

**Bastrop, TX City Special Council Meeting  
Agenda**

**Bastrop City Hall City Council Chambers  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8800**



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**May 16, 2017 at 6:30 P.M.**

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*City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.*

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Special Session or called Executive Session or order of business at any time prior to adjournment.

- 1. CALL TO ORDER**
- 2. LEADING THE PLEDGES**– Mia, Christian, and Luke Chavez - Grandchildren of Mayor Schroeder.

**AMERICAN FLAG**

**TEXAS PLEDGE OF ALLEGIANCE**

*Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

- 3. INVOCATION** – The Reverend Ben Hitzfeld, Pastor of Bastrop Christian Church.
- 4.** Consider action to approve Resolution No. R-2017-27 to canvass Election returns and declare results of May 6, 2017 City of Bastrop General and Special Election.
- 5.** Consider action to approve Resolution No. R-2017-28 calling for and establishing procedure for a Runoff Election in Bastrop, Texas for the June 6, 2017 Election.
- 6.** Consider action to approve a Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop, Texas.

## 7. OATH OF OFFICE

### 7A. Incoming Mayor Connie Schroeder

- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
- Signature of official documents, Ann Franklin, City Secretary
- Welcome by Council
- Comments by Mayor Schroeder

### 7B. Incoming Council Member Bill Ennis, Place 4

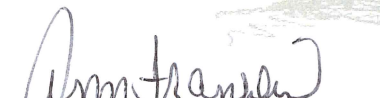
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
- Signature of official documents, Ann Franklin, City Secretary
- Welcome by Council
- Comments by Council Member Ennis

## 8. ELECTION OF MAYOR PRO TEM

## 9. ADJOURNMENT

### RECEPTION FOR NEW MAYOR AND COUNCIL MEMBER IMMEDIATELY FOLLOWING ADJOURNMENT OF MEETING.

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: Friday, May 12, 2017 at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.

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Ann Franklin, City Secretary

Run Date:05/06/17 08:37 PM

Report EL30A Page 0001-01

0001 POLL 1

|                                     | TOTAL VOTES | %    | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 992         |      |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 15          |      | 13           | 2            | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 1.51 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |    |       |   |   |   |
|-------------------------|----|-------|---|---|---|
| Tommy Hazleton. . . . . | 4  | 26.67 | 4 | 0 | 0 |
| Billy Moore. . . . .    | 11 | 73.33 | 9 | 2 | 0 |

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Report EL30A Page 0002-01

0002 POLL 2

|                                     | TOTAL VOTES | %   | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|-----|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 4,804       |     |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 45          |     | 38           | 7            | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | .94 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |    |       |    |   |   |
|-------------------------|----|-------|----|---|---|
| Tommy Hazleton. . . . . | 20 | 44.44 | 15 | 5 | 0 |
| Billy Moore. . . . .    | 25 | 55.56 | 23 | 2 | 0 |

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Report EL30A Page 0003-01

0003 POLL 3

|                                     | TOTAL VOTES | %    | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 2,284       |      |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 55          |      | 35           | 20           | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 2.41 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |    |       |    |    |   |
|-------------------------|----|-------|----|----|---|
| Tommy Hazleton. . . . . | 30 | 54.55 | 15 | 15 | 0 |
| Billy Moore. . . . .    | 25 | 45.45 | 20 | 5  | 0 |

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Report EL30A Page 0004-01

0004 POLL 4

|                                     | TOTAL VOTES | %    | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 2,707       |      |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 52          |      | 33           | 19           | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 1.92 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |    |       |    |    |   |
|-------------------------|----|-------|----|----|---|
| Tommy Hazleton. . . . . | 21 | 41.18 | 11 | 10 | 0 |
| Billy Moore. . . . .    | 30 | 58.82 | 21 | 9  | 0 |

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0005 POLL 5

|                                     | TOTAL VOTES | %    | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 8,659       |      |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 339         |      | 243          | 96           | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 3.92 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |     |       |     |    |   |
|-------------------------|-----|-------|-----|----|---|
| Tommy Hazleton. . . . . | 148 | 43.92 | 97  | 51 | 0 |
| Billy Moore. . . . .    | 189 | 56.08 | 146 | 43 | 0 |

Run Date:05/06/17 08:37 PM

Report EL30A Page 0006-01

0006 POLL 5/COB

|                                     | TOTAL VOTES | %     | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|-------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 5,083       |       |              |              |              |
| BALLOTS CAST - TOTAL. . . . .       | 1,036       |       | 640          | 396          | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 20.38 |              |              |              |

Mayor CITY OF BASTROP

| VOTE FOR 1                 |     |       |     |     |   |
|----------------------------|-----|-------|-----|-----|---|
| Willie DeLaRosa . . . . .  | 423 | 40.99 | 255 | 168 | 0 |
| Connie Schroeder . . . . . | 609 | 59.01 | 384 | 225 | 0 |

City Council, Place 3 CITY OF BASTROP

| VOTE FOR 1              |     |       |     |     |   |
|-------------------------|-----|-------|-----|-----|---|
| Lee Harle . . . . .     | 422 | 43.15 | 276 | 146 | 0 |
| Rachel Corbett. . . . . | 171 | 17.48 | 103 | 68  | 0 |
| Lyle Nelson. . . . .    | 385 | 39.37 | 232 | 153 | 0 |

City Council, Place 4, Unexpired Term CITY OF BASTROP

| VOTE FOR 1           |     |       |     |     |   |
|----------------------|-----|-------|-----|-----|---|
| Nancy Wood . . . . . | 482 | 48.64 | 283 | 199 | 0 |
| Bill Ennis . . . . . | 509 | 51.36 | 335 | 174 | 0 |

Trustee, Place 3 BASTROP ISD

| VOTE FOR 1              |     |       |     |     |   |
|-------------------------|-----|-------|-----|-----|---|
| Tommy Hazleton. . . . . | 363 | 38.99 | 210 | 153 | 0 |
| Billy Moore. . . . .    | 568 | 61.01 | 366 | 202 | 0 |



Run Date:05/06/17 08:37 PM

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0007 POLL 6

|                                     | TOTAL VOTES | %    | EARLY VOTING | ELECTION DAY | PROVISIONALS |
|-------------------------------------|-------------|------|--------------|--------------|--------------|
| REGISTERED VOTERS - TOTAL . . . . . | 2,908       |      |              |              |              |
| BALLOTS CAST - TOTAL . . . . .      | 40          |      | 26           | 14           | 0            |
| VOTER TURNOUT - TOTAL . . . . .     |             | 1.38 |              |              |              |

Trustee, Place 3 BASTROP ISD

VOTE FOR 1

|                         |    |       |    |   |   |
|-------------------------|----|-------|----|---|---|
| Tommy Hazleton. . . . . | 22 | 56.41 | 16 | 6 | 0 |
| Billy Moore. . . . .    | 17 | 43.59 | 10 | 7 | 0 |

**RESOLUTION NO. R-2017-27**

**A RESOLUTION TO CANVASS THE MAY 6, 2017  
ELECTION FOR MAYOR, PLACE 3 AND PLACE 4 OF THE  
BASTROP CITY COUNCIL.**

**WHEREAS**, on May 6, 2017, a general election was held for the purpose of electing Mayor and City Council Member for Place 3 and a special election was held for the purpose of electing a City Council Member for Place 4; and

**WHEREAS**, the returns of the general election have been made to the Council and show that the votes for Mayor and City Council Members were cast as follows:

MAYOR

Willie DeLaRosa 423 votes

Connie Schroeder 609 votes

CITY COUNCIL MEMBER PLACE 3

Lee Harle 422 votes

Rachel Corbett 171 votes

Lyle Nelson 385 votes

CITY COUNCIL MEMBER Place 4

Nancy Wood 482 votes

Bill Ennis 509 votes

**WHEREAS**, Connie Schroeder received a majority of all votes cast for the office of Mayor; and

**WHEREAS**, Bill Ennis received a majority of all votes cast for the office of City Council Member Place 4; and

**WHEREAS**, of the two candidates who received the highest number of votes cast for the office of City Council Member Place 3, those being Lee Harle and Lyle Nelson, neither candidate received a majority of all votes cast for City Council Member Place 3;

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

**SECTION 1.** The Council finds that all of the recitals contained in this resolution are true and adopts them as findings of fact by this governing body; and

**SECTION 2.** The Council finds that the results of the general election as tabulated and canvassed reflect the votes cast at the election; and

**SECTION 3.** The Council accepts and approves the returns for the general election, as tabulated and received and canvassed, and declares that the following persons are declared elected and may qualify for the office indicated for terms that begin May 16, 2017:

Mayor Connie Schroeder;

City Council Member Place 4 Bill Ennis; and

**SECTION 4.** In order to elect a City Council Member for Place 3 the City Council shall order a runoff election as soon as is practicable and no later than the fifth day after this canvass as required by state law (Texas Election Code §2.024).

**SECTION 5.** With this canvass, Council is making official the precinct returns received from Bastrop County.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 16<sup>th</sup> day of May, 2017.

**CITY OF BASTROP, TEXAS**

**APPROVED:**

\_\_\_\_\_  
Kenneth Kesselus, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David Bragg, City Attorney

**RESOLUTION NO. R-2017-28**

**A RESOLUTION CALLING A RUNOFF ELECTION FOR PLACE 3 OF THE BASTROP CITY COUNCIL FOR A TERM OF THREE YEARS, DESIGNATING THE DATE OF SAID ELECTION; DESIGNATING POLLING PLACES; DESIGNATING EARLY VOTING HOURS AND PLACES; AND DIRECTING POSTING AND PUBLICATION OF NOTICE FOR SAID ELECTION.**

**WHEREAS**, pursuant to Sec. 2.021 of the Election Code of the State of Texas, and Article IX, Section 9.07 of the Bastrop City Charter, it is provided that if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote, a runoff election for that office is required; and

**WHEREAS**, a canvassing of the returns and declaring the results of a regular City Municipal Election held on May 6, 2017, was approved by the City Council on May 16, 2017; and

**WHEREAS**, the canvass determined that, in the race for Council Member, Place 3 no candidate received a majority of the votes cast; and

**WHEREAS**, the two candidates receiving the highest number of votes for the office of Council Member, Place 3 were Lee Harle and Lyle Nelson.

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

**SECTION 1.** There is hereby ordered a runoff election to be held in the City of Bastrop, Texas, on the 6<sup>th</sup> day of June 2017, for the purpose of electing a Council Member to Place 3 for a term of three years or until their successor has been duly qualified. The candidate receiving a majority of the votes cast for City Council Member, Place 3 shall be declared elected to such office.

**SECTION 2.** Ballot applications and ballots voted by mail should be addressed to the Early Voting Clerk, Bridgette Escobedo, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, Texas 78602. Applications for ballots by mail must be received no later than the close of business on May 26, 2016, the 11<sup>th</sup> day before Election Day. The early voting clerk may receive applications for ballot by mail at [elections@co.bastrop.tx.us](mailto:elections@co.bastrop.tx.us).

**SECTION 3.** Bridgette Escobedo is hereby appointed Clerk for Early Voting. Early voting by personal appearance shall be conducted at, Bastrop County Courthouse Annex, 804 Pecan Street, Lower Level, Conference Room, Bastrop, TX 78602

Early voting by personal appearance will begin on Thursday, May 25, 2017, and will end on Friday, June 2, 2017, and the hours designated for early voting by personal appearance shall be as set forth below:

| MONDAY                     | TUESDAY                    | WEDNESDAY                  | THURSDAY                   | FRIDAY                     | SATURDAY                   |
|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
|                            |                            |                            | 25<br>8:00 am –<br>5:00 pm | 26<br>8:00 am –<br>5:00 pm | 27<br>8:00 am –<br>5:00 pm |
| 29<br>HOLIDAY<br>NO VOTING | 30<br>8:00 am –<br>5:00 pm | 31<br>8:00 am –<br>5:00 pm | 1<br>7:00 am –<br>7:00 pm  | 2<br>7:00 am –<br>7:00 pm  | 3                          |

For Elections Precincts 1001, 1002, 1003, 2009 and 2011, Staci Calvert is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.0021 et seq. of the Texas Election Code the presiding judge shall appoint at least two (2) other members to the Early Voting Ballot Board and shall process early voting results in accordance with the Texas Election Code.

The Presiding and Alternate Presiding Judges will receive compensation at the rate of \$10.00 per hour. The Clerks will receive compensation at the rate of \$8.00 per hour. The Presiding Judge will receive an additional \$25.00 for picking up the election supplies prior to Election Day and for returning the supplies after the polls close.

**SECTION 4.** All resident, qualified voters, determined by the laws of the State of Texas, the charter and ordinances of the City of Bastrop shall be qualified to vote at such election. For the purpose of said election, the entire city is hereby constituted into five voting precincts. Voting on Election Day, June 6, 2017, shall be conducted at, Bastrop County Courthouse Annex, 804 Pecan Street, Lower Level, Conference Room, Bastrop, TX 78602, and said election shall be held between the hours of 7:00 a.m. and 7:00 p.m. on the aforementioned date.

**SECTION 5.** The runoff election shall be held in accordance with the Election Code of this State and only resident qualified voters of the City shall be eligible to vote at the election.

The Mayor shall give notice of this election in accordance with the terms and provisions of Sections 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and writs for the elections shall be issued by the proper authority. Returns of the elections shall be made to the City Council immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body, the City Secretary will post notice of the date to hold the drawing for a place on the ballot on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and the notice will be posted and remain posted continuously for at least twenty-four (24) hours preceding the scheduled time of the meeting.

**SECTION 6.** The results of the elections shall be certified, canvassed, and returned in the form and manner prescribed by the laws of the State of Texas and the Charter and Ordinances of the City of Bastrop.

**SECTION 7.** The notice of the election hereby ordered and called shall be promulgated, published, and posted in keeping with the laws of the State of Texas, and the Charter and Ordinances of the City of Bastrop.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 16<sup>th</sup> day of May, 2017.

**CITY OF BASTROP, TEXAS**

APPROVED:

\_\_\_\_\_  
Kenneth Kesselus, Mayor

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
David Bragg, City Attorney