ and ADOPTED on the 28th day of June, 2016.

APPROVED:

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: Shawn Kirkpatrick, BEDC Executive Director

3. Nature of Request: (Brief Overview) Attachments: Yes No

At the 06/20/16 meeting of the Bastrop Economic Development Corporation, the BEDC Board of Directors voted to make an offer to acquire the empty lot at 921 Main from the City of Bastrop in order to complete the needed remediation and possible redevelopment.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

8. Staff Recommendation: Approval

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____



MEMORANDUM

Date: June 22, 2016

To: Bastrop City Council

Cc: Mike Talbot, Bastrop City Manager
JC Brown, Legal Counsel

From: Shawn A. Kirkpatrick, Executive Director

Subject: Potential Bastrop EDC Project at 921 Main Street

The Bastrop EDC Board of Directors took action at its meeting on Monday, June 20, 2016 to request the City Council grant the EDC the opportunity to lead the redevelopment of 921 Main Street for the benefit of the community. The EDC is well positioned to lead this redevelopment effort and to develop a project in conjunction with community stakeholders.

The Board is interested in acquiring the front portion of the 921 Main Street site that prior to the 2003 fire was the Texas Mercantile. This would include the necessary access to the rear of the property to facilitate the redevelopment and for the continuation of the City project in Alley D and related parking structures.

As you are aware, the site has suffered since the fire and needs remediation work related to several issues, including but not limited to water drainage, structural issues with the east wall, and fire damaged foundation. These known, and potentially additional unknown, issues present a problem with the valuation related to the fair market value of the site. The EDC has identified a legal mechanism which will allow the EDC to acquire control of the site from the City and provide an economic benefit to the community.

The Board does not wish to offend the Council or community in its offer and yet feels the considerable cost to remediate the site creates a rare occurrence in which the site may have an actual negative valuation. The Board is prepared to consider an agreement to acquire the site for four dollars (\$4.00) and complete the necessary remediation to produce a developable site.

Moving beyond the remediation, the EDC is prepared to work with the Main Street Program through its application to the Texas Historical Commission for the "Town Square Initiative Feasibility Study" to assess the site and determine the future use. In conjunction with the THC Town Square program the EDC will engage the necessary services of a qualified architecture and engineering firm to assist in developing a Master Plan to see the project through to its fruition.

Ultimately, the EDC is here to assist in developing commercial enterprise, or other community supported projects, which bring an economic benefit to the community through increased sales tax and ad valorem taxes. The EDC will prepare an offering package at the appropriate times throughout the process to offer the site and development to private developers/individuals, potentially considering the EDC entering into a public/private partnership and/or leasing back office space for the EDC.

I will be available at the Council meeting to address any questions of the Council and community. My full presentation to the EDC Board is attached.

Recommendation

City Council consideration and definitive direction on how to proceed to site mitigation and redevelopment.

921 Main Street

Redevelopment Project
Bastrop Economic
Development Corporation

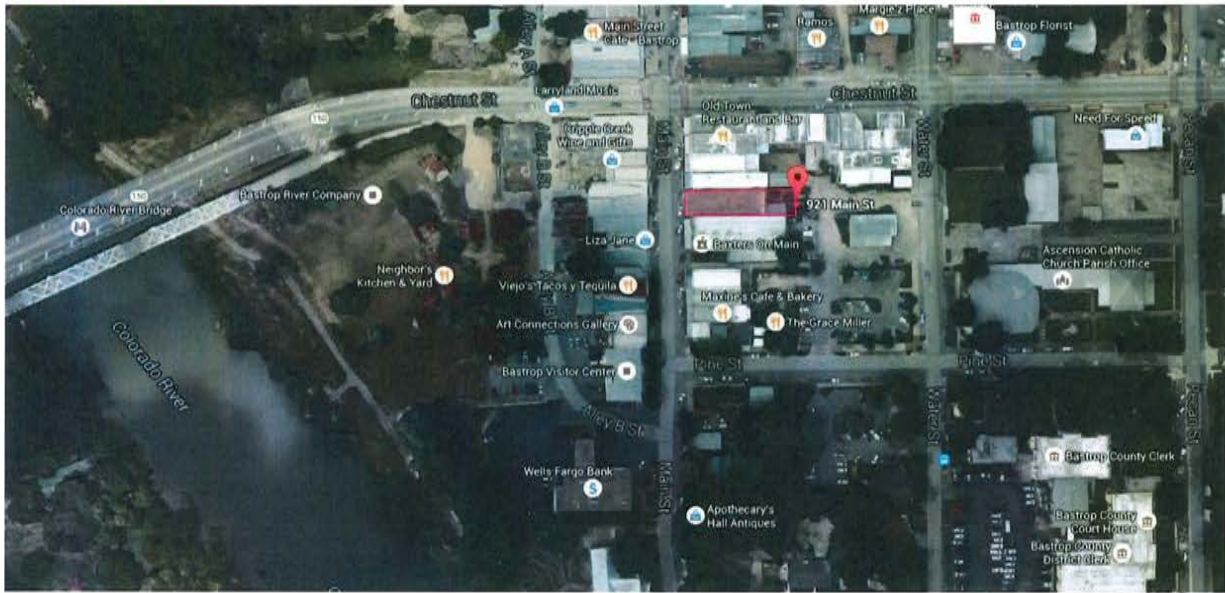
History of 921 Main Street

- 1996 – purchased by Violet John and called the Texas Mercantile
- 2003 – May 13th destroyed in an early morning fire
- 2009 – City purchased the property
- 2010 – June 21st EDC identified as a top 5 potential project
- 2010 – July 26th EDC voted to encourage the development
- 2010 – July 27th Mr. Newman presented to Council during a public hearing to encourage the development
- 2010 – August 31st FY 2010/11 Budget included funding to acquire the site

History of 921 Main Street (Continued)

- 2010 – November 15th EDC approved to offer to acquire the vacant slab
- 2010 – December 20th Ms. Wood presented the concept of “921 Main Street Plaza” to the EDC Board
- 2010 – December 20th EDC agreed to make a formal offer to acquire the slab with explanation
- 2011 – January 4th JC Brown drafted letter addressed to Mayor Orr
- 2011 – March 11th Mr. Talbot was hired as interim Executive Director
- 2012 – August 8th identified at possible 2013 EDC project
- 2013 – August 19th DBA signed lease agreement with City

Location



BASTROP, TEXAS SDAT REPORT



BASTROP, TEXAS • NOV 14-16, 2011

AIA Communities by Design 
ENVISION. CREATE. SUSTAIN.

The third property is the end of the trail and the small park above it. The park and the land along the bluff as you walk back toward downtown offer exciting options for selective clearing that offer beautiful river views. The current Museum site offers a new location for a small retail or boutique food establishment...teahouse, etc. Sidewalk linkages will be needed to support these options, but visual linkages from downtown could help to support the business opportunities.

As an issue of placemaking, the community currently owns a vacant lot in the center of a retail block on Main Street in the historic downtown. Discussions are ongoing about the use for this lot. Options include rebuilding a permanent structure, temporary uses and creating a small pocket park with public restroom facilities. The team unanimously determined that the best use was to continue a retail use ultimately with a permanent structure. Temporary "pop-up" uses during holidays and festivals were perfectly acceptable until a permanent structure was in place. The team felt strongly that a pocket park and public restrooms were the wrong use. The city has an interesting opportunity to manage this lot much like cities do with most economic plans or industrial parks. However they approach it, they need to be an active participant to assure they will get the best solution and fit for Bastrop's historic downtown. Downtown is about retail and commerce and the space should be returned to that role.

Whether it is downtown, in residential neighborhoods or along Chestnut Street, Bastrop is defined by its historic architecture. The community is proud that it has 137 sites listed on the National Register of Historic Places. It must be careful not to lose the visual context. This doesn't mean creating fake history or not allowing new architectural styles, but infill buildings need to continue to create density and links across and through the community.



Stakeholder Meetings

- May 2016 – Main Street Design Committee
- May 2016 – Main Street Chair, Downtown Business Alliance, and Main Street Director
- June 2016 – Main Street Advisory Board
- June 2016 – Main Street Design Committee

Additional individual meetings with Kristi Koch, Dan Hays Clark, and Richard Smarzik

Site Condition

Bastrop considers fate of its empty Main Street lot

9:00 p.m. Friday, April 29, 2016 | Filed in: **Bastrop**

One of the main sticking points in either plan is the cost for much needed repairs. There are structural and stability problems with the back wall and drainage issues on the site, officials said.

Richard Smarzik, who owns neighboring Relics, a jewelry store, said water used to come into his business from the lot until he and his wife Anne spent \$90,000 repairing their side of the shared wall. But the brick is still eroding, he said, and mold and humidity seep in and rust his wife's tools.

Bastrop Advertiser Excerpt



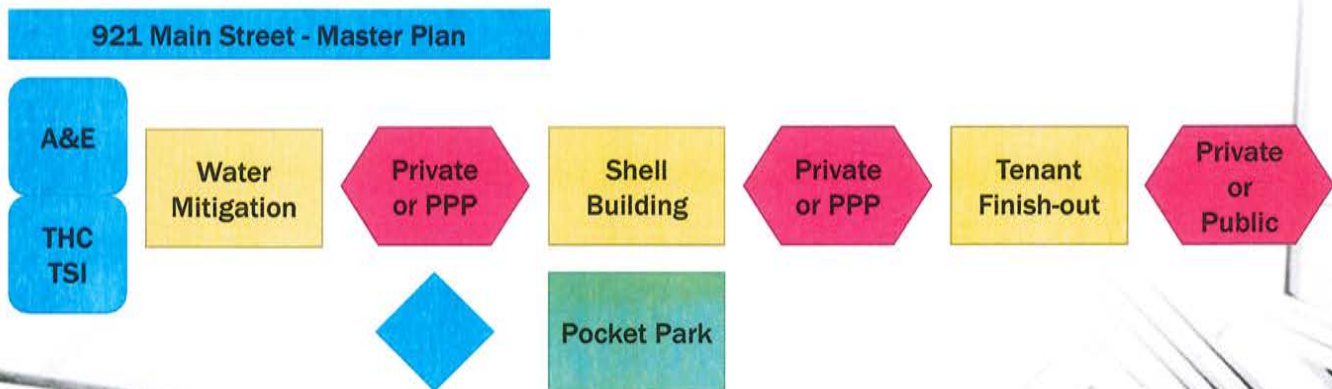
Process

- Obtain development control of site
- Request for Qualifications (RFQ) – Architecture and Engineering firm to assist in developing “Master Plan”
- Texas Historical Commission “Town Square Initiative Feasibility Study” application
- Project Phasing
 - Water mitigation
 - Shell building
 - Tenant finish-out

Provides opportunities
for public engagement
and vision

Disposition of Property

Following development of the “Master Plan” and water mitigation the EDC will have **three (3) opportunities** to sell the property.



Project Cost & Income

Land/Site

Water mitigation

\$ 200,000 to \$ 250,000

Shell building

\$1,980,000 to \$2,200,000

Tenant finish-out

\$ 275,000 to \$ 550,000

Architecture & Engineering

\$ 250,000 to \$ 250,000

\$2,705,000 to \$3,250,000

Gross Potential (Annual) Income

\$200,000 to \$250,000

921 MAIN ST
BASTROP, TX

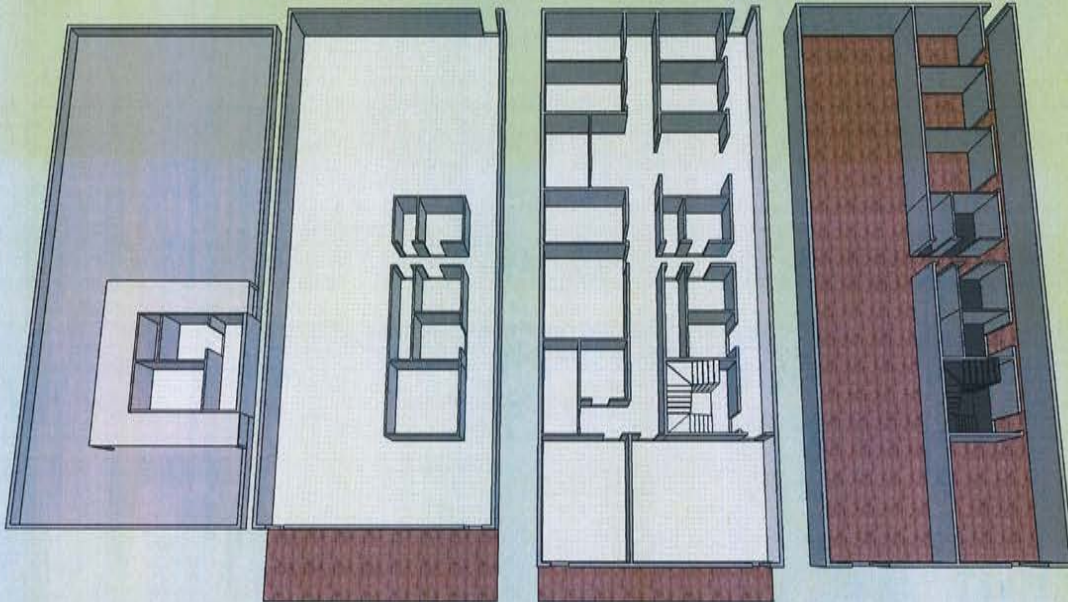


Downtown Mixed Use Development

All designs are for visualization purposes only. No representations are made as to whether designs meet current code or can be built as shown.



Floor Plans

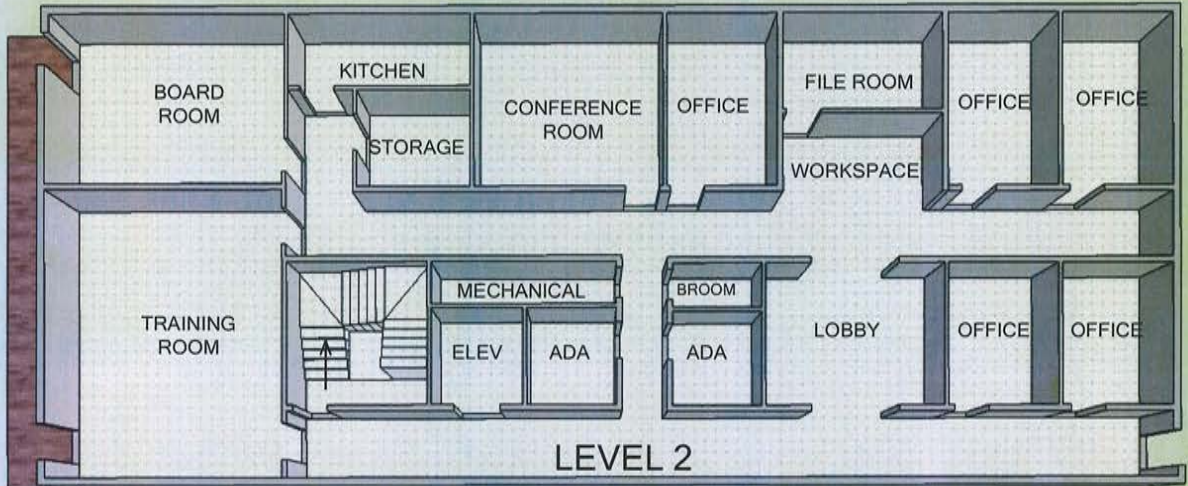


Level 4
Rooftop Terrace

Level 3
Residential Lofts

Level 2
Office Space

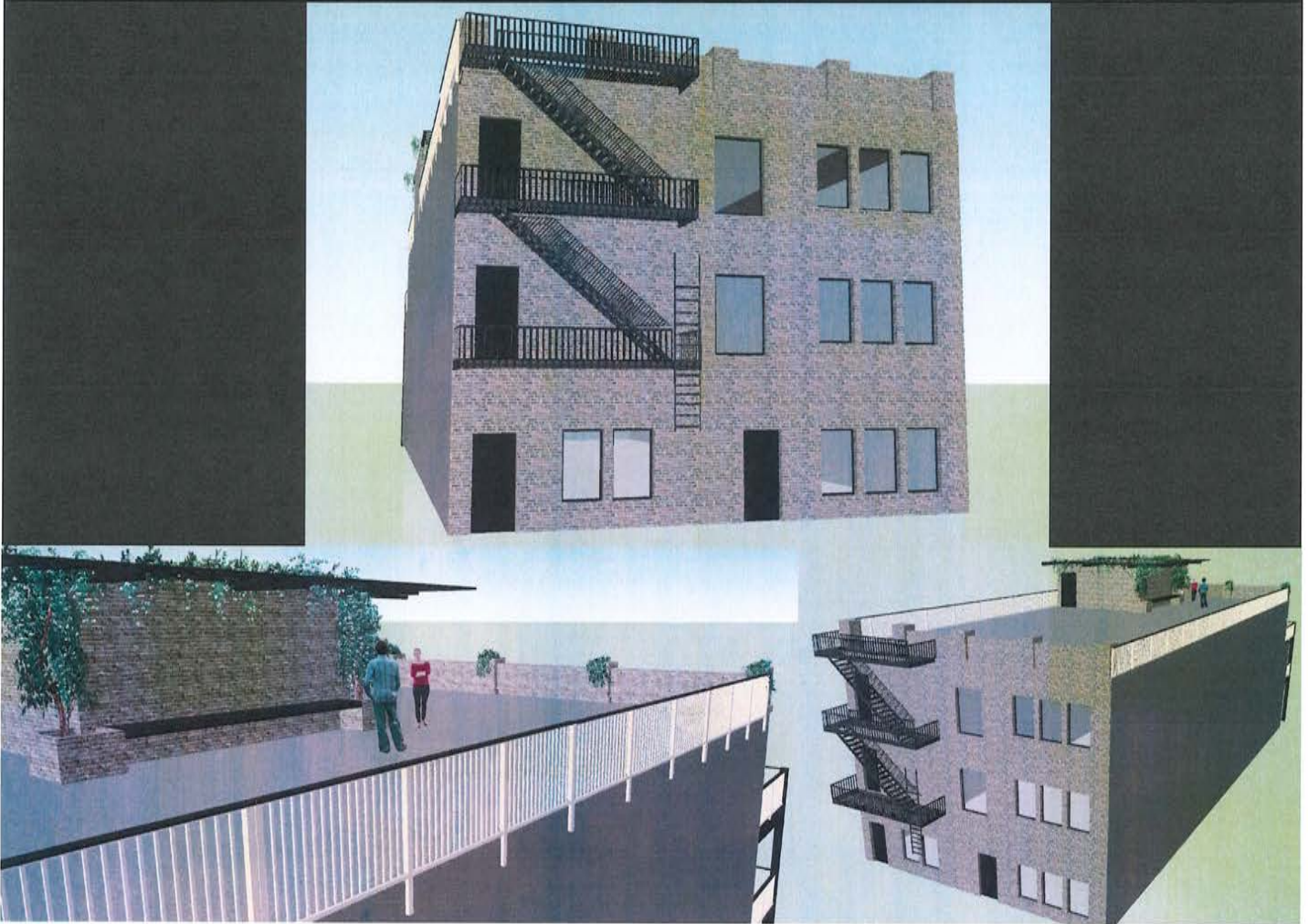
Level 1
Retail and Office



Front Elevations



Rear Elevations and Rooftop Terrace



STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 22, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: **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.**

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

4. Policy Implication:

5. Budgeted: _____ Yes _____ No _____ N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: **NAME/TITLE INITIAL DATE CONCURRENCE**
a) _____
b) _____
c) _____

8. Staff Recommendation:

Staff recommends approval of the requested 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.

9. Advisory Board: _____ Recommended Approval _____ Disapproved XXX None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Recommendation: **Approved the Final Plat for Pecan Park Section 5B.**

City of Bastrop

Agenda Information Sheet:



City Council Meeting Date:

June 28, 2016

Project Description:

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.

Item Summary:

Owner: Duke McDowell, DM Pecan Park Associates, LTD
Applicant/Agent: Lynn Alderson, PE, Alderson Group, Inc.
Location: Located west of Perkins Street in the city limits
Utilities: Bluebonnet electric, City of Bastrop water and sewer

Background:

This is the Final Plat for 43 residential lots and 3 common areas. The Preliminary Plat for Sections 5A and 5B was approved by City Council on November 12, 2014. This property is part of a development agreement between DM Pecan Park and the City of Bastrop approved by City Council in November, 2013. This Final Plat represents the second phase within Section 5.

Basis of Support:

Staff supports the Final Plat of Pecan Park Section 5B. The plat appears to meet all other subdivision, zoning, and development agreement requirements.

Special Considerations: None.

Comments: Twenty-eight (28) adjacent property owner notifications were mailed June 16, 2016. Two (2) responses in opposition have been received,

Staff Recommendation:

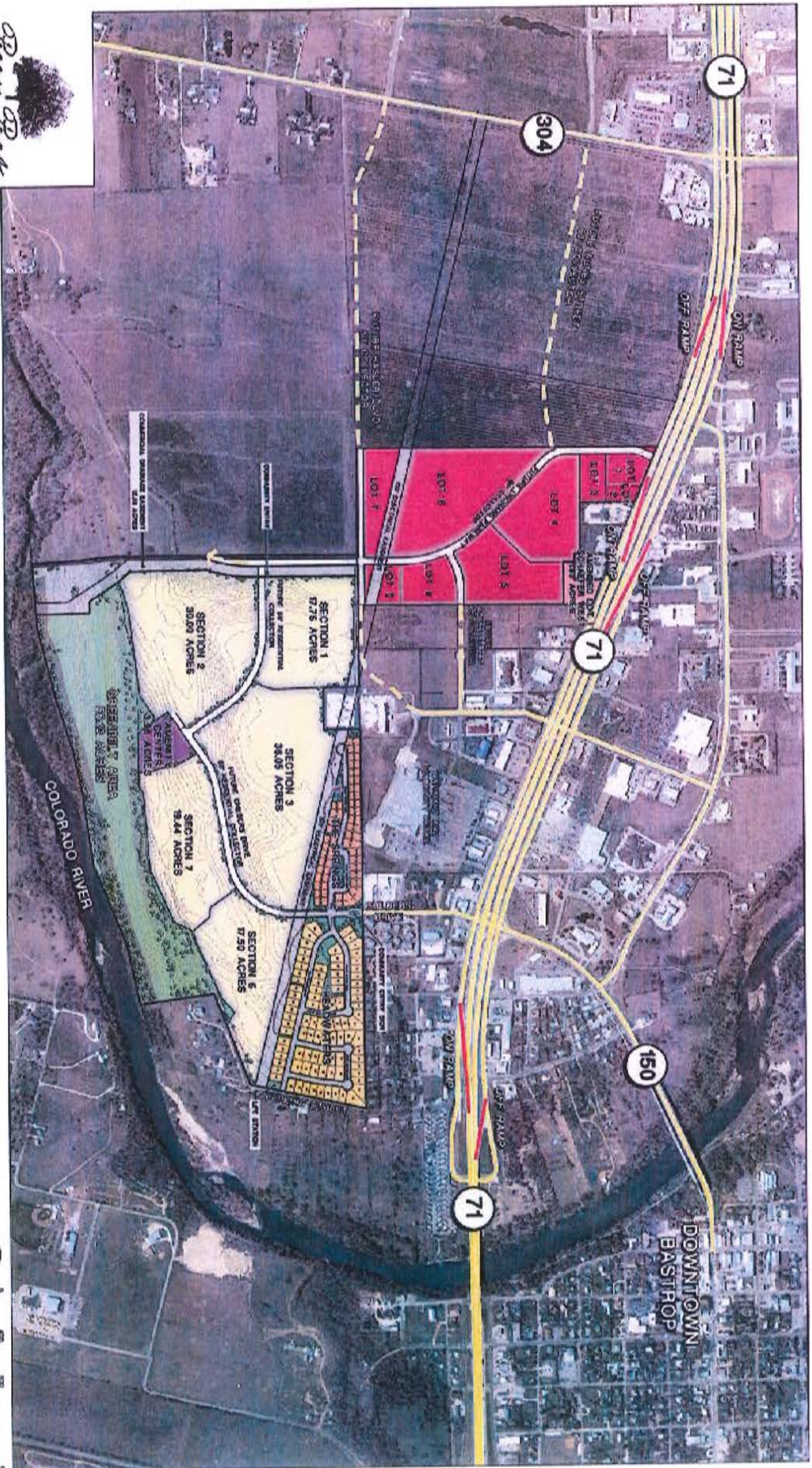
Staff recommends approval of the requested Final Plat for Pecan Park Section 5B consisting of 43 residential lots, totaling +/-12.63 acres out of a +/- 311.302 acre tract out of the Mozea Rousseau Survey within the city limits of Bastrop, Texas located south of Highway 71 West.

Attachments:

Location Map, Overall Conceptual Plan, Final Plat, Engineer's Letter regarding proposed drainage system and property owner response

City Contact:

Melissa M. McCollum, AICP, LEED AP, Director
Wesley Brandon, PE, City Engineer
Planning and Development Department



OVERALL CONCEPTUAL PLAN

PECAN PARK
BASTROP, TEXAS

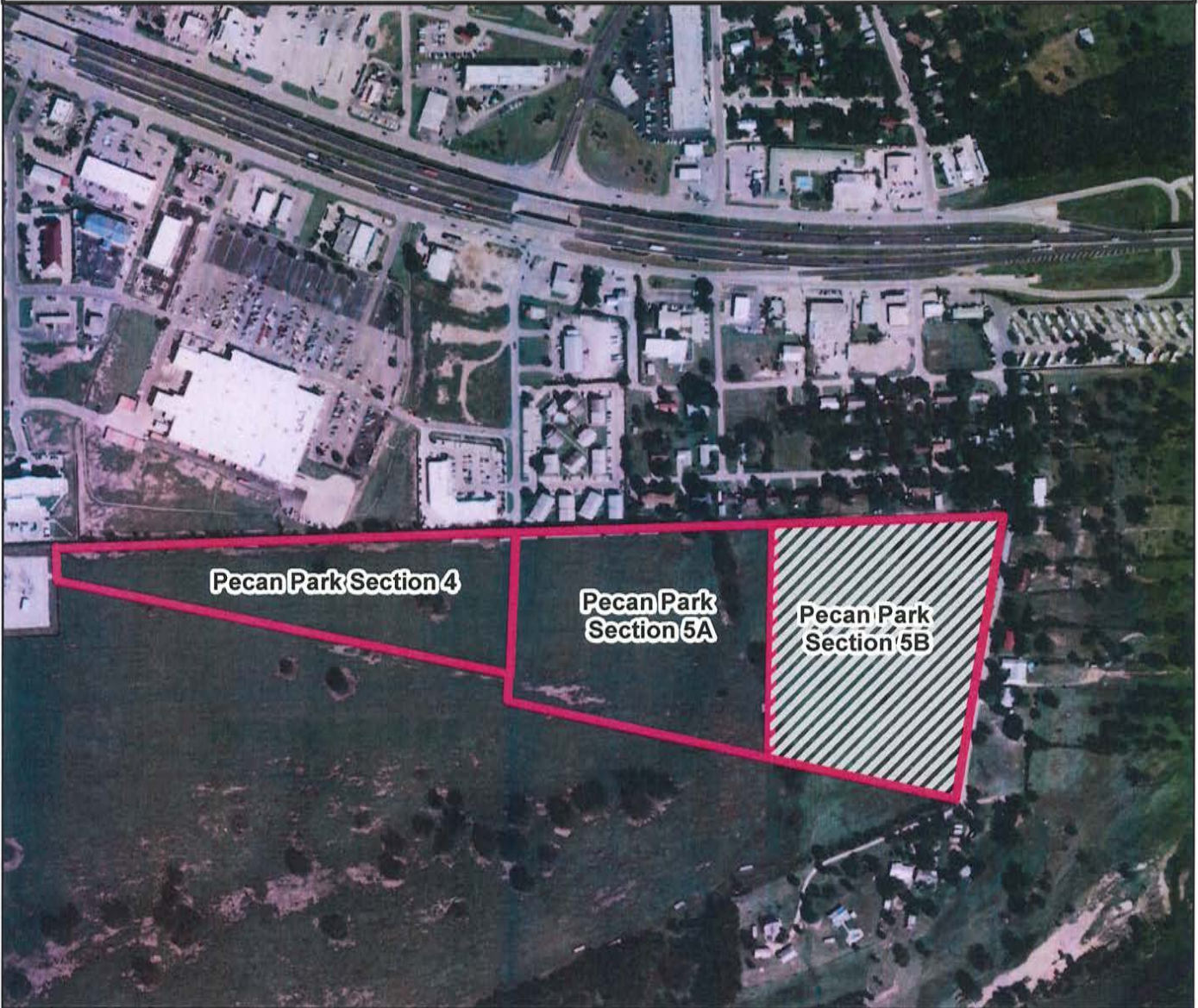


SEC Planning, LLC
Land Planning • Landscape Architecture • Community Planning
1400 W. 11th St.
Bastrop, TX 78004
www.secplanning.com

North
Scale: 1" = 800'
Date: July 13, 2015



Property Location Map for Pecan Park Section 5B



Legend

 Pecan Park Residential Section 5B



June 22, 2016

Mr. Wesley Brandon, P.E.
City Engineer
City of Bastrop
1311 Chestnut Street
Bastrop, Texas 78602

RE: Pecan Park: Residential –Final Plat Section 5B
Bastrop, Texas
AG Job No. 1314-01

Dear Mr. Brandon:

As requested from your office, the following is a clarification regarding Pecan Park Residential Section 5B proposed drainage in regards to discharge to Perkins Street Right-of-Way (ROW).

Existing drainage patterns were analyzed to establish a base conditions for comparison to proposed drainage plans for the subdivision. Three drainage areas were identified as specific study points where the subject tract currently discharges onto the Perkins Street ROW. Approximately 21.5 total acres currently discharge from the Pecan Park development onto the Perkins Street ROW.

Drainage patterns per the proposed Pecan Park Residential Section 5B subdivision construction plans will decrease the area discharging storm water to Perkins Street ROW from 21.5 acres to 8.3. Each of the three study points from the existing drainage study were analyzed to determine ultimate flows for the proposed development. For each of the studied storm events (2, 5, ,10 ,25 and 100-year storm events,) ultimate discharge was shown to decreased from original conditions. Overall discharge from Pecan Park to Perkins Street ROW will be reduced from 43 cubic feet per second (csf) for the 100-year storm event to 19 cfs for the proposed 100-year storm event.

The proposed Pecan Park Residential Section 5B subdivision drainage will not increase storm water runoff to the Perkins Street ROW and will cause no adverse impact to properties located along Perkins Street ROW.

Alderson Group Inc.
16746 Fitzhugh Rd • Ste. 102 • Dripping Springs, Texas 78620
P (512) 364-0989 • F (512) 858-2455
Texas Registered Engineering Firm F-11820

Please feel free to contact our office should you have any questions or need additional information.

Sincerely,



Lynn Alderson, P.E.
Principal



6-22-2016

Cc: Duke McDowell – DM Pecan Park Associates, LTD

**CORRECTED
NOTICE OF MEETING
BASTROP CITY COUNCIL**

RECEIVED
JUN 22 2016
By Yvonne Pritchard

Dear Property Owner:

The **Bastrop City Council** will hold a meeting Tuesday, June 28, 2016 at 6:30 p.m. in the Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider the Pecan Park Residential Section 5B Final Plat creating 43 residential lots located within the city limits of Bastrop, Texas.

The Applicant is: Duke McDowell

Property Location: Section 5B is located west of Perkins Street extending south to the LCRA 100' electric easement
An 11 x 17 Final Plat copy was sent in first notice it is not included with this correction

Legal Description: +/-12.63 acre tract in the Mozea Rousseau Survey A-56

As a property owner within 200' of the above referenced property, you are being notified of the meeting and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at City Hall located at 1311 Chestnut Street, Bastrop, Texas.

X
X

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request

Property Owner Name: Mark Thomas
Property Address: 712 Perkins St Bastrop Phone (optional): _____
Mailing Address: same Email (optional): _____

Property Owner's Signature: Mark Thomas

Comments: (Optional)

Duke McDowell needs to correct the drainage issues affecting our homes adjacent to the SE corner where he raised the elevation 4-6 feet to get it

Please provide reply to: Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602 or via fax (512) 332-8829
Planning and Development office phone number (512) 332-8840

out of the flood plain. Complaints have been made with the City Public Works & Engineer resulting in a couple attempts on his part to correct, but problem still exists.

Final Plat of Pecan Park Residential Section 5B (mailed 6/15/2016) - corrected notice mailed 6/16/2016

6-28-2016

192
Thomas

NOTICE OF MEETING
BASTROP CITY COUNCIL

RECEIVED
JUN 22 2016
By [Signature]

Dear Property Owner:

The Bastrop City Council will hold a meeting Tuesday, June 28, 2016 at 6:30 p.m. in the Council Chambers, 1311 Chestnut Street, Bastrop, Texas to consider the Pecan Park Residential Section 5B Final Plat creating 43 residential lots located in the city limits of Bastrop, Texas.

The Applicant is: Duke McDowell

Property Location: Section 5B is located east of Perkins Street extending south to the LCRA 100' electric easement
~~An 11 x 17 Final Plat copy is Included with this Notice~~

Legal Description: +/-12.63 acre tract in the Mozea Rousseau Survey A-56

As a property owner within 200' of the above referenced property, you are being notified of the meeting and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at City Hall located at 1311 Chestnut Street, Bastrop, Texas.

X
X

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request

Greatly Opposed !!!!!

Property Owner Name: Lynn Schaefer Owalline
Property Address: P.O. Box 7 718 Perkins Phone (optional): _____
Mailing Address: Bastrop TX 78602 Email (optional): _____

Property Owner's Signature: [Signature]

Comments: (Optional)
I am currently represented by Graves Dougherty regarding unresolved problems in Pecan Park #5A that include an 80ft drainage easement on my westside.

Please provide reply to: Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602 or via fax (512) 332-8829
Planning and Development office phone number (512) 332-8840
flooding of my road on my property, yard and my river bottom #1 property on my eastside,
Final Plat of Pecan Park Residential Section 5B (mailed 6/15/2016)
Recently May 13th 2016 another drainage ditch was dug near the north side of my property. Clearly these issues need to be resolved before any other issues are created.

150
I see another 15' drainage easement between lot 50 and lot 49 on this final Plat 5B dated June 2016

6-28-2016

193

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 24, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: 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.

2. Party Making Request: Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

The City of Bastrop entered into a month to month lease in 2008 with the "Bastrop 1832 Farmers Market [1832 Market] so that the 1832 Market could use the lease property as a "Farmers Market". I had a meeting with representatives of the "Bastrop 1832 Farmers Market" organization a couple of weeks ago with regards to the action taken by the City Council a few weeks ago in which the lease property adjacent to the City's Convention Center would no longer be leased to the 1832 Market and be placed under the direction of the City's Main Street Director. The representatives of the 1832 Market representative expressed to me in our meeting that they felt that the City Council did not consider all of the issues in making that decision and have asked for an opportunity to present their case to the City Council and for the Council to reconsider their decision ending the lease agreement between the City and the 1832 Market in which the property adjacent to the Convention Center would no longer be leased to the 1832 Market and be placed under the direction of the City's Main Street program.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE
a) _____
b) _____
c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

RECEIVED JUN 21 2016



Bastrop 1832 Farmers Market

1302 Chestnut St. Bastrop, TX
www.bastrop1832farmersmarket.org

Erika Bradshaw
Board Member
512-360-4799

Dolores Svoboda Leeper
Secretary/Treasurer
512-360-4502

June 15, 2016

Mike Talbot
City Manager
City of Bastrop

Dear Mr. Talbot,

The Bastrop 1832 Farmers Market respectfully requests the Bastrop City Council to reconsider the resolution approved May 17th to evict the market and turning the property and business over to the Bastrop Main Street Program. We believe the council may have been unaware of, or overlooked, our considerable investment, success and asset to the community.

The Bastrop 1832 Farmers Market is a 501 C 3 non-profit corporation whose goal is to provide fresh local food to the people of Bastrop County and provide a venue for local farmers and artisans to sell directly to the public.

- Vendor sales to our customers in the past 8 years total over \$1.4 million dollars.
- Advertising by the market totaled over \$25,000 in the past 8 years.
- Our Giving Garden has donated over 4,000 pounds of fresh produce to the Bastrop Emergency Food Pantry generated by hundreds of hours by volunteer labor.
- Our Farm to Plate dinner in 2010 raised \$1,500 that was donated to 3 local charities.
- As a TDA certified farmers' market, we have secured liability insurance for the market. We are required to certify that farmers, food preparers, and craftsmen produce 100 percent of the products they sell. Also fifty-one percent of our vendors must be selling agricultural products per The Certified Farmers Markets Association.
- All monies generated through membership dues and booth fees are invested back into the market for advertising, community outreach, premise upkeep, and access to the Lone Star program (SNAP) for the disadvantaged. We accepted more than \$5,000 in EBT/SNAP/Texas Lone Star vouchers to help feed the hungry in our county in the past 7 years.
- We always have and always will welcome new member who are willing to follow our rules and regulations to join the market.
- Over 8 years of providing quality local products has resulted in a great deal of goodwill, which has traditionally been used as an asset in an evaluation of a business' net worth.
- The successful operation of the market is the result of the hard work and dedication of the vendors and administration of the Bastrop 1832 Farmer Market.
- Our customers/voting citizens are accustomed to and have expressed their support and approval of our Saturday operating hours and location. As such we propose a lease to retain the sole use of the building on Saturdays from 7am-3pm. This will contribute to the revenue stream you are looking for on this property.

Please protect our considerable investment and sincere desire to provide the best venue for Bastrop citizens, visitors, and farmers.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Matzen".

Charles Matzen, President

A handwritten signature in black ink, appearing to read "Erika Bradshaw".

Erika Bradshaw, Board

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: June 24, 2016

MEETING DATE: June 28, 2016

1. Agenda Item: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING REVIEW OF THE FY-17 BUDGET CALENDAR AND SETTING ADDITIONAL CITY COUNCIL MEETING DATES.

2. Party Making Request: Michael H. Talbot

3. Nature of Request: (Brief Overview) Attachments: Yes X No _____

The City Council and I need to review the budget calendar regarding the FY-17 budget. The first budget workshop was scheduled for June 21, 2016 but other pressing City matters did not allow the Council time to commence discussing the FY-17. We need to review the attached budget calendar and discuss holding at least one additional budget workshop and we should try to schedule this budget workshop as soon as possible in order to get back on track with FY-17 budget process.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No N/A

Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

- a) _____
- b) _____
- c) _____

8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None

11. Motion Requested: This is an informational item only and no action or motion is being requested at this time.

City of Bastrop

FY 2016-17 Planning Calendar

01-May	Mailing of notices of appraised value by chief appraiser. (preliminary)
20-May	Budget book to MT
June 1-17	Meet with each dept. Director to review budgets submitted
21-Jun	Preliminary Budget Workshop (GF)
05-Jul	Budget Workshop (GF)
19-Jul	Preliminary Budget Workshop (WWW, BP&L,HOTEL)
25-Jul	Deadline for chief appraiser to certify rolls to taxing units. Request from BCAD any resolved lawsuits. Request from TAC the excess debt tax collections & refunds for PY report.
29-Jul	Calculation of effective and rollback tax rates.
29-Jul	Preparation of effective and rollback tax rates, statement and schedules; submission to governing body. Tax code 26.04e exempt, follow LGC 140.01c
02-Aug	Budget Workshop (All funds)
02-Aug	Meeting of governing body to discuss tax rate; if proposed tax rate will exceed the rollback rate or the effective tax rate (whichever is lower), take record vote and schedule public hearing.
13-Aug	<i>Notice of proposed Tax Rate</i> is a quarter-page notice in newspaper and on TV and Web site, if available, published at least seven days before public hearing. Tax Code 26.065 exempt, follow SB1510 with new notice (due to paper by 8/8)
16-Aug	Budget Workshop
23-Aug	Public hearing
26-Aug	Last day for proposed budget to be filed with City Secretary LGC 102.005 Before the 30th day before tax rate adopted. Adoption Date is 9/27/2016. Also City Charter requirement.
01-Sep	Budget Workshop
01-Sep	<i>Published Notice of Budget Hearing</i> LGC 102.0065 not later than 10th day before the budget hearing or earlier than the 30th day before the hearing.
13-Sep	Second public hearing (may not be earlier than 3 days after first public hearing); schedule and announce meeting to adopt tax rate 3-14 days from this date. Must be no more than 14 days before adoption of tax rate. Tax Code 26.06e exempt, follow LGC 140.01c (this hearing may not be required if Tax Rate is less than effective and rollback rates) First Reading of Tax Rate
13-Sep	Budget Hearing LGC 102.006 (b), hearing must be after the 15th day after the proposed budget is filed with the clerk. Action required - Vote to postpone the final budget vote until 09/22/2015.
27-Sep	First Reading Budget Ordinance Meeting to adopt tax rate. Meeting is 3 to 14 days after second public hearing. Taxing unit must adopt tax rate by Sept. 30 or 60 days after receiving certified appraisal roll, whichever is later. Also, meeting date to adopt Budget. Must adopt budget before tax rate. City Council must take a separate ratification vote to adopt any budget that will raise total property tax revenue.