



Bastrop City Council

1311 Chestnut Street, Bastrop, Texas 78602
 Phone (512) 332-8800 Fax (512) 332.8819

PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, THE BASTROP CITY COUNCIL WILL HOLD A **REGULAR MEETING** ON TUESDAY, **March 25, 2014** AT **6:15 PM** AT THE CITY COUNCIL CHAMBERS LOCATED AT 1311 CHESTNUT STREET, BASTROP, TEXAS TO CONSIDER THE FOLLOWING MATTERS.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION
3. PRESENTATION
4. PROCLAMATION
5. CITIZEN COMMENTS
6. ANNOUNCEMENTS

City Manager’s Informational Report for March 25th, 2014: Items for update, discussion & possible action:

- A. Meetings and Events Attended:
 1. Attended the Monthly Meeting of the Bastrop Economic Development Corporation on March 17, 2014.
 2. Attended the Special City Council Utility Committee Meeting on March 18, 2014, 2014.
 3. Attended the Monthly Meeting of the Lost Pines Groundwater Conservation District on March 19, 2014
- B. Update on City Projects and Issues:
 1. Water Usage report for the period of March 1st through March 23, 2014.
 2. Update on the Short and Long Term Water Supply Options.
 3. Update on the Bastrop Economic Development Corporations Business Infrastructure Improvements Phase I.
 4. Update on the Bastrop Economic Development Corporation Main Street Sidewalk & Street Improvements Program.
 5. Update on the Automated Metering Information System Project.
 6. Update on Board Vacancies.
 7. Status Update on the City of Bastrop Health & Welfare Benefits Program.
 8. Summary of the Annual City Council Retreat Planning Retreat of March 20, 2014.
 9. Development of a Bus Shuttle Ordinance.
 10. Update on Revising the Five Year Water & Wastewater Capital Improvements Program.
 11. Update on Activities Regarding Bastrop Fine Arts Guild.
 12. Rodeo Arena at Mayfest Park.
- C. Update on City Various City Operations:
 1. Convention Center Activities
 2. Main Street Program
 3. Commercial/Residential Construction Projects in the City
 4. YMCA Activities

Inviting input from the City Council related to issues for possible inclusion on future agenda’s related to items such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

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 Members so requests.

	TAB	PG	REQUESTOR
A.1 Approval of Minutes for the Regular Council Meetings held on March 11, 2014.	A.1	3	E. Lopez
A.2 Consideration, Discussion and Possible Action on the SECOND READING of a Proposed Revision to an ORDINANCE by the City Council of Bastrop, Texas CORRECTING a SCRIVENER’S OMISSION in the Bastrop City Code, Chapter 14, “ZONING,” ARTICLE 14.03 <i>ET SEQ.</i> , related to HISTORIC LANDMARK Preservation; providing a savings clause; and establishing an effective date.	A.2	5	JC Brown
A.3 Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Final Plat for Pecan Park Commercial Phase 1 and public Utility Construction Plans (Southside Barbecue lot) being +/-2.923 acres out of a +/- 67.42 Preliminary plat Commercial tract within the Nancy Blakey Survey No. 98 within the city limits of Bastrop, Texas located south of Highway 71 West.	A.3	11	M. McCollum

B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION - NO ITEMS.

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 Government Code, Vernon’s Texas Code, Annotated, the item below will be discussed in closed session.

1. SECTION 551.071 – Consultations with Attorney related to legal matters

C. OLD BUSINESS - NO ITEMS.

D. NEW BUSINESS

- D.1 Consideration, discussion and possible action on the **FIRST READING** of a proposed **D.1 13** K. Stovall **ORDINANCE** of the City Council of the City of Bastrop Texas, **AMENDING the BUDGET FOR THE FISCAL YEAR 2014** in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior Ordinances and actions in conflict herewith; and providing for an effective date.
- D.2 Consideration, Discussion and Possible Action on the **FIRST READING** of a **D.2 23** T. Job **PROPOSED REVISION** to an **ORDINANCE** of the City Council of the City of Bastrop, Texas, **AMENDING ARTICLE 1.10 “PARKS”** of the Code of the City of Bastrop **REGARDING MEMBERSHIP ON THE PARKS BOARD AND RESIDENCY REQUIREMENTS** related to same; providing for severance and an effective date.
- D.3 Approval of a **CONTRACT** for **ELECTION SERVICES** between the **Bastrop County and the City of Bastrop** for the May 10, 2014 Election, recognizing the Bastrop City Hall as the Polling Place for Early Voting Dates of April 28, 2014 through May 6, 2014. **D.3 25** E.Lopez
- D.4 Consideration and Action with Respect to a “Resolution Expressing Official Intent to **D.4 39** M.Talbot Reimburse certain expenditures of the City of Bastrop, Texas”.

E. EXECUTIVE SESSION

- E.1 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) & 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.

F. ADJOURNMENT

CERTIFICATION

I certify that the above notice of meeting was posted on the bulletin board at the City Hall in the Bastrop, Texas on the **7st day of March 2014 at 5:00 p.m.**


Elizabeth Lopez, City Secretary

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL AND COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE ARE REQUESTED TO CONTACT THE CITY SECRETARY’S OFFICE AT 512-332-8800. PLEASE PROVIDE A FORTY-EIGHT HOURS NOTICE WHEN FEASIBLE.

Confirm time posted: KR

CITY OF BASTROP

AGENDA ITEM

A-1

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: **March 21, 2014**

MEETING DATE: **March 25, 2014**

1. Agenda Item: Approval of the meeting Minutes from the:
 - Regular City Council Meetings held on **March 11, 2014.**
2. Party Making Request: **Elizabeth Lopez, City Secretary**
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. Action Taken: _____

**BASTROP CITY COUNCIL
MINUTES OF REGULAR MEETING
March 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, **March 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, Kay Garcia McAnally and Willie De La Rosa. Council Member Dock Jackson was absent and Mayor Pro-Tem Joe Beal arrived at 6:25 pm.
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** – Police Chief Steve Adcock led the Pledge and Mayor Orr lead us in prayer.
3. **PRESENTATIONS** – There was no Bastrop Student Presentation due to Spring Break.
4. **PROCLAMATIONS** – Isabella Gage Tarver Meshack’s 102nd Birthday on March 19, 2014.
5. **ANNOUNCEMENTS** - City Manager Talbot took a moment to publicly acknowledged City Staff Member Kay Revetta for her “Outstanding Customer Service”. He has received numerous compliments on the service she extends the public, she always greets the public with a smile, she’s courteous and considerate of their needs. The City Council Members joined him in acknowledging her efforts.

City Manager Mike Talbot presented the Council Members a copy of the Community Support Funding Calendar that reflected the milestones that the organizations have to meet. He noted no action was needed at this time by the Council. Council Member Ken Kesselus wanted to note for record that organizations that have not applied are encouraged to do so.

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 25, 2014.
- A.2 Approval of the Bastrop Marketing Corporation’s request for reimbursement of expenses.

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

MOTION – Council Member Willie DeLaRosa made the motion.

SECONDED - Council Member Ken Kesselus seconded the motion.

MOTION PASSED – Unanimous vote of 3-0. Mayor Pro-Tem Joe Beal entered after the vote at 6:25pm.

B. PUBLIC HEARINGS & ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION – None.

C. OLD BUSINESS – None.

D. NEW BUSINESS

D.1 APPROVAL OF THE PRELIMINARY PLAT FOR PECAN PARK COMMERCIAL (8 COMMERCIAL LOTS) BEING +/-67.42 ACRES OUT OF A +/- 311.32 ACRE TRACT WITHIN THE NANCY BLAKEY SURVEY NO. 98 WITHIN THE CITY LIMITS OF BASTROP, TEXAS LOCATED SOUTH OF HIGHWAY 71 WEST.

Planning and Development Director Melissa McCollum gave a brief presentation and requested the Council consideration and approval.

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

SECONDED – Council Member Willie DeLaRosa seconded the motion.

MOTION PASSED – Unanimous vote of 4-0

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED REVISION TO AN ORDINANCE BY THE CITY COUNCIL OF BASTROP, TEXAS CORRECTING A SCRIVENER’S OMISSION IN THE BASTROP CITY CODE, CHARTER 14, “ZONING,” ARTICLE 14.03 ET SEQ., RELATED TO HISTORIC LANDMARK PRESERVATION’ PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Upon reading the above caption, Mayor Orr requested a motion.

MOTION – Council Member Ken Kesselus made the motion to approve the First Reading of the aforementioned agenda item and place the Second Reading under the consent agenda for the City Council Meeting scheduled for March 11, 2014.

SECONDED – Council Member Kay Garcia McAnally seconded the motion.

MOTION PASSED – Unanimous vote of 4-0

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 6:32pm, 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 8:57 pm.

City Manager Talbot acknowledged that the Council Members had undertaken numerous complex legal issues related to the City’s future water supply; he noted that he was not recommending any action. After Council’s consideration they decided not to take action at this time.

F. ADJOURN - Council Member Kay Garcia McAnally made the motion to adjourn the meeting. Seconded by Council Member Willie DeLaRosa, meeting adjourned at 9:58 pm.

APPROVED: _____
Terry Orr, Mayor

ATTEST: _____
Elizabeth Minerva Lopez, City Secretary

CITY OF BASTROP

AGENDA ITEM **A-2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 12, 2014

MEETING DATE: March 25, 2014

1. Agenda Item: Consideration, Discussion and Possible Action on the **SECOND READING** of a Proposed Revision to an **ORDINANCE** by the City Council of Bastrop, Texas **CORRECTING a SCRIVENER'S OMISSION** in the Bastrop City Code, Chapter 14, "ZONING," ARTICLE 14.03 *ET SEQ.*, related to **HISTORIC LANDMARK** Preservation; providing a savings clause; and establishing an effective date.
2. Party Making Request: Mike Talbot, City Manager
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 Budget Amendments
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

ORDINANCE NO. 2014- 02

AN ORDINANCE CORRECTING A SCRIVENER'S OMISSION IN THE BASTROP CITY CODE, CHAPTER 14, "ZONING," ARTICLE 14.03 ET SEQ., RELATED TO HISTORIC LANDMARK PRESERVATION; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on or about October 13, 1998, the City Council of the City of Bastrop, acting under its authority granted to it by the State of Texas, as a general law municipality, adopted Ordinance No. 1998-42 which established the City's Historical Landmark Commission and subsequently amended said Ordinance No. 2003-12 on or about May 27, 2003, and Ordinance No. 2007-30 on or about July 24, 2007; and

WHEREAS, on or about July 24, 2007, the City Council of the City of Bastrop, acting under its authority granted to it by the State of Texas, as a general law municipality, adopted Ordinance No. 2007-30, which established the City's Historical Landmark Commission; and

WHEREAS, subsequently, the City amended its Code of Ordinances, on or about June 26, 2012, to make its Code more uniform, as it related to the appointment and service of various boards, commissions and task forces, including the Historical Landmark Commission, and

WHEREAS, it has come to light that a portion of the Code pertaining to the work and authority of the Historic Landmark Commission to oversee Historic Landmark Preservation was inadvertently omitted from the City's published Codes, as a result of a scrivener's error, and consequently, the City desires to correct that error.

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

PART 1: Chapter 14, Article 14.03, entitled "Historic Landmark Preservation," Section 14.03.001, General, Subsections (c) and (d), shall be corrected to read as follows:

Section 14.03.001 "General"

(a) and (b) remain unchanged.

(c) Historic landmark commission created. There is hereby created a commission to be known as the city historic landmark commission.

(1) The commission shall consist of seven members, residents of the city, to be appointed by the mayor with approval by the city council as follows:

- (A) One shall be an architect, planner, or representative of a design profession;**
- (B) One shall be a representative elected by the county historical society;**
- (C) One shall be a licensed real estate professional;**
- (D) One shall be an owner of an historic commercial structure or property;**
- (E) One shall be an owner of an historic residential structure or property;**
- (F) One shall be a member from the city's planning and zoning commission;**
- (G) One shall be a general resident of the city.**

(2) All commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the city.

(3) Commission members shall serve for a term of three (3) years, with the exception of the member who is serving on the commission as the planning and zoning commission representative, and that member shall serve for a term that is concurrent with that member's planning and zoning commission term.

(4) Each seat on the commission will be assigned a "place." Commission members' terms of service shall be "staggered," so that the entire membership of the commission will not be subject to replacement at any single point in time. To the extent possible, staggering shall be done so that the commission membership is divided into thirds. Initial staggering of the membership will be accomplished by having all appointees/members who are serving as of the first annual meeting following approval and passage of this section (held in July), "draw lots" to determine which "place" will have what number of service in the transition period (e.g., 1/3 of the places will draw for one-year terms, 1/3 of the places will draw for two-year terms, and the remaining 1/3 of the places will draw for three-year terms.) After the first July meeting, staggering of membership, by place, will begin.

- (5) In the event of a vacancy on the commission, an individual appointed to fill the vacancy will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.
- (6) Attendance requirements for the commission members are set forth in this code, section 1.02.002(b), et seq.
- (7) The commission shall be empowered to:
- (A) Prepare rules and procedures as necessary to carry out the business of the commission, which shall be ratified by the city council.
 - (B) Adopt criteria for the designation of historic, architectural, and cultural landmarks, which shall be ratified by the city council.
 - (C) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks.
 - (D) Recommend the designation of resources as significant landmarks and/or historic landmarks.
 - (E) Create committees from among its membership and delegate to these committees responsibilities to carry out the purpose of this article.
 - (F) Elect a secretary of the commission who shall maintain written minutes which record all actions taken by the commission and the reasons for taking such actions, and file a copy of said minutes with the city secretary.
 - (G) Recommend conferral of recognition upon the owners of landmarks by means of certificates, plaques, or markers.
 - (H) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
 - (I) Make recommendations to the city government concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.

(J) Approve or disapprove applications for certificates of appropriateness, demolition or removal, and economic hardship pursuant to this article.

(K) Hold hearings on demolition by neglect pursuant to this article.

(L) Prepare and submit annually to the city council a report summarizing the work completed during the previous year.

(M) Propose tax abatements and other incentive programs for landmarks.

(N) Make recommendations for employment of staff and professional consultants as necessary to carry out the duties of the commission.

(O) Prepare and adopt design guidelines for the exteriors of historic landmarks, to address architectural and general design elements of structures, including acceptable materials for construction; appropriate architectural character, scale, and detail; acceptable appurtenances or additions to new or existing structures; and acceptable textures and ornamentation.

(8) The commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the chairman, or on the written request of any two commission members. All meetings shall be held in conformance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

(d) Appointment of historic preservation officer. The chairman of the commission shall serve as historic preservation officer. This officer, working in coordination with the city planner, shall administer this article and advise the commission on matters submitted to it. In addition to serving as representative of the commission, the officer is responsible for coordinating the city's preservation activities with those of state and federal agencies and with local, state, and national nonprofit preservation organizations.

[All provisions of Section 14.03.001, et seq not specifically amended herein remain as stated in the City Code of Ordinances.]

PART 2: Severability: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this order.

PART 3: Effective Date: The provisions of this Ordinance shall take effect immediately after passage and in accordance with applicable law.

READ and Approved on First Reading on the 11TH day of **MARCH, 2014**.

READ and Adopted on Second Reading on the 25TH day of **MARCH, 2014**.

APPROVED:

ATTEST:

Terry Orr, Mayor

Elizabeth Lopez, City Secretary

CITY OF BASTROP

AGENDA ITEM **A-3**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: March 20, 2014

MEETING DATE: March 25, 2014

1. Agenda Item: **Approval of the statutory denial, for a period of 180 days from the date of Council action on this request, for the Final Plat for Pecan Park Commercial Phase 1 and public Utility Construction Plans (Southside Barbecue lot) being +/-2.923 acres out of a +/- 67.42 Preliminary plat Commercial tract within the Nancy Blakey Survey No. 98 within the city limits of Bastrop, Texas located south of Highway 71 West.**
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: NAME/TITLE INITIAL DATE CONCURRENCE

a) _____

b) _____

c) _____

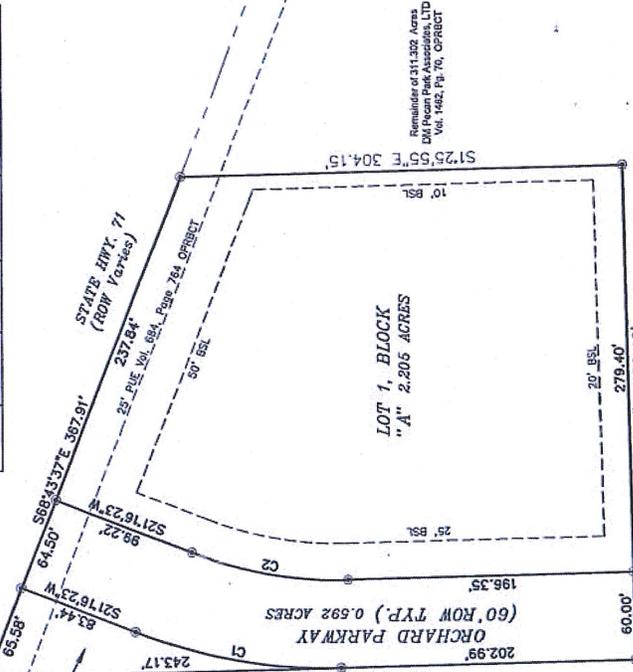
8. Staff Recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA Δ	CHORD BEARING
C1	144.64'	365.00'	22°42'17"	S9°55'14"W
C2	110.96'	280.00'	22°42'18"	S9°55'14"W
				110.23'



STATE OF TEXAS
COUNTY OF BASTROP

DESCRIPTION

2.923 ACRES
NANCY BLAKEY SURVEY, A-88

DESCRIPTION OF A 2,923 ACRE TRACT OF LAND OUT OF THE NANCY BLAKEY SURVEY, A-88, BEING 69,296 ACRES, CALLED TRACT E, DESCRIBED AS A PART OF A 311,302 ACRE TRACT IN A DEED TO DM PECAN PARK ASSOCIATES, LTD., OF RECORD IN VOLUME 1482, PAGE 70, OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, SAID 2,923 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with cap marked "property corner" found in the southerly right-of-way line of State Highway 71, at the northeast corner of a tract of land called to be 43.112 acres, described in a deed to John Alan Nixon, of record in Volume 1908, Page 825, of the Official Public Records of Bastrop County, Texas, said iron rod being the northwest corner of said 69,296 acre tract, and the northwest corner of the herein described tract;

THENCE, S 68° 43' 37" E, with the southerly right-of-way line of said State Highway 71, 567.91 feet to a 5/8 inch iron rod with cap set for the northeast corner of the herein described tract; thence, from said iron rod, a TADOT monument found in the right-of-way line of said State Highway 71, at the northwest corner of Lot 1, Austin Telco Subdivision, a subdivision of record in Cabinet 4, Page 145, of the Plat Records of Bastrop County, Texas, bears S 88° 43' 37" E, 153.91 feet;

THENCE, S 01° 25' 55" E, across said 69,296 acre tract, 304.15 feet to a point for the southeast corner of the herein described tract;

THENCE, S 88° 34' 05" W, across said 69,296 acre tract, 339.40 feet to a 5/8 inch iron rod with cap set in the east line of said 43.112 acre tract, said iron rod being the southwest corner of the herein described tract;

THENCE, N 01° 25' 55" W, with the east line of said 43.112 acre tract and the west line of said 69,296 acre tract, 446.16 feet to the POINT OF BEGINNING containing 2.923 acres of land within these metes and bounds.

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS, That we, DM Pecan Park Associates, Ltd, a Texas limited liability company, with its home address at 1310 RR 620, STE B200 Austin, Texas, owner of the remainder of 311,302 acres of land being out of the Nancy Blakey Survey, A-88, Bastrop County, Texas, as conveyed to it by deed dated October 22, 2004, and recorded in Volume 1482, Page 70, of the Official Public Records of Bastrop County, Texas, DOES HEREBY SUBDIVIDE 2,923 acres of land out of the Nancy Blakey Survey, A-88, Bastrop County, Texas, to be known as PECAN PARK COMMERCIAL, PHASE 1, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted and do hereby dedicate to the public the use of the streets and easements shown hereon.

IN WITNESS WHEREOF the said DM Pecan Park Associates, Ltd, a Texas limited liability company, by Duke McDowell, Manager of McDowell Development, LLC, a Texas limited liability company, General Partner of DM Pecan Park Associates, Ltd., a Texas limited partnership on behalf of said limited liability company and limited partnership, has caused these presents to be executed by Duke McDowell, thereunto duly authorized.

Duke McDowell
Manager

STATE OF TEXAS
COUNTY OF BASTROP

BEFORE ME, the undersigned authority, on this day personally appeared Duke McDowell, known to me to be the person whose name is subscribed to the foregoing instrument as and acknowledged to me that he executed the same in such capacity as the act and deed and acknowledged liability company for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____ A.D. 2014.

Notary Public in and for the State of Texas

NOT TO SCALE

VICINITY MAP

CITY NOTE:
This subdivision lies within the limits of the City of Bastrop, Texas.

PLAT INFORMATION
Total Area: 2.923 Acres
Number of Lots Over 10 Acres: 0
Number of Lots 5-10 Acres: 0
Number of Common Areas: 2
Number of Lots 1-2 Acres: 1
Number of Commercial Lots: 1
Right of Way: 0.592 Acres
Average Size of Lots: 2.205 Acres

SCHOOL DISTRICT
This subdivision lies within the Bastrop Independent School District.

FLOOD PLAIN NOTE
This tract is not within an identified Special Flood Hazard Area inundated by 100-Year Flood as identified by the Federal Emergency Management Agency, Flood Insurance Rate Map for Bastrop County, Texas, and incorporated Areas, Map Number 480215C030355E dated January 19, 2006.

PUBLIC UTILITY EASEMENT NOTE:
A Five Foot (5') Wide Public Utility Easement is hereby dedicated along all other property lines

UTILITY INFORMATION
Electricity: Bluebonnet Electric
Telephone: Southwestern Bell Telephone
Water: City of Bastrop
Wastewater: City of Bastrop

UTILITY NOTES:
No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system which has been approved and permitted by City of Bastrop.
No structure in this subdivision shall be occupied until connected to an individual water supply or a state approved public water system.

APPROVED this day _____ of _____ by the City Council of the City of Bastrop, Texas.

MAYOR _____ City Secretary _____

ATTEST BY: _____ City Secretary _____

STATE OF TEXAS
COUNTY OF HAYS

I, Rose Pletsche, County Clerk of Bastrop County, Texas, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed A.D. 2014 at _____ o'clock _____ m., in the Plat Records of Bastrop County, Texas, in Book _____, Page _____.

WITNESS MY HAND AND SEAL OF OFFICE this the _____ of _____ A.D., 20____.

Rose Pletsche
County Clerk
Bastrop County, Texas

STAUDT SURVEYING, INC.
Thomas E. Staudt
RPLS # 3984
P.O. Box 1273
Briarcliff, Texas 78620
(512) 558-2536

STAUDT SURVEYING, INC.
SUBMISSION PLAT OF
PECAN PARK COMMERCIAL
PHASE 1
CITY OF BASTROP
BASTROP COUNTY, TEXAS

Dr. By: LEA Job #: 14001 Date: MARCH 2014

100 50 0 100 200
GRAPHIC SCALE IN FEET

100 50 0 100 200
GRAPHIC SCALE IN FEET

Dr. By: LEA Job #: 14001 Date: MARCH 2014

LEGEND

IR ● 1/2" IRON ROD FOUND 6/22/11

○ 5/8" IRON ROD FOUND 9/22/11

□ IRON ROD FOUND 9/22/11

■ PROPERTY CORNER

B.S.L. BUILDING SETBACK LINE

COMMON AREA 1
0.126 ACRES

ORCHARD PARKWAY
(60' ROW TYP.) 0.692 ACRES

LOT 1, BLOCK "A", 2.205 ACRES

Called 43.112 Acres
John Alan Nixon
Vol. 1908, Page 825, OF RECORD

Remainder of 311,302 Acres
DM Pecan Park Associates, LTD
Vol. 1482, Pg. 70, OF RECORD

51°25'55"E 446.16'

60.00'

202.99'

196.35'

52°16'23"W

64.50'

568'43'37"E 367.91'

25' B.S.L.

237.84'

29' LINE 191.884, Page 784, OF RECORD

30' B.S.L.

51°25'55"E 304.15'

20' B.S.L.

279.40'

S88°34'05"W 339.40'

BEARING PLATS: SOUTH PLATS SCALE FACTOR 0.9999942

ICRA CONTROL MONUMENTS ATTS. A279, 1908, & 542D

NORTH

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2014 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2014; and,

WHEREAS, the Mayor and Council have now provided for and conducted a public hearing on the budget as provided by law. Now, Therefore:

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

That the proposed budget amendments for the Fiscal Year 2014, as submitted to the City Council by the City Manager and which budget amendments are attached hereto as Exhibit "A" is hereby adopted and approved as the amended budget of said city for Fiscal Year 2014; and

Ordinance and prior actions in conflict herewith are hereby repealed; and

This Ordinance shall be and remain in full force and effect from and after its final passage and publication in accordance with existing statutory requirements.

READ and APPROVED on First Reading on the _____ day of March, 2014.

READ and ADOPTED on Second Reading on the _____ day of April, 2014.

APPROVED:

ATTEST:

Terry Orr, Mayor

Elizabeth Lopez, City Secretary

**City of Bastrop
Memorandum**

TO: Mayor & City Council Members

FROM: Karla Stovall, Chief Financial Officer

SUBJECT: Ordinance Amending FY 2014 Budget

DATE: March 25, 2014

Recommendation:

To approve Ordinance Amending the Budget for unanticipated revenue and expenses incurred not included in the original budget approved by City Council.

Background:

The city charter requires that when the budget is amended that the amendment be by ordinance. The budget amendments include an increase to the budget appropriations for Fiscal Year 2013. Funds included in these amendments include: General Fund, Designated Fund, Water Wastewater Fund, Hotel Motel Fund, and Grant Fund.

- General Fund includes:
 - Donations for Christmas Party and their corresponding expenses
 - Implementation of Salary Adjustment Plan to Departments
- Designated Fund includes:
 - Appropriation of available funds located in fund balance for designated type funding.
- Main Street
 - Main Street Program wine event donations and offset expenses.
- Library Board
 - Use of fund balance to purchase a equipment for Library to include printer, copier for public use, audio-visual cart, and television.
- 2013 Certificates of Obligation
 - Bond Proceed revenue and offset to applicable expenses to establish budget.
- Grant Fund
 - Revenues and expenditures associated with Library Impact Grant.

FY 2014
BUDGET AMENDMENTS
GENERAL FUND

Audited Fund Balance as of 9-30-13	3,530,544
FY 2014 Budgeted Revenues	8,749,520
FY 2014 Budgeted Appropriations	(9,175,520)
3/2014 Budget Amendments (net)	<u>0</u>
Ending Fund Balance	<u>3,104,544</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Human Resources	Neutral	550	Donation received for Christmas Party	101-00-00-4536
		Total Revenues	550	

Matching Expenditures to Revenues:

Human Resources		(550)	Expenses related to Christmas Party	101-06-00-5653
-----------------	--	-------	-------------------------------------	----------------

Reclassification of Expenditures:

General Organizational	Neutral	248,345	Salary Adjustment Plan	101-02-00-5901
City Manager Department	Neutral	(2,821)	City Manager - Salaries	101-03-00-5101
City Manager Department	Neutral	(220)	City Manager- Social Security	101-03-00-5150
City Manager Department	Neutral	(280)	City Manager - Retirement	101-03-00-5151
City Manager Department	Neutral	(10)	City Manager - Workers Comp	101-03-00-5156
City Secretary Department	Neutral	(6,030)	City Secretary - Salaries	101-04-00-5101
City Secretary Department	Neutral	(465)	City Secretary - Social Security	101-04-00-5150
City Secretary Department	Neutral	(580)	City Secretary - Retirement	101-04-00-5151
City Secretary Department	Neutral	(20)	City Secretary - Workers Comp	101-04-00-5156
Finance Department	Neutral	(9,125)	Finance - Salaries	101-05-00-5101
Finance Department	Neutral	(700)	Finance - Social Security	101-05-00-5150
Finance Department	Neutral	(900)	Finance - Retirement	101-05-00-5151
Finance Department	Neutral	(25)	Finance - Workers Comp	101-05-00-5156
Finance Department	Neutral	(10,945)	Finance, Meter Services - Salaries	101-05-15-5101
Finance Department	Neutral	(840)	Finance, Meter Services, Social Security	101-05-15-5150
Finance Department	Neutral	(1,055)	Finance, Meter Services - Retirement	101-05-15-5151
Finance Department	Neutral	(120)	Finance, Meter Services, Workers comp	101-05-15-5156
Human Resources Department	Neutral	(2,905)	Human Resources - Salaries	101-06-00-5101
Human Resources Department	Neutral	(330)	Human Resources - Social Security	101-06-00-5150
Human Resources Department	Neutral	(300)	Human Resources - Retirement	101-06-00-5151
Human Resources Department	Neutral	(5)	Human Resource - Workers Comp	101-06-00-5156
IT DEPARTMENT	Neutral	(12,540)	IT - Salaries	101-07-00-5101
IT DEPARTMENT	Neutral	0	IT - Longevity	101-07-00-5116
IT DEPARTMENT	Neutral	(960)	IT - Social Security	101-07-00-5150
IT DEPARTMENT	Neutral	(1,210)	IT - Retirement	101-07-00-5151
IT DEPARTMENT	Neutral	(90)	IT - Workers Comp	101-07-00-5156
Police Department	Neutral	(9,525)	Police, Adm. - Salaries	101-09-10-5101
Police Department	Neutral	(650)	Police, Adm. - Social Security	101-09-10-5150
Police Department	Neutral	(1,032)	Police, Adm. - Retirement	101-09-10-5151
Police Department	Neutral	(145)	Police, Adm. - Workers Comp	101-09-10-5156
Police Department	Neutral	(1,080)	Police, Code Enf. - Salaries	101-09-12-5101
Police Department	Neutral	(80)	Police, Code Enf. - Social Security	101-09-12-5150
Police Department	Neutral	(105)	Police, Code Enf. - Retirement	101-09-12-5151
Police Department	Neutral	0	Police, Code Enf. - Workers Comp.	101-09-12-5156
Police Department	Neutral	(5,870)	Police, CID - Salaries	101-09-21-5101
Police Department	Neutral	(590)	Police, CID - Social Security	101-09-21-5150

FY 2014
BUDGET AMENDMENTS
GENERAL FUND

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Police Department	Neutral	(740)	Police, CID - Retirement	101-09-21-5151
Police Department	Neutral	(200)	Police, CID - wc	101-09-21-5156
Police Department	Neutral	(14,530)	Police, Patrol - Salaries	101-09-22-5101
Police Department	Neutral	(1,115)	Police, Patrol - Social Security	101-09-22-5150
Police Department	Neutral	(1,397)	Police, Patrol - Retirement	101-09-22-5151
Police Department	Neutral	(365)	Police, Patrol - Workers Comp	101-09-22-5156
Police Department	Neutral	(2,970)	Police, Animal Services - Salaries	101-09-25-5101
Police Department	Neutral	(230)	Police, Animal Services - Social Security	101-09-25-5150
Police Department	Neutral	(285)	Police, Animal Services - Retirement	101-09-25-5151
Police Department	Neutral	(80)	Police, Animal Services - Workers Comp	101-09-25-5156
Municipal Court Department	Neutral	(8,000)	Court - Salaries	101-12-00-5101
Municipal Court Department	Neutral	(615)	Court - Social Security	101-12-00-5150
Municipal Court Department	Neutral	(685)	Court - Retirement	101-12-00-5151
Municipal Court Department	Neutral	(20)	Court - Workers Comp	101-12-00-5156
Planning Department	Neutral	(12,680)	Planning - Salaries	101-15-00-5101
Planning Department	Neutral	(1,355)	Planning - Social Security	101-15-00-5150
Planning Department	Neutral	(1,700)	Planning - Retirement	101-15-00-5151
Planning Department	Neutral	(95)	Planning - wc	101-15-00-5156
Public Works Department	Neutral	(3,560)	Public Works - Workers Comp.	101-18-10-5156
Public Works Department	Neutral	(57,850)	Public Works - Salaries	101-18-10-5101
Public Works Department	Neutral	0	Public Works - Longevity	101-18-10-5116
Public Works Department	Neutral	(4,425)	Public Works - Social Security	101-18-10-5155
Public Works Department	Neutral	(5,565)	Public Works- Retirement	101-18-10-5151
Public Works Department	Neutral	(30,525)	Parks - Salaries	101-18-19-5101
Public Works Department	Neutral	0	Parks - Longevity	101-18-19-5116
Public Works Department	Neutral	(2,705)	Parks - Social Security	101-18-19-5150
Public Works Department	Neutral	(2,935)	Parks - Retirement	101-18-19-5151
Public Works Department	Neutral	(750)	Parks - workers comp	101-18-19-5155
Public Works Department	Neutral	(3,335)	Custodian - Salaries	101-18-20-5100
Public Works Department	Neutral	(260)	Custodian - Social Security	101-18-20-5150
Public Works Department	Neutral	(325)	Custodial - Retirement	101-18-20-5151
Public Works Department	Neutral	(110)	Custodian - Workers Comp	101-18-20-5156
Library Department	Neutral	(14,770)	Library - Salaries	101-21-00-5101
Library Department	Neutral	(1,130)	Library - Social Security	101-21-00-5150
Library Department	Neutral	(1,440)	Library - Retirement	101-21-00-5151
Library Department	Neutral	(45)	Library - Workers Comp	101-21-00-5156
Total Expenditures		<u>(550.0)</u>		
Net Change		0		

BUDGET AMENDMENTS
DESIGNATED FUND

Fund Balance as of 9-30-13	639,091
FY 2014 Budgeted Revenues	789,100
FY 2014 Budgeted Appropriations	(509,400)
3/2014 Budget Amendments (net)	<u>(453,608)</u>
Ending Fund Balance	<u>465,183</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
Library Department	Neutral	2,600	Library Grant's received as of 1/31/2013	102-00-00-4501
		<u>2,600</u>	Total Revenues	

Matching Expenditures to Revenues:

Library Department	Neutral	(2,600)	Library Grant	102-00-00-5242
		(1,140)	Small Equipment	102-00-00-5242

New Expenditures:

Police Department	Increase	(14,200)	Red Light Camera Prog	102-00-00-5587
Police Department	Increase	(87,200)	Traffic Safety-Equip/Supplies	102-00-00-5588
Police Department	Increase	(250,000)	Red Light Camera - State Portion	102-00-00-5589
Police Department	Increase	(36,000)	Traffic Safety-Capital Outlay	102-00-00-6220
Municipal Court	Increase	(9,700)	Technology Funds	102-00-00-5668
Police Department	Increase	(1,630)	PD LEOSE Expense	102-00-00-5645
Municipal Court	Increase	(23,000)	Building Security	102-00-00-6010
Municipal Court	Increase	(8,935)	Administrative Justice	102-00-00-5666
Police Department	Increase	(4,942)	PD Special Expense	102-00-00-5667
Police Department	Increase	(11,378)	Law Enforcement Expense	102-00-00-5672
Parks Department	Increase	(1,000)	Fishermans Park Funds	102-00-00-5372
Library Department	Increase	(3,859)	Library Grant	102-00-00-5242
Library Department	Increase	(624)	Library Archive Prog	102-00-00-5243

Total Expense	<u>(456,208)</u>
Net Change	(453,608)

FY 2014
BUDGET AMENDMENTS
MAIN ST. PROGRAM

Fund Balance as of 9-30-13	56,107
FY 2014 Budgeted Revenues	115,300
FY 2014 Budgeted Appropriations	(144,640)
3/2014 Budget Amendments (net)	<u>3,840</u>
Ending Fund Balance	<u><u>30,607</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
	Neutral	8,180	Main St. Program Donations	503-00-00-4504
		<u>8,180</u>		
<hr/>				

Matching Expenditures to Revenues:

	Neutral	(3,200)	Advertising	503-00-00-5602
		(1,140)	Small Equipment	503-00-00-5602
		<u>(4,340)</u>		
		3,840		

FY 2014

BUDGET AMENDMENTS
2013 COMB REV/TAX BOND

Fund Balance as of 9-30-13	0
FY 2014 Budgeted Revenues	0
FY 2014 Budgeted Appropriations	0
3/2014 Budget Amendments (net)	<u>398,860</u>
Ending Fund Balance	<u><u>398,860</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
Matching Revenues to Expenditures:				
	Neutral	11,000,000	Bond Proceeds	724-00-00-4380
		<u>11,000,000</u>	Total Revenues	

Matching Expenditures to Revenues:

Neutral	(250,000)	Issuance Costs	724-00-00-5610
Neutral	(1,140)	Small Equipment	724-00-00-5610
Neutral	(500,000)	Street Improv-Farm St	724-00-00-6150
Neutral	(585,000)	Street Improv-Chambers St	724-00-00-6151
Neutral	(265,000)	Street Improv-Pecan St	724-00-00-6152
Neutral	(300,000)	In-House St. Repair	724-00-00-6153
Neutral	(120,000)	HMG Match - Generators - Water	724-00-00-6235
Neutral	(180,000)	Water Well Development	724-00-00-6233
Neutral	(600,000)	Water Well Development	724-00-00-6233
Neutral	(1,855,000)	Phase I Improv of Business Ind. Park	724-00-00-6608
Neutral	(50,000)	Bridge Inspection	724-00-00-5686
Neutral	(1,500,000)	Water Supply Infrastructure Improv	724-00-00-6727
Neutral	(690,000)	Alley "D" Infrastr/Parking Improv	724-00-00-6712
Neutral	(335,000)	Extension of Hasler	724-00-00-6155
Neutral	(500,000)	Water Improvements	724-00-00-6230
Neutral	(500,000)	Wastewater Rehab	724-00-00-6723
Neutral	(950,000)	Gills Branch LS Relocation	724-00-00-6725
Neutral	(620,000)	18in Force Main-Gills Branch to WWTP	724-00-00-6726
Neutral	(800,000)	Main St Sidewalk/St Replacement	724-00-00-6154
	<u>(10,601,140)</u>	Total Expense	
	398,860	Net Change	

FY 2014
BUDGET AMENDMENTS
GRANT FUND

Fund Balance as of 9-30-13	0
FY 2014 Budgeted Revenues	0
FY 2014 Budgeted Appropriations	0
3/2014 Budget Amendments (net)	<u>8,860</u>
Ending Fund Balance	<u><u>8,860</u></u>

<u>DEPARTMENT</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>
-------------------	---------------	---------------	--------------------	-----------------------

Matching Revenues to Expenditures:

Library Department	Neutral	10,000	Impact Grant	801-00-00-4445
--------------------	---------	--------	--------------	----------------

Total Revenues	<u>10,000</u>
----------------	---------------

Matching Expenditures to Revenues:

Library Department	Neutral	(1,140)	Small Equipment	0
--------------------	---------	---------	-----------------	---

Total Expense	<u>(1,140)</u>
---------------	----------------

Net Change	8,860
------------	-------

CITY OF BASTROP

AGENDA ITEM **D-2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: **March 19, 2014**

MEETING DATE: **March 25, 2014**

1. Agenda Item: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE **FIRST READING OF A PROPOSED REVISION TO AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING ARTICLE 1.10 "PARKS" OF THE CODE OF THE CITY OF BASTROP REGARDING MEMBERSHIP ON THE PARKS BOARD AND RESIDENCY REQUIREMENTS RELATED TO SAME; PROVIDING FOR SEVERANCE AND AN EFFECTIVE DATE.**
2. Party Making Request: **Trey Job, Public Works Director**
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: NAME/TITLE INITIAL DATE CONCURRENCE
 a) _____
8. Staff Recommendation: The City of Bastrop Parks Board is making a request to have the residency requirements amended allowing for two members of the board to live outside the City limits but must reside within BISD jurisdiction. The changes proposed would be as follows: Two county residents, six City residents, 1 special Member from the Bastrop State park for a total of nine voting members and one non-voting youth rep from the BISD school district.
9. Advisory Board: Approved Disapproved None
10. Manager's Recommendation: Approved Disapproved None
11. Action Taken _____

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date: 3-25-14

Public Notice Description:

CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF A PROPOSED REVISION TO AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING ARTICLE 1.10 "PARKS" OF THE CODE OF THE CITY OF BASTROP REGARDING MEMBERSHIP ON THE PARKS BOARD AND RESIDENCY REQUIREMENTS RELATED TO SAME; PROVIDING FOR SEVERANCE AND AN EFFECTIVE DATE.

Item Summary:

The City of Bastrop Parks Board is making a request to have the Residency requirements amended allowing for two members of the board to live outside the City limits; however the county residents must reside within BISD jurisdiction. The changes proposed would reflect the following: Two county residents, six City residents, 1 special Member from the Bastrop State park for a total of nine voting members and one non-voting youth rep from the BISD school district.

Staff Recommendation:

Staff recommends granting the request of the board.

City Contact:

Trey Job - Director
Public Works Department

Attachments:

Revised Ordinance

CITY OF BASTROP

AGENDA ITEM

D-3

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: **March 21, 2014**

MEETING DATE: **March 25, 2014**

1. Agenda Item: Approval of a **CONTRACT** for **ELECTION SERVICES** between the **Bastrop County and the City of Bastrop** for the May 10, 2014 Election, recognizing the Bastrop City Hall as the Polling Place for Early Voting Dates of April 28, 2014 through May 6, 2014.

2. Party Making Request: **Elizabeth Lopez, City Secretary**

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

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: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 1.10 "PARKS" OF THE CODE OF THE CITY OF BASTROP REGARDING MEMBERSHIP ON THE PARKS BOARD AND RESIDENCY REQUIREMENTS RELATED TO SAME; PROVIDING FOR SEVERANCE AND AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop is committed to advancing sound park and recreation planning and programming; and

WHEREAS, the population of the City and the County of Bastrop has grown considerably in recent years and the pressures on the City of Bastrop's parks system is expected to increase due to the demand for increased development; and

WHEREAS, in order to ensure that the City of Bastrop is aware of all of how City parks relate to and work in concert with other parks in the Bastrop area, including the Bastrop State Park, the City Council has determined that it is in the public interest to expand the area from which members may be selected.

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

Part 1: Article 1.10 "Parks," Section 1.10.001 "Parks board" is hereby amended to provide as follows:

Sec. 1.10.001 Parks Board

Sec. 1.10.001 Parks Board

(a) Created; composition; compensation; appointment. There is hereby created a parks board of the city to be composed of eight (8), regular members' and one (1) 'special member', for a total of nine (9) voting members. In addition, in its discretion, the parks board may identify and name one minor, who resides within the BISD jurisdiction, to serve on the board as an *ex officio*, non-voting 'youth member' of the board. The youth representative shall be enrolled in grades 9-12 and serve a term in length specified by the parks board at the time of the youth member's selection, but not to exceed three (3) consecutive years. The regular and special voting members of the board shall be appointed by the mayor and confirmed by the city council and shall serve without compensation by the city for terms of three (3) years. The members shall be known to be interested in public parks and public recreation and the proper use of the leisure time of the people of the city.

The 'special member' position on the board shall be held by the superintendent of the Bastrop state park, or his/her designee, who may reside either within the city limits or in any other area within the BISD's jurisdiction.

A minimum of six (6) of the regular members on the board will be persons who reside within the city limits, however two (2) of the regular members may be persons who reside outside of the city limits but within the BISD's jurisdiction.

Paragraphs (b) through (d) remain unchanged.

Part 2: All other provisions of Article 1.10 "Parks" that are not amended hereby shall remain in full force and effect.

Part 3: 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.

READ and Acknowledged on First Reading on the _____ day of _____, 2014.

READ and Adopted on Second Reading on the _____ day of _____, 2014.

APPROVED:

ATTEST:

Terry Orr, Mayor

Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown.

City Attorney, City of Bastrop

**CONTRACT FOR ELECTION SERVICES
BETWEEN
THE ELECTIONS ADMINISTRATOR OF BASTROP COUNTY
AND
THE CITY OF BASTROP
FOR THE MAY 10, 2014 ELECTION**

THIS CONTRACT is made and entered into by and between Bridgette Escobedo, the Elections Administrator of Bastrop County, Texas, hereinafter referred to as “Contracting Officer,” and the City of Bastrop, hereinafter referred to as the “CITY,” pursuant to the authority under Section 31.092(a) of the Texas Election Code and Chapter 791 of the Texas Government Code. In consideration of the mutual covenants and promises hereinafter set forth, the parties agree to this interlocal agreement with regard to the coordination, supervision, and running of the CITY’s May 10, 2014 Election, hereinafter referred to as “the election”. The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places and election procedures to assist the voters of the CITY.

I. RESPONSIBILITIES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the election:

A. *Notification to Presiding and Alternate Judges; Appointment of Clerks.*

1. The Contracting Officer shall notify each presiding judge and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election school(s), the eligibility requirements that pertain to them and to the selection of election day clerks, the date and time of the election, the rate of compensation, the number of election clerks the presiding judge may appoint, and the name of the presiding or alternate judge, as appropriate.

2. The Contracting Officer shall ensure that the presiding judges make the appropriate election clerk appointments and notify the clerks of their appointments. The recommendations of the CITY will be the accepted guidelines for the number of clerks secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours. Election judges shall be secured by the Contracting Officer with the approval of the CITY.

3. Notification to the election judges and alternates shall be made no later than April 25, 2014.

B. *Contracting with Third Parties.* In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third persons for election services and supplies. The cost of such third-person services and supplies will be paid by the Contracting Officer and reimbursed by the CITY as agreed upon on Exhibit "C."

C. *Election School(s).* The Contracting Officer shall be responsible for conducting one or more, at her discretion, election schools to train the presiding judges, alternate judges, election clerks, and early voting clerks, and Early Voting Ballot Board members in the conduct of elections, including qualifying voters, provisional voting, and the counting of ballots. The Contracting Officer shall determine the date, time, and place for such school(s) and notify the presiding judges, alternate judges, and election clerks of such. The Contracting Officer may hold the election school(s) on a Saturday in order to increase its availability to election workers who are employed during the regular work week. If at all possible, such election schools shall be conducted within the CITY territory.

D. *Publication/Posting of Election Notice.* The Contracting Officer shall be responsible for having the required election notice under Section 4.003(a)(1) of the Texas Election Code published in the newspaper as required by State law. The Contracting Officer shall also be responsible for posting the notice required under Section 4.003(b) of the Texas Election Code as required by law and may require the assistance of the CITY in having such notice posted.

E. *Election Supplies.* The Contracting Officer shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day and the Early Voting Ballot Board (and to the Deputy Early Voting Clerks during Early Voting) the following election supplies: election kits from third-party vendors (including the appropriate envelopes, sample ballots, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code); pens; pencils; tape; markers; paper clips; ballot box seals; sample ballots; tacks, and all consumable-type office supplies necessary to hold an election.

F. *Registered Voter List.* The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law. The Election Day list of registered voters shall be arranged in alphabetical order by each precinct.

G. *Ballots.* The Contracting Officer shall be responsible for the programming of the direct recording electronic voting devices (referred to as DRE's) and the printing of ballots requested by mail or used for early voting or election day. The Contracting Officer shall be responsible for distributing the DRE's along with the election supplies.

H. *Early Voting.* In accordance with Sections 31.096 and 31.097(b) of the Texas Election Code, the Contracting Officer will serve as Early Voting Clerk for the election.

1. As Early Voting clerk, the Contracting Officer shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. The Contracting Officer shall work with the CITY in securing personnel to serve as Early Voting Deputies.

The Contracting Officer shall, upon request, provide the CITY a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations listed in Exhibit "A," attached hereto and made a part of this contract.

3. The Contracting Officer shall receive mail ballot applications on behalf of the CITY. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or her deputies at 804 Pecan Street, Bastrop, Texas 78602. Any requests for early voting ballots to be voted by mail received by the CITY shall be forwarded immediately to the Contracting Officer for processing.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be secured and maintained by the Contracting Officer and delivered by her or her deputy for counting in accordance with Chapter 87 of the Texas Election Code to the Early Voting Ballot Board at the Bastrop County Courthouse on Election Day, May 10, 2014.

I. *Election Day Polling Locations.* The Election Day polling locations are those listed in Exhibit "B," attached hereto and made a part of this contract. The Contracting Officer shall arrange for the use of all Election Day polling places and shall arrange for the setting up of all polling locations for Election Day, including ensuring that each polling location has the necessary tables, chairs, and voting booths.

J. *Central Counting Station.* The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tally the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Bridgette Escobedo. The Tabulation Supervisor shall be Kristin Zapalac. The tabulation supervisor shall handle ballot tabulation in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.

Election night reports will be available to the CITY at the Central Counting Station on election night and will provide individual polling location totals.

K. *Manual Counting.* The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the CITY in a timely manner. The Secretary of State may waive this requirement. If

applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

L. *Election Reports.* The Contracting Officer shall prepare the unofficial tabulation of precinct results under Section 66.056(a) of the Texas Election Code and shall provide a copy of the tabulation to the CITY as soon as possible after the Contracting Officer has received the precinct returns on Election Day night. Provisional ballots will be tabulated after election night in accordance with state laws.

M. *Custodian of Voted Ballots.* The Contracting Officer is hereby appointed the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

N. *Election Orders, Election Notices, Canvass.* The Contracting Officer shall prepare the election order, resolutions, notices, official canvass, and other pertinent documents for adoption by the CITY's governing body. With respect to the CITY's order and notice of election, the Contracting Officer shall only prepare said documents for the general trustee election. The CITY shall be responsible for preparing the order and notice of election for a special bond election.

II. RESPONSIBILITIES OF THE CITY. The CITY shall assume the following responsibilities:

A. *Election School(s).* At the request of the Contracting Officer, and at no cost to the Contracting Officer, the CITY will make available space in an CITY building to hold the election school(s), if applicable.

B. *Polling Locations.* The CITY shall pay the respective cost of all employee services required to provide access, security, or custodial services for the polling locations.

C. *Applications for Mail Ballots.* The CITY shall date stamp and then immediately hand deliver to the Contracting Officer all original mail ballot applications for mail ballots that it receives.

D. *Election Orders, Election Notices, Canvass.* Promptly after approval of election order, resolutions, notices, official canvass, and other pertinent documents by the CITY's governing body and within such time so as not to impede the orderly conduct of the election, the CITY shall return said documents to the Contracting Officer for proper posting and recordkeeping. The CITY assumes the responsibility of promoting the schedules for Early Voting and Election Day

E. *Paper Ballots.* In advance of the March 26, 2014 date on which the Texas Secretary of State's Office encourages the mailing out of ballots for early voting by mail, the Contracting Officer shall arrange with a third party to prepare the necessary optical

paper ballots for the election. The ballots shall be in English with the Spanish translation included.

The CITY shall furnish the Contracting Officer a list of candidates and/or propositions showing the order and the exact manner in which their names or proposition(s) are to appear on the official ballot (including bilingual titles and text). This list shall be delivered to the Contracting Officer as soon as possible after ballot positions have been determined. The CITY shall perform the duties required for drawing for place on the ballot by candidates. The CITY shall be responsible for proofreading and approving the ballot insofar as it pertains to the authority's candidates and/or propositions.

III. SPECIAL PROVISIONS RELATING TO ELECTION WORKERS

A. *Compensation.* The parties agree that presiding judges and alternate judges will be compensated at a rate of \$10.00/hr, and election clerks will be compensated at a rate of \$8.00/hr. They will be compensated for all hours actually worked, including the time to set up the polling location and the time to complete the counting and to wrap up the paper work, but not to exceed one hour before and two hours after the polling location is open for voting. The presiding judge, or the election worker at the polling location that he or she designates, who picks up the election supplies on May 10, 2014 from the Contracting Officer and who returns the remaining supplies, ballot boxes, and all other election records from the polling location to the Contracting Officer will be compensated with a delivery fee of \$25 at the same time that payment is made for the hours worked. The Contracting Officer will pay the election workers directly and be reimbursed for such by the CITY.

B. *Number of Election Workers.* The parties agree that at all polling locations there will be a minimum of three election workers, consisting of the presiding judge, alternate judge, and one clerk.

IV. JOINT EXPENSES AND PAYMENT

A. *Expenses Incurred and Billing.* The participating authorities agree to share actual costs incurred to the extent that the costs and expenses are incurred in connection with a polling location used by more than one local political subdivision, such as (without limitation) the cost of renting polling locations and voting equipment, programming the voting equipment, supplies needed for the polling place, wages and salaries of election workers. Election expenses shall be pro-rated equally among the participants.

The parties agree, for those polling locations used solely by the CITY and not shared by any other participating authority, that the CITY will pay the wages, salaries, and other applicable election costs and expenses directly related to such polling location.

It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such

other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.

Billing. As soon as reasonably possible after Election Day, the Contracting Officer will submit an itemized invoice to the CITY for (1) actual expenses directly attributable to the coordination, supervision, and running of the election and incurred on behalf of the CITY by the Contracting Officer, including expenses for supplies in connection with the election school(s), publication and printing of election notices, election supplies, wages paid to the Contracting Officer's employees for services under this contract performed outside of normal business hours, election workers, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of DREs and audio ballots, and (2) the Contracting Officer's fee under Section 31.100(d) of the Texas Election Code and as provided in Section IV.E below. Expenses related to wages shall be supported by compensation sheets. Other expenses shall be supported by invoices or receipts, except that the price of items coming out of the Contracting Officer's stock of election supplies shall be supported by the Contracting Officer's certificate about the number of items used and the unit cost therefore according to the vendor's standard price list.

B. Payment. The CITY shall pay the Contracting Officer's invoice within 30 days from the date of receipt to: **Bastrop County, Attn: Bridgette Escobedo, Elections Administrator, 804 Pecan Street, Bastrop, TX 78602.** If the CITY disputes any portion of the invoice, the CITY shall pay the undisputed portion of the invoice, and the parties will discuss in good faith a resolution of the disputed portion. All payments shall be made from current revenues available to the CITY.

C. Expense Item Larger than \$500. If a single election expense exceeds \$500, the Contracting Officer reserves the right to invoice the CITY for such expense at the time it is incurred, supported by an invoice or receipt, rather than waiting until after Election Day. The CITY shall pay such invoice within 30 days from the date of receipt.

D. Estimated Cost of Services. A cost estimate for election expenses is attached hereto and made a part of this contract as Exhibit "C." The parties agree that this is an estimate only and that the CITY is obligated to pay their respective portion of the actual expenses of the election as set forth herein. The Contracting Officer agrees to advise the CITY if it appears that the actual expenses incurred by the Contracting Officer will exceed by 20% or more the estimated expenses to be paid initially by the Contracting Officer and reimbursed jointly by the CITY.

E. Administrative Fee. The CITY shall pay the Contracting Officer a 10 % administrative fee, pursuant to the Texas Election Code, Section 31.100.

V. GENERAL PROVISIONS

A. *Nontransferable Functions.* In accordance with Section 31.096 of the Texas Election Code, nothing in this contract shall be construed as changing

1. the authority required by state law to order the election;
2. the authority with whom applications of candidates for a place on the ballot are filed;
3. the authority with whom documents relating to political funds and campaigns under Title 15 of the Texas Election Code are filed; or
4. the authority to serve as custodian of voted ballots or other election records, except that the Contracting Officer, if requested in writing by the CITY, will become the custodian of the voted ballots.

B. *Joint Election.* The parties acknowledge that the Contracting Officer may contract with other entities holding elections at the same time as the CITY on May 10, 2014.

C. *Cancellation of Election.* If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall only be entitled to receive the actual expenses incurred before the date of cancellation in connection with the election and an administrative fee of \$75. The Contracting Officer shall submit an invoice for such expenses (properly supported as described in **IV. PAYMENT** above) as soon as reasonably possible after the cancellation and the CITY shall make payment therefore in a manner similar to that set forth in **IV. PAYMENT** above. The Contracting Officer agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the CITY authorizes such major costs in writing. An entity canceling an election will not be liable for any further costs incurred by the Contracting Officer in conducting the May 10, 2014 Joint Election.

D. *Contract Copies to Treasurer and Auditor.* In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this contract with the County Treasurer of Bastrop County, Texas and the County Auditor of Bastrop County, Texas.

E. *Representatives.* For purposes of implementing this contract and coordinating activities hereunder, the CITY and the Contracting Officer designate the following individuals, and whenever the contract requires submission of information or documents or notice to the CITY or the Contracting Officer, respectively, submission or notice shall be to these individuals:

For the CITY:

Elizabeth Lopez
City Secretary
City of Bastrop
1311 Chestnut Street/PO Box 427
Bastrop, TX 78602
Tel: (512) 332-8811
Fax: (512) 332-8819
Email: elopez@cityofbastrop.org

For the Contracting Officer:

Bridgette Escobedo
Elections Administrator
Bastrop County
804 Pecan Street
Bastrop, TX 78602
Tel: (512) 581-7160
Fax: (512) 581-4260
Email: elections@co.bastrop.tx.us

F. *Amendment/Modification.* Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent, or employee of the County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Bastrop County, Texas. No official, representative, agent, or employee of the CITY has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the CITY. Both the Contracting Officer and the CITY may propose necessary amendments or modifications to this Agreement in writing in order to conduct a Joint Election smoothly and efficiently, except that any such proposals must be approved by the Commissioners Court of the County and the governing body of the Participating Entity, respectfully.

G. *Entire Agreement.* This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

H. *Severability.* If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and, parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

I. *Third Party Beneficiaries.* Except as otherwise provided herein, nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto, any benefits, rights or remedies under or by reason of this Agreement.

J. *Mediation.* Any controversy, claim or dispute arising out of or relating to this contract, shall be settled through mediation by the parties. The parties agree to use a

mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.023 of the Texas Civil Practice and Remedies Code unless both parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term "confidential" as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2014.

Terry Orr
Mayor
City of Bastrop
Bastrop, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2014.

Paul Pape
County Judge
Bastrop County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2014.

Bridgette Escobedo
Elections Administrator
Bastrop County, Texas

EXHIBIT "A"

EARLY VOTING DATES, TIMES, AND LOCATIONS

Time Period:

Monday, April 28, 2014 through Tuesday, May 6, 2014.

Main Location:

Bastrop City Hall, 1311 Chestnut, Bastrop, TX 78602

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
28 7:30 am – 5:00 pm	29 7:30 am – 5:00 pm	30 7:30 am – 5:00 pm	1 7:30 am – 5:00 pm	2 7:00 am – 7:00 pm
5 7:30 am – 5:00 pm	6 7:00 am – 7:00 pm	7	8	9

Voting by Mail:

Bridgette Escobedo, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, TX 78602

EXHIBIT "B"

CITY OF BASTROP ELECTION DAY POLLING LOCATION

Precincts 1001, 1002, 1003, 2009, 2011

Bastrop City Hall, 1311 Chestnut, Bastrop, TX 78602

EXHIBIT "C"
ESTIMATED COST OF MAY 10, 2014 ELECTION

CITY OF BASTROP

Newspaper Publication Expenses	\$ 388.50
Optical Ballots and Programming Expenses	\$ 1,292.24
Rental Fee for AutoMARK and Vote Tabulator (voting equipment) Staff Time and Mileage, Early Voting Clerks, Election Judges & Clerks, and Ballot Board	\$ 9,074.92
Election Kits & other precinct supplies	\$ 200.00
SUBTOTAL	\$ 10,955.66
10% ADMINISTRATIVE FEE	\$ <u>1,095.57</u>
TOTAL	\$ <u>12,051.23</u>

BASTROP CITY COUNCIL MEETING

AGENDA ITEM: D-4

STANDARDIZED AGENDA RECOMMENDATION FORM

BASTROP CITY COUNCIL:

DATE SUBMITTED: March 19, 2014

MEETING DATE: March 25, 2014

1. Agenda Item: CONSIDERATION AND ACTION WITH RESPECT TO A "RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF BASTROP TEXAS".

2. Party Making Request: Michael H. Talbot

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

This item on the agenda is nothing more than safe guard if the Council we're to take some type of action on the "Water Supply Project" prior to the issuance of the Certificate of Obligations for the Water Supply Project. This resolution in no way obligates the Council to issue the Certificate of Obligations it just protects the Council should you take some kind of action on the Water Supply Project in advance of actual issuing the Certificates of Obligations.

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. Action Taken: _____

LAW OFFICES

M^cCALL, PARKHURST & HORTON L.L.P.

717 NORTH HARWOOD
SUITE 900
DALLAS, TEXAS 75201-6587
TELEPHONE: 214 754-9200
FACSIMILE: 214 754-9250

600 CONGRESS AVENUE
SUITE 1800
AUSTIN, TEXAS 78701-3248
TELEPHONE: 512 478-3805
FACSIMILE: 512 472-0871

700 N. ST. MARY'S STREET
SUITE 1525
SAN ANTONIO, TEXAS 78205-3503
TELEPHONE: 210 225-2800
FACSIMILE: 210 225-2984

MEMORANDUM

DATE: March 20, 2014
TO: Elizabeth Lopez, City Secretary
FROM: J. Bart Fowler
RE: Reimbursement Resolution for Water, Wastewater System Improvements

With respect to the upcoming City of Bastrop, Texas council meeting, we recommend the following agenda language:

- * Consideration and action with respect to "Resolution Expressing Official Intent to Reimburse Certain Expenditures of the City of Bastrop, Texas."

A draft of the Resolution is also attached. Please don't hesitate to contact me with any questions or comments.

cc: Mike Talbot
Karla Stovall
Dan Wegmiller
Jennifer Douglas

CERTIFICATE FOR RESOLUTION

I, the undersigned City Secretary of the City of Bastrop, Texas, hereby certify as follows:

1. The City Council of said City convened in Regular Session on March 25th, 2014, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Terry Orr, Mayor
Joseph J. Beal, Mayor Pro-Tem
Willie DeLaRosa, Council Member
Ken Kesselus, Council Member
Kay Garcia McAnally, Council Member
Dock Jackson, Council Member

and all of said persons were present, except for the following: _____;
thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written Resolution entitled

**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
CERTAIN EXPENDITURES OF THE CITY OF BASTROP, TEXAS**

was duly introduced for the consideration of the City Council. It was then duly moved and seconded that the said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS:

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann., ch. 551.

SIGNED AND SEALED this March 25, 2014.

City Secretary, City of Bastrop, Texas

[CITY SEAL]

RESOLUTION NO. _____

**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
CERTAIN EXPENDITURES OF THE CITY OF BASTROP, TEXAS**

WHEREAS, the City Council of the City of Bastrop, Texas (the "Issuer") expects to pay expenditures in connection with the projects described on Exhibit A attached hereto (the "Project") prior to the issuance of obligations to finance the Project;

WHEREAS, the Issuer finds, considers and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

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

Section 1. The Issuer reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount not to exceed \$8,000,000 for the purpose of paying the costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 25TH DAY OF MARCH, 2014.

Mayor

EXHIBIT A

To pay costs related to (1) constructing, improving and upgrading the City's water, wastewater system and facilities, including acquisition of water rights, land and necessary easements and infrastructure including wells, water storage tanks, high service pumps, water transmission pipelines, chemical equipment to treat water, and electrical equipment for the operation of the facilities and (2) paying professional services in connection therewith including legal, fiscal, consulting, engineering fees and other related costs.