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**, April 22, 2014** AT **6:30 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 April 22nd, 2014: Items for update, discussion & possible action:

1. Meetings and Events Attended:
   A. Attended the Monthly Meeting of the Lost Pines Groundwater Conservation District on April 16, 2014.

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2. Update on City Projects and Issues:
   A. Water Usage Report for the Period of April 1, through April 20, 2014.
   B. Update on the Short/Long Term Water Project.
   C. Update and Possible Action Regarding the 180-Moratorium on the Prohibition of and Code Enforcement Actions against Breweries and Wineries.
   D. Review of a Report on the ground water wells in Fisherman Park.
   E. Discussion and Review of the "Report & Top Priorities" from the March 22, 2014 City Council Planning Retreat.
   F. Discussion and Review of the Engineer's Inspection Report of the Old Iron Bridge.
   G. Update on Form Base Code Report.
   H. Update on the Bastrop Economic Development Corporation Business Park Infrastructure Improvements Project.
   I. Update on the Bastrop Main Street/Sidewalk Improvements Project.
   J. Update on the City of Bastrop Arts in Public Places Transformer Project.
   K. Update on Street Improvements Program.
   L. Update on the AMI Project.
   M. Status of Board Appointments.
   N. Update on CARTS.

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3. Other City Activities:
   A. City of Bastrop Convention Center Activities.
   B. The City of Bastrop Main Street Program.
   C. Planning Department – Inspection Report.
   D. Update on the YMCA Program.

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 City Council Meetings held on April 2 & April 8, 2014.	**A.1**	**4**	E. Lopez
A.2	Consideration & Discussion and possible Action on the **SECOND READING** to amending Ordinance in the City Code Appendix A: **Fee Schedule;** Article A4.10 **Vehicle Towing.**	**A.2**	**13**	Chief Adcock
A.3	Consideration, discussion and possible action on the **SECOND READING** of a proposed Ordinance of the City Council of the City of Bastrop, Texas to grant a **Conditional Use Permit to allow a Bed and Breakfast at 605 Water St.** being +/- 0.3030 acres Building Block 5, east of Water St. an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, TX; setting out conditions; and providing an effective date.	**A.3**	**16**	Melissa McCollum

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

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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

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C. OLD BUSINESS - NO ITEMS.

D. NEW BUSINESS

D.1	Consideration and Action with respect to a "A **RESOLUTION** by the City Council of the City of Bastrop, Texas **AUTHORIZING** Proceeding with the **ISSUANCE** of City of Bastrop, Texas **CERTIFICATES OF OBLIGATION**; Directing Publication of Notice of Intention to Issue Certificates of Obligation; and Other Related Matters."	**D.1**	**30**	Mike Talbot
D.2	Consideration, discussion & possible action on **APPROVAL** of the **COMMUNITY SUPPORT** funding process for the **FY 2015 BUDGET** and direct staff to modify process as determined.	**D.2**	**63**	Karla Stovall
D.3	Consideration, discussion & possible action on **APPROVAL** of the **(HOT) HOTEL OCCUPANCY TAX** funding process for the **FY 2015 BUDGET** and direct staff to modify process as determined.	**D.3**	**69**	Karla Stovall
D.4	Consideration, discussion & possible action on **AMENDING FAIRVIEW CEMETERY ORDINANCE**, Chapter 15 "Cemeteries" of the Bastrop Code of Ordinances; Article 15.01 "Fairview Cemetery" to **ADD section 15.01.026** "Memorial Section" providing for enforcement; providing severability clause; and providing an effective date.	**D.4**	**75**	Karla Stovall
D.5	Consideration, discussion & possible action on the **FIRST READING** of a proposed revision to an ordinance of the City Council of the City of Bastrop, Texas, **AMENDING** section **A13.09.007 SERVICE FEES** in the Code of Ordinances of the City of Bastrop; establishing fines and penalties for violations; providing for enforcement; providing an effective date.	**D.5**	**82**	Trey Job

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.
3. **SECTION 551.074** – Personnel Matters
4. **SECTION 551.086-** Certain Public Utilities: (1) Competitive Matters

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 **4st day** of **April 2014** at **5:00 p.m**.

Elizabeth Lopez

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: **April 17, 2014**
MEETING DATE: **April 22, 2014**

1. Agenda Item: Approval of Minutes from the City Council Meetings held on April 2, 2014 and on April 8, 2014.

2. Party Making Request: Elizabeth Lopez, City Secretary

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: _____

9. Advisory Board: _____Approved _____Disapproved _____None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

Subject To Change
Date _____

BASTROP CITY COUNCIL
MINUTES OF SPECIAL WORKSHOP/UTILITY MEETING
April 2, 2014 at 6:15 pm

Pursuant to the Texas Government Code, Chapter § 551, the City Council of Bastrop, Texas held a Special Workshop/Utility Meeting on Tuesday, **April 2nd, 2014** at **6:15 p.m.** at the Bastrop Convention & Exhibit Center located at 1408 Chestnut Street in Bastrop, Texas to consider the following matters:

A. CALL TO ORDER – A quorum was present; Mayor Terry Orr called the meeting to order at 6:15 p.m.
Present – Mayor Pro-Tem Joe Beal
Council Member Dock Jackson
Council Member Kay Garcia McAnally
Council Member Willie DeLaRosa
Absent - Council Members Ken Kesselus

B. ADJOURN THE SPECIAL UTILITY MEETING – At 6:15pm, Mayor Terry Orr adjourned the Special Utility Meeting and convened into a Utility Workshop Session to consider the following:

Mayor Terry Orr welcomed everyone and commented that he likes to keep the Workshop/Utility Meeting less formal than the Regular City Council Meetings and encourages the public participation.

Mayor Orr stated that he hopes everyone can talk to one another and that we not make pronouncements. He acknowledged that the path that has been long but very informative and we have all had an opportunity to ask pertinent questions to the City Manager. He urged each council member to try their very best in efforts to make the necessary decision by the next Council Meeting on the expenditures they have decided on. He asked the Council Members to keep an open mind and not pre-determine any decisions about which option they favor or don't favor.

Mayor Orr invited comments from the Council before commencing the meeting; with no response Mayor informed everyone that Council Member Ken Kesselus would not be in attendance as he was out of town. He also welcomed Council Member Dock Jackson who had been away due to his mother's recent passing.

Mayor Orr introduced City Manager Mike Talbot who commenced the meeting with the following agenda item.

1. UPDATE, DISCUSSION AND REVIEW REGARDING SHORT AND LONG TERM WATER SUPPLY OPTIONS.

City Manager Talbot stated that over the last week, the Mayor requested additional information that he would like to address. City Manager Talbot stated that he had received an email from Mayor Pro-Tem Beal that included a basis point for reserve water and we will try to concentrate more on the Council request for possible combination of option and rates.

City Manager Talbot stated to the Council that there was no agenda tonight other than concentrating on the Council's concerns and comments and presenting it in an uncomplicated format. He stated that if he overlooked something in this evening's presentation, he welcomed those comments/suggestions in preparation of material for next week's City Council Meeting.

PAGE 1 THE 5-YEAR WATER AND WASTEWATER CAPITAL IMPROVEMENT PROGRAM

City Manager informed the Council that this was something they had seen since we started the process. He noted that it was included because it was important when they look at the rate structure.

PAGE 7 OPTION 1 If the City were to purchase 6,000 acre-feet of water from XS RANCH

The City Manager noted that the Mayor asked the information be reflected 5 year increments. "If you recall the City had previously issued bond in anticipation of this project, we currently, we have $2,000,000 which has a significant impact at the end of our presentation. If the City were to purchase 6,000 acre feet of water from XS Ranch the balance would be $1,000,000; the drilling of the well has been increased to 1,500 gallons per minute, ground storage piping booster pumps and fencing are right at $1,000,000, the transmission lines is at 12,400 feet for an 18 inch line, the engineering, hydrologist, surveying is $885,250.

Subtotal cost Option 1 $3,784,000 (*includes purchase of 6,000 acre-fee of water rights from XS Ranch and infrastructure improvements from XS Ranch to the City of Bastrop)*

Subtotal cost for Option 2 $4,784,000 (*Amount of bonds to be issued)*

PAGE 8 OPTION 2 INGRAM / XS RANCH

Mayor confirmed that the public had received copies of the material being presented. City Manager confirmed that copies had been provided for the public and the handout would be available at the City's website the next day.

Council Member McAnally requested that the City Manager keep everyone apprised of the page # in discussion.

City Manager Talbot continued the presentation of Option 2; this would be the acquisition of the Ingram property and the cost of the infrastructure/well. There would be 2 wells that would be drilled at Ingram. Keep in mind we would not be doing any underground storage, but there will be some plant improvements to Mayfest Park. City Manager Talbot noted the following costs:

Cost for infrastructure $2,600,000

Subtotal cost for Option 2 $5,800,000 (*includes the purchase of 3,000 acre-feet of water rights from XS Ranch)*

Less our Down Payment $2,000,000

Debt Finance **$3,800,000**

PAGE 9 OPTION 3 INGRAM / XS RANCH / LCRA

While referencing page 9, City Manager Talbot stated that item "A" was a recap of Option 2 which reflected the Ingram Infrastructure elements in addition to the Ingram site and the purchase of 3,000 acre-feet of water from XS Ranch.

Subtotal cost for Option 3 $5,800,000

Less our Down Payment $2,000,000

SUBTOTAL **$3,800,000** (*Amount of bonds to be issued)*

O&M Reserve 1,000 acre-feet of water from LCRA at $75 per acre foot = $75,000 per year. This amount is below our debt service and considered an O&M cost and a capitalization costs.

PRELIMINARY Subject To Change Date

City Manager Talbot outlined that the Current LCRA system rate will cost the City $75,000 per year to reserve the 1,000 acre-feet of water. However, if the City decides to begin using the reserved water, LCRA will start to charge the City the CURRENT system rate of $151.00 per acre-foot or $151,000 per year plus capital costs of transporting the water from the LCRA well to the City of Bastrop.

City Manager Talbot advised the Council Members these were their three options for their consideration. He also referenced a Memorandum provided by the Public Works Director, Trey Job and Curtis Hancock on their recommendation of a water source from an operational standpoint.

Mayor Orr Mayor Orr inquired about question with regard to Page 7; Option 1 shows 6,000 acre-feet of water and on Page 8, Option 2 we show the purchase of 3,000 acre-feet of water plus 1,400 acre-feet of water would equal 4,400 acre-feet of water. So comparing apples to apples, we would need an additional 1,500 acre-feet of water to reach the 6,000 acre-feet of water. Mayor Orr stated he was trying to understand the equality of both options. Therefore, we are looking at $500 for acre-foot and $500,000 for 1,000 acre-feet, so Option 1 costs $4,784,000; it will cost us $750,000 to purchase the additional 1,500 acre-feet of water.

City Manager Talbot added that there would be an additional cost for the infrastructure needed at XS Ranch.

Mayor Orr stated that Option 1 is approximately $4,000,000 and Option 2 is approximately $3,800,000.

City Manager Talbot stated that Option 2 would provide 4,400 acre-feet of water which comes from the two wells at Ingram at 1,400 acre-feet plus the additional purchase of 3,000 acre-feet.

Council Member McAnally inquired about simplified comparison on 500 acre-feet of water and City Manager Talbot stated that he would get those costs to her in the morning.

Mayor Orr asked "am I correct in looking at Ingram?" He asked about the cost per acre foot under Option 2 and City Manager Talbot and Mr. Gene Kruppa also confirmed that the cost per acre-feet would be $666 at XS Ranch and the a total cost of $1,500,000 for 3,000 acre-feet. Mayor added that Option 1 would cost $2,000,000 for 6,000 acre-feet of water.

Mayor Pro-Tem Joe Beal stated that he hated to add confusion, but at some point we needed to add the amount of water needed and the water that will be available during the same time. Perhaps when we get to the rate discussion, it may sort its way out. But we need to remember what's coming out of the alluvial system and we are going to have about 1,800 acre-feet of water available for our citizens. If you look at CH2MHILL's projection of water need, I believe they will show that over a 40 year period were going to need about 6,000 acre-feet of water. That means that in 40 years were going to need 4,000 acre-feet more or less and another way to get that water is with Ingram, XS Ranch or a combination with LCRA. We're going to need another 4,000 acre-feet of water and a way to get that is with Ingram, XS Ranch and LCRA.

Ultimately we need to consider how much money we are going to invest to get the water we'll need for the next few years. It is an interesting calculation to determine the cost per acre-foot.

PUBLIC COMMENT Bluebonnet Electric General Manager, Mark Rose stated that "if your comparing apples to apples are the metaphor, if you look at the Option of what we know is that there is one test well at XS Ranch and there are test wells at LCRA and that's what we know. XS Ranch is a 500 foot well, LCRA is a 1000 foot well and Ingram has two test wells equaling 1,100 feet. The Infrastructure costs essentially match the one well scenario, but there is no guarantee there will be 6,000 acre-feet for $3,000,000; your purchase is not a guarantee, because there has only been one test drilled. He added that we are not buying 6,000 acre-feet of water, we are buying the rights.

Mayor Orr stated that he and City Manager had discussed that before the City spends $3,000,000 in water rights he will spend additional $2,000,000 build another test well because there is higher probability of water there. He stated he was encouraged by the consultant's reports.

PUBLIC COMMENT AQUA Water Supply General Manager, Dave McMurray, stated they "serve the Bastrop County, they have 29 wells and they are certain they can provide the City of Bastrop the water they need." He wanted to request that they be considered in addition to the options being considered on an equal basis. He stated they would provide the City water on a wholesale basis and you would not have all these capital investments. You can save the monies for other projects. We want to be good neighbors we want to help in the development of Bastrop, were here to stay and we have the wells in place and we are a reliable source. Most importantly you're not duplicating water availability.

Mayor Orr responded that in the two meetings held with members of the AQUA Board, our Council Members Dock Jackson, Willie DeLaRosa and Mayor Pro-Tem Joe Beal who were in attendance; were not encouraged at all during the preliminary discussions that were held. We would certainly entertain a proposal, but his personal opinion it was not going to be forthcoming.

AQUA Water Supply General Manager, Dave McMurray restated that they were very interested and Mayor Orr invited him to meet with City Manager Talbot first thing tomorrow morning.

Mayor Pro-Tem Beal asked the City Manager to correct him if he was wrong, but asked that we had provided in writing to AQUA the amount of water we needed, places we needed the water from and the pressure of water.

City Manager Talbot responded that several months ago we had discussions of delivering of 1,000 gallons per minute at 3 different locations which they analyzed that and the Council began meeting with the Aqua Board. Correspondence was sent to their attention and they informed us they were not interested. Our follow up letter that included the CH2MHILL report was responded with them requesting more specific information.

AQUA General Manager Dave McMurray stated that they had never done a feasibility study and they were never told how much water the City wanted. They currently have two connections and possibly a third but for some reason they are not even being considered.

Mayor Orr stated that we would take the blame because he had no indication that AQUA Water had an I-oda of interest, but that was his takeaway from the meetings he attended with representatives of the AQUA Board.

PRELIMINARY
Subject To Change
Date_____

Mayor Pro-Tem Beal stated that that we must have misunderstood, but the letter that the City received stated NO.

Mayor Orr stated if AQUA representatives want to go forward, then I urge them to see City Manager Talbot first thing tomorrow morning. We are in the investigative stage and we are trying to make a decision, so again I encourage you to see the City Manager first thing tomorrow morning.

Council Member DeLaRosa asked AQUA representatives "What are you offering? One of your stipulations was that you wanted to be the sole provider for 30-40 years and that the City could not go out and drill their own wells during the contract period."

AQUA General Manager Dave McMurray responded that they were not preventing the City from drilling their own wells. Council Member DeLaRosa stated that he may have misunderstood but was clear that AQUA wanted to be the sole provider for 30-40 years.

Council Member Kay McAnally stated that the Council has been in considering this issue for a long time and that she wished AQUA had approached the Council earlier.

AQUA General Manager Dave McMurray stated they have been trying to work with the City over the last 2 years.

Council Member McAnally stated that from her perspective it's a little too late in the game and she didn't think it was good for AQUA representatives to interrupt the Council from moving forward and from her point of view they could not begin the process of considering additional information they would need to sort through.

AQUA General Manager Dave McMurray added "even if it saves you millions of dollars."

Council Member McAnally stated that she wished that AQUA representatives would have had enough motivation to come to them when they knew they were considering this.

PRELIMINARY
Subject To Change
Date

AQUA General Manager Dave McMurray stated that he had a letter trail that went back two years.

Council Member McAnally responded that she has been in the sales field for a long time and stated they needed to make an effort to obtain the information they wanted. She added that the City Manager was left out of the loop and he needed to be involved. Council Member McAnally stated that she did not support going down this trail.

Mayor Terry Orr urged the AQUA representatives to contact the City Manager with their proposal, but from what the Council Members had seen they didn't get the impression that they wanted to be considered in this venture.

Council Member Jackson thanked the AQUA representatives for attending the meeting and expressing their interest. He added that he was under the impression that AQUA was not interested. The City Council is now at the point of considering the options at hand, but if the AQUA representatives have some interest then they should meet with the City Manager.

AQUA General Manager Dave McMurray stated they had previously met with the Council Members and the City Manager was excluded, however communication stopped over a period of time. He thanked the Council Members for their time and their consideration.

Council Member McAnally expressed that she was sorry it worked out this way.

City Manager Talbot responded to a public question regarding cost per acre feet; he stated that the increase was $75 per acre-foot which is subject to an increase by the LCRA Board.

Mayor Pro-Tem Beal added that the rate could go up or it could go down; because the rate is calculated by cost of service which is by law and their policy. They calculate their total cost for water and they are currently not paid by the City of Austin for the water they take from LCRA. In approximately 10 years Austin will hit a take point that will trigger that Austin will begin to pay for all the water they get from LCRA. This is different from what we have today and it is possible that in 10 years the rates may go down. We don't know that but chances are they are going to go up.

TAB 2 WATER SUPPLY OPTIONS

PAGE 11 DRAFT FOR DISCUSSION ONLY "Water Supply Fundamentals & Agreed Assumptions"

City Manager Talbot referenced page 11 and noted that this was the first time the City Council Members had been presented the document "Water Supply Fundamentals and Agreed Assumptions."

Bluebonnet Electric General Manager, Mark Rose commented on assumptions made on the documented and referenced item #11 "the consensus of the Council and Management that the City can only afford to install infrastructure 'in one direction' (i.e., either to the east, via the Ingram/LCRA route, or to the north, via the XS Ranch Well Field)." He stated he did think the City could afford the XS Ranch/Ingram option or some other options. He didn't think this was a cost perspective from our one analysis. For strategy purposes you want to have the ability to go into multiple directions because the water you think is there today may not be there 30 years from now. Therefore he does not think #11 is valid.

Mayor Orr stated this is why we were looking at a combination of options.

Mayor Pro-Tem Beal stated that we will not know if assumption #11 is valid until you know what the cost of LCRA water is and until you know what the Bluebonnets Electric rates are for the XS Ranch are. Until you know what the rates are, then you cannot make that determination.

PAGE 14 City of Bastrop Water Supply

City Manager Talbot referenced page #14 is the 5-year Water Supply plan the Mayor had requested which is a deviation from item #11, it breaks down each individual option. It is broken down by option and includes the costs for infrastructure, water per acre-feet and the costs to add additional water.

Mayor Terry Orr reference Option 1 and Option 2

City Manager Talbot stated that depending on what option they decide on, additional water may still be brought into the City.

PRELIMINARY Subject To Change Date

PAGE 15 - 16 Water Supply Options Summarized Infrastructure Cost Estimates

City Manager Talbot gave a detailed breakdown of items reflected on page #15; for the XS Ranch and Ingram options that included the costs of the water well, plant, transmission line, and engineering/surveying/hydrologist/contingency.

City Manager referenced page #16 that reflected the costs for the LCRA option that included the plant, transmission line, Engineering/surveying/ hydrologist/contingency with an additional costs for a transmission line at the SIM Gideon Plant.

PAGE 17-18 Operational Cost Summary Sheet

City Manager reviewed the operational costs for a 10 year, 20 year and a 30 year comparison on the options of XS Ranch, Ingram/XS Ranch and Ingram/LCRA/XS Ranch.

Mayor Pro-Tem Beal stated that what is driving the operational costs on option 3 is the water reservation fee from LCRA.

PAGE 19 -67 Water Supply vs Growth Charts for the Various Options

City Manager referenced the graphs reflecting the water availability at the Bob Bryant Wells, Willow Plant and XS Ranch in comparison to the CH2MHILL Study.

The City of Austin is actively pursuing the use of their wastewater effluent. They have funded the design stage of the project and it is included in their capital plan. Their plan reflects that they anticipate on using 40% of their discharge for reuse. If the City of Austin continues on this path and implements that program we can expect on 40% of that effluent not coming down the Colorado River.

We need to consider the impact of not receiving the 40% of Austin's water to the Alluvial well could cause the Willow plant to go out.

Mayor Pro-Tem Beal stated he had the same concern and did some research; although the City of Austin has a goal of utilizing 40% of their return flow you have to take into account they are growing at approximately 50,000 people per year and they will need more water and you will see less water to river flow of what we see today.

City Manager Talbot thought it was an important point that needed to be brought to the Council's attention and what it could mean for our city.

Mayor inquired on Austin becoming resource limited and Mayor Pro-Tem Beal added that if they did, there would be enough water for the basic population. City Manager Talbot stated that anything beyond 40% reuse will require

TCEQ approval. That is the maximum they can withdraw. Mayor Pro-Tem Beal stated any additional percentage of use would result with lawsuits being filed because water rights will be affected and there are senior water rights.

City Manager Talbot referenced page #24 which reflected cleanup options and stated that the Council Members review at their leisure. Pages #30-31 reflected the pros and cons of the values and Mr. Dwyer's comments had been added to the supplemental.

City Manager reviewed the next few tabs, pages #32-66 and reviewed the alternative options for the Council Members to study and consider. He suggested that the Council consider scenario #2 reflected on page #47; the Water Demand Projections Report as provided by CH2MHILL. An important part of this scenario was based on conversation. Water use efficiency is an increasingly important component of our water supply and efficient water use can reduce operating costs associated with treatment, transmission and can often defer facility and water supply expansions.

In reference of page #48, City Manager added that the Water Analysis report also reflected the TCEQ Maximum Contaminant level for element for each of the well options the Council Members were considering. Mayor Orr stated that all the individual elements are being met at all of the wells. Mayor Pro-Tem Beal stated that means that all these supplies meet water standards; City Manager Talbot confirmed that we are required to meet the TCEQ standards. Mayor Orr inquired what was TDS is on our deep well and City Manager stated it was 890 – 910. Mayor added that what he was getting at is that the City is successful in meeting the requirements.

City Manager referenced page #63-64 in comparison on well production of Ingram which has 2 wells; 1 at 1,000 gallons per minute and 1 at 300 gallons per minute for 16 hours a day equals to 1,248,000 gallons per day. While XS Ranch 1 well will produce 1,500 gallons per minute for 16 hours a day equals to 1,440,000 gallons per day with a difference of 192,000 gallons per day.

PRELIMINARY Subject To Change Date

At Council Member DeLaRosa request, the rate increases have been reflected on page #67. The increases are provided for fiscal year 2014-2019 for the following options, and added that in 2014 the rates were not increased.

	2016	2017	2018	2019
Option 1 XS Ranch	3.5	5.8	8.7	7.5
Option 2 XS Ranch/Ingram	4.0	5.5	8.7	7.8
Option 3 XS Ranch /LCRA	4.0	5.3	8.7	7.8

City Manager Talbot provided the City Council Member options of paying cash oppose to a debt service.

Mayor asked if they considered Option 2 could it be part of the general Fund. City Manager Talbot stated that the Council agreed to issue Certificates of Obligation to assist with this project. He added that he wanted to commend the Council Members on issuing the Certificates of Obligation because it's one of the best decision the Council has ever made.

Council Member McAnally took a moment to thank City Manager Talbot for recommending the Council issue to the Certificates of Obligation.

Mayor Orr stepped out at 7:35 pm

Mayor Pro-Tem Beal got the attention of the AQUA representatives and informed them that Council Member McAnally had made a comment they needed to hear.

Council Member McAnally advised the AQUA Representatives that the City of Bastrop would like to work with them but it's a bit late in this situation.

Mayor returned to the meeting at 7:37 pm

Council Member DeLaRosa requested City Manager Talbot revisit page #48 in efforts to provide additional clarification. He expressed concern on the limit of containments at the various wells. City Manager Talbot offered a detailed explanation of the Water Quality Analysis report.

Mayor Pro-Tem Beal stated that if Bob Bryant and Ingram go out so immediately we would need to get another supply. If XS Ranch sold water to someone else, we could go to that person or LCRA and AQUA.

City Manager Talbot stated that over the next 10 years we need to make plan to be prepared and not wait for it to happen.

Mayor Pro-Tem Beal stated that the AQUA Water Supply Corporations Engineers can quickly determine this data and they can quickly determine the costs on all of the options, you can determine if you can be part of these options. We could expand our relationships since there is a physical connection and we could be good neighbors.

AQUA Water Supply General Manager Dave McMurray assured the Council that at 8:00 am their engineers would be evaluating this information for a possible proposal.

Mayor Orr stated he thinks he understood the driving forces that the money spent and values received for water rights. He stated he did not understand Option 3 and the value of LCRA $75,000 a year. Now do I rack that up?

Mayor Pro-Tem Beal attempted to explain that the reason you would reserve 1,000 acre-feet of water form LCRA is in case we need it. It is easier to take an existing contract with LCRA and expand it if you needed more than having nothing in place. If you want to do anything, you could do whatever you could do for the future design of the rate if the alluvial well went out. This was specifically driven to have a secured supply, and the thought process was we would have the water if the water ran out. His thought process was that they keep 1,000 acre-feet reservation in place until we reach that point.

Mayor Orr added that we would have a 3rd option, a 3rd source that we could consider with the LCRA option.

Bluebonnet Electric General Manager Mark Rose stated it was a unique thing with LCRA is that they are willing to dedicate to the City of Bastrop up to 3,000 acre-feet of water from the Sam Gideon Plant. He stated that he agreed with what Mayor Pro-Tem Beal had stated.

PRELIMINARY
Subject To Change
Date

He continued to state that there's something really scary about all of this; what people are really not talking about is how significant Austin's water demand really is. It's not really the drought - its Austin's growth. Hearing the projections that Austin using he 142,000 acre-feet of water and by 2040 that is estimated to be at 260,000 acre-feet of water and we need to consider the impact changes. Other counties are negotiating with other sources and we need to understand it's all the same water. He added that we needed to do everything we could.

Council Member McAnally stated that we needed to drill for water too and Mayor Pro-Tem Beal added that that's what these options are.

Bluebonnet Electric General Manager Mark Rose stated that he supports XS Ranch which is a 500 foot well you may see the water table go down by 200 feet if you consider state restrictions. You need to look at the depth of the wells, the water quality and the cost per acre-foot. But the most important factor is how it affects the rate payer. AQUA has a lot of 500 foot wells, but the best wells in the county are with LCRA. The good thing is you can reserve the water with LCRA if you wanted to.

Mayor Terry Orr stated LCRA makes sense, 10 years at $75,000 = $750,000 and to drill a well is $800,000. It's a pretty good and cheap insurance water policy for having access to water in our efforts to expand. He stated he struggles with the $75,000 a year but understands that its money pretty well spent.

Council Member McAnally stated that we needed to consider the City's water needs for the next 50 years, but we can't see an unknown.

Council Member DeLaRosa expressed his concern about the costs and how this could cause a rate increase for our citizens. He reminded the Council Members that the drop date for their decision was at the City Council Meeting scheduled for April 8th or at the latest the City Council Meeting on April 22nd, 2014.

Mayor Orr stated he can't confirm that, but stated that their "Goal Date" was on April 8th, 2014.

City Manager Talbot stated that water is so precious and we need to consider and look into every option.

Council Member Jackson added that he needed to be a quick study and catch up on the issue; weighing pros and cons of the various options and he has not yet made up his mind. He has been listening to the City Manager and invited AQUA to meet with him and discuss their offer.

Council Member McAnally thanked Public Works Director Trey Job for his letter to the Council Members.

2. REVIEW AND DISCUSSION REGARDING THE REVISED FIVE (5) YEAR WATER/WASTEWATER CAPITAL IMPROVEMENT PROGRAM.

3. **DISCUSSION AND EVALUATION OF ANY AND ALL MATTERS RELATED TO THE CITY'S UTILITIES, INCLUDING BUT NOT LIMITED TO: (A) CURRENT AND FUTURE PROVISION OF WATER/WASTEWATER AND ELECTRIC SERVICE TO THE CITIZENS OF THE CITY AND IN THE EXTRATERRITORIAL JURISDICTION, (B) THE PROTECTION AND PRESERVATION OF FUTURE WATER AND ELECTRIC RESOURCES, OPERATIONS, COMPETITIVE MATTERS, POTENTIAL UPGRADES, PLANNING, AND (C) THE RESOLUTION OF UTILITY ISSUES AS THEY ARISE.**

Mayor Orr entered into Executive Session at 8:05 pm; he thanked everyone in attendance and thanked the City Council Members for their participation. He took a moment to thank City Manager Talbot for the material her presented which was pertinent to the items that needed to be addressed.

C. **THE BASTROP CITY COUNCIL WILL ADJOURN THE UTILITY WORKSHOP SESSION AND RECONVENE BACK INTO SPECIAL UTILITY MEETING AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE SPECIAL UTILITY WORKSHOP NOTED HEREIN.**

At 8:00pm, Mayor Terry Orr reconvened back into the Special Utility Meeting. No action was taken.

D. **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(S) **551.071(1) (A)** and **551.071 (2)** - Consultation(s) with Attorney: (1) Threatened and/or contemplated litigation, and (2) Matters upon which the attorney has a duty and/or responsibility to report to the governmental body.

At 8:05pm, Mayor Terry Orr read the above agenda caption and convened into Executive Session.

E. **THE BASTROP CITY COUNCIL WILL RECONVENE INTO THE SPECIAL UTILITY MEETING TO DISCUSS, CONSIDER, AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE EXECUTIVE SESSION NOTED HEREIN, OR REGULAR AGENDA ITEMS, NOTES ABOVE, AND/OR RELATED ITEMS.**

At 9:00 pm, Mayor Orr reconvened into the Special Utility Meeting. No action was taken.

F. **ADJOURN** - Council Member Willie DeLaRosa made the motion to adjourn the meeting. Seconded by Council Member Kay Garcia McAnally, meeting adjourned at 9:01 pm.

APPROVED: _____
Terry Orr, Mayor

ATTEST: _____
Elizabeth Minerva Lopez, City Secretary

PRELIMINARY
Subject To Change
Date _____

CITY OF BASTROP **AGENDA ITEM** **A-2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: **April 8, 2014**
MEETING DATE: **April 22, 2014**

1. Agenda Item: Consideration & Discussion and possible Action on the **SECOND READING** to AMEND an ORDINANCE in the City Code Appendix A: **FEE SCHEDULCE; Article A4.10 VEHICLE TOWING.**

2. Party Making Request: **Michael H. 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: _____

9. Advisory Board: _____Approved _____Disapproved _____None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

ORDINANCE NO. 2014-5

AN ORDINANCE AMENDING CITY CODE APPENDIX A: FEE SCHEDULE; ARTICLE A4.10 VEHICLE TOWING, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop ("City"), in conjunction with the City of Bastrop Police Department, has determined that the maximum fees for nonconsent tows should be adjusted in accord with industry standards, and that such fee, as adjusted, are necessary and appropriate at this time.

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

PART 1: That Article A4.10 "Vehicle Towing" in Appendix A: Fees of the City Code shall be, and it is hereby, amended as follows:

Sec. A4.10.011 Fees for nonconsent tows

(a) Maximum towing fees:

(1) Regular towing charge (for vehicles not requiring the use of heavy-duty wrecker) for vehicles 10,000 pounds or less: $150.00.

(2) If medium duty or heavy-duty wrecker is used to tow vehicles in excess of 10,000 pounds: $300.00.

(b) The following additional fees may be charged if verified by the peace officer in charge of the accident scene:

(1) Exceptional labor such as clearing debris: $75.00 per hour. Exceptional labor does not include normal hook-up procedure or routine cleanup not to exceed 30 minutes, and does not include the disposal of classified hazardous waste or vehicle cargo.

(2) Winching, one-hour minimum, only if normal hook-up is not possible because of conditions or location of vehicle: $75.00 0 per hour.

(3) Wait time: $ 35.00 per hour, if it exceeds 30 minutes from time of arrival at the accident scene.

(4) Flat fee of $100.00 per hour for use of medium duty or heavy-duty wrecker, if it exceeds 30 minutes from time of arrival.

(5) If an additional operator is required to complete a tow, the second operator may charge a fee of $35 an hour. When possible, a single tow operator shall be utilized by towing companies.

(c) These fees shall be all-inclusive, and there will be no additional charge to a vehicle owner. If there is a dispute regarding the appropriate fees, the chief of police shall make a determination of the correct charges for the services provided. These maximum fees apply only to nonconsent towing services. Consensual towing service fees are not regulated by the city.

(d) Towing fee Study: towing company(ies) requesting a towing fee study from the City shall deposit with the City Manager $500.00 prior to the City beginning the study.

PART 2: This amendment to Appendix A: Fee Schedule supersedes any contrary provisions previously adopted by the Council. Any provisions of Appendix A of the Code of the City of Bastrop 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** the 8th day of April, 2014.

PASSED AND ADOPTED on **SECOND READING** this 22nd day of April, 2014.

_____
Terry Orr, Mayor

ATTEST:

_____
Elizabeth Lopez, City Secretary

APPROVED AS TO FORM

_____
Jo-Christy T. Brown, City Attorney

CITY OF BASTROP **AGENDA ITEM A-3**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 8, 2014
MEETING DATE: April 22, 2014

1. Agenda Item: Consideration, discussion and possible action on the **SECOND READING** of a proposed Ordinance of the City Council of the City of Bastrop, Texas to grant a Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street being +/- 0.3030 acres Building Block 5, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas; setting out conditions; and providing an effective date.

2. Party Making Request: **Melissa McCollum, Director of Planning and Development**

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**

8. Staff Recommendation: Staff recommends approval of the Conditional Use Permit (CUP) to allow a Bed and Breakfast in an existing single family home within the SF-7, Single Family residential district with conditions that no more than 3 rooms to be rented at any given time and the business must comply with all zoning regulations and noise ordinance and no outdoor activities after 10:00PM.

9. Advisory Board Recommendation: XX Recommended Approval __Recommended __None
   The Planning and Zoning Commission conducted a public hearing on March 27, 2014 and voted unanimously 8-0 to recommend approval of the Conditional Use Permit (CUP) to allow a Bed and Breakfast in an existing single family home within the SF-7, Single Family residential district provided the following conditions are met:
   - No more than 3 rooms to be rented at any given time and the
   - Business must comply with all zoning regulations and noise ordinance and no outdoor activities after 10:00PM.

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

ORDINANCE No. 2014-06

AN ORDINANCE GRANTING A CONDITONAL USE PERMIT TO ALLOW A BED AND BREAKFAST AT 605 WATER STREET BEING +/- 0.3030 ACRES WITHIN BUILDING BLOCK 5, , EAST OF WATER STREET, AN AREA ZONED SF-7, SINGLE FAMILY RESIDENTIAL LOCATED WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Daryl and Kim Vercande (hereinafter referred to as the "Applicant"), filed a request for a Conditional Use Permit on February 18, 2014 to allow a Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street being +/- 0.3030 acres within building Building Block 5, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas as shown on Exhibit "A"; and

WHEREAS, pursuant to Section 36.2 of the Use Charts within the Zoning Ordinance of the City of Bastrop, Texas; and

WHEREAS, pursuant to Section 33 of the City's Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held on March 27, 2014, by the Planning and Zoning Commission (hereinafter referred to as the "Commission") regarding the Applicant's request for a Conditional Use Permit; and

WHEREAS, following a public hearing on March 27, 2014 and consideration of the evidence and testimony presented therein, the Commission recommended approval of the Applicant's request for a Conditional Use Permit, subject to certain conditions set forth herein; and

WHEREAS, pursuant to Section 33 of the Zoning Ordinance of the City of Bastrop, Texas, a public notice has been given, and a public hearing was held April 8, 2014, by the City Council regarding the request for a Conditional Use Permit by the Applicant; and

WHEREAS, after consideration of the information presented, City Council finds that it is in the public interest to approve the requested Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street, subject to conditions noted herein.

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

Part 1: The Conditional Use Permit requested by Daryl and Kim Vercande to allow a Bed and Breakfast at 605 Water Street being +/- 0.3030 acres within Building Block 5, east of Water Street an area zoned SF-7, Single Family Residential located within the city limits of the City of Bastrop, Texas , is hereby approved, subject to compliance with the following conditions:

1. No more than 3 rooms to be rented at any given time.
2. Business must comply will all Zoning Regulations and Noise Ordinance
3. No outdoor activities after 10:00 PM

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

READ and ACKNOWLEDGED on **FIRST READING** on the 8th day of April, 2014.

READ and APPROVED on the **SECOND READING** on the 22nd day of April, 2014.

APPROVED:

Terry Orr
Mayor

ATTEST:

Elizabeth Lopez
City Secretary

City of Bastrop

Agenda Information Sheet:

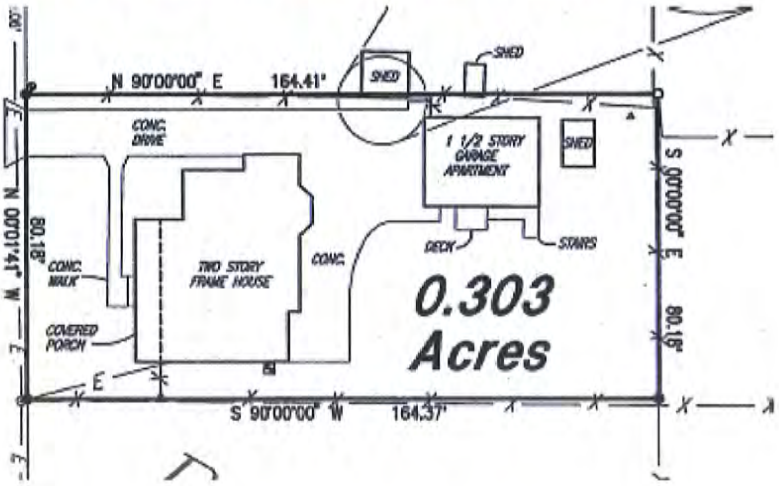
City Council Meeting Date: April 8, 2014
CUP 14-01:

Public Notice Description:
Discussion, consideration and possible action on a request for a CUP, Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street. The property consists of +/- 0.3030 acres within Building Block 5, East of Water Street an area zoned SF-7, Single Family Residential, within the city limits of Bastrop, Texas.

Item Summary:

Owner/Applicant:	Daryl and Kim Vercande
Location:	Located in the City Limits
Utilities:	City water, sewer, and electric
Zoning:	SF-7, Single Family-7
Land Use Plan:	Single Family Residential

Existing lot 0.303 acres (CUP for Bed and Breakfast)

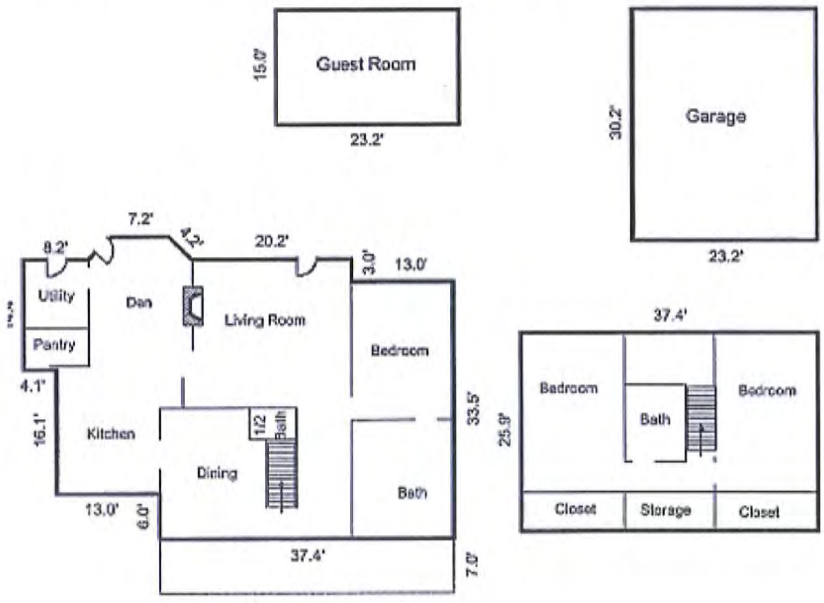


Background/Request:
The 0.303 acre lot is zoned SF-7, Single Family Residential -7 and contains an existing home.

The owner/applicant is applying Conditional Use Permit (CUP) in accordance with Section 36.2 and Section 33 of the Zoning Ordinance, as requested by Daryl and Kim Vercande, to utilize their existing occupied home for a Bed and Breakfast facility. They are proposing three rooms to potentially be rented and have enough parking within their current lot.

Google StreetView of the existing Single Family Home

Building Sketch/layout of the Home at 605 Water Street



The following are the code sections that apply to the proposed Conditional Use Permit (CUP) for A Bed and Breakfast Facility.

SECTION 36.2

Legend for interpreting the Schedule of Uses

X Designated use permitted in District

Designated use prohibited in District

C Use may be allowed with a Conditional Use Permit

Primary Residential Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
Bed and Breakfast Inn or Facility	X	C	C	C	C	C	C	X	X		X	X	X	X		X	X	X			X	

38.6 PARKING REQUIREMENTS BASED ON USE:

5. Bed and breakfast facility: One (1) space per guest room in addition to the requirements for a normal residential use. The type of pavement for the required parking can be similar to what exists for the home. If cement the additional parking must be cement, if gravel the additional parking can be gravel, etc.

A-3
DEFINITIONS

35. *BED AND BREAKFAST INN OR FACILITY* - a dwelling occupied as a permanent residence by an owner or renter which serves breakfast and provides or offers sleeping accommodations in not more than four (4) rooms for transient guests for compensation.

33.2 ***CONDITIONAL USE PERMIT REGULATIONS:***

A. In recommending that a Conditional Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested CUP, the Planning and Zoning Commission and City Council may consider the following:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;

2. The activities requested by the applicant are normally associated with the permitted uses in the base district;

3. *The nature of the use is reasonable;*

4. *Any negative impact on the surrounding area has been mitigated;*

5. *That any additional conditions specified ensure that the intent of the district purposes are being upheld.*

B. *In granting a Conditional Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a Certificate of Occupancy may be issued by the Building Official for use of the building on such property pursuant to such Conditional Use Permit and such conditions precedent to the granting of the Certificate of Occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.*

C. *No Conditional Use Permit shall be granted unless the applicant, owner and grantee of the Conditional Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Conditional Use Permit, as attached to the site plan drawing (or drawings) and reviewed by the Planning and Zoning Commission and approved by the City Council.*

D. *A building permit or Certificate of Occupancy shall be applied for and secured within one (1) year from the time of granting the Conditional Use Permit, provided however, that the City Council may authorize an extension. After one (1) year from the date of approval has elapsed, the Planning and Zoning Commission and City Council may review the site plan for compliance. If the site plan is determined to be invalid, the property owner(s) must submit a new or revised site plan for approval prior to any construction or application for building permit for the area designated for the Conditional Use Permit. A public hearing is required for consideration of the new site plan.*

E. *No building, premise, or land used under a Conditional Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Conditional Use Permit is granted for such enlargement, modification, structural alteration, or change.*

Minor changes or alterations may be approved by the Director of Planning.

F. *The Board of Adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Conditional Use Permit.*

G. *When the City Council authorizes granting of a Conditional Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by a "C" designation.*

CUP Criteria:
Staff recommends the Conditional Use Permit, because the Bed and Breakfast will be within the existing single family structure. The use already fits within the existing single family residence and will be owner occupied, and meet all parking requirements.

"City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration (Section 33.2A)"

1. *The use is harmonious and compatible with surrounding existing uses or proposed uses;*
2. *The activities requested by the applicant are normally associated with the permitted uses in the base district;*
3. *The nature of the use is reasonable;*
4. *Any negative impact on the surrounding area has been mitigated;*
5. *That any additional conditions specified ensure that the intent of the district purposes are being upheld.*

Special Considerations: None.

Financial Impact: None.

Comments: Fifteen (15) adjacent property owner notifications were mailed on March 7, 2014, 2012. Two (2) public comments have been received in favor of the proposed CUP.

Staff Recommendation:
Staff recommends approval of the Conditional Use Permit (CUP) to Section 36.2 to the existing single family residence to allow a Bed and Breakfast at 605 Water Street. The commission may apply any additional conditions that they deem necessary.

Planning and Zoning Commission Recommendation:
Connie Schroeder made a motion to recommend approval to Council of a request for a CUP, Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street. The property consists of +/- 0.3030 acre s within Building Block 5, East of Water Street an area zoned SF-7, Single Family Residential, within the city limits of Bastrop, Texas, with the provisions that no more than 3 rooms be rented at any given time, and must comply with all Zoning Regulations and Noise Ordinance, and no outdoor activities after 10:00 pm. Christy Kosser seconded the motion and the motion carried unanimously. Passed 8-0

City Contact:
Melissa M. McCollum, AICP, LEED AP, Director
Planning and Development Department

Attachments:
Letter from property owner, maps, and surrounding property owner responses,

BASTROPTX
Heart of the Lost Pines
Est. 1832
N
Property Location Map for 605 Water Street
Legend
605 Water Street
200' Buffer
Zoning District
SF-7 - Single Family Residential
MF-1 - Multi-Family Dwelling-1
MF-2 - Multi-Family Dwelling-2
O - Office
CBD - Central Business District
C-2 - Commercial-2
Park Land
WATER
PECAN
WALNUT
MAIN
AUSTIN
JEFFERSON
EMILE
COLLEGE
71
71

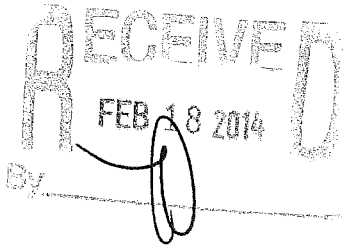
NEIGHBORS AND COUNCIL

MY HUSBAND AND I HAVE RECENTLY BECOME A PART OF THE DOWNTOWN COMMUNITY OF BASTROP, AND WE CAN'T SAY ENOUGH ABOUT HOW MUCH WE HAVE THOROUGHLY ENJOYED ALL IT HAS TO OFFER. WE LOVE ALL THE SHOPS, RESTAURANTS, THE BEAUTIFUL COLORADO RIVER, SUCH A WONDERFUL DRAW FOR BASTROP.

WE OWN AND RESIDE AT 605 WATER STREET, OUR PLANS ARE TO OPEN A SMALL, QUIET, COTTAGE STYLE BED AND BREAKFAST, WITH A BEAUTIFUL YARD AND GARDEN. WE WANT TO CREATE A SERENE PEACEFUL ATMOSPHERE SO OUR GUESTS CAN RELAX AND SPEND TIME IN THE DOWNTOWN AREA. OUR NAME WILL BE 'THE OLD WEATHERED DOOR'. I AM CURRENTLY COLLECTING OLD ANTIQUE DOORS FROM ALL OVER THIS AREA AND THEY ALL WILL TELL A STORY AND BE INCORPORATED IN THE B&B.

WE ARE APPLING FOR A CONDITIONAL USE PERMIT (CUP) FROM THE CITY OF BASTROP. WE WILL MEET ALL THE REQUIREMENTS FOR OWNER OCCUPIED BED AND BREAKFAST FACILITY, AND WE ARE PROPOSING THREE ROOMS TO BE RENTED.

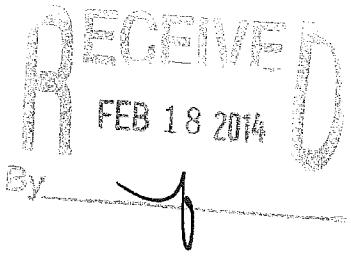
WE WILL HAVE MORE FAMILY AND FRIENDS THAN WE WILL EVER HAVE GUESTS AND NOISE WILL NOT BE AN ISSUE.



PLEASE FEEL FREE TO COME BY IF YOU HAVE ANY QUESTIONS OR TO JUST SAY HELLO WE WOULD LOVE TO MEET ALL OUR NEIGHBORS. AND KEEP US IN MIND IF YOU HAVE THOSE IN-LAWS OR FAMILY MEMBERS YOU MIGHT WANT SOMEONE ELSE TO TAKE OFF YOUR HANDS FOR A WHILE.

THANK YOU FOR YOUR TIME,

DARYL AND KIM VERCANDE /605 WATER STREET/512-6261191



BASTROPTX
Heart of the Lost Pines
Est. 1832
Property Location Map
for
605 Water Street
Legend
200' Buffer
605 Water Street
N
WALNUT
WATER
PECAN
JEFFERSON
MAIN
AUSTIN
EMILE
COLLEGE

NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will hold a public hearing on **Thursday, March 27, 2014**, at 6:00 p.m. and the **Bastrop City Council** will hold a public hearing **Tuesday, April 8, 2014** at 6:15 p.m. first reading and a second reading (not a public hearing) on **Tuesday, April 22, 2014** in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a request for a Conditional Use Permit to allow a Bed and Breakfast at 605 Water Street. The property consists of +/- 0.3030 acre tract within Building Block 5, East of Water Street an area zoned SF-7, Single Family Residential, within the city limits of Bastrop, Texas.

Applicant: Kim Vercande

The property being considered is described as follows:

Legal Description: Building Block 5, East of Water Street

PLEASE SEE ATTACHED SITE LOCATION MAP & LETTER FROM PROPERTY OWNER

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 (512) 332-8840 any time prior to the public hearings.

For additional information, please visit or call the Planning & Development offices.

✂ ---

✂ **PROPERTY OWNER'S RESPONSE**

As a property owner within 200': (please check √ one)

☑ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: Hannibal Lokumbe
Property Address: 609 water St Phone (optional): _____
Mailing Address: 608 Cedar St Bastrop Email (optional): _____
Property Owner's Signature: Hannibal Lokumbe
Comments: (Optional)

Please provide reply to: Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

MAR 18 2014
By

Re: Conditional Use Permit for a Bed and Breakfast at 605 Water Street, notices mailed March 7, 2014

PROPERTY OWNER'S RESPONSE

8

As a property owner within 200': (please check √ one)

☑ I am in favor of the request.
☐ I am opposed to the request.

Property Owner Name: Jason & Jill DiLoreto
Property Address: 802 Austin Street Phone (optional): (512) 988 9002
Mailing Address: 906 Main #134 BATX 78602 Email (optional): _____
Property Owner's Signature: Jill Loreto
Comments: (Optional)
We think it is wonderful!

RECEIVED
MAR 12 2014

Please provide reply to: Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8849

Re: Conditional Use Permit for a Bed and Breakfast at 605 Water Street, notices mailed March 7, 2014

CITY OF BASTROP **AGENDA ITEM: D-1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL **DATE SUBMITTED: April 16, 2014**
MEETING DATE: April 22, 2014

1. Agenda Item: **CONSIDERATION, AND ACTION WITH RESPECT TO A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP,TEXAS, AUTHORIZING PROCEEDING WITH THE ISSUANCE OF CITY OF BASTROP, TEXAS CERTIFICATES OF OBLIGATION; DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND OTHER RELATED MATTERS.**

2. Party Making Request: **Michael H. Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes **X** No _____
Attached for consideration by the City Council is a "Resolution" calling for issuance $ 7,000.000.00 in Certificates of Obligation (CO's) for the FY-14 Water and Wastewater Capital Improvements. Attached for review by the Council's is summary of the allocation of CO's and related materials.

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

McCALL, PARKHURST & HORTON L.L.P.

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

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

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

MEMORANDUM

DATE: April 14, 2014

TO: Traci Chavez, Interim City Secretary

FROM: J. Bart Fowler

RE: City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2014

With respect to the City Council Meeting on April 22, 2014 we recommend the following agenda language:

> Consideration and action with respect to "A Resolution by the City Council of the City of Bastrop, Texas, Authorizing Proceeding with the Issuance of City of Bastrop, Texas Certificates of Obligation; Directing Publication of Notice of Intention to Issue Certificates of Obligation; and Other Related Matters."

Please do not hesitate to call with any questions.

cc: Mike Talbot
Karla Stovall
Dan Wegmiller
Jennifer Douglas
Carol Polumbo

RESOLUTION NO. 2014-____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING PROCEEDING WITH THE ISSUANCE OF CITY OF BASTROP, TEXAS CERTIFICATES OF OBLIGATION; DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND OTHER RELATED MATTERS

WHEREAS, the City Council of the City of Bastrop, Texas (the "City") is authorized to issue various types of debt obligations for public purposes as authorized by law and the City's home-rule charter; and

WHEREAS, the City Council deems it advisable to give notice of intention to issue certificates of obligation ("Certificates") of the City, as hereinafter provided for costs incurred or to be incurred for (i) constructing, improving, extending and/or expanding the City's water and wastewater system including equipment, vehicles, additional water supply well and related pipeline and improvements for storm water drainage and detention and related roadway improvements; (ii) constructing improvements and upgrading the City's electric system including equipment and vehicles; and (iii) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation; and

WHEREAS, it is officially found and determined that the meeting at which this resolution has been considered and acted upon was open to the public and public notice of the time, place and subject of said meeting was given, all as required by Tex. Gov't Code Ann. Ch. 551; Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP:

Section 1. **Form of Notice.** Attached hereto is a form of "Notice of Intention to Issue Certificates of Obligation," (the "Notice") the form and substance of which are hereby adopted and approved.

Section 2. **Publication of Notice.** The Notice shall be published, in substantially the form attached hereto, in a newspaper, as defined in Tex. Gov't Code Ann. §2051.044, of general circulation in the City, once a week for two consecutive weeks, the date of the first publication thereof to be before the 30th day before the date tentatively set for passage of the ordinance authorizing the issuance of such Certificates.

Section 3. **Attorney General Fee.** The City Council hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of obligations being issued or (ii) $9,500 for each series, provided that such fee shall not be less than $750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the Certificates and general obligation bonds, respectively.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon adoption. The Mayor and City Secretary are hereby authorized and directed to execute this Resolution on behalf of the City and the Mayor and City Manager are hereby authorized to do any and all things proper and necessary to carry out the intent of this Resolution.

PASSED, APPROVED AND EFFECTIVE this April 22, 2014.

_____
Mayor, City of Bastrop, Texas

ATTEST:

_____
City Secretary, City of Bastrop, Texas

[CITY SEAL]

APPROVED AS TO FORM:

_____
City Attorney, City of Bastrop, Texas

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Bastrop, Texas, at its meeting to commence at 6:15 P.M. on May 27, 2014, at its regular meeting place in the Council Chamber of City Hall, 1311 Chestnut Street, Bastrop, Texas 78602, tentatively proposes to authorize the issuance of interest bearing certificates of obligation of said City in a total maximum principal amount not exceeding $7,000,000, for the public purpose of paying contractual obligations incurred or to be incurred for: (i) constructing, improving, extending and/or expanding the City's water and wastewater system including equipment, vehicles, additional water supply well and related pipeline and improvements for storm water drainage and detention and related roadway improvements; (ii) constructing improvements and upgrading the City's electric system including equipment and vehicles; and (iii) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation. The City presently proposes to provide for the payment of the certificates of obligation by the levy of ad valorem taxes, within the limit prescribed by law, and a limited pledge of not to exceed $1,000 of surplus revenues of the City's water and wastewater system.

TERRY ORR
Mayor, City of Bastrop, Texas

CITY OF BASTROP
FIVE (5) YEAR
CAPITAL IMPROVEMENTS PROGRAM
WATER AND WASTEWATER FUND
ELECTRIC FUND
APRIL 15, 2014
REVISED

SUMMARY
CERTIFICATE OF OBLIGATIONS
TO BE ISSUED ON
APRIL 22, 2014
(FY-14)

1. WATER PROJECT		$ 5,225,000
2. WASTEWATER PROJECT		$ 675,000
3. BP&L PROJECT		$ 1,000,000
	TOTAL	$ 6,900,000

BREAKDOWN:

WATER:	Water System Rehab	$ 500,000
	AMI Project	$ 850,000
	VAC Truck	$ 75,000
	Infrastructure water supply	$3,800,000
	SUB-TOTAL	$5,225,000
WASTEWATER:	WW System Rehab	$ 500,000
	WWTP – Phase I	$ 100,000
	VAC Truck WW portion	$ 75,000
	SUB-TOTAL	$ 675,000
ELECTRIC:	AMI Project	$ 850,000
	VAC Truck	$ 150,000
	SUB-TOTAL	$1,000,000
COST TO ISSUE BONDS AND CONTINGENCY		$ 100,000
	TOTAL:	$7,000,000

WATER & WASTEWATER FUND

PRELIMINARY REVISED

5 YEAR WATER SYSTEM CAPITAL IMPROVEMENT PROJECTS

APRIL 7, 2013

CAPITAL IMPROVEMENT PROJECTS	2013	2014	2015	2016	2017	2018
Water System Rehabilitation	500,000	500,000	500,000	500,000	500,000	500,000
Simsboro - Testing - Additional Water						
Water System River Crossing						
AMI Project		850,000				
Elevated Tank West Side					2,200,000	
Riverwood Addition						760,000
Water Line Projects - additional funding for construction of the transmission water-line from new water supply location	324,308					
HMG Fund Match for new generators at the Loop 150 Tank Yard and Willow Street Water Plant	150,000					
VAC Truck		75,000				
SUB-TOTAL	**974,308**	**1,425,000**	**500,000**	**500,000**	**2,700,000**	**1,260,000**
ADDITIONAL WATER SUPPLY						
Development of Additional Water Supply	550,000					
Infrastructure for Water Supply		3,800,000				
SUB-TOTAL	**550,000**	**3,800,000**				
TOTAL	**1,524,308**	**5,225,000**	**500,000**	**500,000**	**2,700,000**	**1,260,000**

City Council Meeting April 22, 2014 at 6:30 pm

PRELIMINARY REVISED

5 YEAR WASTEWATER SYSTEM CAPITAL IMPROVEMENT PROJECTS

APRIL 7, 2014

CAPITAL IMPROVEMENT PROJECTS	2013	2014	2015	2016	2017	2018
Wastewater System Rehabilitation		**500,000**	500,000	500,000	500,000	500,000
Gills Branch Lift Station Upgrade	985,000					
16 Inch Force main - Gills Branch	617,964					
New Vactor Truck (Multi-Department)	150,000					
WWTP - Phase I		**100,000**				
WWTP - Phase II					100,000	
Force Main Huntes Crossing Lift Station						750,000
WWTP - Phase III						400,000
Riverwood Addition						
Wastewater Main Replacement	192,305					
VAC Truck		**75,000**				
TOTAL	1,945,269	**675,000**	500,000	500,000	600,000	1,650,000
TOTAL COST OF WATER AND WASTEWATER PROJECTS	**3,469,577**	**5,900,000**	**1,000,000**	**3,600,000**	**3,300,000**	**3,000,000**

City Council Meeting April 22, 2014 at 6:30 pm

REVISED
FIVE – YEAR
WATER AND WASTEWATER CAPITAL IMPROVEMENTS PROGRAM
FY-13 THROUGH FY-18
April 8, 2014

WATER PROJECTS

I.	WATER SUPPLY PROJECTS: FY-13:	AMOUNT
1.	Water System Rehabilitation: Installation of new groundwater In-line membrane filtration system for the Willow Park Well Fields.	$500,000.00
2.	Development of Additional Water Supply.	$550,000.00
3.	Water Line Projects: **a.** Partial Funding for the construction of the transmission water-line from new water supply location.	$324,308.00
4.	HMG Fund Match for new Generators at the Loop 150 Tank Yard & Willow Street Water Plant	$150,000.00
	Sub-Total:	$1,524, 308.00*

II.	WATER SUPPLY PROJECTS: FY-14:	AMOUNT
1.	Water System Rehabilitation:	
	a. Replacement of water-main in Farm Street from to Fayette Street to Water Street. (8-inch water-main)	$182,000.00
	b. Replacement of water-main on Water Street from Pine Street to Austin Street. (6-inch	

	water-main)	$80,375.00	
	c. Replacement of water-main on Jefferson Street from Chestnut Street to Emile Street. (6-inch Water-main)	$166,625.00	
	d. Contingency	$71,000.00	
		Sub-Total:	$500,000.00
2.	AMI Project:		$850,000.00
3.	Infrastructure Cost associated with delivery of the new water supply to the City.		$3,800,000.00
4.	VAC Truck (Split with WW)		$ 75,000.00
		Sub-Total	$5,225,000.00

III.	**WATER SUPPLY PROJECTS: FY-15:**		**AMOUNT**
1.	Water System Rehabilitation:		
	a. Replacement of water-main on Pine Street from to Main Street to Haysel Street. (8-inch water-main)	$200,000.00	
	b. Replacement of water-main on Walnut Street from Haysel Street to MLK Street. (8-inch water-main)	$90,000.00	
	c. Replacement of water-main on Wilson Street from Cedar Street to Buttonwood Street. (6-inch Water-main)	$125,000.00	
	d. Replacement of water-main in Alley A from Chestnut Street to Spring Street.	$60,000.00	
	e. Contingency:	$25,000.00	

	Sub-Total	$500,000.00

IV.	WATER SUPPLY PROJECTS: FY-16:	AMOUNT
	1. Water System Rehabilitation:	$500,000.00
	Sub-Total	$500,000.00

V.	WATER SUPPLY PROJECTS: FY-17:	AMOUNT
	1. Water System Rehabilitation:	$500,000.00
	2. Elevated Water Storage Tank on the west side of the City of Bastrop.	$2,200,000.00
	Sub-Total	$2,700,000.00

VI.	WATER SUPPLY PROJECTS: FY-18:	AMOUNT
	1. Water System Rehabilitation:	$500,000.00
	2. Replacement of the water infrastructure in the Riverwood Addition:	$760,000.00
	Sub-Total	$1,260,000.00

TOTAL WATER SUPPLY PROJECTS: $11,709,308.00

WASTEWATER PROJECTS

I.	WASTEWATER PROJECTS FY-13:		AMOUNT
1.	Gills Branch Lift Station Rehabilitation/Upgrade.		$985,000.00
2.	A new wastewater force main from the Gills Branch Lift Station to the Wastewater Treatment Plant. Includes a new divert box at the Wastewater Plant.		$617,964.00
3.	New Vactor Truck (Multi-Department use)		$150,000.00
4.	Wastewater Main Replacement:		
	a. Replace the wastewater main in Walnut Street from Pecan Street to Hill Street.	$85,505.00	
	b. Replace the wastewater main in Walnut Street from the Rail Road Tracks to MLK Street.	$52,800.00	
	c. Replace the wastewater main In Haysel Street from Farm Street to Spring Street.	$54,000.00	
		SUB-TOTAL	$192,305.00
		Sub-Total	$1,945,269.00*

II.	WASTEWATER PROJECTS FY-14:		AMOUNT
1.	Upgrade the Mauna Lift Station.		$127,500.00
2.	Upgrade of the River Lift Station.		$50,000.00
3.	Wastewater Main Replacement:		
	a. Replace the wastewater main in Pine Street from Main Street to Pecan Street.	$80,375.00	
	d. Replace the wastewater main in Spring Street from the Alley to Haysel Street	$242,125.00	
			$322,500.00
4.	Phase I Wastewater Treatment		

	Plant –Study [Expand existing Wastewater Plant or build new Wastewater Plant]		$100,000.00
5.	VAC Truck (Split with Water)		$ 75,000.00
		Sub-Total	$675,000.00

III. WASTEWATER PROJECTS FY-15:

1. Wastewater Replacement and Rehabilitation Projects:

a.	Replace the wastewater main in Farm Street from Fayette Street to Water Street.	$270,000.00	
b.	Replace the wastewater main in Pine Street from the Pecan Street to Hill Street.	$87,500.00	
c.	Replace the wastewater main In Jefferson Street from Spring Street to Farm Street.	$47,000.00	
d.	Contingency	$ 95,500.00	
		Sub-total	$500,000.00

IV. WASTEWATER PROJECTS FY-16 **AMOUNT**

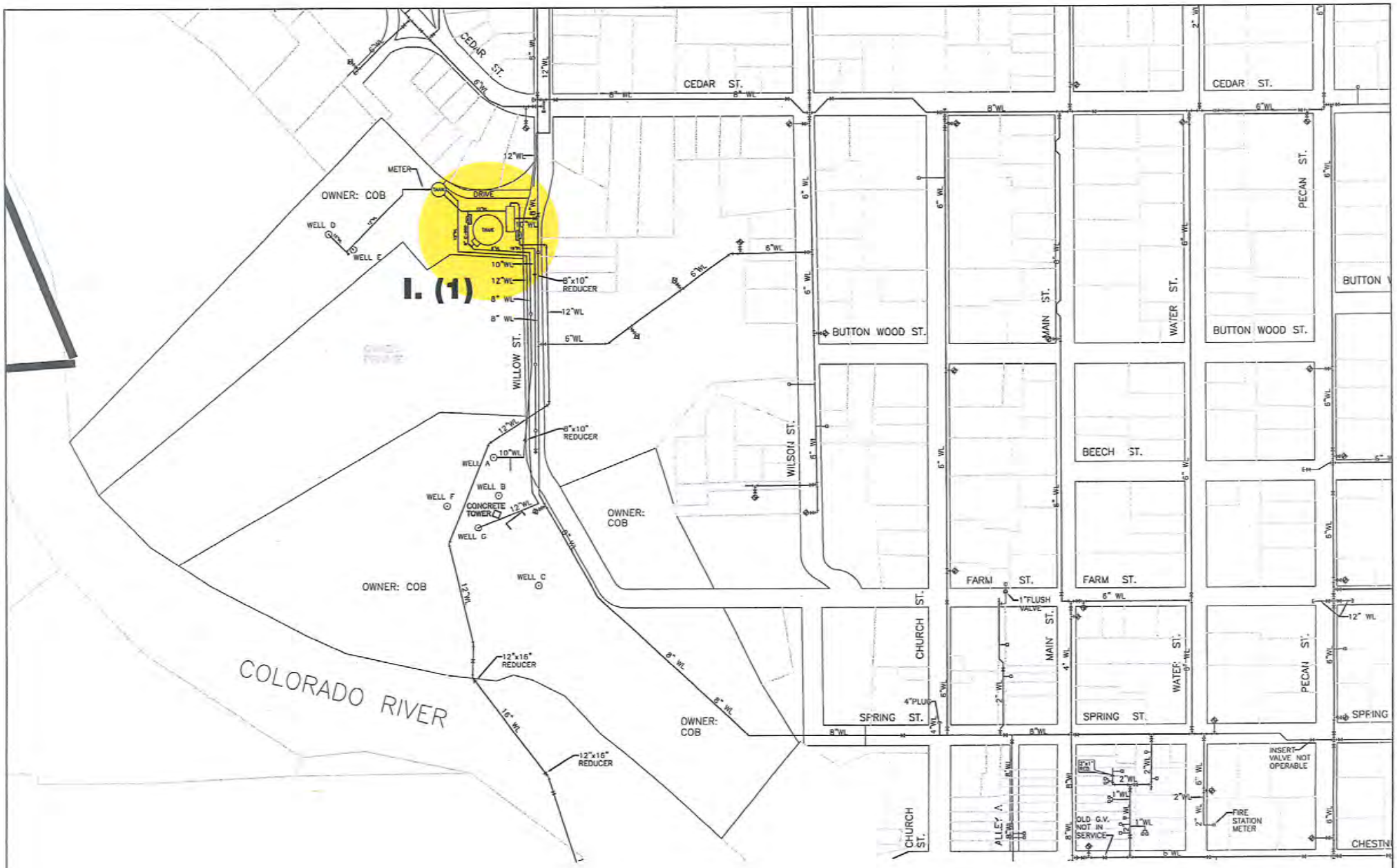
1. Wastewater Replacement and Rehabilitation Projects:

a.	Replace the wastewater main in Jefferson Street from Chestnut Street to Walnut Street.	$116,750.00
b.	Replace the wastewater main in MLK Street from Chestnut Street to Walnut Street.	$112,000.00
c.	Replace the wastewater main In Pine Street from the intersection of Pine Street & S.H. Hwy 95 westward to Gills Branch and north to Chestnut Street.	$150,250.00
d.	Replace the wastewater main in MLK Street from Austin Street to College Street.	$121,000.00

		Sub-Total	$500,000.00
V.	**WASTEWATER PROJECTS FY-17:**		**AMOUNT**
	1. Wastewater Replacement and Rehabilitation Projects:		
	a. Replace wastewater main in Emile Street from Water Street to Pine Street.	$87,745.00	
	b. Replace wastewater main in Water Street from Pine Street to College Street.	$155,000.00	
	c. Contingency	$257,255.00	
		Sub-Total	$500,000.00
	2. Phase II – Wastewater Treatment Plant.		$100,000.00
		Sub-Total	$600,000.00
VI.	**WASTEWATER PROJECTS FY-18:**		**AMOUNT**
	1. Wastewater Replacement and Rehabilitation Projects:		$500,000.00
	2. Phase III Wastewater Treatment Plant.		$400,000.00
	3. Construction of a Force Main from Hunters Crossing Lift Station to Central Lift Station.		$750,000.00
		Sub-Total	$1,650,000.00

TOTAL WASTEWATER WATER PROJECTS: $5,870,269.00

*FY-13 Bonds Issued in October 2013



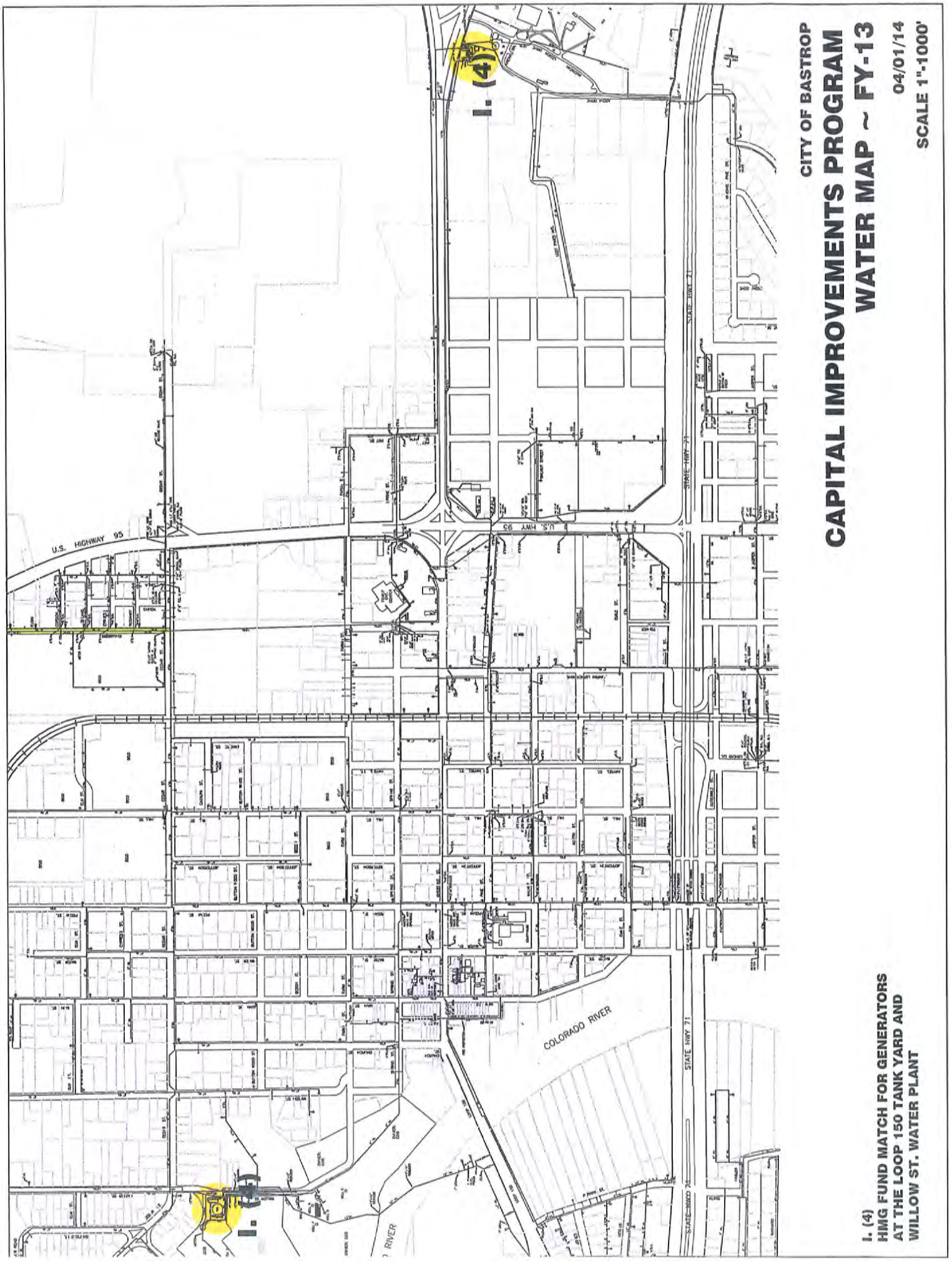
CITY OF BASTROP

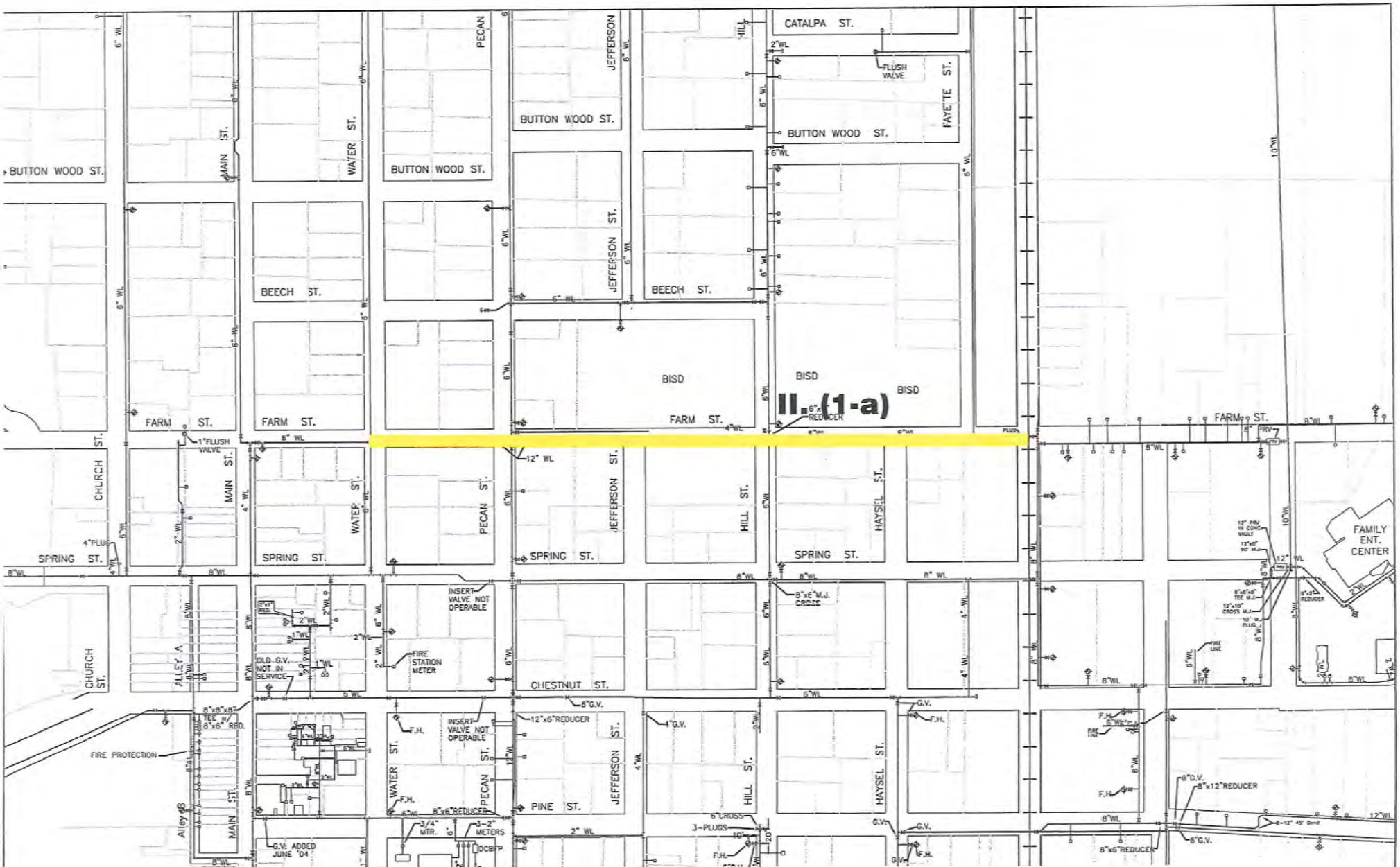
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-13

04/01/14

SCALE 1"-400'

I. (1)
INSTALLATION OF NEW GROUNDWATER IN-LINE MEMBRANE FILTRATION SYSTEM FOR THE WILLOW PARK WELL FIELDS


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-13
04/01/14
SCALE 1"-1000'
I. (4)
HMG FUND MATCH FOR GENERATORS
AT THE LOOP 150 TANK YARD AND
WILLOW ST. WATER PLANT
I. (4)
I.
U.S. HIGHWAY 95
U.S. HWY 95
STATE HWY 71
COLORADO RIVER



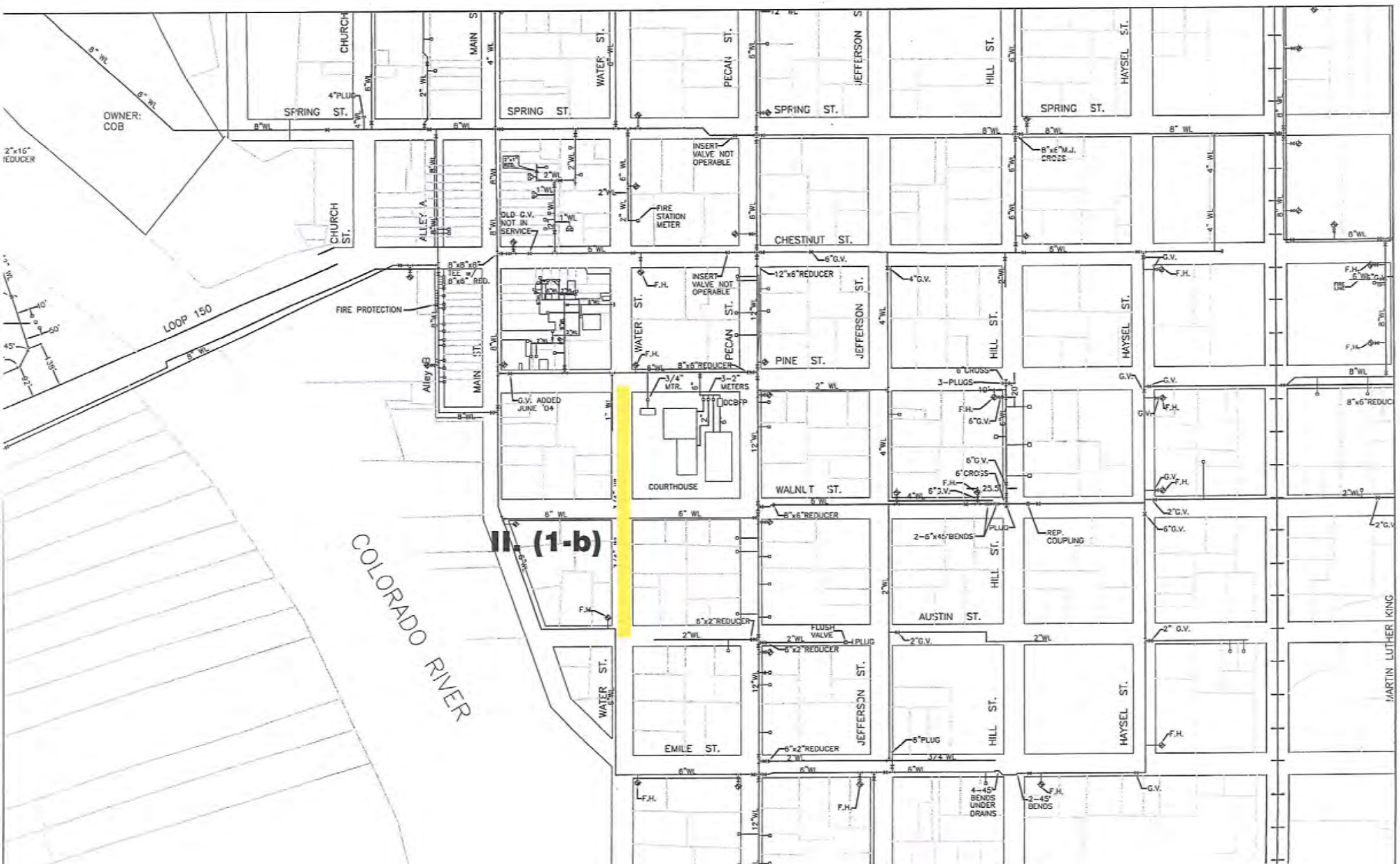
CITY OF BASTROP

CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-14

04/01/14

SCALE 1"-400'

II. (1-a)
REPLACEMENT OF WATER-MAIN IN FARM ST FROM FAYETTE ST TO WATER ST.



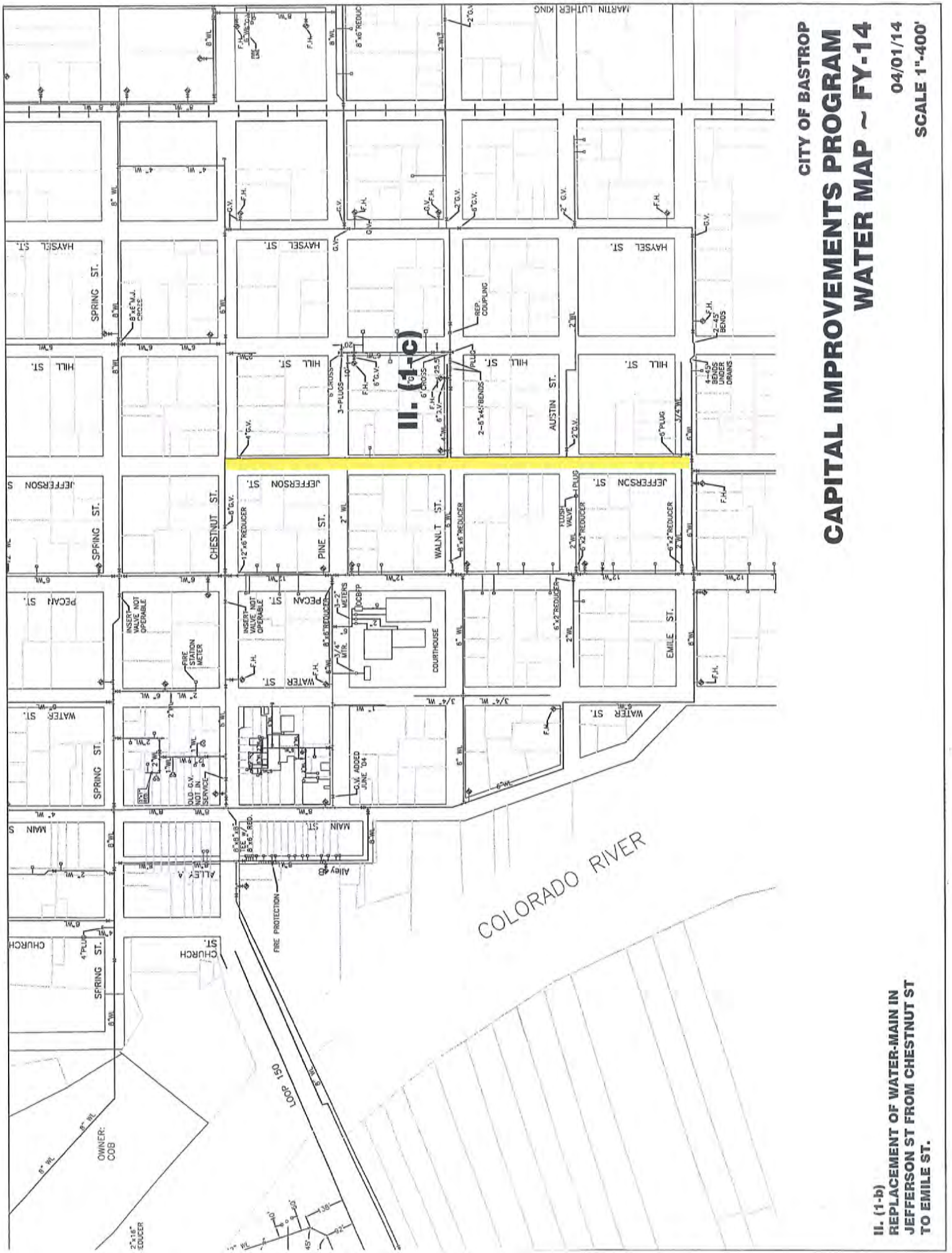
CITY OF BASTROP

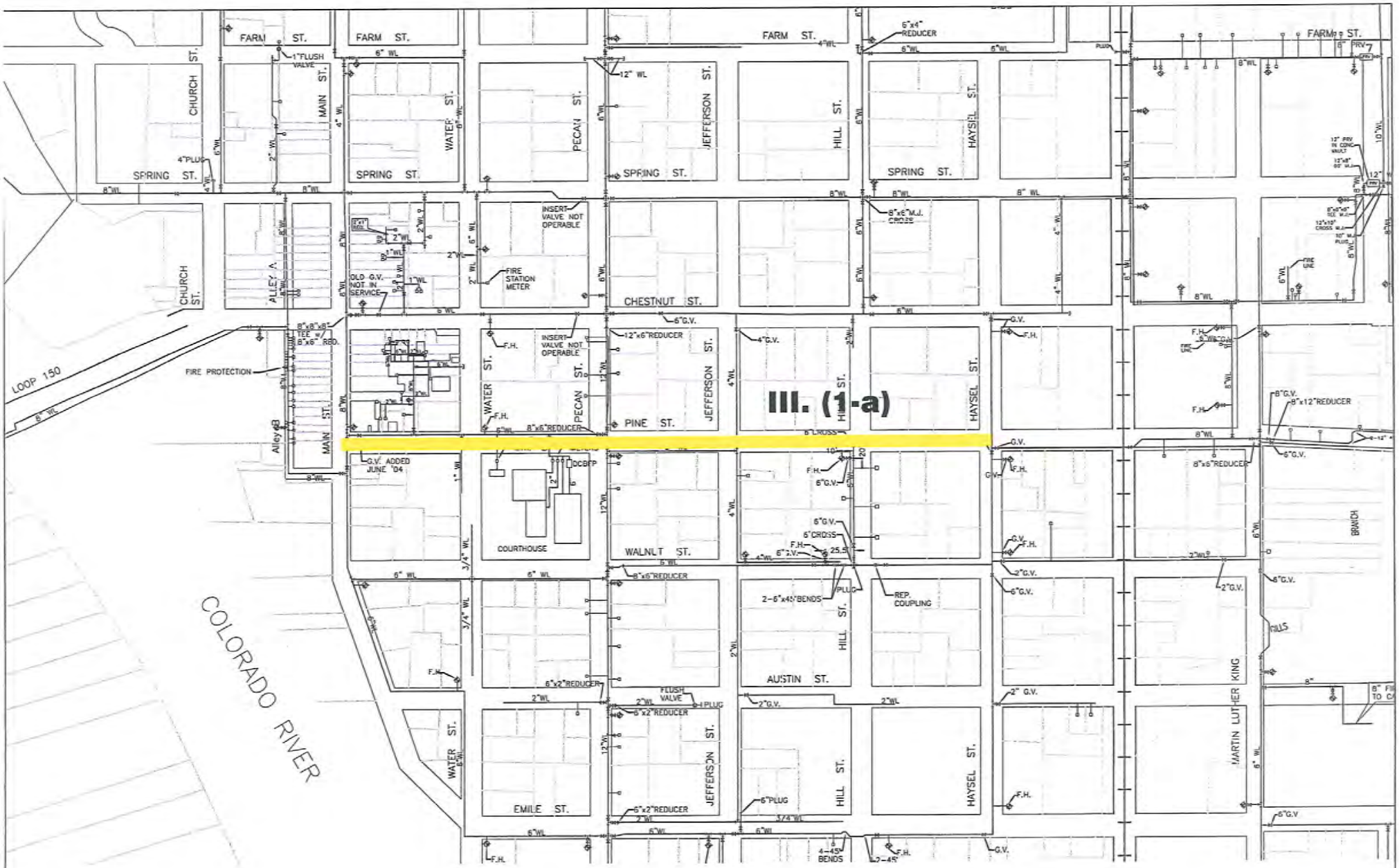
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-14

04/01/14

SCALE 1"-400'

II. (1-b)
REPLACEMENT OF WATER-MAIN IN WATER ST FROM PINE ST TO AUSTIN ST.


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-14
04/01/14
SCALE 1"-400'
II. (1-c)
II. (1-b)
REPLACEMENT OF WATER-MAIN IN JEFFERSON ST FROM CHESTNUT ST TO EMILE ST.
COLORADO RIVER
MARTIN LUTHER KING
HAYSEL ST.
HILL ST.
JEFFERSON ST.
PECAN ST.
WATER ST.
MAIN ST.
CHURCH ST.
SPRING ST.
CHESTNUT ST.
PINE ST.
WALNUT ST.
AUSTIN ST.
EMILE ST.
COURTHOUSE
FIRE PROTECTION
LOOP 150
OWNER: COB



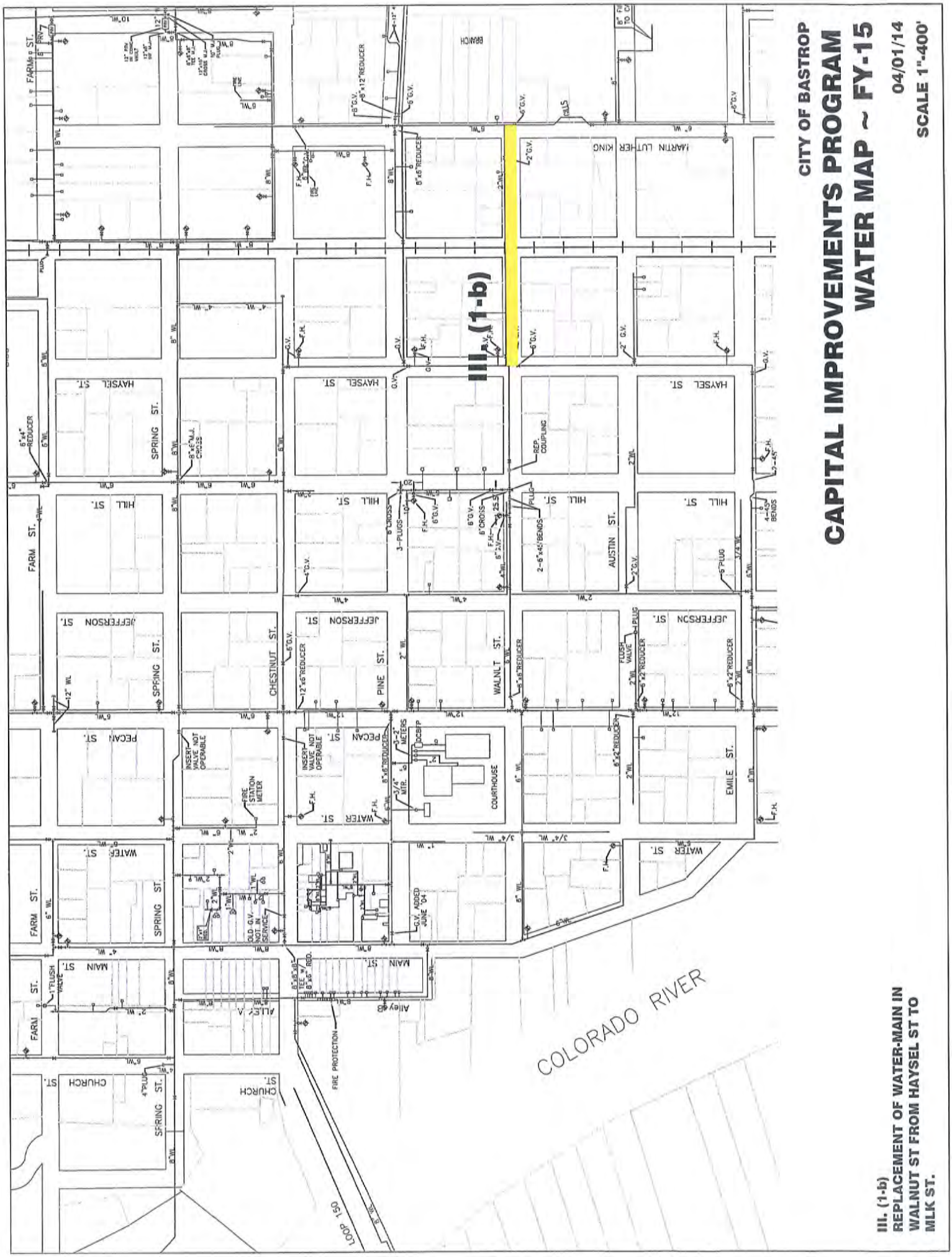
CITY OF BASTROP

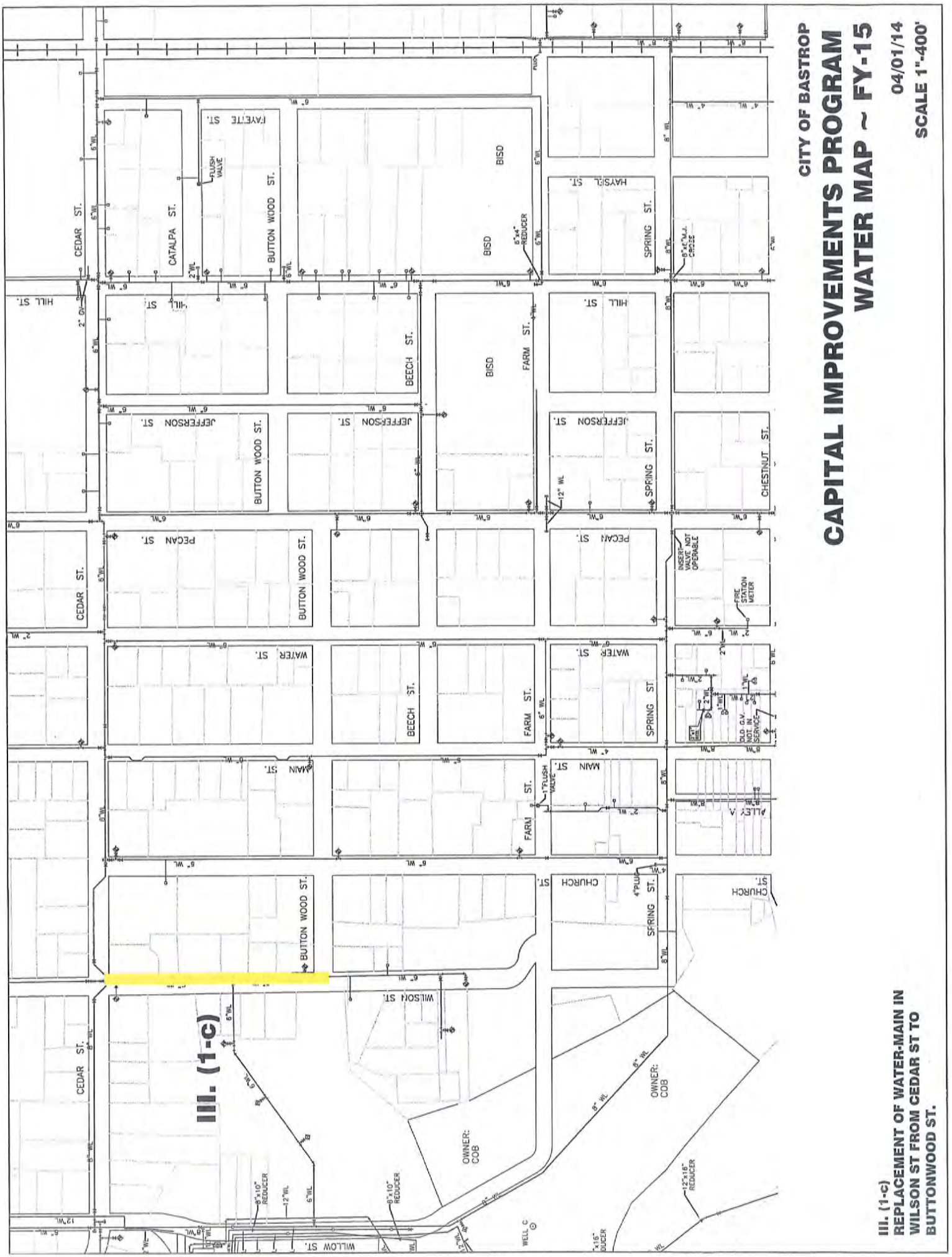
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-15

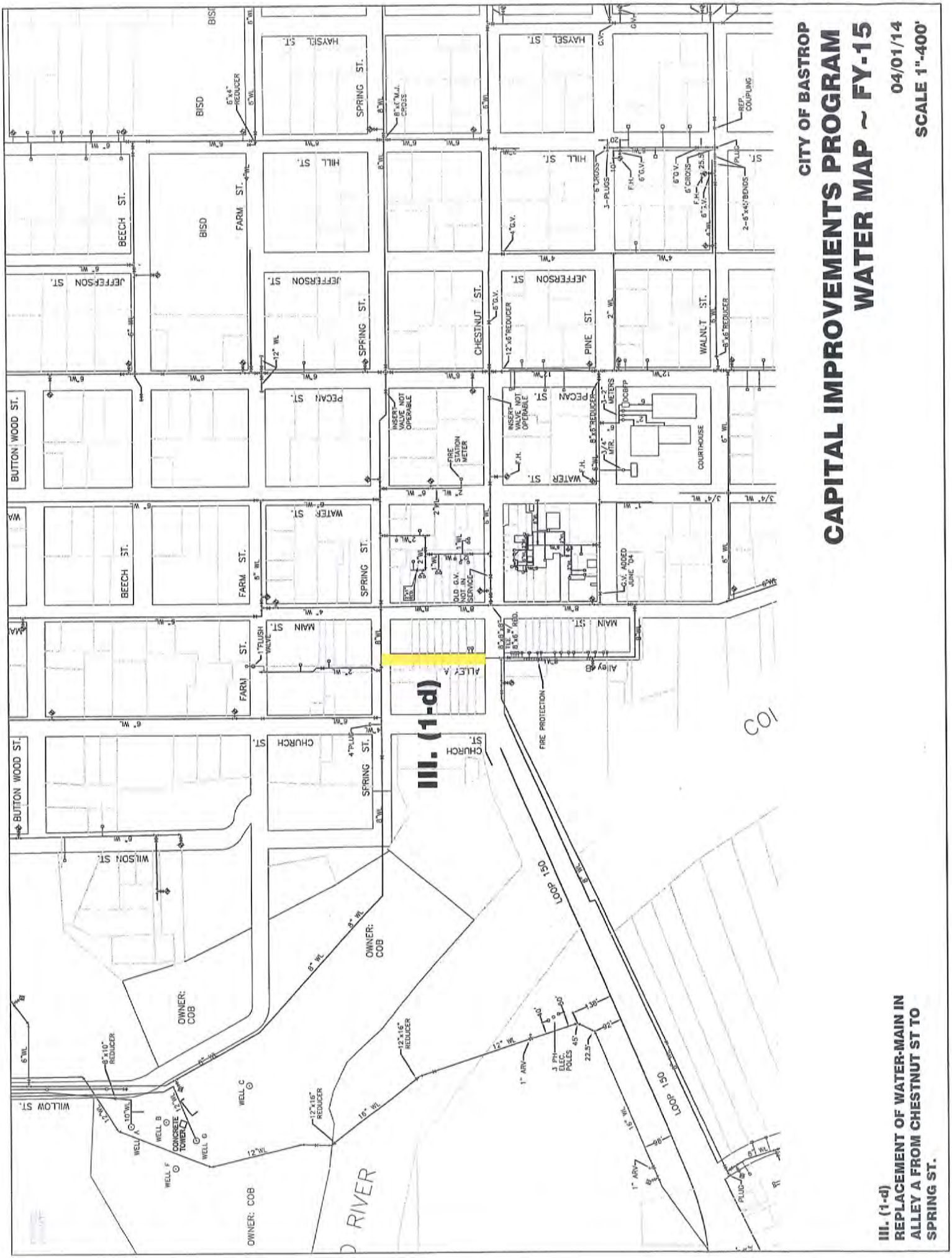
04/01/14

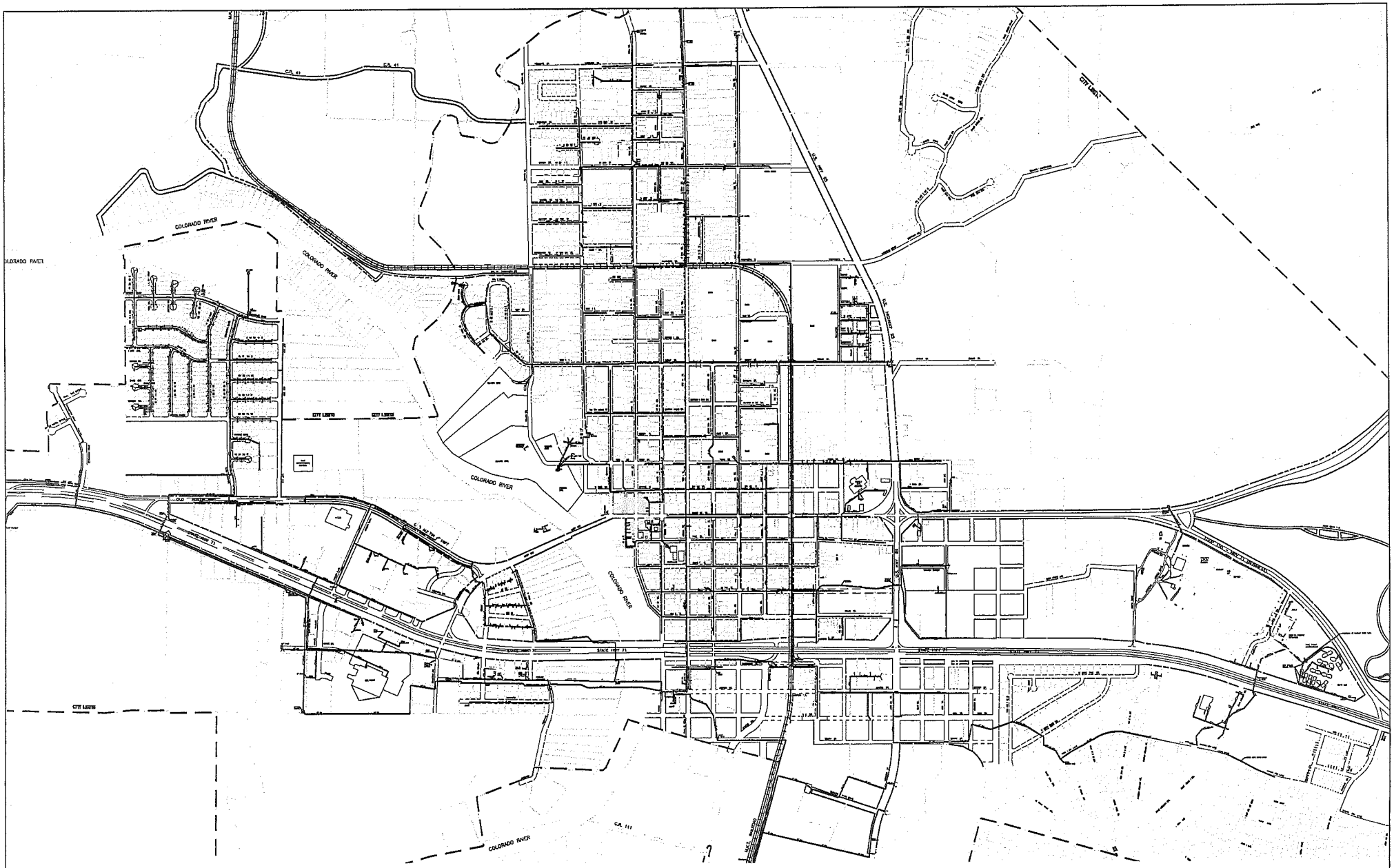
SCALE 1"-400'

III. (1-a)
REPLACEMENT OF WATER-MAIN IN PINE ST FROM MAIN ST TO HAYSEL ST.


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-15
04/01/14
SCALE 1"=400'
III. (1-b)
REPLACEMENT OF WATER-MAIN IN WALNUT ST FROM HAYSEL ST TO MLK ST.
COLORADO RIVER
MARTIN LUTHER KING
HAYSEL ST.
HILL ST.
JEFFERSON ST.
WATER ST.
MAIN ST.
FARM ST.
SPRING ST.
CHURCH ST.
PECAN ST.
CHESTNUT ST.
PINE ST.
WALNUT ST.
AUSTIN ST.
EMILE ST.
COURTHOUSE
FIRE PROTECTION
LOOP 150


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-15
04/01/14
SCALE 1"-400'
III. (1-c)
REPLACEMENT OF WATER-MAIN IN WILSON ST FROM CEDAR ST TO BUTTONWOOD ST.
III. (1-c)
CEDAR ST.
CATALPA ST.
BUTTON WOOD ST.
FAYETTE ST.
FLUSH VALVE
BISD
HAYSEL ST.
SPRING ST.
HILL ST.
BEECH ST.
FARM ST.
JEFFERSON ST.
CHESTNUT ST.
PECAN ST.
INSERT VALVE NOT OPERABLE
FIRE STATION METER
WATER ST.
OLD G.V. NOT IN SERVICE
MAIN ST.
ALLEY A
CHURCH ST.
WILSON ST.
OWNER: COB
WELL C
WILLOW ST.
8"x10" REDUCER
12"x16" REDUCER
6" WL
8" WL
12" WL


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-15
04/01/14
SCALE 1"=400'
III. (1-d)
REPLACEMENT OF WATER-MAIN IN ALLEY A FROM CHESTNUT ST TO SPRING ST.
III. (1-d)
ALLEY A
MAIN ST.
CHURCH ST.
SPRING ST.
FARM ST.
BEECH ST.
BUTTON WOOD ST.
WILSON ST.
WILLOW ST.
HILL ST.
HAYSEL ST.
JEFFERSON ST.
PECAN ST.
WATER ST.
CHESTNUT ST.
PINE ST.
WALNUT ST.
BISD
COURTHOUSE
FIRE STATION METER
INSERT VALVE NOT OPERABLE
OLD G.V. NOT IN SERVICE
G.V. ADDED JUNE '04
FIRE PROTECTION
LOOP 150
OWNER: COB
WELL A
WELL B
WELL C
WELL F
WELL G
CONCRETE TOWER
J PH ELEC. POLES
1" ARV
RIVER



CITY OF BASTROP

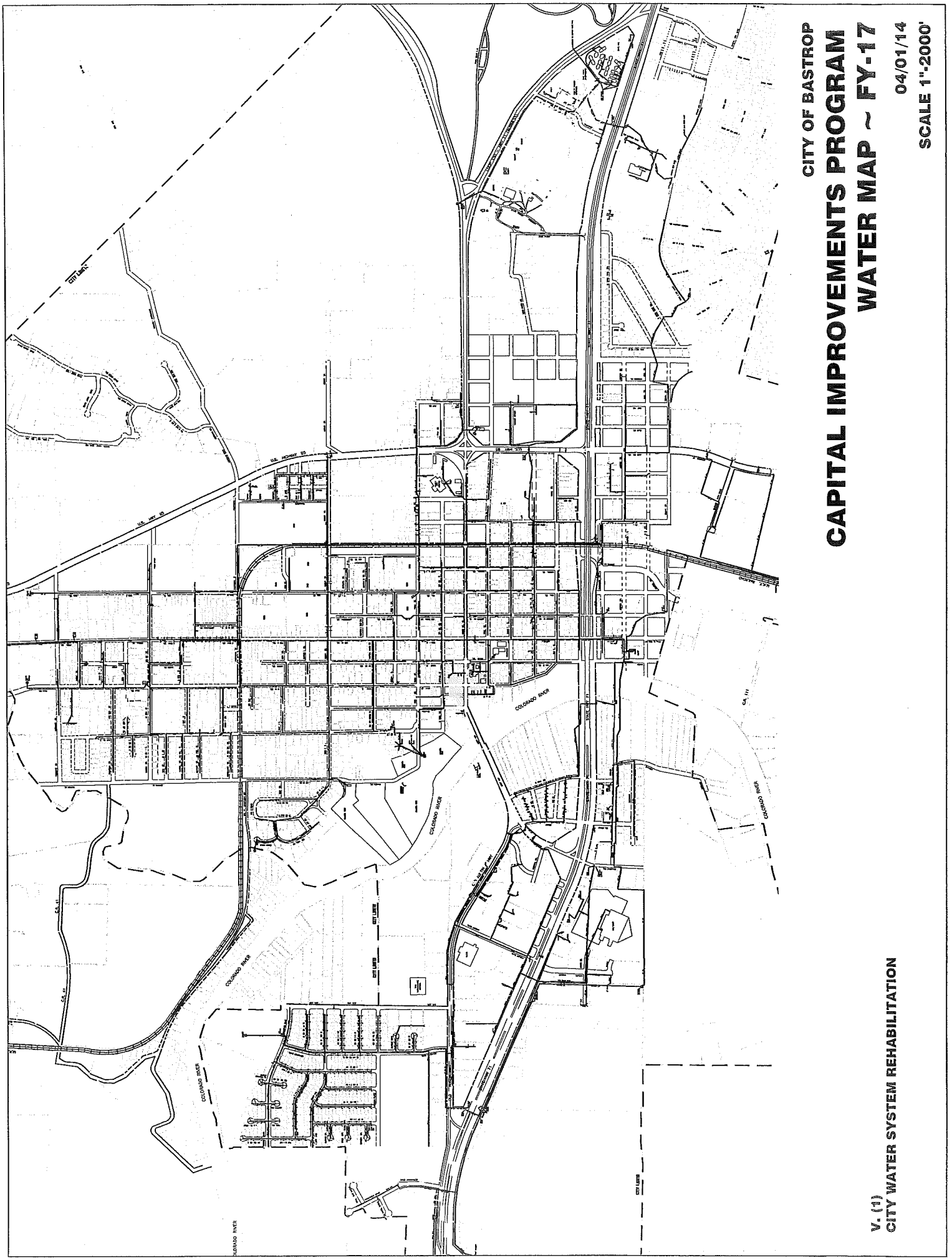
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-16

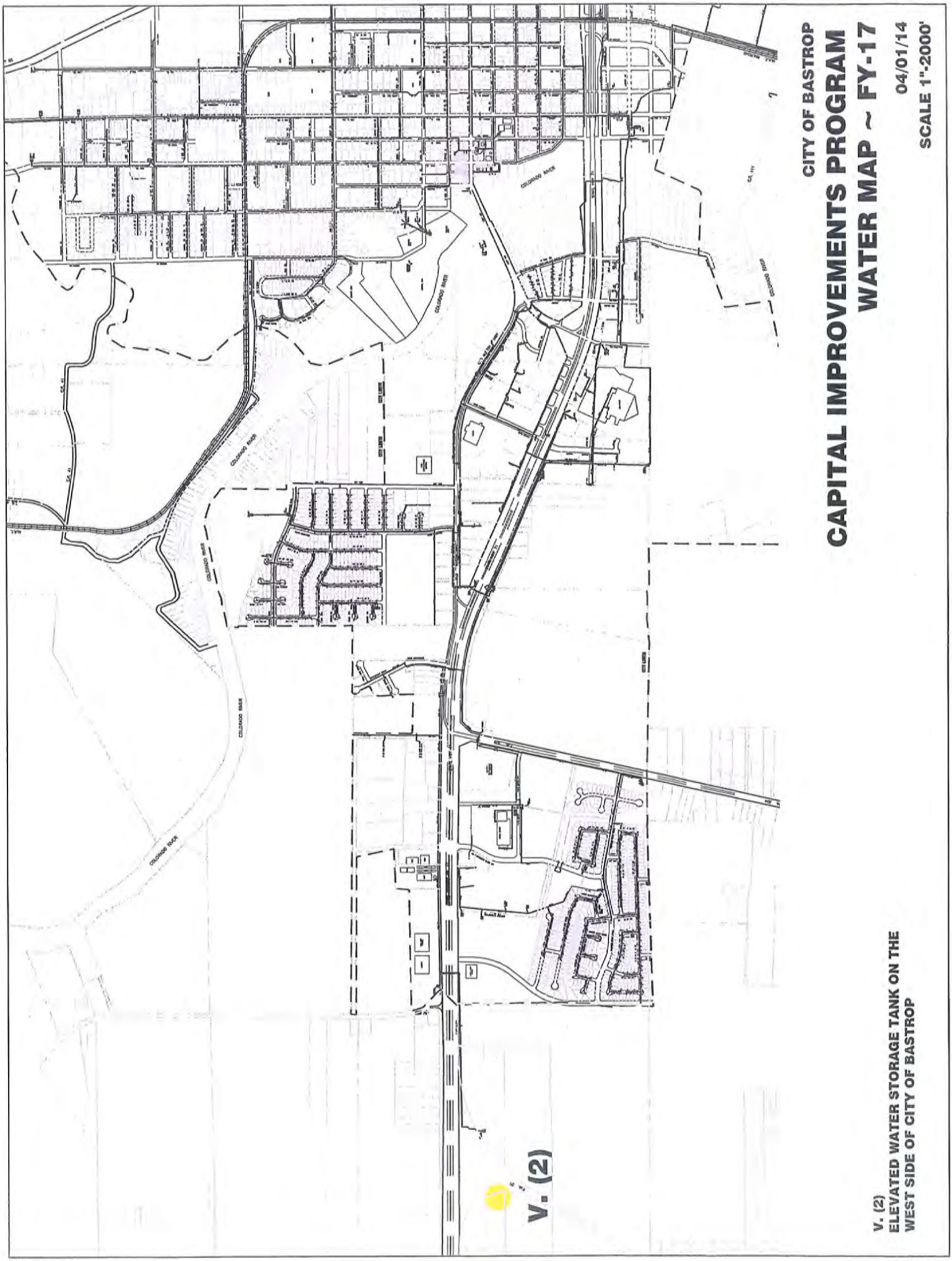
04/01/14

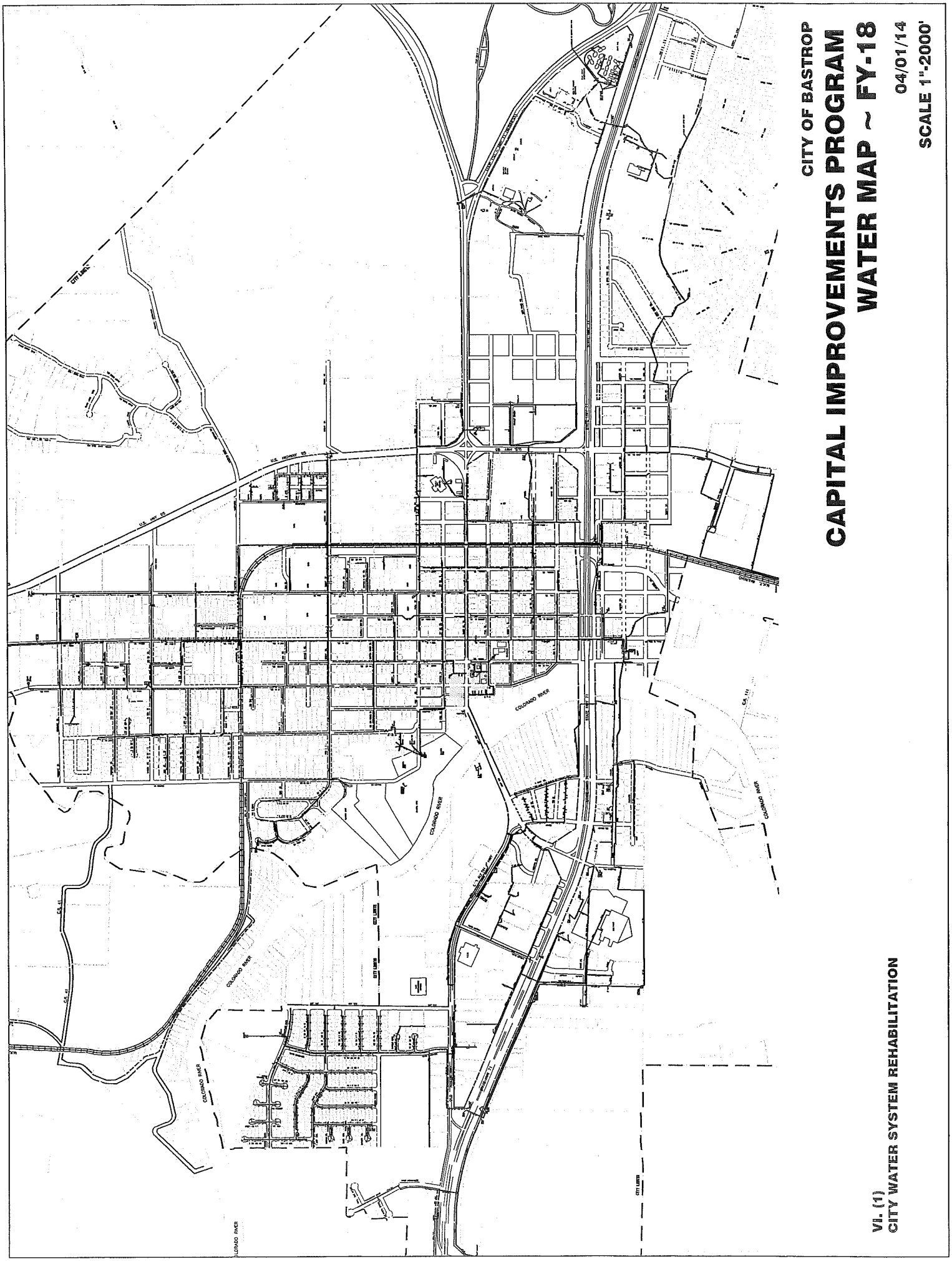
SCALE 1"-2000'

IV. (1)
CITY WATER SYSTEM REHABILITATION

City Council Meeting April 22, 2014 at 6:30 pm


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-17
04/01/14
SCALE 1"-2000'
V. (1)
CITY WATER SYSTEM REHABILITATION
COLORADO RIVER
CITY LIMITS


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-17
04/01/14
SCALE 1"-2000'
V. (2)
ELEVATED WATER STORAGE TANK ON THE WEST SIDE OF CITY OF BASTROP
V. (2)


CITY OF BASTROP
CAPITAL IMPROVEMENTS PROGRAM
WATER MAP ~ FY-18
04/01/14
SCALE 1"-2000'
VI. (1)
CITY WATER SYSTEM REHABILITATION
COLORADO RIVER
CITY LIMITS
U.S. HIGHWAY 95

ELECTRIC FUND

REVISED
FIVE – YEAR
ELECTRIC DEPARTMENT CAPITAL IMPROVEMENTS PROGRAM
FY-13 THROUGH FY-18
April 22, 2014

ELECTRIC PROJECTS

I.	PROJECTS: FY-14:	AMOUNT
	1. AMI Project:	$850,000.00
	2. VAC Truck	$150,000.00
	TOTAL	$1,000,000

SPECIALIZED PUBLIC FINANCE INC.
FINANCIAL ADVISORY SERVICES

248 Addie Roy Rd, Suite B-103
Austin, Texas 78746
Phone: 512.275.7302
Mobile: 512.820.6086
dan@spubfin.com
jennifer@spubfin.com

City of Bastrop, Texas
Combination Tax and Revenue Certificates of Obligation, Series 2014 ("COs")

Timeline of Events – Competitive Sale

Tuesday, April 22, 2014*	The City Council considers a resolution directing publication of the notice of intent to issue COs and authorizes preparation of offering documents for the COs.
Week of April 22, 2014	First notice of intent appears in the newspaper.
Week of April 29, 2014	Second notice appears in the newspaper.
Tuesday, May 6, 2014	SPFI makes application to Standard & Poor's and Fitch in order to obtain ratings on the COs.
TBD	Rating Conference Calls (S&P and Fitch).
Monday, May 19, 2014	The Preliminary Official Statement is distributed to the bidders.
Wednesday, May 21, 2014	Ratings are received and published by SPFI.
Tuesday, May 27, 2014	Sale. The City Council adopts an Ordinance authorizing the issuance of the COs.
Wednesday, June 18, 2014	Closing. The Purchasers of the COs deliver funds to the City.

*Official City Council Meeting.

CITY OF BASTROP **AGENDA ITEM** D-2

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 10, 2014
MEETING DATE: April 22, 2014

1. Agenda Item: **Consideration, discussion and possible action on approval of the Community Support funding process for the Fiscal Year 2015 budget and direct staff to modify process as determined.**

2. Party Making Request: **Mike Talbot**

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

4. Policy Implication:
Attachment 1: FY2015 Community Support Funding Calendar
Attachment 2: Community Support Application application for Fiscal Year 2015

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: _____
_____

COMMUNITY SUPPORT FUNDING CALENDAR

FISCAL YEAR 2015

March 11, 2014	Council to accept Community Support Calendar
March 13, 2014	Send out notices to Organizations regarding the 3/27/14 meeting
March 27, 2014	Committee to meet with organizations to review draft ideas for the funding process Community Support Funding Recipients- 5:00 p.m. - 5:30 p.m. Notify organizations of the 4/8/14 Council Meeting
March 31, 2014	Organizations to return their ideas in Writing (optional)
April 8, 2014	Council Meeting Council to review draft ideas for the funding request forms listed under City Manager's Report.
April 16, 2014	Submit final funding forms to City Secretary for council agenda
April 22, 2014	Council Meeting Council to review proposed application and the process for requesting funds
May 2, 2014	Submit final process and letter for organizations to Mike
May 13, 2014	Final process for requesting funds will be placed under City Manager's Report Hand out will be given to council of application and cover letter
May 23, 2014	Funding applications available at City Hall or online
June 12, 2014	Deadline for submitting funding applications to Finance Office, 5:00 P.M.
June 13 to June 27, 2013	Visit with organizations regarding missing items in their application packet Prepare Ranking Sheets from internal information
July 2, 2014	Submit information to City Secretary for council agenda (to include Organizations - History Summary, Funding Application, Council Ranking Worksheet)
July 8, 2014	Council Meeting Organizations to present their requests Council to receive funding score list from Finance
July 17, 2014	Council to return funding score list to the Finance Director
July 22, 2014	Finance Office to hand out the average ranking of score to Council
August 26, 2014	Council to approve funding levels for organizations.
	After approval of the FY 2015 Budget, Agreements will be sent out for signatures

CITY OF BASTROP
2015 COMMUNITY SUPPORT FUNDING APPLICATION

ORGANIZATION INFORMATION:

Official Name of Organization _____ Date _____

Address _____ City _____ State _____ Zip _____

Contact Person _____ E-mail _____

Phone Number _____ Fax Number _____

Federal ID # _____ State ID # _____

Is your Organization:

☐ 501(c)3 Other (provide description) _____

$ _____
Funding Amount Requested

Required Attachments:

1) Last fiscal year's financial statement (profit & loss statement) for your organization as a whole
2) Proposed Budget FY2014 (10/01/2014 - 09/30/2015) as directly related to funding
3) Copy of 501 (c) letter from Internal Revenue Service
4) Articles of Incorporation
5) Identify other sources of funding
6) List of all Board Members

Answer the following. Your focus should be on how your organization benefits the community and City of Bastrop citizens. Be as specific as possible.

Provide a brief summary on why you are requesting funds:

Describe the organization's purpose.

CITY OF BASTROP
2015 COMMUNITY SUPPORT FUNDING APPLICATION

Share your organization's experience, accomplishments and qualifications to successfully complete the program services.

Identify any in-kind services that you currently receive, or have received in the past from the City of Bastrop (include dates).

Over the past year, identify what percentage of your total organizations purpose benefited City of Bastrop citizens.

PROGRAM SERVICES

Describe your program services.

CITY OF BASTROP

2015 COMMUNITY SUPPORT FUNDING APPLICATION

How will the City of Bastrop funds be used?

How will the program services benefit the community?

For your organization's purpose, what percentage of City of Bastrop citizens do you estimate will benefit from this funding?

How do you know these program services are needed? Are there other entities providing the same or similar services which are available to City of Bastrop citizens? Will there be a coordination of services? Explain.

CITY OF BASTROP
2015 COMMUNITY SUPPORT FUNDING APPLICATION

REPORTING

How will you track the number of City of Bastrop citizens benefited by your organization's program services?

How will you evaluate if you were effective?

If you have done/currently doing these program services, describe the results you have experienced and statistics.

The information contained herein and attached to this application is true and correct to the best of my knowledge. I hereby acknowledge that any funding received from the City of Bastrop must be expended as I have represented in this application and according to any requirements set by the City of Bastrop City Council and according the opinion of the City of Bastrop, to the program guidelines. I agree that if funds are not expended accordingly, in said funds will be returned to the City of Bastrop within ten (10) days from the date the City of Bastrop demands such.

Authorized Signature for the Applicant

Date

Name Printed or Typed

Title

Return this application to:
City of Bastrop
Finance Department
P. O. Box 427
1311 Chestnut Street
Bastrop, Texas 78602

DEADLINE: 5:00 P.M., June 12, 2014

Electronic/Facsimile submissions will not be considered.

CITY OF BASTROP **AGENDA ITEM** D·3

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 10, 2014
MEETING DATE: April 22, 2014

1. Agenda Item: **Consideration, discussion and possible action on approval of the Hotel Occupancy Tax (HOT) funding process for the Fiscal Year 2015 budget and direct staff to modify process as determined.**

2. Party Making Request: **Mike Talbot**

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

4. Policy Implication:
Attachment 1: FY2015 Hotel Occupancy Tax Funding Calendar
Attachment 2: Hotel Occupancy Tax application for Fiscal Year 2015

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: _____

HOT FUNDING CALENDAR

FISCAL YEAR 2015

March 11, 2014	Council to accept HOT Funding Calendar
March 13, 2014	Send out notices to Organizations regarding the 3/27/2014 meeting
March 27, 2014	Committee to meet with organizations to review draft ideas for the funding process Hotel Occupancy Tax Recipients - 5:30 p.m. - 6:00 p.m. Notify organizations of the 4/8/2014 Council Meeting
March 31, 2014	Organizations to return their ideas in Writing. (optional)
April 8, 2014	Council Meeting Council to review draft ideas for the funding request forms listed under City Manager's Report.
April 16, 2014	Submit final funding process to City Secretary for council agenda
April 22, 2014	Council Meeting Council to review proposed process for requesting funds and provide feedback to Finance (last chance to make changes to application)
April 30, 2014	Submit final process and letter for organizations to Mike
May 13, 2014	Final process for requesting funds will be placed under City Manager's Report. Hand out will be provided to council of application and cover letter
May 15, 2014	Funding applications available at City Hall or online Letter to be sent to Hotel, Motels, Bed and Breakfats welcoming their input regarding funding.
June 3, 2014	Deadline for submitting funding applications to Finance Office, 5:00 P.M.
June 3 to June 12, 2014	Visit with organizations regarding missing items in their application packet Prepare Ranking Sheets from internal information
June 13 to June 18, 2014	Hotels, motels, and bed & breakfasts submit to Council in writing recommendations and suggestions regarding expenditure of specific HOT funding
June 18, 2014	Submit information to City Secretary for council agenda (to include Organizations - History Summary, Funding Application, Council Ranking Worksheet)
June 24, 2014	Council Meeting Organizations to present their requests Council to receive funding score list from Finance
July 2, 2014	Council to return funding score list to the Finance
July 8, 2014	Finance to hand out the average ranking of score to Council - no agenda item
August 12, 2014	Council to approve preliminary funding levels for organizations
October 14, 2014	Council to approve final funding level for organizations.
	After approval of the FY 2015 Budget, Agreements will be sent out for signatures

CITY OF BASTROP
2015 HOTEL OCCUPANCY TAX FUNDING APPLICATION

ORGANIZATION INFORMATION:

Official Name of Organization _____ Date _____

Contact Person _____ E-mail _____

Organization Address _____ Phone Number _____

Website Address _____

Is your Organization:

☐ 501(c)3 Other (provide description) _____

$ _____
Total Amount Requested

Provide a brief description of your organization's mission:

Required Attachments:

1) Last fiscal year's financial statement (profit & loss statement) for your organization as a whole
2) Proposed Budget FY2015 (10/01/2014 - 09/30/2015) as directly related to funding, event specific, if applicable
3) Copy of 501 (c) letter from Internal Revenue Service
4) Articles of Incorporation
5) Identify other sources of funding
6) List of all Board Members
7) NO STAPLES, ALL ATTACHMENTS SHOULD BE PROVIDED IN 8.5" X 11" SIZE, NO OTHER ATTACHMENTS ACCEPTED

CITY OF BASTROP
2015 HOTEL OCCUPANCY TAX FUNDING APPLICATION

EVENT OR PROJECT INFORMATION
(COMPLETE A SEPARATE FORM FOR EACH EVENT)

Project Number _____ of _____

Name of Organization

Fiscal Year of Request

Name of Event or Project

Date of Event or Project

$ _____
Amount Requested

Primary Location of Event or Project

Expected Attendance

How many years have you held this Event or Program

Percentage of attendance that will be staying overnight in hotels

Estimated number of hotel room nights will be generated by the Event

How will you measure the impact of your event on area hotel activity?

Do your promotional materials/website note area lodging facilities that can host participants? _____

Tell us about your event or project:

CITY OF BASTROP
2015 HOTEL OCCUPANCY TAX FUNDING APPLICATION

EVENT OR PROJECT INFORMATION

(COMPLETE A SEPARATE FORM FOR EACH EVENT)

Project Number _____ of _____

To qualify for financial assistance under the Hotel Occupancy Tax for Bastrop, the expenditure must satisfy Part One and at least ONE of the options in Part Two.

PART ONE *- In order to be eligible to receive HOT Funding you must comply with State Law/Chapter 351 of the Tax Code. Revenues must be used to directly promote tourism and the convention and hotel industry. How will this event promote tourism and the convention and hotel industry?*

PART TWO *- Check which categories apply to funding request and amount requested under each category:*

☐ Expenditures will be utilized for the acquisition of convention center facilities or visitor center sites and the construction, improvement, enlarging, equipping, repairing, operations , and maintenance of convention center facilities or visitor information centers, or both.

$ _____

☐ Expenditures will be utilized for the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants.

$ _____

☐ Expenditure will be utilized for advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity.

$ _____

☐ Expenditure will be utilized to the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

$ _____

☐ Expenditure will be utilized for historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.

$ _____

☐ Expenditure will be utilized for expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality.

$ _____

CITY OF BASTROP
2015 HOTEL OCCUPANCY TAX FUNDING APPLICATION

The information contained herein and attached to this application is true and correct to the best of my knowledge. I hereby acknowledge that any funding received from the City of Bastrop must be expended as I have represented in this application and according to any requirements set by the City of Bastrop City Council and according to the program guidelines. I agree that if funds are not expended accordingly, in the opinion of the City of Bastrop, said funds will be returned to the City of Bastrop within ten (10) days from the date the City of Bastrop demands such.

Authorized Signature for the Applicant	Date
Name Printed or Typed	Title

Return completed application and attachments to:
City of Bastrop
Finance Department
P. O. Box 427
1311 Chestnut Street
Bastrop, Texas 78602

DEADLINE: 5:00 P.M., JUNE 3, 2014

Electronic/Facsimile submissions will not be considered.

CITY OF BASTROP AGENDA ITEM D.4

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 10, 2012
MEETING DATE: April 22, 2014

1. Agenda Item: **Consideration, discussion and possible action on amending Fairview Cemetery Ordinance Chapter 15 "Cemeteries" of the Bastrop Code of Ordinances; Article 15.01 "Fairview Cemetery" to add section 15.01.026 "Memorial Section" providing for enforcement; providing a severability clause; and providing an effective date.**

---

2. Party Making Request: **Karla Stovall**

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

4. Policy Implication: This amendment will provide for the addition of a Memorial Section into the Fairview Cemetery. It will be located behind the Gazebo in Block I, and is approximately 25 ft. by 30 ft. in total area. The attached ordinance reflects the specific guidelines approved by the Cemetery Advisory Board on March 26, 2014.

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: Approval

9. Advisory Board: _____Approved _____Disapproved _____None

10. Manager's Recommendation: _____Approved _____Disapproved _____None

11. Action Taken: _____

_____

ORDINANCE NO. 2014-_____

AN ORDINANCE AMENDING FAIRVIEW CEMETERY ORDINANCE CHAPTER 15 "CEMETERIES" OF THE BASTROP CODE OF ORDINANCES; ARTICLE 15.01 "FAIRVIEW CEMETERY" TO ADD SECTION 15.01.026 "MEMORIAL SECTION" PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Fairview Cemetery Advisory Board ("Cemetery Advisory Board"), appointed by the Mayor and approved by the City Council of the City of Bastrop ("City"), selected a subcommittee for the evaluation and creation of a "Memorial Section" to be located in the southeast corner of Section I in the Fairview Cemetery; and

WHEREAS, on March 26, 2014 the Cemetery Advisory Board met to discuss the recommendation to the City Council of the addition of a "Memorial Section", which will be only for headstone placement and not for interment of any remains, consisting of approximately 60 spaces. And, further, at that time, the Cemetery Advisory Board approved the creation of the Memorial Section and the addition of Section 15.01.026 "Memorial Section" to the Bastrop Code of Ordinances; and

WHEREAS, the City Council of the City has now determined that the Memorial Section recommended by the Cemetery Advisory Board on March 26, 2014 is in the best interest of the City and its citizens and should be adopted.

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

PART 1. That the Fairview Cemetery Ordinance Chapter 15 "Cemeteries", of Article 15.01 "Fairview Cemetery" of the Bastrop Code of Ordinances is amended to add Section 15.01.026 titled "Memorial Section":

Article 15.01 Fairview Cemetery

Sec. 15.01.26 Memorial Section

a. *Memorial Lot.* A 2.5 ft by 2.5 ft lot located in the Memorial Section of the Cemetery for the purposes of preserving the memory of an individual who is believed to have been buried in the Fairview Cemetery, but for whom there is no gravesite. No monument other than a headstone, and no interment of any kind, is permitted in the Memorial Lot.

b. *No Discrimination.* The City shall not discriminate between qualifying individuals who wish to obtain a Memorial Lot in the Memorial Section. Spaces are limited, and shall be available on a "first-come first-serve basis". Memorial Lots will be administered sequentially by the Finance Department in chronological order starting with Lot No. 1.

The Finance Department will confirm that the requirements of the Memorial Lot are satisfied.

c. *Location.* The Memorial Section in the Fairview Cemetery is located behind the Gazebo in Block I, and is approximately 25 ft. by 30 ft. in total area, as shown on the map a copy of which is attached hereto and incorporated herein for all purposes.

d. *Criteria/Qualification for Inclusion in the Memorial Section.* In addition to the requirements provided for below, families may purchase a Memorial Lot if the memorial is for a deceased family member who has been proven through documentation to be buried in the Fairview Cemetery, but for reasons unknown their gravesite cannot be located either in the Fairview Cemetery and/or the Cemetery records. If the cemetery gravesite is located by the Finance Department in the Fairview Cemetery inclusion into the Memorial section would be denied, as their gravesite would be available for placement of a headstone by the family. Only gravesites not located by the Finance Department but documented as identified below may be allowed for inclusion into the Memorial section. The following restrictions apply to the purchase of Memorial Lots:

1. Memorial Lots may be obtained in the Memorial Section only by relatives of the individual to be memorialized. Proof of ancestry to the decedent is required unless otherwise approved by the City Manager.

2. Applications for inclusion in the Memorial Section, when submitted to the Finance Department, must be accompanied by an affidavit of the requestor. The affidavit must: a) confirm that the family of the individual for whom the Memorial Lot is being purchased agrees to the Memorial Lot; and b) Verify that the deceased individual was buried in the Fairview Cemetery. In conjunction with the affidavit, verification of the interment in Fairview Cemetery may be provided by documents such as a receipt for purchase of headstone, a newspaper article, a death certificate, a family Bible, or any other documentation conclusively demonstrating that the individual was buried in the Fairview Cemetery.

e. *Memorial Lot.* Each Memorial Lot is approximately 2.5 ft. by 2.5 ft. in dimension. A permit for installation of the headstone must be obtained from the Finance Department and shall be in compliance with the City's general permitting requirements for the Fairview Cemetery and the fees provided for in the City of Bastrop's Fee schedule in Appendix A of the Code of Ordinances. **The Memorial Section is for the placement of headstones only**. **No remains of any kind are permitted to be buried or placed in the Memorial Section (either cremated or otherwise**). No curbing, coping, fencing, or vegetation is allowed on a Memorial Lot. Items may not be placed in, around or on any portion of the Memorial Lot or the gravestone except for Flags smaller than twelve (12) inches are permitted. Flags will be removed by the City if they become weathered, unsightly, or pose maintenance problems. Due to the limited size of the Memorial Section, and the limited number of lots available therein, the City has determined that no

more than two (2) lots in this Memorial Section may be assigned for use by any single family, unless otherwise approved by the City Manager.

f. *Headstone.* Headstones are the sole type of memoriam permitted in the Memorial Section of the Fairview Cemetery. Headstones for placement on a Memorial Lot shall be limited to 12" wide, 12" in-depth and may not exceed 24" in height. The base of the headstone may not exceed 24" in width, unless otherwise approved by the City Manager.

g. *Rules and Regulations.* Rules governing the Memorial Section shall be consistent with the Rules and Regulations for the Fairview Cemetery, unless otherwise stated herein.

h. *Cost.* The cost of purchasing a Memorial Lot is set forth in the fee schedule in Appendix "A" of the Bastrop Code of Ordinances.

i. *Receipt of Ordinance.* Prior to placing a memorial headstone, each person purchasing a Memorial Lot shall acknowledge in writing to the City, that they have received a copy of the Cemetery Ordinance, including this section, and they (and any heirs, assigns, or successors) will abide by the provisions established in the Code of Ordinances. A copy of the executed Ordinance shall be maintained by the City. The purchaser shall have an affirmative duty to inform relatives or interested parties of the restrictions in the Memorial Section.

j. Headstones in existence in the memorial section at time of passage of amendment are exempted from the provision herein and approved to remain in place as is.

PART 2. That the following section of the Fee Schedule in Appendix "A" of the Bastrop Code of Ordinances is amended to read as follows:

Article A15.01 Fairview Cemetery

Sec. A15.01.01.012 Memorial Section

(1) through (3) Unchanged.

(4) Memorial Lot: Administrative fee of $50, of which shall be deposited into the Operating Fund*. Each Memorial Lot purchased shall require an additional administrative fee.

*The City reserves the right to change the above referenced fees at any time at its discretion.

PART 3: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same affecting the Fairview Cemetery which are in conflict with this Ordinance, shall be, and the same are hereby, in all things repealed to the extent that the same conflict with this Ordinance, or with the laws of the State of Texas.

PART 4: This Ordinance shall take effect upon the date of final passage noted below in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ AND ACKNOWLEDGED on FIRST READING on the ___ day of _____2014.

PASSED AND APPROVED on SECOND READING on the ___ day of _____ 2014.

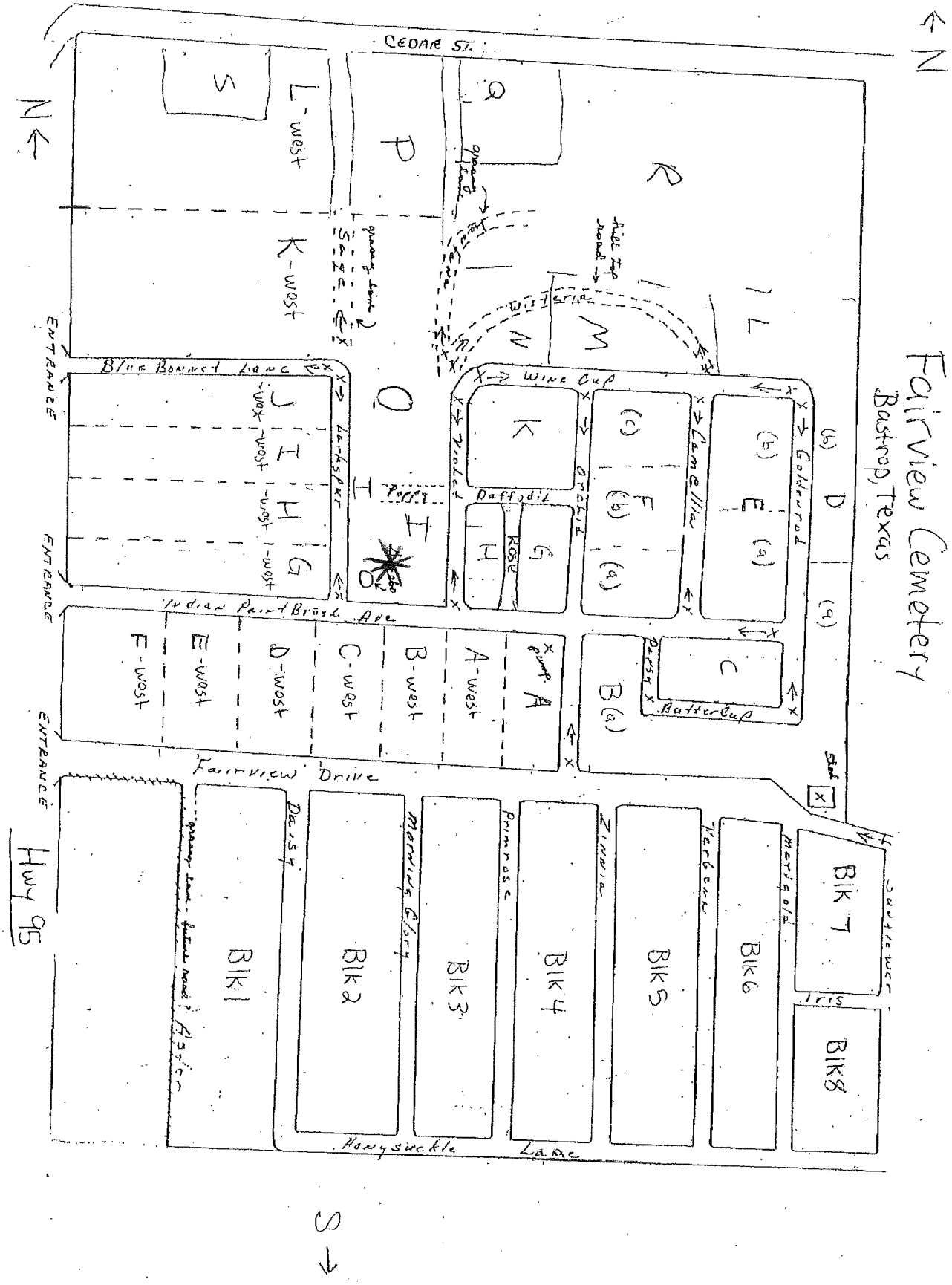
APPROVED:

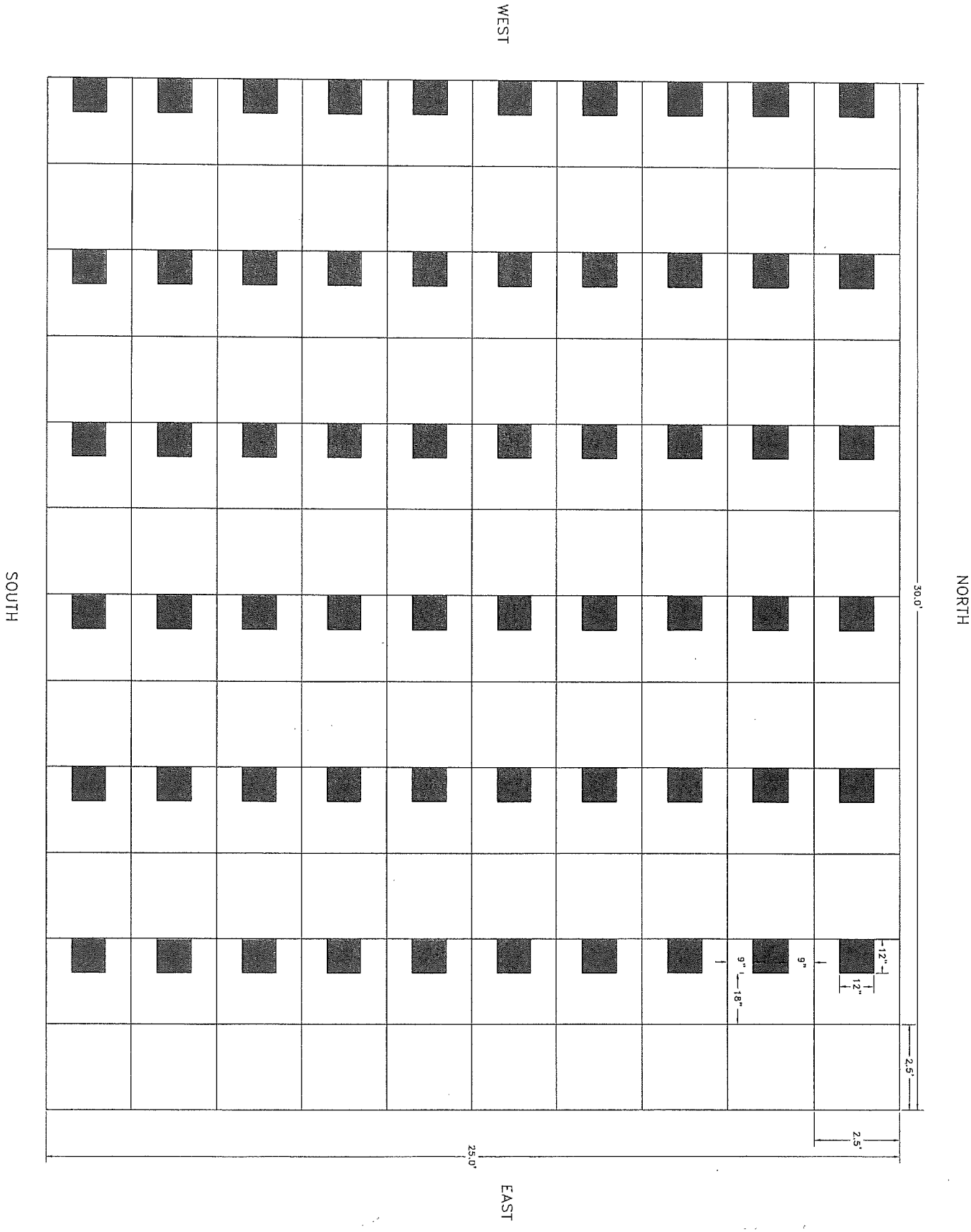
_____
Terry Orr, Mayor

ATTEST:

_____
Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:
Jo-Christy Brown, City Attorney


Fairview Cemetery
Bastrop, Texas
CEDAR ST.
N
S
Hwy 95
ENTRANCE
Blue Bonnet Lane
Larkspur
Wine Cup
Violet
Daffodil
Orchid
Camellia
Goldenrod
Indian Paint Brush Ave
Fairview Drive
Butter Cup
Daisy
Morning Glory
Primrose
Zinnia
Verbena
Marigold
Iris
Sunflower
Honysuckle Lane
Aster
Blk 1
Blk 2
Blk 3
Blk 4
Blk 5
Blk 6
Blk 7
Blk 8
L-west
K-west
J-west
I-west
H-west
G-west
F-west
E-west
D-west
C-west
B-west
A-west
Sage
Wisteria
Poppy
Rose


WEST
NORTH
SOUTH
EAST
30.0'
25.0'
2.5'
2.5'
12"
12"
9"
9"
18"

CITY OF BASTROP **AGENDA ITEM D-5**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: **April 15, 2014**
MEETING DATE: **April 22, 2014**

1. 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 SECTION **A13.09.007 SERVICE FEES** IN THE CODE OF ORDINANCES OF THE CITY OF BASTROP; ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

2. Party Making Request: **Trey Job Director of Public works, Parks & Utilities**

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

4. Policy Implication: _____

5. Budgeted: _____Yes _____No ___X__ **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: Amend fee schedule to reflect the true cost for Backflow assembly testing

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: April 15, 2014

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 SECTION **A13.09.007 SERVICE FEES** IN THE CODE OF ORDINANCES OF THE CITY OF BASTROP; ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Item Summary:

On December 10th and January 14 2014 the city council voted unanimously to revise the ordinance related to **back flow prevention sec. 3.06.041 titled "cross-connection control program"; chapter 3 "building regulations"** The ordinance amendment allowed the city to be reimbursed for the expense of the back flow assembly testing. I am now amending the fee schedule to reflect the actual cost of the testing.

Staff Recommendation: Staff recommends approval of the revision to the fee schedule associated with the Backflow assembly testing

City Contact:
Trey Job - Director
Public Works Department

Attachments:
Revised Fee schedule under section A13.09.007 & Copy of Ordinance passed on January 14 2014

Sec. A13.09.007 Service fees

(a) New application for service: $50.00 billed to first bill.

(b) Disconnection and reconnection fees.

(1) Disconnect fee: $50.00.

(2) Reconnect fee: $50.00.

(3) After hours reconnection fee: $75.00.

(c) Trip fees.

(1) Investigation fee regular business hours: $50.00.

(2) After hours investigation: $100.00.

(3) Miscellaneous service fee: $50.00.

(4) Meter rereading fee: $25.00.

(5) Meter inaccessible fee: $25.00.

(6) Backflow assembly Test: $ 100.00.

(d) Transfer of service fee: $20.00 charge per account.

(e) Returned check fee. Applicable amount determined by the district attorney plus any charges assessed against the city by any financial institution for each payment instrument dishonored or returned to the city by the customers bank or financial institution.

(f) Meter test fee. Customer will be charged the actual cost of the meter test plus a $25.00 fee. However, if any meter is found to be outside of the accuracy standards, or the city initiates the meter test, no charge will be made to the customer for the testing or associated costs.

(g) Reproduction of utility account information, rules and regulations.

(1) Utility rules and regulations/policy/ordinance all or part. The reasonable cost of reproduction as per state law.

(2) Open records request. The reasonable cost of reproduction as per state law.

(h) Temporary service connection. A one time, nonrefundable charge of $50.00 will be charged per service location.

(i) Tampering with city's meters, equipment or other property, and unauthorized use or consumption of utility service. Any one or more of the following charges may apply to an individual who tampers with city meters, equipment or other property or, without authorization, uses or consumes utility service:

(1) Minimum charge of $500.00 or actual damages or both.

(2) Actual cost of repairs and/or replacement of any damaged meters, equipment or other property, and the cost of installing protective facilities or relocation the meter, equipment or other property.

(3) The cost of the estimated or actual amounts of service used without city authorization.

(4) Trip fee of $25.00 per city personnel to investigate, evaluate and correct the tampering or diversion.

(5) All other costs associated with the investigation, evaluation and correction of the meter tampering or diversion, including personnel time, travel expenses, engineering expenses and legal expenses.

(6) All fees must be paid in full prior to the reconnection of service.

(j) Miscellaneous customer billings. Other miscellaneous fees may apply as determined by the appropriate city department and payable in advance by the customer.

(k) Solid waste (garbage). The customer shall be charged for each receptacle provided by the solid waste collection provider. This costs is subject to change on a yearly basis.

(Ordinance 2010-3 adopted 1/26/10)

(l) Convenience fee. The city charges a 2.50% convenience fee to process debit/credit card payments. The fee is collected to attempt to offset any charges incurred by the city from the credit card companies and their interchange rates associated with the specific type of card used. (Ordinance 2010-28 adopted 10/26/10)

ORDINANCE No. 2014-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING SECTION 3.06.041 TITLED "CROSS-CONNECTION CONTROL PROGRAM"; CHAPTER 3 "BUILDING REGULATIONS", IN THE CODE OF ORDINANCES OF THE CITY OF BASTROP; ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas is a Home Rule municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, the City of Bastrop previously determined that it is the best interest of the health, safety and welfare of its citizens to mandate that all backflow prevention assemblies which are installed to provide protection against non-health hazards be tested by the customer every three (3) years by a recognized backflow prevention assembly tester; and

WHEREAS, the City of Bastrop previously determined that it is the best interest of the health, safety and welfare of its citizens to mandate that all backflow prevention assemblies which are installed to provide protection against health hazards be tested and certified by the customer to operate within specifications at least once (1) a year, by a recognized backflow prevention assembly tester; and

WHEREAS, the City's public water supplier has been assisting utility customers with completing the necessary backflow testing by providing a list of certified inspectors from the customer could select. However, in the event the customer fails to complete the required testing in the appropriate time frame, the City either has qualified City employees to perform the inspections or it hires independent, qualified contractors to do the work. The City must then charge the customer with a misdemeanor through municipal court if it wants to recoup the cost of the inspection and

WHEREAS, the TCEQ allows for the City's public water supplier to charge a fee, established by the public water system, and approved by the City Council, for backflow testing that is completed by the City on behalf of the customer;

WHEREAS, the City has determined that it would be in the best interest of the City to, in conjunction with the public water supplier, specify an appropriate fee in the event the water provider is required to complete the backflow inspection on behalf of the customer, and to provide a mechanism for reimbursement of the funds by charging the customer on his/her water bill.

WHEREAS, in order to accomplish this necessary goal and objective, the City of Bastrop now finds it necessary to amend Section 3.06.041 titled "Cross-Connection Control Program" to Chapter 13 titled "Building Regulations" of the existing Code of Ordinances.

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

Part 1: That Section 3.06.041 titled "Cross-Connection Control Program" of the Code of Ordinances of the City of Bastrop is amended to read as follows:

Sec. 3.06.041 Cross-connection control program

(a) Generally.

(1) No water service connection shall be made to any establishment where a potential or actual contamination hazard exists unless the water supply is protected in accordance with the state commission on environmental quality rules and regulations for public water systems (TCEQ rules) and this section. The city shall discontinue water service if a required backflow prevention assembly is not installed, maintained and tested in accordance with the TCEQ rules and this section.

(2) The state commission on environmental quality rules and regulations referred to herein shall mean those in effect at the effective date of this section (ordinance adopted March 12, 2002), or those made effective by any successor regulatory agency of the state.

(b) Backflow prevention assembly installation, testing and maintenance.

(1)

(A) All backflow prevention assemblies shall be tested upon installation, at the expense of the customer, by a recognized backflow prevention assembly tester and certified to be operating within specifications.

(B) Backflow prevention assemblies which are installed to provide protection against non-health hazards must also be tested and certified to be operating within specifications every three (3) years by a recognized backflow prevention assembly tester.

(C) Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least once a year, by a recognized backflow prevention assembly tester.

(D) In the event the customer fails to complete the required backflow inspection within 30 days after receipt of notice from the City that the inspection is past due, the City shall have the right to complete the back flow testing through a qualified City employee or a qualified professional, and then charge the customer on his/her water bill for the testing, as set forth in appendix A of the Code of Ordinances.

(2) All backflow prevention assemblies shall be installed and tested in accordance with the manufacturer's instructions, the American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14) or the University Of Southern California Manual Of Cross-Connection Control.

(3) Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Original forms of such tests, repairs, and overhaul shall be kept and submitted to the city within five (5) working days of the test, repair or overhaul of each backflow prevention assembly.

(4) No backflow prevention assembly or device shall be removed from use, relocated, or other assembly or device substituted without the approval of the city. Whenever the existing assembly or device is moved from the present location or cannot be repaired, the backflow assembly or device shall be replaced with a backflow prevention assembly or device that complies with this section. The American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14), current edition, the University of Southern California Manual of Cross-Connection Control, current edition, or the current plumbing code of the city, whichever is more stringent[, shall apply].

(5) Test gauges used for backflow prevention assembly testing shall be calibrated at least annually in accordance with the American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual M14), current edition, or the University of Southern California's Manual of Cross-Connection Control, current edition. The original calibration form must be submitted to the city within five (5) working days after calibration.

(6) A recognized backflow prevention assembly tester must hold a current endorsement from the state commission on environmental quality (commission).

(c) Customer service inspections.

(1) A customer service inspection shall be completed prior to the service provider providing continuous water service to all new construction, on any existing service when the city has reason to believe that cross-connections or other contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. In the event the customer fails to complete the required inspection within 30 days after receipt of notice from the City that the inspection is past due, the City shall have the right to complete the inspection through a qualified City employee or a qualified professional, and then charge the customer on his/her water bill, as set forth in appendix A of the Code of Ordinances.

(2) Only individuals with the following credentials shall be recognized as capable of conducting a customer service inspection:

(A) Plumbing inspectors and water supply protection specialists that have been licensed by the state board of plumbing examiners.

(B) Certified waterworks operators, and members of other water-related professional groups who have completed a training course, passed an examination administered by the commission or its designated agent, and hold a current endorsement issued by the commission.

(3) The customer service inspection must certify that:

(A) No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by a properly installed air gap or an appropriate backflow prevention assembly.

(B) No cross-connection between the public water supply and a private water source exists; and where an actual properly installed air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a recognized backflow prevention assembly tester.

(C) No connection exists which allows water to be returned to the public drinking water supply.

(D) No pipe or pipe fitting which contains more than 8% lead may be used for the installation or repair of plumbing at any connection that provides water for human use.

(E) No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection that provides water for human use. A minimum of one lead test shall be performed for each inspection.

(d) Enforcement. In addition to charging an individual on his/her water bill for work completed by the City or a qualified professional, the City shall have the right to seek enforcement through the Municipal Court. Any person who violates this section, including preventing access by the City to the backflow assemblies, when required, is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than $500.00 and not more than $2,000.00. Each day that one or more of the provisions in this section is violated shall constitute a separate offense. If a person is convicted of violation(s) of this section, the city may, upon due notice to the customer, discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, as set forth in appendix A of the Code of Ordinances, and any other costs incurred by the city in discontinuing service. Compliance with this section may also be sought through injunctive relief in the district court.

Part 2: All other provisions of Section 3.06.041 hereby shall remain in full force and effect.

Part 3: This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Bastrop, and this ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any in such other ordinance or ordinances are superseded.

Part 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective and be in full force and effect in accordance with the provisions of the Charter of the City of Bastrop.

PASSED AND APPROVED ON FIRST READING ON THIS 10th DAY OF DECEMBER, 2013.

PASSED AND APPROVED ON SECOND READING ON THE 14th DAY OF JANUARY, 2014.

APPROVED:

Mayor Terry Orr

ATTEST:

Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown.
City Attorney