

**BASTROP CITY COUNCIL
MINUTES OF REGULAR MEETING
February 11, 2014 at 6:15 pm**

Pursuant to the Texas Government Code, Chapter § 551, the City Council of Bastrop, Texas held a Regular Meeting on Tuesday, **February 11th, 2014 at 6:15 p.m.** at the Bastrop City Hall Council Chambers located at 1311 Chestnut Street in Bastrop, Texas to consider the following matters:

1. **CALL TO ORDER** - Mayor Terry Orr called the meeting to order at 6:15 p.m. A quorum was present: Council Members Ken Kesselus, Dock Jackson, and Mayor Pro-Tem Joe Beal. Council Members Kay Garcia McAnally and Willie De La Rosa were absent.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – City Secretary Elizabeth Lopez led the Pledge of Allegiance and Police Chief Steve Adcock introduced Chaplain Jimmy Cottle who led us in prayer.
3. **PRESENTATIONS** – Mayor welcomed Gabrielle Miller who read her presentation on the Character Trait “Justice.” “Gabby” is a third Grade student in Mrs. Wehmeyers’ class at Emile Elementary, she is an “A” Student and an avid reader who enjoys playing basketball with the Hoopsters, is a member of Foundation Christian Ministries and dances Jazz with the D’Ette Dance Company. She was accompanied by her parents, Steve and Kim and her brother Kennedy.
4. **PROCLAMATIONS** – Council Member Dock Jackson accepted Mayor Orr’s invitation to read the Black History Month Proclamation.
5. **ANNOUNCEMENTS**

LBJ SCHOOL OF PUBLIC AFFAIRS - Mayor Orr congratulated City Manager Mike Talbot on being among the few selected to attend the Lyndon B. Johnson School of Public Affairs, this is a prestigious institute designed for those leading local governments. City Manager Talbot thanked Mayor Orr for his acknowledgement and noted that he will be attending the six-day Executive Development Program April 6– 11, 2014 at the University of Texas in Austin.

NATIONAL RECOGNITION - City Manager Talbot announced that our Main Street Program had received National accreditation of recognition by the Texas Historical Commission for our progress and revitalization; everyone joined him and congratulated Director Nancy Wood on her achievement.

CITY MANAGER’S REPORT - There were no citizen comments; therefore Mayor Orr introduced City Manager Mike Talbot who presented his bi-weekly City Manager’s report dated February 11, 2014, he offered additional insight on the following item(s):

#5 Review and Update of the City Charter Regarding the Sale of City owned Utilities - City Talbot informed the City Council that we can include a Charter Amendment in the May 10, 2014 Election. He offered a timeline for the upcoming November Elections that would allow us enough time to do the research on the issue of whether or not a “Home Rule City may regulate the sale of utilities” in their charter.

Council Member Ken Kesselus noted he was happy with the time frame outlined by the City Manager; however he suggested postponing the item for next Council Meeting to allow Council Member Delarosa to weigh in his thoughts since this was his initiative. Council Members were in agreement and Mayor Orr requested this item be placed on a future agenda for the Council’s consideration. Mayor Orr stated that a Charter Revision would allow us to reconvene the Charter Review Committee; *“That is how we have reached the citizens and have them be a part in the decision.”*

A. CONSENT AGENDA

All of the following items on the Consent Agenda 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(s) so request.

- A.1 Approval of Minutes for the Regular Council Meeting held on January 28, 2014.
- A.2 Approval of Contract for Election Services between Bastrop County Elections Administrator and the City of Bastrop, Texas.
- A.3 Approval of a Bastrop County Agreement to Conduct a Joint Election between the City of Bastrop and the Bastrop Independent School District for the May 10, 2014 Election
- A.4 Approval of a Resolution calling for and Establishing Procedure for a General Election in Bastrop, Texas for the May 10, 2014 Election.
- A.5 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.
- A.6 Approval of request to accept the Public Improvements for Hunters Crossing, Section 9C located at the corner of Highway 304 and Home Depot Way within the City limits of Bastrop, Texas.
- A.7 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Pecan Park Commercial Preliminary Plat consisting of 8 tracts of land being +/-67.42 acres south of State Highway 71 within the city limits of Bastrop, Texas.

Mayor Terry Orr requested a motion to approve the items on the consent agenda.

MOTION – Mayor Pro-Tem Joe Beal

SECONDED - Council Member Dock Jackson

MOTION PASSED – Unanimous vote of 3-0

B. PUBLIC HEARINGS AND ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION – No items for consideration.

C. OLD BUSINESS – No items for consideration.

D. NEW BUSINESS

Mayor Terry Orr granted the request made by Dave Quinn, Executive Director at Bastrop Economic Development Corporation to move item D.4 up for discussion, consideration and possible action.

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION FROM THE BASTROP ECONOMIC DEVELOPMENT CORPORATION RECOMMENDING THAT THE BASTROP CITY COUNCIL PASS A RESOLUTION COMMITTING THE CITY OF BASTROP'S SUPPORT FOR THE PECAN POINTE, LP, AFFORDABLE HOUSING PROJECT, AND APPROVING BEDC'S FUNDING ASSISTANCE OF SAME, IN THE AMOUNT OF A \$68,000 LOAN.

BEDC Executive Director, Dave Quinn introduced Development Director Stacy Kaplowitz with Herman & Kittle Properties who addressed the Council and outlined a PowerPoint presentation on the Pecan Pointe Apartment Homes Project. The Pecan Point Apartments will be located behind Walmart and have approximately 80 – 1 to 3 bedroom units with a community center and pool. The project is not related to the HUD Section 8 program, it will be financed using equity from the sale of housing tax credits, which are sold to equity investors with the requirement that the property maintain a level of low-moderate income for workforce individuals/families.

Furthermore, Ms. Kaplowitz requested the City Council's consideration and recommendation to pass a Resolution committing to their support of the project and BEDC's funding assistance.

MOTION – Mayor Pro-Tem Joe Beal made the motion.

SECONDED – Council Member Dock Jackson seconded the motion.

MOTION PASSED – Unanimous vote of 3-0

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION BY CH2MHILL WATER DEMAND PROJECTIONS FOR THE CITY OF BASTROP THROUGH 2045.

City Manager Mike Talbot introduced Ms. Susan Butler, Water Resources Manager with CHM2HILL the Engineering Firm conducting our in-depth analysis of the City's water demand needs through 2045. She gave the City Council a detailed presentation of the "Water Projected Demands" for the City of Bastrop through 2045, which included the considerations for water demand forecasting, forecast study results summary, methodology and the conclusion. Ms. Butler presented the water demand scenarios with consideration to population growth, economic development, expansion, conservation adoption rates, climate and extended drought. Mayor Pro-Tem Joe Beal inquired on the validity of the information she received to conduct her forecast. Ms. Butler responded that the information prepared by the City Manager and his staff was credible and in-line with similar cities. She thanked the City Manager for his time and effort in submitting the in-depth report needed to complete the water demand forecast report.

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORT AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2013.

Chief Financial Officer Karla Stovall gave a brief recap of the Monthly Financial and Quarterly Investment Reports for the period ending December 31, 2013.

MOTION – Council Member Dock Jackson made the motion.

SECONDED – Council Member Ken Kesselus seconded the motion.

MOTION PASSED – Unanimous vote of 3-0

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE BASTROP ECONOMIC DEVELOPMENT CORPORATION ENTERING INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH GOOD SOUL BREWING COMPANY.

BEDC Executive Director, Dave Quinn introduced Development Director requested the Council's consideration and approval to enter into an agreement with Good Soul Brewing Company. He noted that the BEDC Board of Directors had approved the agreement with Good Soul Brewing Company who purchased approximately 3.745 acres in the Bastrop Business and Industrial Park for a 9,000 ft. square facility. As part of the agreement, the BEDC will rebate \$9,700 (10%) purchase price upon them meeting the milestones outlined in the agreement.

MOTION – Council Member Ken Kesselus made the motion.

MOTION WITHDRAWN – Council Member Ken Kesselus withdrew his motion.

MOTION – Mayor Pro-Tem Joe Beal made the motion. He stated making the motion was an honor since he's known the owner since his childhood.

SECONDED – Council Member Ken Kesselus seconded the motion.

MOTION PASSED – Unanimous vote of 3-0

E. EXECUTIVE SESSION

E.1 The Bastrop City Council met 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) and SECTION 551.071(2) – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to "Pine Forest Investments Group, LLC v The City of Bastrop, et al, cause No. 29,052, In the 21st Judicial District Court of Bastrop County, Texas," and/or (2) matter upon which the Attorney has

a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.

2. SECTION 551.072– Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, or value of real property.

E.2 The Bastrop City Council will reconvene into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 7:47 pm, Mayor Orr convened the Bastrop City Council into Executive Session. Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take action(s) necessary related to the Executive Session noted herein at 8:47 pm.

No Action was taken.

F. ADJOURN

At 8:48pm, Council Member Ken Kesselus made the motion to adjourn the meeting. Seconded by Mayor Pro-Tem Joe Beal and motion was carried unanimously.

APPROVED:



Terry Orr, Mayor

ATTEST:



Elizabeth Minerva Lopez, City Secretary