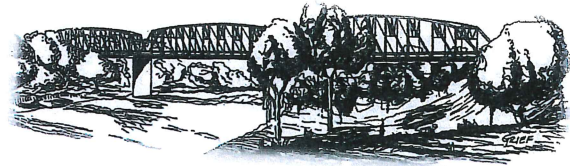


Bastrop City Council  
January 10, 2017 at 6:30 pm



Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on January 10, 2017, 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 - Mayor Ken Kesselus

4. PRESENTATIONS

- A. Cost of Service and Rate Design Study – Tracy Waldron, Chief Financial Officer (Information page 1)
- B. Recognition of two Bastrop Police Officers for Heroic Action – Steve Adcock, Public Safety Director, Chief of Police
- C. At 7:00 p.m. – 7:45 p.m. Conversation with Mr. Bill Geist of DMO Pro regarding his Phase 2 report on the potential creation of a DMO. (Two way telephone will be available for City Council questions.)

5. PROCLAMATIONS

- A. Martin Luther King Day

6. ANNOUNCEMENTS, INFORMATION AND REQUESTS BY COUNCIL MEMBERS

- A. Distribution of Items to Council (If Necessary) – Ann Franklin
- B. Items Targeted for Future Meetings.
- C. Requests by Council Members for items on future agendas and requests for information from City Manager.
- D. Election candidate packets. – Ann Franklin

7. CITIZEN COMMENTS

\*\*\*\*\*

EXECUTIVE SESSION: *The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon’s TX Code, Annotated, the item below will be discussed in closed session.* 1. SECTION 551.071 – Consultations with Attorney related to legal matters

\*\*\*\*\*

- 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	Approval of minutes from special meeting of September 8, 2016 and regular council meetings of July 26, 2016 and December 13, 2016.	A.1	PG37 City Secretary, Ann Franklin
A.2	Consideration, discussion and possible action by the City Council to select the Bastrop County Emergency Food Pantry & Support Center as the Social Service Agency designated to administer the funds of the City of Bastrop's "Good Neighbor Fund".	A.2	PG59 Chief Financial Offer, Tracy Waldron
A.3	Consideration, discussion and possible action on the Final Plat for the Beck, N.H.P. & Prokop Subdivision, Section Three, being +/-4.813 acres within the Nancy Blakey Survey, Abstract No. 98, located within the Bastrop City limits.	A.3	PG63 Director of Planning and Engineering, Wesley Brandon
A.4	Consideration, discussion and possible action on the Final Plat for 512 House Group Subdivision being +/-0.997 acres, within the Stephen F. Austin Survey Abstract No.3, to create one residential lot east of Phelan Road located within the City of Bastrop, Texas, One Mile Extra Territorial Jurisdiction (ETJ).	A.4	PG67 Director of Planning and Engineering, Wesley Brandon
A.5	Consideration, discussion and possible action to approve the street name M. Bennight Boulevard, being a publicly-accessed, privately-owned roadway located between State Highway 71 and Old Austin Highway, and within the City Limits of Bastrop, Texas.	A.5	PG76 Director of Planning and Engineering, Wesley Brandon
A.6	Appointment by Mayor, subject to confirmation by City Council of Dixie West to Place 9 on the Bastrop Public Library Board fulfilling an unexpired term ending June 2018.	A.6	PG79 Mayor Kesselus
<b>B.</b>	<b>PUBLIC HEARINGS, ORDINANCES &amp; OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION</b>		
B.1	<b>Public Hearing to:</b> Receive public input on the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG). The purpose of this meeting is to allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds.	B.1	PG85 Director of Public Works, Parks and Utilities, Trey Job

- |     |  |           |  |
|-----|--|-----------|--|
| B.2 | <p>Consideration, discussion and possible action regarding a resolution allocating funding and approving the submittal of an application for A Texas Community Development Block Grant for the amount of \$300,000 with the Texas Department of Agriculture and allocation of \$150,000.00 from the Water Waste Water Fund for the repair &amp; replacement of waste water infrastructure approximately 4,500 feet in length.</p>  | B.2 PG87  | <p>Director of Public Works, Parks and Utilities, Trey Job</p> |
| B.3 | <p>Consideration, discussion and possible action to award a contract for engineering services to Strand and Associates to provide preparation of an application and project implementation if awarded for a Texas Community Development Block Grant to the Texas Department of Agriculture.</p>  | B.3 PG89  | <p>Director of Public Works, Parks and Utilities, Trey Job</p> |
| B.4 | <p>Consideration, discussion and possible action to award a contract for grant administration services to Langford and Associates to prepare and submit an application for a Texas Community Development Block Grant to the Texas Department of Agriculture.</p>   | B.4 PG94  | <p>Director of Public Works, Parks and Utilities, Trey Job</p> |
| B.5 | <p>Consideration and discussion of DRAFT Amendment to the City of Bastrop Sign Ordinance Section 3.20 regarding certain provisions related to pylon signs.</p>   | B.5 PG99  | <p>Interim City Manager, Marvin Townsend</p>                   |
| B.6 | <p>PUBLIC HEARING: “Request by Buc-ee’s LTD to overturn a prior decision of the Bastrop Municipal Sign Review Board, made December 7, 2016, denying a request by Buc-ee’s LTD for waiver “variances” to the City of Bastrop Sign Ordinance, to allow a pylon sign with a maximum height of 70 feet where a maximum height allowance is 35 feet and a maximum sign area of 400 square feet, where a maximum sign area of 160 square feet is allowed.</p>  | B.6 PG101 | <p>Director of Planning and Engineering, Wesley Brandon</p>    |
| B.7 | <p>Consideration, discussion and possible action to grant “Request by Buc-ee’s LTD to overturn a prior decision of the Bastrop Municipal Sign Review Board, made December 7, 2016, denying a request by Buc-ee’s LTD for waiver “variances” to the City of Bastrop Sign Ordinance, to allow a pylon sign with a maximum height of 70 feet where a maximum height allowance is 35 feet and a maximum sign area of 400 square feet, where a maximum sign area of 160 square feet is allowed.</p> | B.7 PG115 | <p>Director of Planning and Engineering, Wesley Brandon</p>    |
| B.8 | <p>The need for revisions in the ordinances creating the Zoning Board of Appeals and the Sign Board of Appeals have been identified in appeal activities during the last few years. Since there are no pending cases before either board it is timely to consider changes at this time. The need for changes will be discussed with each board and the Planning Commission before a recommendation will be submitted to the City Council for consideration.</p>                                | B.8 PG120 | <p>Interim City Manager, Marvin Townsend</p>                   |



**C. OLD BUSINESS – NONE**

- |  |                         |   |
|--|-------------------------|---|
| <p>C.1 Thoughts for discussion. Continuing discussion and possible action related to the phase 2 Report on the possible creation of a Destination Marketing Organization.</p> <ul style="list-style-type: none"> <li>a. What type of organization? Texas non-profit corporation, 501C6 federally recognized entity, City Board with overlapping terms.</li> <li>b. What type of annual contract is contemplated? Proposed advertising program based on estimated allocation for advertising? City Council approval of major changes?</li> <li>c. Should an initiating committee be established to recommend structure of continuing board, number of members, groups to provide nominations for City Council approval?</li> <li>d. The consultant contract provides for a phase 2 and phase 3 of the contract. Phase 1 is basically complete. Does the City Council wish to authorize phase 2 or some portion of phase 2?</li> </ul> | <p><b>C.1 PG125</b></p> | <p>Mayor<br/>Kesselus and<br/>Interim City<br/>Manager,<br/>Marvin<br/>Townsend</p> |
|--|-------------------------|---|

**D. NEW BUSINESS**

- |  |                         |  |
|--|-------------------------|--|
| <p>D.1 Consideration, discussion and possible action regarding 2017 City Council Meeting schedule.</p>   | <p><b>D.1 PG128</b></p> | <p>City Secretary,<br/>Ann Franklin</p>  |
| <p>D.2 Consideration, discussion and possible action approving the solicitation of bids for construction related to the Alley D Parking Lot Concrete Paving Project. The bids will be opened on February 16, 2017 at 1311 Chestnut Street beginning at 10:30 a.m.</p>  | <p><b>D.2 PG132</b></p> | <p>Director of<br/>Public Works,<br/>Parks and<br/>Utilities, Trey<br/>Job</p> |
| <p>D.3 Consideration, discussion and possible action for the approving the solicitation of bids for the installation of two sections 16-inch water main. the limits of construction for section (1) are from an existing connection west of the intersection of Hwy 95 and Hwy 71 and connecting at Eskew Street, and section (2) from an existing connection south of Hwy 71 and traveling west along Hwy 71 until the City of Bastrop new elevated storage tank location is reached.</p> | <p><b>D.3 PG134</b></p> | <p>Director of<br/>Public Works,<br/>Parks and<br/>Utilities, Trey<br/>Job</p> |



- D.4 Consideration and discussion regarding amendment to Chapter 4 of the Code of Ordinances of the City of Bastrop, “Bastrop Regulations”, Article 4.03 “Taxicabs, Shuttles And Touring Vehicles,” to add definitions of terms, add exemptions from coverage, add regulations pertaining to pedicabs, horse-drawn carriages, low speed vehicles (“LSV”), neighborhood electric vehicles (“NEV”), providing additional remedies for violations; and amending Appendix A4.03.001 – “License” of the Code of Ordinances of the City of Bastrop, concerning inspection and drivers’ fees for same; providing for penalties; and establishing an effective date.

**D.4 PG141**

City Attorney,  
David Bragg
- D.5 **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION WITH RESPECT TO "ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF BASTROP, TEXAS GENERAL OBLIGATION REFUNDING BONDS; LEVYING AN AD VALOREM TAX IN SUPPORT OF THE BONDS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERY OF ONE OR MORE SERIES OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING TO THE BONDS".**

**D.5 PG160**

Chief Financial  
Offer, Tracy  
Waldron
- D.6 **FIRST READING OF AN ORDINANCE AMENDING CHAPTER 15, “FAIRVIEW CEMETERY”, TO THE CODE OF ORDINANCES OF THE CITY OF BASTROP, TEXAS; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**D.6 PG205**

Chief Financial  
Offer, Tracy  
Waldron
- D.7 Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending November 30, 2016.

**D.7 PG219**

Chief Financial  
Offer, Tracy  
Waldron
- D.8 Recommendation that the annexation process be completed regarding Trinidad Business Park Phase I, Lots 1 AND 2, being an approximate 8 acre tract on the south side of Highway 71 west of its intersection with FM 20. Public hearings were held on September 27, 2011 and October 11, 2011. On October 24, 2011, Mr. Richard Welch and Mr. Jason Alley presented an executed contract for voluntary annexation as the owners of the above described property, with such voluntary annexation to occur no sooner than 3 years after the 2011 annexation was completed, but no sooner than October 26, 2014. the 2011 annexation was effective on November 8, 2011. The service plan presented in 2011 at the public hearings is still timely. All abutting property was annexed in 2011. If this recommendation is approved, the ordinance completing this annexation will be scheduled for first reading on January 24, 2017.

**D.8 PG246**

Interim City  
Manager,  
Marvin  
Townsend

D.9 Update: Consideration, discussion and possible action approving the proposed design provided by Deep in the Heart Foundry and approved by the Bastrop Art in Public Places Board for the Toads in Town project.

D.9 PG253 Director of Public Works, Parks and Utilities, Trey Job

**E. EXECUTIVE SESSION**

E.1 Pursuant to Texas Government Code §551.071 the City Council will meet in Executive Session to consult with its attorney to seek his advice about pending or contemplated litigation, or settlement offers. The City Council also will meet with its attorney to discuss legal issues related to the Texas Open Meetings Act and Texas Public Information Act. The City Council also will meet with its attorney pursuant to Texas Government Code §551.071(2) to consult on matters in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

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:

- A. SECTION 551.071(1)(A)(B) & SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including *but not limited to* municipal water supply, McCall Ranch water permit litigation, VanDiver litigation, and Pine Forest Unit 6, and (2) other matters 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, including procedures and policies dealing with open records.
- B. SECTION 551.074 Personnel Matters – City Manager applications.

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.


**ACTION ITEMS FROM EXECUTIVE SESSION (If any are needed.)**

- E2.A SECTION 551.071(1)(A)(B) & SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including *but not limited to* municipal water supply, McCall Ranch water permit litigation, VanDiver litigation, and Pine Forest Unit 6, and (2) other matters 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, including procedures and policies dealing with open records.
- E2.B SECTION 551.074 Personnel Matters – City Manager applications.

**F. ADJOURNMENT**

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 6, Day of January 2017 at 3:00 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**