

**BASTROP CITY COUNCIL
MINUTES OF REGULAR MEETING
February 25, 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 25th, 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, Kay Garcia McAnally, Willie De La Rosa and Mayor Pro-Tem Joe Beal.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – City Attorney J.C. Brown led the Pledge of Allegiance and Police Chief Steve Adcock introduced Chaplain Bill Hobby who led us in prayer.
3. **PRESENTATIONS** – Mayor Terry acknowledged Council Member Dock Jackson for his Certificate of Appreciation for his Dedication from the Capital City Argus Newspaper and a Certificate of Recognition from the Texas Municipal League for completing an educational program.
4. **PROCLAMATIONS** – None.
5. **ANNOUNCEMENTS**

CITY ELECTION – Mayor Orr acknowledged the two advertisements in the Bastrop Advertiser announcing the upcoming Election on May 10, 2014 to fill vacancies for Mayor, Place 3 and Place 5.

COUNCIL RETREAT – Mayor Orr requested that all candidates who filed for the upcoming May Election be invited to attend the City Council Retreat on Saturday, March 22, 2014 at the Hyatt Regency Lost Pines Resort.

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 25, 2014, he offered additional insight on the following item(s):

#10 Update on the State of Texas Natural Resources Committee - City Manager Talbot informed the City Council that both Houses of the State Legislature have established the issues to be addressed by the “House Committee on Natural Resources” and the “Senate Natural Resources Committee.” The importance of knowing what issues the House and Senate Natural Resources will be working on prior to the 2015 Legislature is that, by doing so, we will have an insight on what items municipalities may expect to be introduced – as legislation – either jointly or separately by the Houses of Legislature.

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 Meetings held on Tuesday, February 11, 2014.
- A.2 Racial Profile Reporting
- A.3 Emergency Notification System
- A.4 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Bastrop Business and Industrial Park, Phase 1 Administrative Plat to combine two lots being +/-3.745 acres west of Technology Drive within the city limits of Bastrop, Texas
- A.5 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Hoover’s FL 1 WMS Administrative Plat being +/-0.366 acres east of Wilson Street within the city limits of Bastrop, Texas.
- A.6 Approval of a request for a 6 month extension for XS Ranch Phase 1-A Preliminary Plat within the City of Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

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

MOTION – Council Member Kay Garcia McAnally

SECONDED - Council Member Willie DeLaRosa

MOTION PASSED – Unanimous vote of 5-0

B. PUBLIC HEARINGS AND ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION

B.1 PUBLIC HEARING - A VARIANCE REQUEST BY “TAHITIAN FOOD MART” TO THE BASTROP CODE OF ORDINANCES, ARTICLE 4.02, SALE OF ALCOHOLIC BEVERAGES, DISTANCE RESTRICTIONS REGARDING THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION, LOCATED AT 128 TAHITIAN VILLAGE DRIVE, SUITE A, BASTROP, TEXAS. LOCATION IS WITHIN 300 FEET OF A CHURCH, PUBLIC OR PRIVATE SCHOOL, OR PUBLIC HOSPITAL, PURSUANT TO AUTHORITY GRANTED TO THE CITY BY THE TEXAS ALCOHOL BEVERAGE CODE, TITLE 4, CHAPTER 109, SECTION 109.33.

At 6:40 pm, Mayor Terry Orr opened the public hearing and invited citizen comments; with no response, Mayor Orr closed the Public Hearing at 6:41 pm.

B.2 DISCUSSION AND POSSIBLE ACTION CONCERNING A VARIANCE REQUEST BY “TAHITIAN FOOD MART” TO THE BASTROP CODE OF ORDINANCES, ARTICLE 4.02, SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION, LOCATED AT 128 TAHITIAN VILLAGE DRIVE, SUITE A, BASTROP, TEXAS. LOCATION IS WITHIN 300 FEET OF A CHURCH, PUBLIC OR PRIVATE SCHOOL, OR PUBLIC HOSPITAL, PURSUANT TO AUTHORITY GRANTED TO THE CITY BY THE TEXAS ALCOHOL BEVERAGE CODE, TITLE 4, CHAPTER 109, SECTION 109.33.

Mayor Terry Orr requested a motion to approve the above captioned agenda item.

MOTION – Council Member Willie DeLaRosa

SECONDED - Council Member Dock Jackson

MOTION PASSED – Unanimous vote of 5-0

C. OLD BUSINESS – No items for consideration.

D. NEW BUSINESS - Mayor Orr granted Council Member McAnally’s request to discuss Item D.5.

D.5 CONNECTION BASTROP: INTERIM REPORT AND KEY INITIATIVES

Council Member Kay Garcia McAnally gave an insightful report regarding the “Connecting Bastrop” Key Initiatives of the Visioning Task Force. As a member of the Task Force, Council Member McAnally acknowledged the other members as City Manager Mike Talbot, Bastrop EDC Director Dave Quinn, Bastrop Main Street Program Director Nancy Wood, Bastrop citizen’s Martha Harris, Carlos Liriano and Dick Smith. Consultant Katherine Ray assisted in facilitating the effort.

The Task Force adopted the mission of the City to guide it in conceptualizing pathways for meeting the challenges of safeguarding Bastrop’s unique character and honoring its distinguished history, nurturing a vibrant business climate and enhancing the quality of life for its citizens. She outlined the five key initiatives:

Initiative 1 – Articulating a visionary master plan – Collaborative planning amongst Bastrop’s organizations and governmental entities to achieve a common vision and to advance coherent, synergistic and cooperative implementation of that vision, optimizing available resources.

The Task Force recommends that the City retain the services of an experienced community planning professional or organization that would: Assist City Departments in combing through the 2001 Comprehensive Plan to distill tasks and challenges not yet fulfilled and viewed as still relevant. These become the springboard for an updated and enhanced comprehensive plan. Gather and examine the plans of other organizations and entities to identify common priorities in which the City may play a role. Design and facilitate a process by which the City’s Comprehensive Plan is effectively “cross-pollinated” with the plans, activities and resources of other organizations and entities and a framework for cooperative implementation and accountability is established.

Initiative 2 – Enhancing Community Recreation – Multi-use facilities and programs across the City that serve the recreational needs and interests of citizens of all ages, that build upon current offerings and relationships and that open the door to revenue producing invitational meetings and events. Partners include the YMCA, BISD, Bastrop Homecoming/Rodeo Committee, the Senior Center, Youth Sports Organizations and Citizen Committees. The effort would contemplate activities such as developing a “Friends of the Parks” organization to solicit funding from the public and private sources for park improvements.

Initiative 3 – Enhancing the power of Bastrop Marketing Efforts – The Establishment of an ongoing and effective Bastrop-Centered marketing program that builds on what the Bastrop Marketing Corporation has accomplished for Bastrop and the Lost Pines area and brings professional marketing expertise to the City of Bastrop and to organizations receiving Hotel Occupancy Tax Revenues. Recommended HOT funding within the process established by the City; each HOT recipient would remain accountable for appropriating funds for its

own marketing plan. The City Liaison and the Corporation would jointly provide training, development plans and evaluating the outcomes.

Initiative 4 – Strengthening the Educational Underpinnings of the Community – Enhances educational opportunities for career preparation, job training/retraining, post-secondary experiences and continuing community education. Partners include the Bastrop Independent School District professionals, Chamber, EDC, Local Representatives, major employers and various service/community organizations wishing to engage in life-enriching instruction.

Initiative 5 – Nurturing a Broad-based Culture and Arts Movement in the Community – Establishing a framework for fostering the enhancement of culture and the Arts Community in Bastrop. The City Council would function as a unified voice for the arts community and a vehicle for heightening the visibility of the arts in this community, and work to establish Bastrop as an Art destination for tourists and other artists.

Mayor Orr thanked the Task Force Members for their efforts and stated this is an example that the City of Bastrop is driven by ideas.

Council Member Dock Jackson also extended his appreciation for the Task Force Members and expressed his support to help move their initiatives forward.

Council Member Ken Kesselus stated their efforts were extraordinary and suggested that this item be discussed at the upcoming Council Retreat.

Council Member Kay Garcia McAnally requested the Council and the community's support on this collaborative effort.

Mayor Pro-Tem Joe Beal stated he believed this was a good piece of work, but clarified that we may be seeking the Council's direction and request the citizen's approval. Mayor Orr and the Council Members expressed support for this process and agreed to discuss it further at the City Council's Retreat on March 22, 2014.

MAYOR ORR THEN MOVED TO ITEM D.3

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION BY THE BASTROP ART IN PUBLIC PLACES TASK FORCE REQUESTING CITY COUNCIL APPROVAL OF THEIR "ARTS IN PUBLIC PLACE'S TRANSFORMER CABINET MURAL PROJECT .

The Arts in Public Places had received sixteen entries and presented the five finalists as their recommended murals for the Bastrop Transformer Cabinet Mural Project. The selected designs were presented for the City Council's review and approval. Ginger Baldwin's "Boot, Boots, Boots", Susan Mitchuka's "Roses on Fence", Jerri Moore's "Riverwalk" and "Austin's Farmer's Market", Elizabeth Sullivan's "Bastrop Chickens" and "Those who came Before". Upon the Council's review and approval the Arts in Public Places Task Force expect to send out the letters announcing the winners no later than February 15, 2014. After a brief discussion by the City Council Members, Mayor Orr requested a motion to approve the above captioned item.

MOTION – Council Member Ken Kesselus made the motion.

SECONDED – Council Member Kay Garcia McAnally seconded the motion.

MOTION PASSED – Unanimous vote of 5-0

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE PRESENTATION AND ACCEPTATNCE OF THE CITY OF BASTROP, TEXAS COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2013.

Singleton, Clark and Company of Certified Public Accountants submitted their independent auditors' report that reflected the City of Bastrop financial report and acknowledged the City's fund balance represents five months of operating expenditures which is reflected as a healthy and sound fund balance. The representative noted that the City is pending the achievement award from the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2013.

Mayor Pro-Tem Joe Beal joined City Manager Talbot in expressing a job well done to Chief Financial Officer Karla Stovall and Assistant Chief Financial Officer Tracy Waldron for their efforts.

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

SECONDED – Council Member Kay Garcia McAnally seconded the motion.

MOTION PASSED – Unanimous vote of 5-0

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF THE UNAUDITED MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING OF JANUARY 31, 2014.

Upon review by the Chief Financial Officer Karla Stovall on the above caption item, the Council Members and the City Manager acknowledged a job well done. Council Member Kay Garcia McAnally took a moment to thank CFO Karla Stovall and stated "we appreciate you very much." Mayor Orr requested a motion.

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

SECONDED – Council Member Kay Garcia McAnally seconded the motion.

MOTION PASSED – Unanimous vote of 5-0

D.4 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING DIRECTING THE CITY MANAGER OR CREATING A CHARTER REVISION COMMITTEE TO MAKE CERTAIN REVISIONS TO THE CITY CHARTER.

The Council Members held an insightful discussion the recent resolution with regard to the sale of City property and they each expressed their personal insights. However, Mayor Pro-Tem Joe Beal summed the discussion in that the Council will not sale City Property without the voters' approval. In a few years the City Manager is to review the Charter and recommended that the Council wait to do a Charter revision as the Council Members may change with the upcoming May election.

The Council Members were in agreement with Mayor Pro-Tem Beal and acknowledged the time would allow a committee to review the City's Charter and could be placed for a vote in the May 2015 election. Mayor Orr expressed the City Managers comments and the staff's efforts.

No action was taken; this agenda item is to be postponed for further discussion and action on a later date.

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.

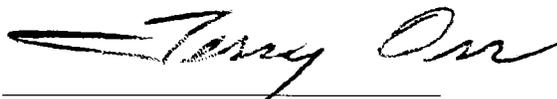
At 7:45pm, Mayor Orr convened the Bastrop City Council into Executive Session. Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take action(s) necessary related to the Executive Session noted herein at 8:50 pm.

City Manager Talbot informed the Council Members that he would be working with staff on several changes to the Convention Center's Policies, related to security, indemnity provisions and police patrol at some future event. No Action Taken.

F. ADJOURN

At 8:52 pm, Council Member Kay Garcia McAnally made the motion to adjourn the meeting. Seconded by Council Member Dock Jackson and motion was carried with a vote of 4-0. Council Member Willie DeLaRosa was not present.

APPROVED:



Terry Orr, Mayor

ATTEST:



Elizabeth Minerva Lopez, Secretary