



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 Session on **September 23, 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 – *Allison Hewett*
PRAYER – *Brian Romney, 2nd Counselor-Bishopric Ward, Latter-Day Saints Church*
3. PRESENTATION – a) “Volunteer Income Tax Assistance Program” *Juan Carrizales IRS Senior Tax Consultant*
b) “Domestic Violence Awareness Month” *Bernie Jackson, Family Crisis Center*
4. PROCLAMATIONS – a) “National Night Out on October 7, 2014” *Bastrop Police Chief Adcock*
b) “National Bully Awareness Month”, *Joshua Henry Bastrop YMCA*
5. CITIZEN COMMENTS
6. ANNOUNCEMENTS

City Manager’s Informational Report for September 23, 2014: Items for update, discussion & possible action:

- I. Meetings and Events Attended:
 - A. Attended the Hunters Crossing Public Improvement District Budget Workshop of September 10, 2014.
 - B. Attended the Regular Monthly Board Meeting of the Chamber of Commerce on September 17, 2014.
 - C. Attended the Regular Monthly Board Meeting of the Lost Pines Groundwater Conservation District on Sep. 17, 2014.
 - D. Coordinated with the City Attorney & attended the City of Bastrop’s Annual Board Training on September 18, 2018.
- II. Update on City Projects and Issues:
 - A. Discussion and Review of Water Usage from September 1, 2014 through September 21, 2014. a
 - B. Update on the Short/Long Term Water Project.
 - C. Update on the AMI Project
 - D. Update on the City of Bastrop’s Mobility Study Regarding the Proposed Improvements for S.H. 71.
 - E. Update on the Chamber Street Reconstruction Project.
 - F. Update on the City Wide Clean-Up Project
 - G. Review and Discussion with Mr. Dan Wegmiller Specialized Public Finance Regarding Restructuring the Convention Center Outstanding Debt.
 - H. Update on the PEG Channel.
 - I. Review and Discussion of the Agreement between the City of Bastrop & Republic Services for Solid waste Services
 - J. Review of a Request from Enterprise Products to temporary lease from City of Bastrop, thirty (30) acres of City property located on Lovers Lane.
 - K. Set a Date for the month of January 2015 for the “Annual City Council Planning Retreat.
 - L. Discussion regarding FY-15 Hotel/Motel Organizational Funding
 - M. The City of Bastrop’s Participation in “CAMPO”.
 - N. Discussion and Review of Bastrop County’s Shelter Program.
 - O. Update on Repairs to Well G
 - P. Willow Well Field Water Filtration Project.
 - Q. Update on the “Water Reuse Project”.
 - R. Homecoming/Rodeo Arena
 - S. Update on Tahitian Village Overpass.
- III. 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 the following items 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 Meetings held on August 19 th & August 26 th , 2014.	A.1	6	Lopez
A.2 Consideration, discussion and possible action on the SECOND READING of an ORDINANCE of the City Council of the City of Bastrop, TX amending Ch.14, Sec. 13.2.3 Permitted Uses to reflect that Agricultural/Open Space allow orchards and crops and retail operations of 500 square feet or less, relating to the regulation of Agricultural/Open Space Permitted Uses; providing a severability clause; and providing an effective date.	A.2	11	Planning & Dvlpmnt Director McCollum
A.3 Consideration, discussion and possible action on the SECOND READING of an ORDINANCE of the City Council of the City of Bastrop, Texas amending Chapter 14 Exhibit "A" Section 36.11 regarding the addition of wineries and breweries and distilleries as commercial uses allowed in the Central Business District (CBD), Commercial District Heavy (C-2) and Light Industrial (LI) with/under the terms of a Conditional Use Permit; amending Appendix A-3 entitled "Definitions" to include definitions for the terms winery, brewery, and distilleries; repealing conflicting provisions, providing for severability; and providing an effective date.	A.3	17	Planning & Dvlpmnt Director McCollum
A.4 Consideration, discussion and possible action on the SECOND READING of an ORDINANCE of the City Council of the City of Bastrop, Texas amending Chapter 4, Business and Commerce, Article 4.02 related to the sale and consumption of Alcoholic Beverages in the Central Business District (CBD) repealing conflicting provisions, providing a savings clause; and providing an effective date.	A.4	23	City Manager Talbot
A.5 Consideration, discussion and possible action on the SECOND READING of an ORDINANCE amending the Bastrop City Code of Ordinances, Appendix A Fee Schedule, Article A13.02 " Water/Wastewater Rates and Charges " repealing conflicting provisions; providing severability; and providing an effective date.	A.5	26	City Manager Talbot
A.6 Approval of City of Bastrop Financial Management Policy and Purchasing Policy.	A.6	34	CFO Stovall

 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 Govt. Code, Vernon's TX Code, Annotated, the item below will be discussed in closed session:* 1. SECTION 551.071 – Consultations with Attorney related to legal matters
 a) Potential litigation regarding Pine Forest Unit # 6
 2. SECTION 551.074 – Personnel Matters – *City Manager's Salary*

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

C. OLD BUSINESS

C.1 Consideration, discussion and possible action on the City Manager's Salary.	C.1	79	Mayor Kesselus
C.2 Consideration, discussion, and possible action on approval of the SECOND READING of an ORDINANCE of the City of Bastrop, Texas, ADOPTING a BUDGET and appropriating resources for Fiscal Year 2014-2015; beginning October 1, 2014 ending September 30, 2015; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.	C.2	80	City Manager Talbot
C.3 Consideration, discussion, and possible action on RATIFYING the PROPERTY TAX INCREASE reflected in the annual budget for the Fiscal Year 2014-2015; beginning October 1, 2014 ending September 30, 2015.	C.3	85	City Manager Talbot
C.4 Consideration, discussion and possible action on approval of the SECOND READING of an ORDINANCE FIXING THE TAX RATE AND LEVY for the City of Bastrop, Texas, for the purpose of paying the current expenses of the City for the FY ending September 30, 2015 , and for the further purpose of creating a sinking fund to retire the principle and interest of the bond indebtedness of the City; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date.	C.4	87	City Manager Talbot

D. NEW BUSINESS

- D.1 Board appointment by Mayor Kesselus, subject to confirmation by the Bastrop City Council on the APPOINTMENT of BRIAN RIDER, as Pl. 2 Member of the HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION BOARD; a three-year term that EXPIRES June 2017. **D.1 93** Mayor Kesselus
- D.2 Consideration, discussion, and possible action regarding the development of a process or procedure for dealing with requests for funding from organizations requesting funding subsequent to the Mayor Pro Tempore's request of the City Manager to outline level excess funds in the Hotel Occupancy Tax account and how such funds might be used to aid a building project of the Bastrop Arts Guild "LOST PINES ART CENTER & SCULPTURE GARDEN" and the City Manager's August 12 report in response. This item may also include action regarding specific funding amounts for any or all such requests. **D.2 97** Mayor Kesselus
- D.3 Consideration, discussion, and possible action on the ADDITIONAL FUNDING request by the Bastrop Arts Guild's for the development of the "LOST PINES ART CENTER & SCULPTURE GARDEN" in the City of Bastrop. **D.3 99** Mayor Kesselus
- D.4 Consideration, discussion and possible action on the ADDITIONAL FUNDING request for \$100,000 in roof repairs that will help preserve the BASTROP OPERA HOUSE located in the Historic Area of Downtown Bastrop. **D.4 100** Council Member Jackson
- D.5 Consideration, discussion and possible action on the ADDITIONAL FUNDING request by the DOWNTOWN BUSINESS ALLIANCE. **D.5 103** Council Member McAnally
- D.6 Consideration, discussion and possible action on the ADDITIONAL FUNDING request by the HOMECOMING COMMITTEE **D.6 112** Council Member McAnally
- D.7 Consideration, discussion, and possible action by the Bastrop City Council on the FUNDING request by UPSTART for \$85,148 for program enhancements/ improvements. **D.7 113** Hank Nations
- D.8 Consideration, discussion, and possible action regarding the City of Bastrop participating in an agreement for a period of one (1) year for the rental of the PARKING LOT located at the southwest corner of Pine Street and Water Street for the purpose of creating additional parking in the Central Business District. **D.8 114** City Manager Talbot

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 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 551.086** - Certain Public Power Utilities: 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, Elizabeth Lopez, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 19th day of September 2014 at 4:00 pm

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



Mayoral Proclamation

National Night Out

October 7, 2014

Whereas, the City of Bastrop is sponsoring a unique, Nationwide crime, drug and violence prevention program on October 7, 2014, entitled "National Night Out"; and

Whereas, the "31st Annual National Night Out" provides a unique opportunity for our citizen's, business community, and visitor's to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

Whereas, our citizens and business community play a vital role in assisting the Bastrop Police Department through joint crime, drug and violence prevention efforts in our City; and

Whereas, it is essential that all citizens of Bastrop be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs, and violence; and

Whereas, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program,

Now, Therefore, I, Mayor Kesselus and the Council Members of the City of Bastrop, hereby call upon all our citizens, business owners, and guests to join the Bastrop Police Department in our Celebration of the "31st Annual National Night Out" on October 7, 2014.

Further, let it be proclaimed, by the Mayor and the Council Members, that October 7, 2014, is hereby proclaimed as "NATIONAL NIGHT OUT" in the City of Bastrop, Texas.

Proclaimed, signed and sealed this 23rd day of September 2014 in the City of Bastrop, Texas.



Ken Kesselus, Mayor

Mayoral Proclamation

National Bullying Prevention Month

STAND UP!
PREVENT BULLYING NOW!
SPEAK OUT!

Whereas, the City of Bastrop encourages everyone to be a friend and help defend against bullying, which can be caused by physical, verbal, sexual, emotional harm, and/or intimidation intentionally directed at a person or group of people; and

Whereas, bullying occurs in neighborhoods, playgrounds, schools, and through technology, such as the Internet and cell phones; and

Whereas, various researchers have concluded that bullying is the most common form of violence, affecting millions of American children and adolescents annually; and

Whereas, hundreds of children and adolescents are affected by bullying annually; and

Whereas, targets of bullying are more likely to acquire physical, emotional, and learning problems and students who are repeatedly bullied often fear such activities as riding the bus, going to school, and attending community activities; and

Whereas, children who bully are at greater risk of engaging in more serious violent behaviors; and

Whereas, children who witness bullying often feel less secure, more fearful, and intimidated.

Now, Therefore, I, Mayor Kesselus and the Council Members of the City of Bastrop, hereby call upon all our students, parents, recreation programs, religious institutions, and community organizations to engage in a variety of awareness and prevention activities designed to make our communities safer for all children and adolescents.

Further, let it be proclaimed, by the Mayor and the Council Members, that October is hereby proclaimed as "Bully Awareness Month" in the City of Bastrop, Texas.

Proclaimed, signed and sealed this 23rd day of September 2014 in the City of Bastrop, Texas.



Ken Kesselus, Mayor

CITY OF BASTROP

AGENDA ITEM

A-1

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 19, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Approval of Minutes for the Special Meeting/Budget Workshop held on August 19th, 2014 and the Regular Meeting held on August 26th, 2014.
2. Party Making Request: Elizabeth Lopez, City Secretary
3. Nature of Request: (Brief Overview) Attachments: Yes No
4. Policy Implication: _____
5. Budgeted: _____ Yes _____ No _____ N/A
 Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____
6. Alternate Option/Costs: _____
7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____	_____	_____	_____
b)	_____	_____	_____	_____
c)	_____	_____	_____	_____
8. Staff Recommendation: _____
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

CITY OF BASTROP

AGENDA ITEM **A-2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 9, 2014

MEETING DATE: September 23, 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 amending Chapter 14, Section 13.2.3 Permitted Uses to reflect that Agricultural/Open Space allow orchards and crops and retail operations of 500 square feet or less, relating to the regulation of Agricultural/Open Space Permitted Uses; providing a severability clause; 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 Amendment to the Zoning Ordinance, Chapter 14, Section 13 A. Agricultural/Open Space, being Section 13.2 Permitted Uses to 13.2.3 to allow orchards and crops and retail operations limited to 500 square feet without a home occupation.**

9. Advisory Board Recommendation: XXXX Recommended Approval ___ Denial ___ None
The Planning and Zoning Commission conducted a public hearing on August 28, 2014 and voted unanimously 6-0 to recommend approval of the Amendment to the Zoning Ordinance, Chapter 14, Section 13 A. Agricultural/Open Space, being Section 13.2 Permitted Uses to 13.2.3 to allow orchards and crops and retail operations limited to 500 square feet without a home occupation and to forward the changes in ordinance form to City Council.

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

11. Action Taken: _____

City of Bastrop



Agenda Information Sheet:

City Council Meeting Date:

September 9, 2014

Public Hearing: Consideration, discussion and possible action on an Amendment to the Zoning Ordinance, Chapter 14, Section 13 A, Agricultural/ Open Space, being Section 13.2 Permitted Uses to revise 13.2.3 to allow orchards and crops and retail operations limited to 500 square feet without a home occupation.

Item Summary:

At the March 27, 2014, Planning and Zoning Commission meeting, the Commission recommended approval of potential ordinance changes to the A, Agricultural/Open Space section of the Zoning Ordinance. After the meeting staff further reviewed the language changes with legal and re-evaluated potential changes to the ordinance. Staff revisited the changes and is comfortable with the proposed modifications.

Background:

These language changes are a result from the February 27, 2014 meeting regarding the potential for a non-owner occupied orchard/blueberry farm opening in the Agricultural Zoning District.

The Planning and Zoning Commission directed staff to review the current Agricultural/Open Space Permitted Uses at the March 27, 2014 Planning and Zoning Commission meeting.

That Chapter 14 Exhibit "A" of the Code of Ordinances of the City of Bastrop, Section 13.2.3, shall be, and is hereby amended so that it shall hereafter read as follows:

SECTION 13 A - AGRICULTURAL/OPEN SPACE DISTRICT

13.1 GENERAL PURPOSE AND DESCRIPTION:

The AOS, Agricultural and Open Space, District is designed to permit the use of land for the propagation and cultivation of crops and similar uses of vacant land. Single family uses on large lots are also appropriate for this district. This district also contains open space, which is generally under the control of the public and usually used for parks and recreational areas. Open Space areas are designated on the Zoning Map with a light shade of green.

13.2 PERMITTED USES:

1. Those uses specified in Section 36 (Use Charts)
2. Single-family detached dwellings
3. Farms, barns, nurseries, greenhouses, crops, orchards or gardens on parcels three (3) acres or larger, limited to the propagation and cultivation of plants, provided no retail business is conducted on the premises ~~except as provided under home occupation (Appendix A-3, Definitions) which the retail area exceeds 500 square feet.~~ Barns or other similar structures located on less than three (3) acres shall not exceed one thousand (1000) five hundred (500) square feet in floor area.
4. Municipally-owned facilities and uses

5. Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:
 - a. The term accessory use shall include customary home occupations as herein defined.
 - b. Accessory buildings, including a private garage, shall not occupy more than fifty percent (50%) of the minimum required rear yard. When the accessory building is directly attached to the main building, it shall be considered an integral pad [part] of the main building. See Section 40 for additional accessory use requirements.
 - c. A detached private garage used in conjunction with the main building.
 - d. Antennae (amateur or CB radio) and/or satellite dish antennae, as specified in Section 43.5.
 - e. Detached garages and living quarters above a detached garage, or other accessory buildings such as barns, sheds, and other structures are permitted. Detached servants quarters without a garage shall be permitted by CUP and are required to be on a lot three (3) acres or larger. No such accessory building or quarters shall be used or occupied as a place of abode or dwelling by anyone other than a bona fide servant or farm worker actually and regularly employed by the land owner or occupant of the main building or is a guest or family member. The structure shall in any case not be leased or sold.
 - f. Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
6. Swimming Pool (private)
7. Utilities (public)
8. Such uses as may be permitted under the provisions of Conditional Use Permits, Section 33.

Staff Recommendation: Staff recommends the above changes to the Zoning Ordinance, Chapter 14, Section 13 A, Agricultural/Open Space, being 13.2 Permitted Uses to revise 13.2.3 to add orchards and allow retail operations limited to 500 square feet without a home occupation.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a Public Hearing August 28, 2014 and voted unanimously, 6-0 to recommend approval of the changes to the Zoning Ordinance, Chapter 14, Section 13 A, Agricultural/Open Space, being 13.2 Permitted Uses to revise 13.2.3 to add orchards and allow retail operations limited to 500 square feet without a home occupation and to forward the changes in ordinance form to City Council.

City Contact:

Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:

None at this time.

ORDINANCE No. 2014-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 14, SECTION 13.2.3 PERMITTED USES TO REFLECT THAT AGRICULTURAL/OPEN SPACE ALLOW ORCHARDS AND CROPS AND RETAIL OPERATIONS OF 500 SQUARE FEET OR LESS, RELATING TO THE REGULATION OF AGRICULTURAL/OPEN SPACE PERMITTED USES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop adopted the Zoning Ordinance September 14, 1999 to provide for standards that is in keeping with the character of the community; and

WHEREAS, a request has been received to allow orchards and crops and retail operations of 500 square feet or less within the AOS, Agricultural/Open Space where currently it is not allowed; and

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, a Public Hearing notice was published in the newspaper notifying the public of the scheduled public hearing dates for the Planning and Zoning Commission and City Council to hear and discuss the proposed amendment; and

WHEREAS, after notice and public hearing at their regular meeting August 28, 2014 the Planning and Zoning Commission recommended an amendment to Section 13.2.3 Permitted Uses, to allow orchards and crops and retail operations of 500 square feet or less within the AOS, Agricultural/Open Space; and

WHEREAS, after consideration of public input received at the public hearing, the information provided by the City of Bastrop Planning and Development Department, and all other information presented, the City Council finds that it is in the public interest to approve the amendment to Section 13.2.3 Permitted Uses.

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

Part 1: That Section 13.2.3C of the Zoning Ordinance, Chapter 14 of the Bastrop City Code of Ordinances is hereby amended to read as follows.

SECTION 13 A - AGRICULTURAL/OPEN SPACE DISTRICT

13.1 GENERAL PURPOSE AND DESCRIPTION:

The AOS, Agricultural and Open Space, District is designed to permit the use of land for the propagation and cultivation of crops and similar uses of vacant land. Single family uses on large lots are also appropriate for this district. This district also contains open space, which is generally under the control of the public and usually used for parks and recreational areas. Open Space areas are designated on the Zoning Map with a light shade of green.

13.2 PERMITTED USES:

1. Those uses specified in Section 36 (Use Charts)
2. Single-family detached dwellings
3. Farms, barns, nurseries, greenhouses, crops, orchards or gardens on parcels three (3) acres or larger, limited to the propagation and cultivation of plants, provided no retail business is conducted on the premises ~~except as provided under home occupation (Appendix A-3, Definitions)~~ which the retail area exceeds 500 square feet. Barns or other similar structures located on less than three (3) acres shall not exceed one thousand (1000) ~~five hundred (500)~~ square feet in floor area.
4. Municipally-owned facilities and uses
5. Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:
 - a. The term accessory use shall include customary home occupations as herein defined.
 - b. Accessory buildings, including a private garage, shall not occupy more than fifty percent (50%) of the minimum required rear yard. When the accessory building is directly attached to the main building, it shall be considered an integral pad [part] of the main building. See Section 40 for additional accessory use requirements.
 - c. A detached private garage used in conjunction with the main building.
 - d. Antennae (amateur or CB radio) and/or satellite dish antennae, as specified in Section 43.5.
 - e. Detached garages and living quarters above a detached garage, or other accessory buildings such as barns, sheds, and other structures are permitted. Detached servants quarters without a garage shall be permitted by CUP and are required to be on a lot three (3) acres or larger. No such accessory building or quarters shall be used or occupied as a place of abode or dwelling by anyone other than a bona fide servant or farm worker actually and regularly employed by the land owner or occupant of the main building or is a guest or family member. The structure shall in any case not be leased or sold.

- f. Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.
- 6. Swimming Pool (private)
- 7. Utilities (public)
- 8. Such uses as may be permitted under the provisions of Conditional Use Permits, Section 33.

Part 2: The City Manager and/or his designees are hereby authorized and directed to make the necessary changes to all records of the City of Bastrop to reflect this amendment.

Part 3: All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect. 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 4: This Ordinance shall become effective in accordance with the City Charter and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 9th day of September, 2014.

PASSED and ADOPTED on Second Reading on the 23rd day of September, 2014.

APPROVED:

ATTEST:

Ken Kesselus
Mayor

Elizabeth Lopez
City Secretary

CITY OF BASTROP

AGENDA ITEM

A-3

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 9, 2014

MEETING DATE: September 23, 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 **amending Chapter 14 Exhibit "A" Section 36.11 regarding the addition of wineries and breweries and distilleries as commercial uses allowed in the Central Business District (CBD), Commercial District Heavy (C-2) and Light Industrial (LI) with/under the terms of a Conditional Use Permit; amending Appendix A-3 entitled "Definitions" to include definitions for the terms winery, brewery, and distilleries; repealing conflicting provisions, providing for severability; 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 changes to the Zoning Ordinance, Chapter 14, Section 36.11 Zoning Use Chart and A-3, Definitions. Amend to define and allow breweries, wineries and distilleries with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI) districts.

9. Advisory Board Recommendation: **XX Recommended Approval** ___ Denial ___ None
The Planning and Zoning Commission conducted a public hearing on August 28, 2014 and voted unanimously 6-0 to recommend approval of the changes to the Zoning Ordinance, Chapter 14, Section 36.11 Zoning Use Chart and A-3, Definitions. Amend to define and allow breweries, wineries and distilleries with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI) districts and to forward the changes in ordinance format to City Council.

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

11. Action Taken: _____



City of Bastrop

Agenda Information Sheet:

City Council Meeting Date:

September 9, 2014

Public Hearing: Consideration, discussion and possible action on an Amendment to the Zoning Ordinance, Chapter 14, Section 36.11 Zoning Use Charts and A-3, Definitions. Amend to define and allow breweries, wineries and distilleries with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI) districts.

Item Summary:

The City's zoning code does not currently speak to the operation and use of breweries, distilleries and wineries. This would amend the Zoning Code to allow these uses with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI).

Concurrently, additional changes to Chapter 4, Business and Commerce, that also references on and offsite sales of beer, wine and alcohol will be processed through City Council.

Background:

These language changes are a result of discussions among staff and City Council and requests from business owners to open breweries and wineries and potential distilleries.

Chapter 14 Exhibit "A" of the Code of Ordinances of the City of Bastrop, Section 36.11, shall be, and is hereby, amended so that Section 36.11 shall hereafter read as follows:

SECTION 36.11 ZONING USE CHART – COMMERCIAL TYPE USES

Commercial Type Uses	CBD	C-2	LI
Breweries	C	C	C
Wineries	C	C	C
Distilleries	C	C	C

Chapter 14, Exhibit A, Appendix A-3 of the Code of Ordinances of the City of Bastrop, shall be, and is hereby, amended to include the following definitions:

A-3 DEFINITIONS

BREWERY – a business that produces craft beers and which business holds a current, valid Texas Alcohol Beverage Commission (TCAB) type B permit, including operations related to the manufacture and sale of craft beer for both on-site and off-site consumption.

WINERY – a business that produces wine and which business holds a current, valid Texas Alcohol Beverage Commission (TABC) type “G permit,” including operations related to the production and sale of wine for both on-site and off-site consumption.

DISTILLERY – a business that produces distilled spirits and which business holds a current, valid Texas Alcoholic Beverage Commission (TACB) type D permit, including operations related to the production and sale of distilled spirits, for only off-site consumption. *[TABC definition: "Distilled spirits" means alcohol, spirits of wine, whiskey, rum, brandy, gin, or any liquor produced in whole or in part by the process of distillation, including all dilutions or mixtures of them, and includes spirit coolers that may have an alcoholic content as low as four percent alcohol by volume and that contain plain, sparkling, or carbonated water and may also contain one or more natural or artificial blending or flavoring ingredients.]*

Staff Recommendation: Staff recommends the above changes to the Zoning Ordinance, Chapter 14, Section 36.11 Zoning Use Chart and A-3, Definitions. Amend to define and allow breweries, wineries and distilleries with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI) districts.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a Public Hearing August 28, 2014 and voted unanimously, 6-0 to recommend approval of the changes to the Zoning Ordinance, Chapter 14, Section 36.11 Zoning Use Chart and A-3, Definitions. Amend to define and allow breweries, wineries and distilleries with a Conditional Use Permit (CUP) within the Central Business District (CBD), Commercial District-Heavy (C-2) and Light Industrial (LI) districts and to forward the changes in ordinance format to City Council.

City Contact:

Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:

Zoning Map

ORDINANCE No. 2014-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 14 EXHIBIT "A" SECTION 36.11 REGARDING THE ADDITION OF WINERIES AND BREWERIES AND DISTILLERIES AS COMMERCIAL USES ALLOWED IN THE CENTRAL BUSINESS DISTRICT (CBD), COMMERCIAL DISTRICT HEAVY (C-2) AND LIGHT INDUSTRIAL (LI) WITH/UNDER THE TERMS OF A CONDITIONAL USE PERMIT; AMENDING APPENDIX A-3 ENTITLED "DEFINITIONS" TO INCLUDE DEFINITIONS FOR THE TERMS WINERY, BREWERY, AND DISTILLERIES; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop adopted the Zoning Ordinance September 14, 1999 to provide for standards that is in keeping with the character of the community; and

WHEREAS, pursuant to Section 10.4 of the City's Zoning Ordinance, a Public Hearing notice was published in the newspaper notifying the public of the scheduled public hearing dates for the Planning and Zoning Commission and City Council to hear and discuss the proposed amendment; and

WHEREAS, to include wineries, breweries and distilleries as commercial uses to be allowed in the Central Business District (CBD), Commercial District Heavy (C-2) and Light Industrial (LI) with and under the terms of a Conditional Use Permit(s), issued by the City; and

WHEREAS, after notice and public hearing at their regular meeting August 28, 2014 the Planning and Zoning Commission recommended to the City Council that it amend the Code to add definitions in the Zoning Code, Appendix A-3, to define the terms 'wineries', 'breweries' and 'distilleries'; and

WHEREAS, the Planning and Zoning Commission further recommended the City Council approve an amendment to Chapter 14 Exhibit "A" Section 36.11 of the City Code of Ordinances to include wineries, breweries and distilleries as commercial uses to be allowed in the Central Business District (CBD), Commercial District Heavy (C-2) and Light Industrial (LI), with and under the terms of a Conditional Use Permit(s), issued by the City.

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

PART 1: That Chapter 14, Exhibit A, Appendix A-3 of the Code of Ordinances of the City of Bastrop, shall be, and is hereby, amended to include the following definitions:

BREWERY – a business that produces craft beers and which business holds a current, valid Texas Alcohol Beverage Commission (TCAB) type B permit", including operations related to the manufacture and sale of craft beer for both on-site and off-site consumption.

WINERY – a business that produces wine and which business holds a current, valid Texas Alcohol Beverage Commission (“TABC”) type “G permit,” including operations related to the production and sale of wine for both on-site and off-site consumption.

DISTILLERY – a business that produces distilled spirits and which business holds a current, valid Texas Alcoholic Beverage Commission (“TACB”) type D permit,” including operations related to the production and sale of distilled spirits, for only off-site consumption. [TABC definition: “Distilled spirits” means alcohol, spirits of wine, whiskey, rum, brandy, gin, or any liquor produced in whole or in part by the process of distillation, including all dilutions or mixtures of them, and includes spirit coolers that may have an alcoholic content as low as four percent alcohol by volume and that contain plain, sparkling, or carbonated water and may also contain one or more natural or artificial blending or flavoring ingredients.]

PART 2: That Chapter 14 Exhibit “A” of the Code of Ordinances of the City of Bastrop, Section 36.11, shall be, and is hereby, amended so that Section 36.11 shall hereafter read as follows:

SECTION 36.11 COMMERCIAL USES

Commercial Type Uses	CBD	C-2	LI
Breweries	C	C	C
Wineries	C	C	C
Distilleries	C	C	C

PART 3: That 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 4: That any provisions of the Bastrop City Code and any ordinances in conflict with this ordinance are, to the extent of any such conflict, hereby repealed.

PART 5: That this Ordinance shall take effect upon the date of final passage noted below, or when all applicable hearing and publication requirements, if any, are satisfied in accordance with the City’s Charter, Code of Ordinances, and the laws of State of Texas.

READ and ACKNOWLEDGED on First Reading on the 9th day of September, 2014.

PASSED and ADOPTED on Second Reading on the 23rd day of September, 2014.

APPROVED:

ATTEST:

Ken Kesselus
Mayor

Elizabeth Lopez
City Secretary

CITY OF BASTROP

AGENDA ITEM **A-4**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 9, 2014

MEETING DATE: September 23, 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 amending Chapter 4, Business and Commerce, Article 4.02 related to the sale and consumption of Alcoholic Beverages in the Central Business District (CBD) repealing conflicting provisions, providing a savings clause; and providing an effective date.**

2. Party Making Request: **Mike Talbot, City Manager**

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: **These changes will support the Planning and Development Department Zoning Code revisions regarding breweries, distilleries and wineries within certain zoning classifications.**

This ordinance will allow the sale and consumption of alcoholic beverages within the Central Business District (CBD).

9. Advisory Board Recommendation: ___ Recommended Approval ___ Denial XXXX None

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

11. Action Taken: _____

ORDINANCE No. 2014-18

**AN ORDINANCE AMENDING THE BASTROP CITY CODE, CHAPTER 4, TITLED
“BUSINESS AND COMMERCE”, ARTICLE 4.02 ET SEQ., RELATED TO THE SALE
AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CENTRAL BUSINESS
DISTRICT; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the City Council has developed and approved written policies and procedures that provide for and allow for the sale and consumption of alcoholic beverages in various locations in the City of Bastrop, and

WHEREAS, the City Council desires to amend the existing valid City Code in a manner that reflects and supports the Council’s approval of and adoption of the Culinary District in the City of Bastrop to permit the on and off-site sale and consumption of beer and wine, only, in the Central Business District, when done in accordance with approved polices and procedures and in compliance with State permitting and licensing laws and regulations.

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

PART 1: Sec. 4.02.008 -- “Permitted Locations ” shall be amended, as follows:

Sec. 4.02.008 Permitted locations

(a) Establishments for the sale and consumption of beer and/or wine may be located in the following areas and none other (except as noted in section 4.02.004):

(1) Sale for consumption of beer and wine, on-premises, in food service establishments that derive less than fifty (50) percent of their gross revenue from on-premises sale and consumption of alcoholic beverages may be located in areas within the municipal limits with the following zoning designations:

- (A) The central business district;
- (B) The commercial tourism district;
- (C) The commercial-1 district (light);
- (D) The commercial-2 district (heavy).

(2) Notwithstanding the provisions noted above in subsection (1) of this section, sale for consumption of beer and wine, on-premises, is allowed in the following areas:

- (A) Property fronting on State Highway 95 from the northern city limits line to the intersection of State Highway 71, which is zoned commercial-1, commercial-2, commercial tourist, industrial park or light industrial.
- (B) Property fronting on State Highway 71 and property fronting on parallel frontage roads to State Highway 71 from the western city limits line to the eastern city limits line, which is zoned commercial-1, commercial-2, commercial tourist, industrial park or light industrial.
- (C) Property fronting on Loop 150 from the western bank of the Colorado River to the intersection of Loop 150 and State Highway 71, which is zoned commercial-1, commercial-2, commercial tourist, industrial park or light industrial.

(D) Property fronting on Loop 150 from the intersection of Water Street and Loop 150 east to the intersection of Loop 150 and State Highway 71, which is zoned commercial-1, commercial-2, commercial tourist, industrial park or light industrial.

(E) Property fronting on State Highway 21 from the intersection of Loop 150 and State Highway 21 to the eastern city limits line, which is zoned commercial-1, commercial-2, commercial tourist, industrial park or light industrial.

(F) Property zoned central business district.

(3) Sale for consumption of beer and wine, off-premises. Any establishment within the city limits that is located in an area that is zoned:

(a) commercial-1, commercial-2, commercial tourist, industrial park or light industrial, and

(b) central business district so long as the beer and wine products sold in the central business district are "Texas-made" products and the display of such alcoholic products occupies less than 20 % of the retail sales floor space of the establishment.

(b) Pursuant to a special option election held on February 5, 2005, the sale of mixed beverages on-premises is permitted in any establishment that has acquired a valid food and beverage certificate from the state alcoholic beverage commission, or successor agency, and that is located within the city limits in an area appropriately zoned for restaurant use.

[All provisions of Sec. 4.02 not specifically amended herein remain as stated in the City Code of Ordinances.]

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

PART 3: Disclaimer: This ordinance shall not create liability on the part of the community or any official or employee thereof for any damages that result from reliance on this order or any administrative decision lawfully made thereunder.

PART 4: Effective Date: The provisions of this Ordinance shall take effect immediately after passage and in accordance with applicable law.

READ and Approved on First Reading on the 9th day of September, 2014.

READ and Adopted on Second Reading on the 23rd day of September, 2014.

APPROVED:

ATTEST:

Ken Kesselus
Mayor

Elizabeth Lopez
City Secretary

Approved as to Form:

Jo-Christy Brown, City Attorney

CITY OF BASTROP

AGENDA ITEM **A-5**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 9, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion and possible action on the **SECOND READING** of an Ordinance amending the Bastrop City Code of Ordinances, Appendix A Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges" repealing conflicting provisions; providing severability; and providing an effective date.

2. Party Making Request: Michael H. Talbot, City Manager

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

4. Policy Implication: Projected growth indicates a near-future need for additional Water/Wastewater infrastructure and facilities. In response, the City prepared the City of Bastrop's Five Year Capital Improvement Program. This program is in its' first year of rate implementation and is consistent with Rimrock Consulting recommendation of the proposed rate increase of 11.5%.

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: _____

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

ORDINANCE NO. ~~2012-~~ 2014-_____

AN ORDINANCE AMENDING THE BASTROP CITY CODE OF ORDINANCES, APPENDIX A, FEE SCHEDULE, ARTICLE A13.02 "WATER AND WASTEWATER RATES AND CHARGES"; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as a result of study and evaluation undertaken by the City of Bastrop, Texas, the City Council has determined that aging municipal water and wastewater infrastructure exists in some areas of the Bastrop community, with the majority of such infrastructure generally located in the central portions of the City, and further, that portions of the City's aging infrastructure does/will need to be updated and/or replaced in order to increase service reliability to the City's customers, as well as to improve the appearance and taste of water provided to the public; and

WHEREAS, after careful engineering and technical analysis, the City has determined that, due to increased demands resulting from population growth within the City, there is a potential that both the City's water and wastewater facilities and related infrastructure may not have the capacity or to adequately handle the current or future demands for water and wastewater service placed upon such facilities and infrastructure; and

WHEREAS, the Council has determined that the City's past and present water and ~~sewer-wastewater~~ rates have not kept pace with the escalating funding requirements that are necessary for the City to provide routine and necessary water and wastewater infrastructure and facility upgrades and replacements; and

WHEREAS, projected City growth indicates a near-future need for construction and installation of new water and wastewater facilities and related infrastructure ~~and facilities~~, which need is reflected and discussed in detail in the "~~City of Bastrop's Five Year Capital Improvements Program, dated April 15, 2014; "City of Bastrop, Texas 2011 Water and Wastewater Capital Improvements Plan Summary Report" prepared by K*Friese and Associates (dated October 17, 2011) ("Capital Improvements Program");~~ and

WHEREAS, in order to address ~~these~~ critical needs, City Staff and ~~its~~ the City's professional consultants have developed a multi-year program to finance the needed water and wastewater facility and infrastructure improvements, with the objectives of providing for the health, ~~and safety~~ and welfare of Bastrop's citizens and providing for the orderly and equitable funding of these utility improvements which are necessary for the ongoing and future provision of water and wastewater services to the citizens of Bastrop; and

~~WHEREAS, on November 22, 2011 the Bastrop City Council amended the City Code of Ordinances Chapter 13, and Appendix A: Fee Schedule Article A13.02 Water and Wastewater Rates and Charges to implement the first year of implementation of the rate changes necessary to meet critical needs of the City's water-wastewater system.~~

WHEREAS, the City Council of the City of Bastrop, Texas has determined that in order to continue the approved Capital Improvement Program ~~for its second year of implementation~~ and to properly provide water and wastewater service within the City, it is necessary to amend the City Code of Ordinances Chapter 13, and Appendix A: Fee Schedule Article A13.02 Water and Wastewater Rates and Charges, as noted below.

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

PART 1: That Appendix A: of the Code of Ordinances, entitled Fee Schedule Article A13.02 "Water and Wastewater Rates and Charges", shall be amended as follows:

ARTICLE A13.02 Water and Wastewater Rates and Charges

Sec. A13.02.002 -Wastewater Service Charges

- (a) These rates are applicable to all residential, multifamily and commercial retail wastewater customers within the corporate limits of the city who have metered water connections and to whom city wastewater service has actually been connected, except for customers who have a city approved, on-site sewer system, septic system or other on-site wastewater system, and have not connected to the city's wastewater system, or customers who have a water meter for irrigation use only, as long as the irrigation meter does not provide water to plumbing fixtures.

Minimum Charge: ~~\$23.37~~ \$26.06

Plus the following charges for consumption per 1,000 gallons:

0-5,000 gallons	\$2.42 \$2.36
5,001-10,000 gallons	\$2.40 \$2.68
10,001-20,000 gallons	\$2.56 \$2.85
20,001-50,000 gallons	\$2.75 \$3.07
Over 50,000 gallons	\$3.00 \$3.35

In order to meet critical needs of the City's wastewater system, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K* Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:

- December 2013 — Minimum and volume charges not less than 6.3% higher than those adopted in 2012;
- December 2014 — Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and
- December 2015 — Minimum and volume charges not less than 3.5% higher than those adopted in 2014.
- December 2016 — Minimum and volume charges not less than 4.5% higher than those adopted in 2015;
- December 2017 — Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and
- December 2018 — Minimum and volume charges not less than 4.0% higher than those adopted in 2017.
- December 2019 — Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and

Sec. A13.02.004 Water Service Charges

These rates will be applicable to all sales or service of water within the corporate limits of the city.

- (1) Residential - In city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$24.02 \$26.78
1"	\$40.84 \$45.54
1-1/2"	\$68.86 \$76.78
2"	\$102.49 \$114.28
3"	\$192.18 \$214.28
4"	\$221.02 \$246.44
6"	\$573.36 \$639.30

Plus the following charges for consumption per 1,000 gallons:

0–3,000 gallons	\$2.47 \$2.75
3,001–5,000 gallons	\$2.64 \$2.94
5,001–10,000 gallons	\$2.79 \$3.11
10,001–20,000 gallons	\$2.96 \$3.30
20,001–50,000 gallons	\$3.20 \$3.57
Over 50,000 gallons	\$3.35 \$3.74

Commercial - In city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$24.02 \$26.78
1"	\$40.84 \$45.54
1-1/2"	\$68.86 \$76.78
2"	\$102.49 \$114.28
3"	\$192.18 \$214.28
4"	\$221.02 \$246.44
6"	\$573.36 \$639.30

Plus the following charges for consumption per 1,000 gallons:

0–3,000 gallons	\$2.47 \$2.75
3,001–5,000 gallons	\$2.64 \$2.94
5,001–10,000 gallons	\$2.79 \$3.11
10,001–20,000 gallons	\$2.96 \$3.30
20,001–50,000 gallons	\$3.20 \$3.57
Over 50,000 gallons	\$3.35 \$3.74

(2) Residential and Commercial - Outside city limits.

Meter Size	Minimum Charge
3/4" (or smaller)	\$36.04 \$40.18
1"	\$61.26 \$68.30
1-1/2"	\$103.31 \$115.19

2"	\$153.75 171.43
3"	\$288.28 \$321.43
4"	\$439.63 \$490.19
6"	\$860.02 \$958.92

Plus the following charges for consumption per 1,000 gallons:

0-3,000 gallons	\$3.58 \$3.99
3,001-5,000 gallons	\$3.83 \$4.27
5,001-10,000 gallons	\$4.07 \$4.54
10,001-20,000 gallons	\$4.31 \$4.81
20,001-50,000 gallons	\$4.67 \$5.21
Over 50,000 gallons	\$4.91 \$5.47

~~In order to meet critical needs of the City's water system, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K* Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:~~

- ~~December 2013 — Minimum and volume charges not less than 6.3% higher than those adopted in 2012;~~
- ~~December 2014 — Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and~~
- ~~December 2015 — Minimum and volume charges not less than 3.5% higher than those adopted in 2014.~~
- ~~December 2016 — Minimum and volume charges not less than 4.5% higher than those adopted in 2015;~~
- ~~December 2017 — Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and~~
- ~~December 2018 — Minimum and volume charges not less than 4.0% higher than those adopted in 2017.~~
- ~~December 2019 — Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and~~

Sec. A13.02.011__—Acceptance and treatment of wastes from on-site sewage facilities or septic systems.

Formatted: Justified

[No change in (d)].

(e) Wastewater treatment plant septic unloading fees.

Gallons	Rates
0-1,000	\$56.05 \$62.50
1,001-1,500	\$84.08 \$93.75
1,501-2,000	\$112.11 \$125.00
2,001-2,500	\$140.14 \$156.26
2,501-3,000	\$168.16 \$187.50
3,001-3,500	\$196.19 \$218.75
3,501-4,000	\$224.22 \$250.01
4,001-4,500	\$252.25 \$281.26
4,501-5,000	\$280.27 \$312.50
5,001-5,500	\$308.30 \$343.75
5,501-6,000	\$336.33 \$375.01
6,001-6,500	\$364.36 \$406.26
6,501-7,000	\$392.38 \$437.50
7,001-7,500	\$420.41 \$468.76
7,501-8,000	\$448.44 \$500.01
8,001-8,500	\$476.46 \$531.25
8,501-9,000	\$504.49 \$562.51
9,001-9,500	\$532.52 \$593.76
9,501-10,000	\$560.55 \$625.01

In order to meet critical needs of the City's acceptance and treatment of wastes from on-site sewage facilities or septic systems, it is the City's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the City's staff, K² Friese and Associates and Rimrock consulting. The intended future rate increases are as follows:

- December 2013 — Minimum and volume charges not less than 6.3% higher than those adopted in 2012;
- December 2014 — Minimum and volume charges not less than 3.5% higher than those adopted in 2013; and

- ~~December 2015 — Minimum and volume charges not less than 3.5% higher than those adopted in 2014.~~
- ~~December 2016 — Minimum and volume charges not less than 4.5% higher than those adopted in 2015;~~
- ~~December 2017 — Minimum and volume charges not less than 4.5% higher than those adopted in 2016; and~~
- ~~December 2018 — Minimum and volume charges not less than 4.0% higher than those adopted in 2017.~~
- ~~December 2019 — Minimum and volume charges not less than 3.5% higher than those adopted in 2018; and~~

PART 2: 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 3: That all ordinances, resolutions and orders heretofore passed, adopted and made, or any part of the same, affecting rates and charges for residential and commercial electric rates of the City of Bastrop, 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. All provisions not amended herein shall remain in full force and effect.

PART 4: The Changes noted in this Ordinance shall become effective during the first municipal utility billing cycle in November in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

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

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

APPROVED:

ATTEST:

By: Ken Kesselus, Mayor

By: Elizabeth Lopez, City Secretary

CITY OF BASTROP

AGENDA ITEM

A-6

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 17, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: **Approval of City of Bastrop Financial Management Policy and Purchasing Policy.**

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

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: _____

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

City of Bastrop

Financial Management Policies

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I. PURPOSE STATEMENT

The overriding goal of the Financial Management Policies is to enable the city to achieve a long-term stable and positive financial condition while conducting its operations consistent with the Council-Manager form of government established in the City Charter. The watchwords of the city's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure.

The purpose of the Financial Management Policies is to provide guidelines for the financial management staff in planning and directing the city's day-to-day financial affairs and in developing recommendations to the City Manager.

The scope of the policies spans accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, cash management, expenditure control and debt management.

II. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

- A. **ACCOUNTING** – The city's Finance Department is responsible for establishing the chart of accounts, and for properly recording financial transactions.
- B. **FUNDS** – Self-balancing groups of accounts are used to account for city financial transactions in accordance with generally accepted accounting principles. Each fund is created for a specific purpose except for the General Fund, which is used to account for all transactions not accounted for in other funds.
- C. **EXTERNAL AUDITING** – The city will be audited annually by outside independent auditors. The auditors must be a CPA firm of national reputation, and must demonstrate that they have the breadth and depth of staff to conduct the city's audit in accordance with generally accepted auditing standards, generally accepted government auditing standards, and contractual requirements. The auditors' report on the city's financial statements including any federal grant single audits will be completed within 120 days of the city's fiscal year end, and the auditors' management letter will be presented to the city staff within 150 days after the city's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The city staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.
- D. **EXTERNAL AUDITORS RESPONSIBLE TO CITY COUNCIL** - The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the city staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.

- E. **EXTERNAL AUDITOR ROTATION** – The city will not require external auditor rotation, but will circulate requests for proposal for audit services periodically, normally at five-year intervals or less.
- F. **EXTERNAL FINANCIAL REPORTING** – The city will prepare and publish a Comprehensive Annual Financial Report (CAFR). The CAFR will be prepared in accordance with generally accepted accounting principles, and may be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The CAFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing and auditor availability limitations may preclude such timely reporting. In such case, the Chief Financial Officer will inform the City Manager and the City Manager will inform the City Council of the delay and the reasons therefore.

III. INTERNAL CONTROLS

- A. **WRITTEN PROCEDURES** – The Finance Department is responsible for developing city-wide written guidelines on accounting, cash handling, and other financial matters which will be approved by the City Manager.

The Finance Department will assist department managers as needed in tailoring these guidelines into detailed written procedures to fit each department’s requirements.

- B. **INTERNAL AUDIT** – The Finance Department may conduct reviews of the departments to determine if the departments are following the written guidelines as they apply to the departments.

Finance will also review the written guidelines on accounting, cash handling and other financial matters. Based on these reviews Finance will recommend internal control improvements as needed.

- C. **DEPARTMENT MANAGERS RESPONSIBLE** – Each department manager is responsible to the City Manager to ensure that good internal controls are followed throughout his or her department, that all guidelines on accounting and internal controls are implemented, and that all independent and internal control recommendations are addressed.

IV. OPERATING BUDGET

- A. **PREPARATION** – The city’s “operating budget” is the city’s annual financial operating plan. It consists of governmental and proprietary funds, including the general obligation debt service fund. The budget is prepared by the City Manager with the assistance of the Chief Financial Officer and cooperation of all city departments. The City Manager transmits the document to the City Council. The budget should be enacted by the City Council prior to the

fiscal year beginning. The operating budget may be submitted to the GFOA annually for evaluation and possible awarding of the Award for Distinguished Budget Presentation.

- B. **BALANCED BUDGETS** – An operating budget will be balanced, with current revenues, inclusive of beginning resources, greater than or equal to current expenditures/expenses.
- C. **PLANNING** – The budget process will be coordinated so as to identify major policy issues for City Council.
- D. **REPORTING** – Periodic financial reports are available within INCODE to enable the department managers to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Summary monthly financial reports will be presented to the City Council within 45 days after the end of each month, if council meetings do not interfere with reporting requirement. Such reports will include current year revenue and expenditure budgets and year-to-date actual figures.
- E. **CONTROL** – Operating Expenditure Control is addressed in another section of the Policies.
- F. **PERFORMANCE MEASURES** – Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process and reported to the City Council at least quarterly.

V. CAPITAL BUDGET

- A. **PREPARATION** – The city’s capital budget will be included in the city’s operating budget. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required city departments.
- B. **APPROPRIATION** – An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed, or encumbered shall be deemed excess funds.
- C. **CONTROL** – All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.
- D. **ALTERNATE RESOURCES** – Where applicable, assessments, impact fees, or other user-based fees should be used to fund capital projects which have a primary benefit to certain property owners.
- E. **DEBT FINANCING** – Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it

will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.

- F. **REPORTING** – Financial reports will be available to enable the department managers to manage their operating budgets and to enable the finance department to monitor the operating budget as authorized by the City Manager.

VI. REVENUE MANAGEMENT

- A. **SIMPLICITY** – The city will strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay. The city will avoid nuisance taxes, fees, or charges as revenue sources.
- B. **CERTAINTY** – An understanding of the revenue source increases the reliability of the revenue system. The city will try to understand its revenue sources, and enact consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.
- C. **EQUITY** – The city will strive to maintain equity in the revenue system structure. That is, the city will seek to minimize or eliminate all forms of subsidization between entities, funds, services, utilities and customers. However, it is recognized that public policy decisions may lead to subsidies in certain circumstances, e.g., Over 65 property tax exemptions.
- D. **ADMINISTRATION** – The benefits of revenue will exceed the cost of producing the revenue. The cost of collection will be reviewed annually for cost effectiveness as a part of the indirect cost, and cost of services analysis.
- E. **REVENUE ADEQUACY** – The city will require that there be a balance in the revenue system. That is, the revenue base will have the characteristic of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.
- F. **COST/BENEFIT OF ABATEMENT** – The city will use due caution in the analysis of any tax, fee, or water and wastewater incentives that are used to encourage development. A cost/benefit (fiscal impact) analysis will be performed as a part of such analysis and presented to the appropriate entity considering using such incentive.
- G. **DIVERSIFICATION AND STABILITY** – In order to protect the government from fluctuations in revenue source due to fluctuations in the economy, and variations in weather (in the case of water and wastewater), a diversified revenue system will be maintained.

H. NON-RECURRING REVENUES – One-time revenues will not be used for ongoing operations. Non-recurring revenues will be used only for non-recurring expenditures. Care will be taken not to use these revenues for budget balancing purposes.

I. PROPERTY TAX REVENUES – Property shall be assessed at 100% of the fair market value as appraised by the Bastrop Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 97% collection rate will serve as a minimum for tax collection, with the delinquency rate of 4% or less. The 97% rate is calculated by dividing total current year tax collections for a fiscal year by the total tax levy for the fiscal year.

All delinquent taxes will be aggressively pursued by being turned over to an attorney, and a penalty assessed to compensate the attorney as allowed by State law, and in accordance with the attorney’s contract.

J. USER-BASED FEES – For services associated with a user fee or charge, the direct and indirect costs of that service will be offset by a fee where possible. There will be an annual review of fees and charges to ensure that fees provide adequate coverage of costs and services. User charges may be classed as “full cost recover,” “partial costs recover,” and “minimal cost recovery,” based upon City Council policy.

K. GENERAL AND ADMINISTRATIVE CHARGES – A method will be maintained whereby the General Fund can impose a charge to the enterprise/ proprietary funds for general and administrative services (indirect costs) performed on the funds’ behalf. The details will be documented and said information will be maintained in the Finance Department.

L. UTILITY RATES – The city will strive to review utility rates annually and, if necessary, adopt new rates to generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects.

M. INTEREST INCOME – Interest earned from investment of available monies, whether pooled or not, will be distributed to the funds in accordance with the operating and capital budgets which, wherever possible, will be in accordance with the equity balance of the fund from which monies were provided to be invested.

N. REVENUE MONITORING – Revenues actually received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the appropriate budget report.

VII. EXPENDITURE CONTROL

- A. APPROPRIATIONS** – The level of budgetary control is the department level budget in all Funds. When budget adjustments (i.e., amendments), among departments and/or funds are necessary these must be approved by the City Council.
- B. VACANCY SAVINGS AND CONTINGENCY ACCOUNT** – The General Fund Contingency Account will be budgeted at a minimal amount (\$35,000). The contingency account balance for expenditures may be increased quarterly by the amount of available vacancy savings.
- C. CONTINGENCY ACCOUNT EXPENDITURES** – The City Council must approve all contingency account expenditures over \$50,000. The City Manager must approve all other contingency account expenditures.
- D. CENTRAL CONTROL** – Significant vacancy (salary) and capital budgetary savings in any department will be centrally controlled by the City Manager.
- E. PURCHASING CONTROL**– All purchases shall be made in accordance with the city’s purchasing policies as defined in the Purchasing Policy. Authorization levels for appropriations previously approved by the City Council are as follows: below Directors \$1,000, for Directors up to \$10,000, for Chief Financial Officer up to \$15,000 and with any purchases exceeding \$15,001 to be approved by the City Manager.
- F. PROFESSIONAL SERVICES** – Professional services will generally be processed through a request for proposals process, except for smaller contracts. The City Manager may execute any professional services contract less than \$50,000 provided there is an appropriation for such contract.
- G. PROMPT PAYMENT** – All invoices will be paid within 30 days of receipt in accordance with the prompt payment requirements of State law. Procedures will be used to take advantage of all purchase discounts where considered cost effective. However, payments will also be reasonably delayed in order to maximize the city’s investable cash, where such delay does not violate the agreed upon terms.

VIII. ASSET MANAGEMENT

- A. INVESTMENTS** – The city’s investment practices will be conducted in accordance with the City Council approved Investment Policies.
- B. CASH MANAGEMENT** – The city’s cash flow will be managed to maximize the cash available to invest.
- C. INVESTMENT PERFORMANCE** – A quarterly report on investment performance will be provided by the Chief Financial Officer to the City Council.

- D. FIXED ASSETS AND INVENTORY** – These assets will be reasonably safeguarded and properly accounted for, and prudently insured.

IX. FINANCIAL CONDITION AND RESERVES

- A. NO OPERATING DEFICITS** – Current expenditures should be paid with current revenues. Deferrals, short-term loans, or one-time sources should be avoided as budget balancing technique. Reserves will be used only for emergencies on non-recurring expenditures, except when balances can be reduced because their levels exceed guideline minimums.
- B. OPERATING RESERVES** – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted.
 - 1. The General Fund ending fund balance will be maintained at an amount up to three months’ worth or at a level 25% of budgeted expenditures.
 - 2. The Enterprise/ Proprietary Funds will be maintained at a minimum level 35% of budgeted expenditures.
- C. RISK MANAGEMENT PROGRAM** – The city will aggressively pursue every opportunity to provide for the public’s and city employees’ safety and to manage its risks.
- D. LOSS FINANCING** – All reasonable options will be investigated to finance losses. Such options may include risk transfer, insurance and risk retention. Where risk is retained, reserves will be established based on a calculation of incurred but not reported claims, and actuarial determinations and such reserves will not be used for any purpose other than for financing losses.
- E. ENTEPRISE/ PROPPRIETARY FUND SELF-SUFFICIENCY** – The city’s enterprise funds’ resources will be sufficient to fund operating and capital expenditures. The enterprise funds will pay (where applicable) their fair share of general and administrative expenses, in-lieu-of-property taxes and/or franchise fees. If an enterprise fund is temporarily unable to pay all expenses, then the City Council may waive general and administrative expenses, in-lieu-of-property taxes and/or franchise fees until the fund is able to pay them.

X. DEBT MANAGEMENT

- A. SELF-SUPPORTING DEBT** – When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.
- B. ANALYSIS OF FINANCING ALTERNATIVES** – The city will explore all financing alternatives in addition to long-term debt including leasing, grants and other aid, developer contributions, impact fees, and use of reserves or current monies.

- C. VOTER AUTHORIZATION** – The city shall obtain voter authorization before issuing General Obligation Bonds as required by law. Voter authorization is not required for the issuance of Revenue Bonds. However, the city may elect to obtain voter authorization for Revenue Bonds.

XI. STAFFING AND TRAINING

- A. ADEQUATE STAFFING** – Staffing levels will be adequate for the fiscal functions of the city to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Workload scheduling alternatives will be explored before adding staff.
- B. TRAINING** – The city will support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial issues. Staff will be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences, and related education efforts.

XII. GRANTS FINANCIAL MANAGEMENT

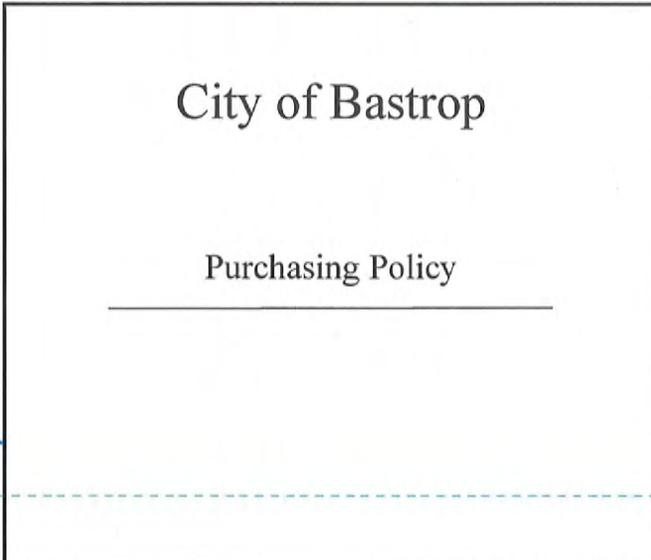
- A. GRANT SOLICITATION** – The City Manager will be informed about available grants by the departments. The City Council will have final approval over which grants are applied for. The grants should be cost beneficial and meet the city’s objectives.
- B. RESPONSIBILITY** – Departments will oversee the day to day operations of grant programs, will monitor performance and compliance, and will also keep the Finance Department informed of significant grant-related plans and activities. Finance Department staff members will serve as liaisons with grantor financial management personnel, will prepare invoices, and will keep the books of account for all grants.

XIII. ANNUAL REVIEW AND REPORTING

- A.** These Policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.
- B.** The Chief Financial Officer will report annually to the City Manager on compliance with these policies.

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City of Bastrop
Purchasing and Materials
Control Policy



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Purchasing & Materials Control Policy
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I. Purpose

~~This Purchasing Policy has been designed to provide better service to vendors, City Employees, Purchasing/Accounts Payable, the City Manager, the City Council and the Citizens of Bastrop.~~

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~~The purpose of this policy is to:~~

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- ~~A. Standardize purchasing policies and procedures.~~
- ~~B. Establish accountability for inventory items.~~
- ~~C. Establish responsibility by Department Heads for operating and capital expenditures.~~
- ~~D. Establish procedures for reporting losses.~~
- ~~E. Establish procedures for acknowledging receipt of purchased items.~~

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~~This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that assets are received and retained in the custody of the City of Bastrop.~~

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I. PURPOSE

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It is the policy of the City of Bastrop that all purchasing shall be conducted strictly on the basis of economic and business merit. This policy is intended to promote the best interest of the citizens of the City of Bastrop, Texas.

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The City of Bastrop intends to maintain a cost effective purchasing system conforming to good management practices. The establishment and maintenance of a good purchasing system is possible only through cooperative effort. It must be backed by proper attitudes and cooperation of not only every department head and official, but also every supervisor and employee of the City of Bastrop.

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The purchasing process is not instantaneous. Time is required to complete the steps required by State law. In order to accomplish timely purchasing of products and services at the least cost to the City of Bastrop, all departments must cooperate fully. Prior planning and the timely submission of requisitions are essential to expedite the purchasing process and to assure that the process is orderly and lawful.

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This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that assets are received and retained in the custody of the City of Bastrop.

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H. Purchasing Ethics

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~~It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. Therefore, employees should exercise professionalism at all times.~~

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No City of Bastrop employee with authorization to make purchases shall:

- Solicit a City contract for personal benefit
- Bid on a City contract
- Enter into a City contract
- Receive any *pecuniary benefit* from any contract with the City

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Employees are also prohibited from soliciting, encouraging or accepting *gratuities* from suppliers.

The City of Bastrop, Finance Department is the point of contact for bidders desiring information regarding a solicitation (over \$25,000) unless the requested information is of a technical nature. If a City of Bastrop employee provides technical clarification to a vendor, the Finance Department must be notified to enter any changes to the bid. The Finance Department will send any addendum(s) to all suppliers solicited for bids.

City of Bastrop employees should make every effort to preclude either real or perceived actions that send signals to vendors, the public, or anyone else, that the procurement process has not been followed to the utmost adherence to law, procedure, honesty, good business practices and integrity.

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Also, Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

II. CODE OF ETHICS

It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. By participating in the purchasing process, employees of the City of Bastrop agree to:

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- A. Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- B. Demonstrate loyalty to the City of Bastrop by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- C. Refrain from any private business or professional activity that would create a conflict between personal interests and the interest of the City of Bastrop.
- D. Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence, or appear to influence purchasing decisions.
- E. Handle confidential or proprietary information belonging to employer or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.

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- F. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- G. Expose corruption and fraud wherever discovered.
- H. Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.
- I. Adherence to the City's Ethics Ordinance is mandatory. If there is a conflict between the two Ethics policies, the stricter of the two would apply.

III.—Procedures

A.—Who is authorized to make purchases?

Purchases will only be processed if authorized by a Department Head or approved representative in an employee's direct chain of command.

B.—Instructions for Soliciting Bids

When soliciting bids, City of Bastrop buyers must follow the steps below:

1. Give the same exact specifications to each vendor. Give each bidder same deadline for turning in bids.
2. Purchases equal to or greater than \$1,000 but less than \$25,000 requires three (3) written quotes.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees or other costs must be included in the bid.

C.—Sole Source Purchases

Sole source purchase conditions exist when the only good or service capable of meeting the City of Bastrop's requirements is available from a single supplier. Sole Source purchases must be approved by the Finance Director before purchasing. These conditions occur when the purchase involves compatibility of equipment, accessories or replacement parts or when the goods or services is protected by a patent, copyright, secret process or natural monopoly. The following items are necessary to provide sufficient justification for sole source purchase:

1. An explanation of why a specific good or service is needed including reasons that any similar products cannot be used.
2. A bid from the sole source provider on company letterhead.
3. A letter for the vendor stating they are the sole supplier of the good.
4. Professional services do not require bids and should be handled similar to a job interview and selected on proposals, experience and references.

III. COMPETITIVE PURCHASING REQUIREMENTS

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The City of Bastrop policy requires three quotes for purchases over \$3,000. The only exceptions to this rule are for items purchased under a cooperative contract, sealed bid award, sole source purchases or purchases for an emergency situation.

Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council approval.

A. Who is authorized to make purchases?

Purchases will only be processed if authorized by a Department Head or approved representative in an employee's direct chain of command.

B. Instructions for Soliciting Bids

When soliciting bids, City of Bastrop buyers must follow the steps below:

1. Give the same exact specifications to each vendor.
2. Give each bidder same deadline for turning in bids.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees or other costs must be included in the bid. In order to obtain contract status, the Department Head is responsible for first adhering to the procurement requirements stated below. City Manager approval or his designee is required.

C. Purchasing Control

Authorization levels established within INCODE for appropriations previously approved by the City Council are as follows:

- Directors* or their designee not to exceed \$9,999.99
- Chief Financial Officer or designee up to \$14,999.99
- City Manager or designee approving purchases exceeding \$15,000.00

D. Dollar Limitations

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases. Dollar limitations pertain to total purchase or invoice total not per single item cost. It is the Department Directors responsibility to insure Purchasing policies are being adhered to.

\$0.01-\$3,000: Purchases of non-contract goods or services totaling \$3,000 or less require no quotation but are recommended.

If invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year, the city will require the standards of \$3,001 to \$49,999 for purchasing to apply. As clearly identified in the II. Code of Ethics II. Texas Law prohibits component purchasing, separate purchasing and sequential purchasing of any kind. An employee commits an offense by intentionally or knowingly making or

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authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

\$3,001-\$49,999: Except where otherwise exempted by applicable State law, purchases totaling \$3,001 to \$49,999 require three (3) written quotes attached to a purchasing summary document and a purchase order provided to the Finance Department.

No purchase orders of non-contract goods or services will be issued in excess of \$15,000 without City Manager or his designee prior approval.

If the lowest quote is not selected an explanation should be provided on the purchasing summary document and approval by the City Manager will be required no matter what the dollar amount is. Only the City Manager or his designee may determine "Best Value". The City Manager may elect to accept less than three quotes from a Director if due diligence has been documented by the Director in trying to adhere to the purchasing policy. A memo will be required from the Director providing a reason for their inability to obtain three written quotes and the scope of services being provided if applicable. It must be approved and signed by the City Manager and attached to each purchasing summary document and purchase order provided to the Finance Department.

According to State Law, two (2) Historically Underutilized Businesses (HUBs) are to be contacted on a rotating basis. HUB vendors are obtained from the Texas Comptroller of Public Accounts website. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote: proof or identification that the quote is from a cooperative source, complete a purchasing summary document and a purchase order. Any vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to insure the cooperative information is on file with the Finance Department.

\$50,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$50,000 must be processed as competitive solicitations (e.g. sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

The Code requires that sealed bids and request for proposals (RFP) are advertised in a local newspaper for two consecutive weeks prior to the bid opening. All bids must be received sealed and turned in to the City Secretary's Office by the date and time

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listed in the bid. Any bids received after the stated time will be returned unopened. The bid opening process is open to the public and all vendors that respond to the specific are invited to attend. Questions concerning pricing will not be addressed at the opening. Contracts for services require Errors & Omissions coverage.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a purchasing summary document and a purchase order. All cooperative vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to insure the cooperative information is on file with the Finance Department.

City Manager written approval is required.

Rental Agreement: Vendors who provide rental items to the city are required to carry insurance. The type and amounts of insurance required vary based on the item rented. The Chief Financial Officer must review all rental contracts before the contract is awarded.

D. Purchase Preparation

Proper authorization, according to the dollar amount of the purchase, must be obtained prior to making the purchase. Departments working on projects for other Departments must obtain written authorization to charge purchases to other Department's fund. City of Bastrop buyer must use existing annual supply agreements when applicable. State bids can be used as supply agreements.

E. Personal or Professional Services

Under the Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements. The City also provides exemption for the purchasing of planning services.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated competence and qualifications for performing the services for a fair and reasonable price.

Professional services may include:

- Accounting.
- Architecture.
- Landscape architecture.
- Land surveying.
- Medicine.
- Optometry.
- Engineering.

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- Real estate appraisal.
- Nursing.

According to the Texas Attorney General's Office professional services may include "members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence."

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E. Dollar Limitations

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases:

- ~~—\$0.01-\$1,000: Requires Purchase Order but No bids required.~~
- ~~—\$1,001-\$9,999: Requires: a) three (3) written quotes; and, b) purchase order.~~
- ~~—\$10,000-\$24,999: Requires: a) City Manager's written approval; b) three (3) written quotes; and, c) purchase order.~~
- ~~—\$25,000+: Requires: a) State Purchasing requirements must be followed which includes advertisement and written proposals. Award of bids and proposals must be adopted by the City Council. Must be reviewed by the Finance Department, sent out for sealed bids and advertised twice in two weeks. Allow a minimum of 6 weeks for this process. If purchasing through an authorized state vendor, i.e. BuyBoard, HGAC, you do not have to advertise for sealed bids, but still need to solicit three (3) written quotes; b) City Manager's written approval; and, c) Purchase Orders are required.~~
- ~~—Capital Outlay: A piece of equipment is classified as capital outlay if the single unit price is \$5,000 or more with a life expectancy of two (2) or more years. Must be approved by the City Manager if not included in the approved budget. Capital Outlay items under \$5,000 will be considered "Minor Capital Outlays" and will be accounted for and controlled separately.~~
- ~~—Rental Agreement: Vendors who provide rental items to the city are required to carry insurance. The type and amounts of insurance required vary based on the item rented. The Director of Finance must review all rental contracts before the contract is awarded.~~

F. Other Exemptions

State law authorizes other categories of exempt purchases. Purchases from other governments, some auctions and going-out-of-business sales, and other purchases are exempt under provisions of the Local Government Code and Vernon's Statutes.

The following is a list of other areas that are exempt from competitive bidding requirements:

1. Land or right-of-way.
2. Items that can be obtained from only one source, including:
 - a. items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;

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- b. films, manuscripts or books;
- c. electric power, gas, water, and other utility services; and
- d. captive replacement parts or components for equipment;
- 3. Food
- 4. Personal property sold:
 - a. at an auction by a state licensed auctioneer;
 - b. at a going-out-of-business sale; or
 - c. by a political subdivision of the state, a state agency, or an entity of the federal government.
- 5. Any work performed and paid for by the day is exempt from the competitive bidding process.
- 6. Work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for HUB businesses.

G. Sole Source Purchases

Sole Source purchases must be approved by the City Manager before purchasing. These conditions occur when the purchase involves compatibility of equipment, accessories or replacement parts or when the goods or services is a one-of-a kind or protected by a patent, copyright, secret process. The product is only available from a regulated or natural monopoly. The product is a component or repair part that may only be purchased from the original supplier. The following items are necessary to provide sufficient justification for sole source purchase:

- 1. A memorandum to the City Manager with a statement must be attached to the requisition that says a sufficient number of vendors have been contacted to determine that only one practical source of supply exists or states the reasons only one source exists. This memorandum should include the City Manager's signature signifying his approval.
- 2. A bid from the sole source provider on company letterhead.
- 3. A letter from the vendor stating they are the sole supplier of the good.

A purchasing summary document and purchase order is still required with the above information attached.

F.H. Change Orders

According to purchasing law, the City of Bastrop may make changes to plans, specifications or quantities after award of the contract, if necessary. However, no increase may exceed 25% of the original contract amount and any decrease of 25% or more must have the consent of the contractor.

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Increases that cause a change in dollar limitations or purchasing law may supercede the 25% rule:

Example: If a contract is awarded for \$45,000, the allowable increase under the 25% rule would be \$11,250. However, this would cause the new price to exceed \$50,000, which by State law requires sealed bids and advertising. Increase would be limited.

Any change in a purchasing contract that exceeds 25% of the original amount will void the original contract.

G.I. Making the Purchase

City of Bastrop buyers' are responsible for making sure that the purchased good or service is received as specified. Under no circumstance should a buyer accept more goods or services than ordered. Employees are only authorized to purchase items that have been approved by their Department Head. A purchase over the original amount requires additional approval.

H.J. 30 Day Accounts Payable Cycle

Texas law requires municipalities to pay invoices within 30 days or be subject to the payment of interest.

It is the responsibility of each department to make sure the signed invoices, purchase orders and any other required paperwork is submitted to the Finance Department as soon as the product is received or service rendered.

It is the responsibility of Accounts Payable to pay all vendor invoices within 30 days of invoice date. Any Variance between the purchase order and the vendor invoice must be reconciled. Vendor payments can only be made for the original or modified purchase order amount.

I. Emergency Procedures

~~Emergency purchases are to be made only in cases where regular purchasing procedures are not expeditious enough to respond to a natural or unnatural disaster or emergency. *Lack of planning does not constitute an emergency.* The following steps must be taken when making emergency purchases:~~

- ~~1. Employee must receive approval from a Department Head or higher.~~
- ~~2. Employee will make every effort to solicit bids (if required by this policy) unless circumstances prevent employee from doing so. (Emergency prohibits time to obtain bids.)~~
- ~~3. Employee will purchase goods or services needed. As soon~~

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after the emergency is resolved, information will be forwarded to Accounts Payable.

K. Emergency Procedures

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Valid emergencies are those that occur as a result of the breakdown of equipment which must be kept in operation to maintain the public's safety or health, or whose breakdown would result in the disruption of City operations. It is required to get City Manager or his designee approval on any emergency purchases.

The Legislature exempted certain items from sealed bidding in the Texas Local Government Code Section 252.022(a), including, but not limited to:

- 1. A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;
- 2. A procurement necessary to preserve or protect the public health or safety of the municipality's residents;
- 3. Procurement necessary because of unforeseen damage to public machinery, equipment or other property.

The following steps must be taken when making emergency purchases:

- 1. Employee must receive approval from the City Manager or his designee.
- 2. Employee will make every effort to solicit bids unless circumstances prevent employee from doing so.
- 3. A written statement concerning the emergency must be provided following the incident to provide necessary documentation in Accounts Payable and must include the City Managers signature or his designees.

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IV. ASSET CONTROL

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A. Inventory Control

The purpose of inventory control is to create and maintain a record/inventory of all fixed assets of the City of Bastrop. Fixed assets include all items over \$5,000 with a life expectancy of two (2) or more years. "Minor Capital Outlay" items must also be inventoried. These items will include assets purchased for \$1,0500 to \$4,999.

When a fixed asset is received by the city, it is tagged with a City of Bastrop property tag and added to the Departments master list.

Each Department shall keep an inventory list of all fixed assets permanently assigned to employee.

A wall to wall inventory of all fixed assets shall be performed every year or as deemed necessary. It is recommended that Departments perform an annual fixed assets inventory of equipment permanently assigned to employees.

B. Use of Property

City of Bastrop employees should be aware that the use of City property for personal gain is strictly prohibited. City vehicles should only be used for official City business. City Personnel Policies list theft and unauthorized use of City property as grounds for immediate dismissal.

In addition, employees are not to use personal property for the performance of their job or at their work site. Personal items such as radios, coffee pots, picture frame, books, etc. is permissible; however, the City of Bastrop is not responsible for damage to or theft of these items.

J. Property Disposal

Department Heads are responsible for the proper disposal of assets as follows:

- **Property with Value** (working or repairable) will be transferred to the City surplus property for disposal. Fixed assets shall be transferred to surplus property and removed from the Department master list.
- **Raw Materials Salvage** (metal etc.) will be salvaged and revenues will be deposited into the appropriate fund.
- **Property without Value** and not on the master fixed assets list shall be properly disposed of with the approval of the Department Head. Any and all property disposed of must be listed on "Salvage Property Affidavit" and signed by two employees.

C. Disposal of Surplus Materials and Equipment/ Donations

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City surplus materials and equipment (a/k/a 'surplus items') includes any City owned personal property such as furniture, fixtures, equipment, computers, vehicles, tools, clothing, or other such items, which have lost useful value to the City, have become non-functional or are obsolete. Such surplus items may be disposed of by one of the following methods:

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- Sold competitively, by accepting sealed bids or by public auction;
- Traded in for acquisition of new equipment;
- Donated by the City to a recognized charitable organization;
- Provided to other governmental entities (donation or exchange).
- Sold as 'scrap' (for cash), if the items have no value except for salvage and the City Manager or his designee has authorized the sale for scrap; or
- Disposed of through solid waste collection services, if the item has no salvage or other value and the City Manager or his designee has authorized such disposal.

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Trade-In or Donation: Before trading-in and/or donating surplus items, the Department Head must prepare a memorandum to the City Manager and remitting a copy to the Finance Department stating: 1) the identity of the surplus items to be disposed of, traded-in or donated, 2) the reasons for the surplus items being declared surplus, 3) the original purchase price (if ascertainable) of the surplus items, and 4) the value of proposed "trade-in" or "donation", in the estimation of the Department Head. If the Department Head receives approval by City Manager to proceed, the Department Head must coordinate their trading-in and/or donating surplus items with the Finance Department to insure a Disposed Fixed Asset form is completed and any other ancillary paperwork.

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[Note: All property is owned in the name of the City of Bastrop and is not vested in any specific department.]

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Sales: If the surplus items are to be sold, then the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department. The memo should include: 1) the identity of the items to be sold to include year, make, model, and any other identification characteristics, 2) a brief description providing why it is necessary to dispose of the item, The Department Head having received approval to sell a surplus item may then utilize one of the following options: 1) post notice in the local newspaper and/or through an approved on-line auction provider 2) advertise in the local newspaper, 3) request sealed bids, or 4) sell through a public auction, which may take place at a specified location or, by means of an on-line sale.

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Preferred Disposition: Whenever reasonably feasible, it is the City's preference that the Department Head dispose of the surplus equipment by means of a public auction or sale held in cooperation with other City departments and surrounding government entities.

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Procedures: The City Manager shall have the authority to approve the disposal, sale, trade-in or donation of surplus items when the value of same is less than \$50,000, in total. If the total value exceeds \$50,001, then the City Manager shall obtain Council approval of the proposed disposal, sale, trade-in or donation of surplus items.

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Once approved by either the City Manager or Council, as appropriate, in order to document the disposal, sale, trade-in or donation of surplus items a Disposed Fixed Asset form must be prepared and submitted to the Finance Department in addition to providing the license plates and titles for any vehicles or equipment disposed of. The Finance Department manages the change of ownership and the receipt of funds.

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City decals must be removed from all surplus City vehicles, machinery, and equipment before disposal, donation, trade-in or sale.

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City employees may participate, on their own time, in public auctions for the purchase of surplus City items.

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C.D. Lost Property

After conducting an annual inventory and property is discovered to be lost, an explanation for the lost must be provided immediately to the Department Head using the Fixed Asset Form. Property losses that come to the attention of the employee before the annual inventory should be reported within 24 hours using the Fixed Asset Form.

All thefts are to be reported to a supervisor or Department Head as soon as possible. The City of Bastrop, Police Department must be notified immediately. Stolen fixed asset must be removed from the master inventory list and a copy of the police report attached to the Fixed Asset Form.

D.E. Security Measures

All equipment will be kept in a secure area when not in use. Access to this area will be limited to the employees assigned to the secure area. In case of theft, the security of the area should be evaluated to determine if changes or re-keying of locks should be necessary.

V. RESPONSIBILITIES OF PARTIES

A. Department Heads

- 1. Monitor and approve overall purchases to ensure that funds are spent judiciously and that budgeted resources are within their control and available for all procurement.
- 1. Reject requests for purchases that do not have proper authorization or include required documentation.
- 2.
- 3. Approve all purchases up to \$9,999 including budgeted capital.
- 4. Adhere to the Purchasing Policies and the Code of Ethics.
- 5. Place cooperative agreements and RFP's on file with Finance and monitor purchases to ensure that supply agreements are used.
- 2. Ensure that sole source requests meet the guidelines and include required documentation.
- 6.
- 3. Physically tag all Fixed Assets.
- 4.7. Inventory all Fixed Assets every year.
- 1. Verify goods and services are received as ordered before approving payment.
- 8.
- 5. Annually inventory equipment assigned to employee.
- 9.
- 6.10. Keep records of losses occurring in their areas to detect patterns of theft in one area or individual employee.

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B. Supervisors

- 1. Maintain security of equipment on-site
- 2. Keep a log of equipment issued to employees on a long-term basis.
- 3. Keep a log of equipment issued to employees on a short-term basis.
- 4. Forward all receipts and invoices to Department Head as soon as possible.
- ~~5. Track losses for the purpose of finding trends and recommending procedure changes to prevent future losses.~~
- ~~5.~~ Check that equipment and supplies are returned upon termination of an employee.
- ~~6.~~

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C. City of Bastrop Accounts Payable

- ~~2.1.~~ Pay bills in an accurate and timely manner.
- ~~3.2.~~ Reject requests for purchases that do not have proper authorization ~~or include required documentation.~~
- ~~4.3.~~ Monitor purchases to ensure that supply agreements are used.
- ~~4.~~ ~~4.~~ Ensure that purchasing policy requirement guidelines are met ~~and required documentation included.~~

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D. City of Bastrop Accounting

- 1. Maintain the master fixed asset property list.
- 2. Assign inventory tags for fixed assets.
- 3. Provide fixed assets forms.
- 4. Produce master inventory list as needed.
- 5. Process fixed asset transfers and retirements.

VI. DEFINITION OF TERMS

Component Purchases – Purchases of component parts of an item that in normal purchasing practices would be accomplished by one purchase. (Purchasing parts and assembling a finished product.)

~~Gratuities – Monies or gifts offered by a potential or current supplier in the hope of obtaining a City contract.~~

Pecuniary Benefit – Any form of economic gain (money, gifts, etc.).

Fixed Assets - A piece of equipment with a value of \$5000 or more and a life expectancy of two (2) year or more.

Separate Purchases – Purchases made separately of items that in normal purchasing practices would be accomplished by one consolidated purchase. (Multiple purchase orders of similar items to avoid bidding procedures.)

Sequential Purchases – Purchases, made over a period, of items in normal purchasing practices would be combined and bid as one purchase. (Similar to above but multiple purchases of the same items to avoid bids.)

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City of Bastrop

Purchasing Policy

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I. PURPOSE

It is the policy of the City of Bastrop that all purchasing shall be conducted strictly on the basis of economic and business merit. This policy is intended to promote the best interest of the citizens of the City of Bastrop, Texas.

The City of Bastrop intends to maintain a cost effective purchasing system conforming to good management practices. The establishment and maintenance of a good purchasing system is possible only through cooperative effort. It must be backed by proper attitudes and cooperation of not only every department head and official, but also every supervisor and employee of the City of Bastrop.

The purchasing process is not instantaneous. Time is required to complete the steps required by State law. In order to accomplish timely purchasing of products and services at the least cost to the City of Bastrop, all departments must cooperate fully. Prior planning and the timely submission of requisitions are essential to expedite the purchasing process and to assure that the process is orderly and lawful.

This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that assets are received and retained in the custody of the City of Bastrop.

II. CODE OF ETHICS

It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. By participating in the purchasing process, employees of the City of Bastrop agree to:

- A. Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- B. Demonstrate loyalty to the City of Bastrop by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- C. Refrain from any private business or professional activity that would create a conflict between personal interests and the interest of the City of Bastrop.
- D. Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence, or appear to influence purchasing decisions.
- E. Handle confidential or proprietary information belonging to employer or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- F. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- G. Expose corruption and fraud wherever discovered.

- H. Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.
- I. Adherence to the City's Ethics Ordinance is mandatory. If there is a conflict between the two Ethics policies, the stricter of the two would apply.

III. COMPETITIVE PURCHASING REQUIREMENTS

The City of Bastrop policy requires three quotes for purchases over \$3,000. The only exceptions to this rule are for items purchased under a cooperative contract, sealed bid award, sole source purchases or purchases for an emergency situation.

Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council approval.

A. Who is authorized to make purchases?

Purchases will only be processed if authorized by a Department Head or approved representative in an employee's direct chain of command.

B. Instructions for Soliciting Bids

When soliciting bids, City of Bastrop buyers must follow the steps below:

1. Give the same exact specifications to each vendor.
2. Give each bidder same deadline for turning in bids.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees or other costs must be included in the bid. In order to obtain contract status, the Department Head is responsible for first adhering to the procurement requirements stated below. City Manager approval or his designee is required.

C. Purchasing Control

Authorization levels established within INCODE for appropriations previously approved by the City Council are as follows:

- Directors' or their designee not to exceed \$9,999.99
- Chief Financial Officer or designee up to \$14,999.99
- City Manager or designee approving purchases exceeding \$15,000.00

D. Dollar Limitations

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases. Dollar limitations pertain to total purchase or invoice total not per single item cost. It is the Department Directors responsibility to insure Purchasing policies are being adhered to.

\$0.01-\$3,000: Purchases of non-contract goods or services totaling \$3,000 or less require no quotation but are recommended.

If invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year, the city will require the standards of \$3,001 to \$49,999 for purchasing to apply. As clearly identified in the II. Code of Ethics H. Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

\$3,001-\$49,999: Except where otherwise exempted by applicable State law, purchases totaling \$3,001 to \$49,999 require three (3) written quotes attached to a purchasing summary document and a purchase order provided to the Finance Department.

No purchase orders of non-contract goods or services will be issued in excess of \$15,000 without City Manager or his designee prior approval.

If the lowest quote is not selected an explanation should be provided on the purchasing summary document and approval by the City Manager will be required no matter what the dollar amount is. Only the City Manager or his designee may determine "Best Value". The City Manager may elect to accept less than three quotes from a Director if due diligence has been documented by the Director in trying to adhere to the purchasing policy. A memo will be required from the Director providing a reason for their inability to obtain three written quotes and the scope of services being provided if applicable. It must be approved and signed by the City Manager and attached to each purchasing summary document and purchase order provided to the Finance Department.

According to State Law, two (2) Historically Underutilized Businesses (HUBs) are to be contacted on a rotating basis. HUB vendors are obtained from the Texas Comptroller of Public Accounts website. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a purchasing summary document and a purchase order. Any vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to insure the cooperative information is on file with the Finance Department.

\$50,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$50,000 must be processed as competitive solicitations (e.g. sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

The Code requires that sealed bids and request for proposals (RFP) are advertised in a local newspaper for two consecutive weeks prior to the bid opening. All bids must be received sealed and turned in to the City Secretary's Office by the date and time listed in the bid. Any bids received after the stated time will be returned unopened. The bid opening process is open to the public and all vendors that respond to the specific are invited to attend. Questions concerning pricing will not be addressed at the opening. Contracts for services require Errors & Omissions coverage.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a purchasing summary document and a purchase order. All cooperative vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to insure the cooperative information is on file with the Finance Department.

City Manager written approval is required.

Rental Agreement: Vendors who provide rental items to the city are required to carry insurance. The type and amounts of insurance required vary based on the item rented. The Chief Financial Officer must review all rental contracts before the contract is awarded.

E. Personal or Professional Services

Under the Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements. The City also provides exemption for the purchasing of planning services.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated competence and qualifications for performing the services for a fair and reasonable price.

Professional services may include:

- Accounting.
- Architecture.
- Landscape architecture.
- Land surveying.
- Medicine.
- Optometry.

- Engineering.
- Real estate appraisal.
- Nursing.

According to the Texas Attorney General’s Office professional services may include “members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence,”

F. Other Exemptions

State law authorizes other categories of exempt purchases. Purchases from other governments, some auctions and going-out-of-business sales, and other purchases are exempt under provisions of the Local Government Code and Vernon’s Statutes.

The following is a list of other areas that are exempt from competitive bidding requirements:

1. Land or right-of-way.
2. Items that can be obtained from only one source, including:
 - a. items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;
 - b. films, manuscripts or books;
 - c. electric power, gas, water, and other utility services; and
 - d. captive replacement parts or components for equipment;
3. Food
4. Personal property sold:
 - a. at an auction by a state licensed auctioneer;
 - b. at a going-out-of-business sale; or
 - c. by a political subdivision of the state, a state agency, or an entity of the federal government.
5. Any work performed and paid for by the day is exempt from the competitive bidding process.
6. Work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for HUB businesses.

G. Sole Source Purchases

Sole Source purchases must be approved by the City Manager before purchasing. These conditions occur when the purchase involves compatibility of equipment, accessories or replacement parts or when the goods or services is a one-of-a kind or protected by a patent, copyright, secret process. The product is only available from a regulated or natural monopoly. The product is a component or repair part that may only be purchased from the original supplier. The following items are necessary to provide sufficient justification for sole source purchase:

1. A memorandum to the City Manager with a statement must be attached to the requisition that says a sufficient number of vendors have been contacted to determine that only one practical source of supply exists or states the reasons only one source exists. This memorandum should include the City Manager's signature signifying his approval.
2. A bid from the sole source provider on company letterhead.
3. A letter from the vendor stating they are the sole supplier of the good.

A purchasing summary document and purchase order is still required with the above information attached.

H. Change Orders

According to purchasing law, the City of Bastrop may make changes to plans, specifications or quantities after award of the contract, if necessary. However, no increase may exceed 25% of the original contract amount and any decrease of 25% or more must have the consent of the contractor.

Increases that cause a change in dollar limitations or purchasing law may supercede the 25% rule:

Example: If a contract is awarded for \$45,000, the allowable increase under the 25% rule would be \$11,250. However, this would cause the new price to exceed \$50,000, which by State law requires sealed bids and advertising. Increase would be limited.

Any change in a purchasing contract that exceeds 25% of the original amount will void the original contract.

I. Making the Purchase

City of Bastrop buyers' are responsible for making sure that the purchased good or service is received as specified. Under no circumstance should a buyer accept more goods or services than ordered. Employees are only authorized to purchase items that have been approved by their Department Head. A purchase over the original amount requires additional approval.

J. 30 Day Accounts Payable Cycle

Texas law requires municipalities to pay invoices within 30 days or be subject to the payment of interest.

It is the responsibility of each department to make sure the signed invoices, purchase orders and any other required paperwork is submitted to the Finance Department as soon as the product is received or service rendered.

It is the responsibility of Accounts Payable to pay all vendor invoices within 30 days of invoice date. Any Variance between the purchase order and the vendor invoice must be reconciled. Vendor payments can only be made for the original or modified purchase order amount.

K. Emergency Procedures

Valid emergencies are those that occur as a result of the breakdown of equipment which must be kept in operation to maintain the public's safety or health, or whose breakdown would result in the disruption of City operations. It is required to get City Manager or his designee approval on any emergency purchases.

The Legislature exempted certain items from sealed bidding in the **Texas Local Government Code Section 252.022(a)**, including, but not limited to:

1. *A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;*
2. *A procurement necessary to preserve or protect the public health or safety of the municipality's residents;*
3. *Procurement necessary because of unforeseen damage to public machinery, equipment or other property.*

The following steps must be taken when making emergency purchases:

1. Employee must receive approval from the City Manager or his designee.
2. Employee will make every effort to solicit bids unless circumstances prevent employee from doing so.
3. A written statement concerning the emergency must be provided following the incident to provide necessary documentation in Accounts Payable and must include the City Managers signature or his designees.

IV. ASSET CONTROL

A. Inventory Control

The purpose of inventory control is to create and maintain a record/inventory of all fixed assets of the City of Bastrop. Fixed assets include all items over \$5,000 with a life expectancy of two (2) or more years. "Minor Capital Outlay" items must also be inventoried. These items will include assets purchased for \$1,000 to \$4,999.

When a fixed asset is received by the city, it is tagged with a City of Bastrop property tag and added to the Departments master list.

Each Department shall keep an inventory list of all fixed assets permanently assigned to employee.

A wall to wall inventory of all fixed assets shall be performed every year or as deemed necessary. It is recommended that Departments perform an annual fixed assets inventory of equipment permanently assigned to employees.

B. Use of Property

City of Bastrop employees should be aware that the use of City property for personal gain is strictly prohibited. City vehicles should only be used for official City business. City Personnel Policies list theft and unauthorized use of City property as grounds for immediate dismissal.

In addition, employees are not to use personal property for the performance of their job or at their work site. Personal items such as radios, coffee pots, picture frame, books, etc. is permissible; however, the City of Bastrop is not responsible for damage to or theft of these items.

C. Disposal of Surplus Materials and Equipment/ Donations

City surplus materials and equipment (a/k/a 'surplus items') includes any City owned personal property such as furniture, fixtures, equipment, computers, vehicles, tools, clothing, or other such items, which have lost useful value to the City, have become non-functional or are obsolete. Such surplus items may be disposed of by one of the following methods:

- Sold competitively, by accepting sealed bids or by public auction;
- Traded in for acquisition of new equipment;
- Donated by the City to a recognized charitable organization;
- Provided to other governmental entities (donation or exchange).
- Sold as 'scrap' (for cash), if the items have no value except for salvage and the City Manager or his designee has authorized the sale for scrap; or
- Disposed of through solid waste collection services, if the item has no salvage or other value and the City Manager or his designee has authorized such disposal.

Trade-In or Donation: Before *trading-in* and/or *donating* surplus items, the Department Head must prepare a memorandum to the City Manager and remitting a copy to the Finance Department stating: 1) the identity of the surplus items to be disposed of, traded-in or donated, 2) the reasons for the surplus items being declared surplus, 3) the original purchase price (if ascertainable) of the surplus items, and 4) the value of proposed "trade-in" or "donation", in the estimation of the Department Head. If the Department Head receives approval by City Manager to proceed, the Department Head must coordinate their *trading-in* and/or *donating* surplus items with the Finance Department to insure a Disposed Fixed Asset form is completed and any other ancillary paperwork.

[Note: All property is owned in the name of the City of Bastrop and is not vested in any specific department.]

Sales: If the surplus items are to be sold, then the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department. The memo should include: 1) the identity of the items to be sold to include year, make, model, and any other identification characteristics, 2) a brief description providing why it is necessary to dispose of the item. The Department Head having received approval to sell a surplus item may then utilize one of the following options: 1) post notice in the local newspaper and/or through an approved on-line auction provider 2) advertise in the local newspaper, 3) request sealed bids, or 4) sell through a public auction, which may take place at a specified location or, by means of an on-line sale.

Preferred Disposition: Whenever reasonably feasible, it is the City's preference that the Department Head dispose of the surplus equipment by means of a public auction or sale held in cooperation with other City departments and surrounding government entities.

Procedures: The City Manager shall have the authority to approve the disposal, sale, trade-in or donation of surplus items when the value of same is less than \$50,000, in total. If the total value exceeds \$50,001, then the City Manager shall obtain Council approval of the proposed disposal, sale, trade-in or donation of surplus items.

Once approved by either the City Manager or Council, as appropriate, in order to document the disposal, sale, trade-in or donation of surplus items a Disposed Fixed Asset form must be prepared and submitted to the Finance Department in addition to providing the license plates and titles for any vehicles or equipment disposed of. The Finance Department manages the change of ownership and the receipt of funds.

City decals must be removed from all surplus City vehicles, machinery, and equipment before disposal, donation, trade-in or sale.

City employees may participate, on their own time, in public auctions for the purchase of surplus City items.

D. Lost Property

After conducting an annual inventory and property is discovered to be lost, an explanation for the lost must be provided immediately to the Department Head using the Fixed Asset Form. Property losses that come to the attention of the employee before the annual inventory should be reported within 24 hours using the Fixed Asset Form.

All thefts are to be reported to a supervisor or Department Head as soon as possible. The City of Bastrop, Police Department must be notified immediately. Stolen fixed

asset must be removed from the master inventory list and a copy of the police report attached to the Fixed Asset Form.

E. Security Measures

All equipment will be kept in a secure area when not in use. Access to this area will be limited to the employees assigned to the secure area. In case of theft, the security of the area should be evaluated to determine if changes or re-keying of locks should be necessary.

V. RESPONSIBILITIES OF PARTIES

A. Department Heads

1. Monitor and approve overall purchases to ensure that funds are spent judiciously and that budgeted resources are within their control and available for all procurement.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Approve all purchases up to \$9,999 including budgeted capital.
4. Adhere to the Purchasing Policies and the Code of Ethics.
5. Place cooperative agreements and RFP's on file with Finance and monitor purchases to ensure that supply agreements are used.
6. Ensure that sole source requests meet the guidelines and include required documentation.
7. Inventory all Fixed Assets every year.
8. Verify goods and services are received as ordered before approving payment.
9. Annually inventory equipment assigned to employee.
10. Keep records of losses occurring in their areas to detect patterns of theft in one area or individual employee.

B. Supervisors

1. Maintain security of equipment on-site
2. Keep a log of equipment issued to employees on a long-term basis.
3. Keep a log of equipment issued to employees on a short-term basis.
4. Forward all receipts and invoices to Department Head as soon as possible.
5. Check that equipment and supplies are returned upon termination of an employee.

C. City of Bastrop Accounts Payable

1. Pay bills in an accurate and timely manner.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Monitor purchases to ensure that supply agreements are used.

4. Ensure that purchasing policy requirement guidelines are met and required documentation included.

D. City of Bastrop Accounting

1. Maintain the master fixed asset property list.
2. Assign inventory tags for fixed assets.
3. Provide fixed assets forms.
4. Produce master inventory list as needed.
5. Process fixed asset transfers and retirements.

VI. DEFINATION OF TERMS

Component Purchases – Purchases of component parts of an item that in normal purchasing practices would be accomplished by one purchase. (Purchasing parts and assembling a finished product.)

Pecuniary Benefit – Any form of economic gain (money, gifts, etc.).

Fixed Assets - A piece of equipment with a value of \$5000 or more and a life expectancy of two (2) year or more.

Separate Purchases – Purchases made separately of items that in normal purchasing practices would be accomplished by one consolidated purchase. (Multiple purchase orders of similar items to avoid bidding procedures.)

Sequential Purchases – Purchases, made over a period, of items in normal purchasing practices would be combined and bid as one purchase. (Similar to above but multiple purchases of the same items to avoid bids.)

CITY OF BASTROP

AGENDA ITEM **C-1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 31, 2014

MEETING DATE: September 9, 2014

1. Agenda Item: Consideration, discussion and possible action on the City Manager's Salary.
2. Party Making Request: **Mayor Ken Kesselus**
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:
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: X Approved _____ Disapproved _____ None
11. Action Taken: _____

CITY OF BASTROP, TEXAS

ANNUAL OPERATING BUDGET
FOR FISCAL YEAR 2014-2015

This budget will raise more revenue from property taxes than last year’s budget by an amount of \$231,970, which is a 5.49% increase from last year’s budget. The property tax revenue to be raised from new property added to the tax roll this year is \$191,765.

City Council Record Vote

The members of the governing body voted on the adoption of the budget as follows:

- FOR:
- AGAINST:
- PRESENT AND NOT VOTING:
- NOT PRESENT DURING VOTING:
- ABSENT:

Tax Rate	Proposed FY 2014-15	Adopted FY 2013-14
Property Tax Rate	0.5640	0.5840
Effective Rate	0.5534	0.5812
Effective M&O Tax Rate	0.3447	0.3489
Rollback Tax Rate	0.5903	0.5970
Debt Rate	0.2180	0.2202

The total amount of municipal debt obligation secured by property taxes for the City of Bastrop is \$16,659,406.

ORDINANCE No. 2014-19

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR FISCAL YEAR 2014-2015, BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; REPEALING ALL CONFLICTING ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager and staff have prepared and filed with the City Secretary a proposed budget for the operation of the City during Fiscal Year 2014-2015; and

WHEREAS, the City Manager of the City of Bastrop has submitted to the Mayor and Council a proposed budget of the revenues and expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year beginning October 1, 2014 and ending September 30, 2015; and,

WHEREAS, the City Council on September 9, 2014 conducted a public hearing to receive input from citizens of the City concerning the content of the budget, and for which notices were duly posted in the *Bastrop Advertiser*; and

WHEREAS, the City has acknowledged that this budget will raise more total property taxes than last year's budget by \$231,970 or 5.49%, and of that amount \$191,765 is tax revenue to be raised from new property added to the tax roll this year; and

WHEREAS, the City Council having considered the proposed budget at length, and having provided input in its preparation, has determined that the proposed budget and the revenues and expenditures contained therein are in the best interest of the City and, therefore, the Council desires to approve and adopt the budget by formal action.

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

Section 1. The proposed budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, as submitted to the City Council by the City Manager, which budget is attached hereto as Exhibit "A," for all purposes is hereby approved and adopted as the City's budget of all revenue and expenditures/expenses of the City of Bastrop, Texas for Fiscal Year 2014-2015; and

Section 2. The sum of forty five million, seven hundred and thirty three thousand, and six hundred and three U.S. Dollars (\$45,733,603) is hereby appropriated for the City's FY2014-2015 Budget. Further, these funds are for payment of operating, capital, and debt service expenses associated with the operation and administration of the City, according to the various purposes and intents described in the FY 2014-2015 budget document.

Section 3. Should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 4. This Ordinance shall be in full force and effect from and after its adoption by the City Council, pursuant to applicable State and local laws and the City Charter.

Section 5. All other ordinances and Code provisions that are in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency.

Section 6. The City Council of the City of Bastrop, Texas met in a public meeting on September 23, 2014, and adopted this ordinance with a majority vote as follows:

Place 1 Council Member Dock Jackson	YEA___	NAY___	ABSTAIN___	ABSENT___
Place 2 Council Member Joe Beal	YEA___	NAY___	ABSTAIN___	ABSENT___
Place 3 Council Member Kay Garcia McAnally	YEA___	NAY___	ABSTAIN___	ABSENT___
Place 4 Mayor Pro Tem DeLaRosa	YEA___	NAY___	ABSTAIN___	ABSENT___
Place 5 Council Member Kelly Gilleland	YEA___	NAY___	ABSTAIN___	ABSENT___

READ and ACKNOWLEDGED on First Reading on the 9th day of **September 2014**.

READ and ADOPTED on Second Reading on the 23rd day of **September 2014**.

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:
Law Offices of Jo-Christy Brown, PC
Jo-Christy Brown
City Attorney

CITY OF BASTROP, TEXAS
 SUMMARY OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
 FISCAL YEAR 2014-2015 BUDGET

	GENERAL FUND	DEBT SERVICE FUNDS	CAPITAL IMPROVEMENT FUNDS	SPECIAL REVENUE FUNDS	WATER/WASTEWATER FUNDS	BASTROP POWER & LIGHT	BASTROP ECONOMIC DEVELOPMENT CORP.	TOTAL ALL FUNDS
BEGINNING BALANCES	\$ 3,392,398	\$ 733,213	\$ 13,750,000	\$ 4,567,720	\$ 4,033,241	\$ 3,807,480	\$ 2,366,890	\$ 32,650,942
REVENUES:								
AD VALOREM TAXES	2,841,670	1,610,570	-	-	-	-	-	4,452,240
SALES TAXES	3,430,000	-	-	-	-	-	1,715,000	5,145,000
FRANCHISE & OTHER TAXES	428,000	-	-	2,664,000	-	-	-	3,092,000
LICENSES & PERMITS	86,000	-	-	2,000	-	-	-	88,000
SERVICE FEES	45,600	-	-	609,500	4,528,745	7,508,000	69,000	12,760,845
FINES & FORFEITURES	245,100	-	-	765,000	-	-	-	1,010,100
INTEREST & OTHER REVENUE	5,000	1,918	6,450	10,390	750	5,000	6,650	36,158
INTERGOVERNMENTAL	1,460,500	551,025	-	461,579	-	-	-	2,473,104
MISCELLANEOUS	225,000	-	-	99,500	-	90,000	-	414,500
TOTAL REVENUES	8,766,870	2,163,513	6,450	4,611,969	4,529,495	7,603,000	1,790,650	29,471,947
TRANSFERS FROM	613,500	-	-	1,236,459	172,000	-	-	2,021,959
TOTAL AVAILABLE RESOURCES	12,772,768	2,896,726	13,756,450	10,416,148	8,734,736	11,410,480	4,157,540	64,144,848
EXPENDITURES:								
GENERAL GOVERNMENT	4,283,450	-	-	3,393,898	-	-	-	7,677,348
PUBLIC SAFETY	3,321,510	-	-	28,300	-	-	-	3,349,810
DEVELOPMENT SERVICES	893,790	-	-	-	-	-	-	893,790
COMMUNITY SERVICES	1,438,340	-	-	659,320	-	-	-	2,097,660
UTILITIES	-	-	-	-	2,856,518	6,980,595	-	9,837,113
DEBT SERVICE	-	2,225,375	-	551,025	1,242,728	159,695	526,153	4,704,976
ECONOMIC DEVELOPMENT	-	-	-	-	-	-	1,264,497	1,264,497
CAPITAL PROJECTS	-	-	13,756,450	130,000	-	-	-	13,886,450
TOTAL EXPENDITURES	9,937,090	2,225,375	13,756,450	4,762,543	4,099,246	7,140,290	1,790,650	43,711,644
TRANSFER TO	-	-	-	1,236,459	172,000	613,500	-	2,021,959
ENDING FUND BALANCE	\$ 2,835,678	\$ 671,351	\$ -	\$ 4,417,146	\$ 4,463,490	\$ 3,656,690	\$ 2,366,890	\$ 18,411,245

TOTAL REVENUES: \$ 31,493,906
 \$ 14,239,697
TOTAL APPROPRIABLE FUNDS: \$ 45,733,603

CITY OF BASTROP

AGENDA ITEM **C-3**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 16, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: **Consideration, discussion and possible action on ratifying the property tax increase reflected in the annual budget for the Fiscal Year 2014-2015; beginning October 1, 2014 ending September 30, 2015.**

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

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

Section 102.007 of the Local Government Code requires a governing body that adopts a budget which raises more revenue from property taxes than in the previous year to ratify, by a separate vote, the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter Code, or other law.

The proposed 2014-2015 budget will require raising more revenue from property taxes than in the previous year, and therefore requires a separate vote of the City Council to ratify the property tax increase reflected in the budget.

4. Policy Implication:

5. Budgeted: Yes No N/A
Bid Amount: _____ Budgeted Amount: _____
Under Budget: _____ Over Budget: _____
Amount Remaining: _____

6. Alternate Option/Costs: _____

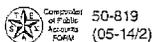
7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

8. Staff Recommendation:

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____



NOTICE OF 2014 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF BASTROP, TEXAS

A tax rate of \$.5640 per \$100 valuation has been proposed for adoption by the governing body of City of Bastrop, Texas. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

PROPOSED TAX RATE	\$ <u>.5640</u> per \$100
PRECEDING YEAR'S TAX RATE	\$ <u>.5840</u> per \$100
EFFECTIVE TAX RATE	\$ <u>.5534</u> per \$100
ROLLBACK TAX RATE	\$ <u>.5903</u> per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Bastrop, Texas from the same properties in both the 2013 tax year and the 2014 tax year.

The rollback tax rate is the highest tax rate that City of Bastrop, Texas may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Ms. Linda Harmon

Bastrop County tax assessor-collector

211 Jackson Street, Bastrop, Texas 78602

(512) 581-7161

linda.harmon@co.bastrop.tx.us

www.co.bastrop.tx.us

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 26, 2014 at 6:30pm at City Hall, 1311 Chestnut Street, Bastrop, Tx. 78602

Second Hearing: September 9, 2014 at 6:30pm at City Hall, 1311 Chestnut Street, Bastrop, Tx. 78602

CITY OF BASTROP

AGENDA ITEM **C-4**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 16, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion and possible action on approval of the **SECOND READING** of an Ordinance fixing the tax rate and levy for the City of Bastrop, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2015, and for the further purpose of creating a sinking fund to retire the principle and interest of the bond indebtedness of the City; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing for an effective date.

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

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:

MOTION TO ADOPT MUST INCLUDE FOLLOWING LANGUAGE:

"I move that the property tax rate be increased by the adoption of a tax rate of .564, which is effectively a 1.9 percent increase in the tax rate."

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

ORDINANCE NO. 2014-

AN ORDINANCE FIXING THE TAX RATE AND LEVY FOR THE CITY OF BASTROP, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015, AND FOR THE FURTHER PURPOSE OF CREATING A SINKING FUND TO RETIRE THE PRINCIPAL AND INTEREST OF THE BOND INDEBTEDNESS OF THE CITY; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Bastrop, Texas has on this date, by way of separate Ordinance, duly approved and adopted a Budget for the operation for the City for fiscal year 2014-2015 (FY 2014-2015); and

WHEREAS, the aforesaid Ordinance anticipates and requires the levy of an *ad valorem* tax on all taxable property in the City of Bastrop; and

WHEREAS, the Chief Appraiser of Bastrop County Tax Appraisal District has prepared and certified the appraisal roll for the City of Bastrop, Texas, that roll being that portion of the approved appraisal roll of the Bastrop County Tax Appraisal District which lists property taxable by the City of Bastrop, Texas; and

WHEREAS, it is necessary to levy such an *ad valorem* tax at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2014-2015; and

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2014-2015.

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

Section 1. There is hereby levied for the FY 2014-2015 upon all real property situated within the corporate limits of the City of Bastrop, Texas, and upon all personal property which was owned within the corporate limits of the City of Bastrop, Texas, on January 1, 2014, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.5640 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of \$0.3598 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Bastrop, Texas, for the fiscal year ending September 30,

2015, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Bastrop, Texas.

b) An *ad valorem* tax rate of \$0.2042 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Bastrop, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the General Debt Service Fund of the City of Bastrop, Texas, for the fiscal year ending September 30, 2015.

Section 2. The City of Bastrop shall have lien on all taxable property located in the City of Bastrop to secure the payment of taxes, penalty, and interest, and all costs of collection, assessed and levied hereby.

Section 3. Taxes are payable in Bastrop, Texas at the Office of the Tax Assessor Collector of Bastrop County. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 4. The tax roll presented to the City Council, together with any supplements thereto, are hereby accepted and approved.

Section 5. Should any paragraph, sentence, provision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section 6. This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

Section 7. All other ordinances and Code provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Bastrop City Code not in conflict herewith shall remain in full force and effect.

Section 8. The repeal of any ordinance or parts thereof by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as affecting any rights of the City under any section or provision of any ordinances at the time of passage of this Ordinance.

THE TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEARS TAX RATE; AND THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.3 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.10.

READ and ACKNOWLEDGED on First Reading on the 9th day of September 2014.

READ AND ADOPTED on Second Reading on the 23rd day of September 2014.

APPROVED:

ATTEST:

Ken Kesselus, Mayor
On Behalf of the City Council
Of Bastrop, Texas

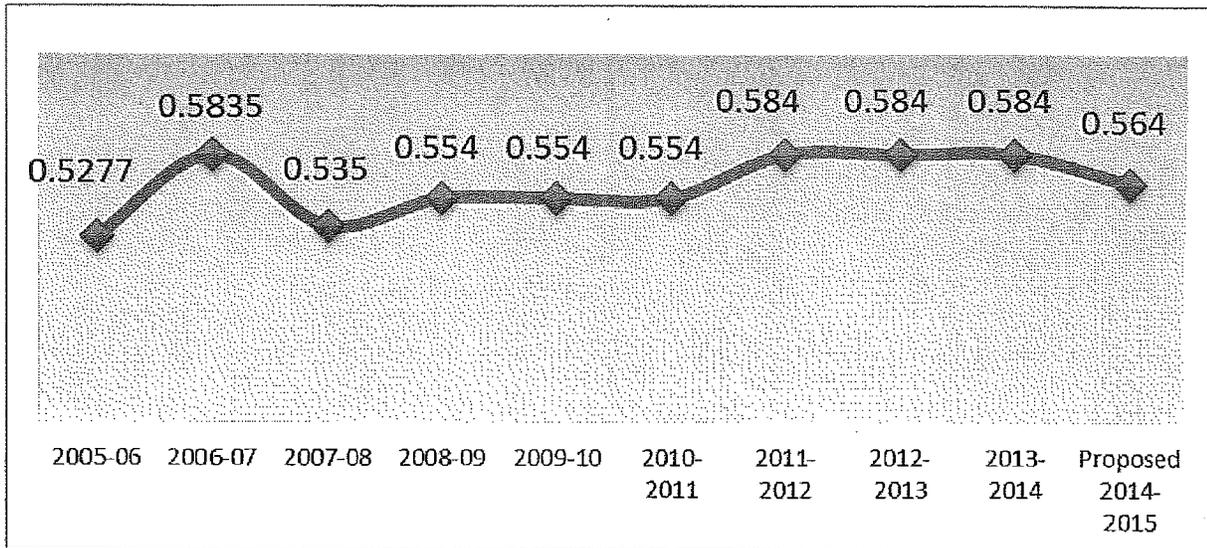
Elizabeth Lopez, City Secretary

APPROVED AS TO FORM:
Law Offices of Jo-Christy Brown, PC
Jo-Christy Brown
City Attorney

Property Tax Calculations (Ad Valorem Taxes)

	FY2015 Tax Year 2014
TAX ROLL:	
Assessed Valuation (100%)	\$737,922,965
Rate per \$100	0.56400
<hr/>	
Tax Levy Freeze Adjusted	4,161,886
Tax Levy - Frozen (Disabled/ over 65)*	330,115
<hr/>	
Total Tax Levy	4,492,001
Percent of Collection	97%
<hr/>	
SUMMARY OF TAX COLLECTIONS:	
Current Tax	4,037,029
Revenue From Tax Freeze Property	320,211
Delinquent Tax	55,000
Penalty and Interest	40,000
<hr/>	
TOTAL TAX COLLECTIONS	\$4,452,240

Property Tax Rate History



Property Tax Distribution

	TAX RATE	PERCENT	TOTAL
<u>GENERAL FUND:</u>			
Current Tax	\$0.3598		2,575,625
Revenue From Tax Freeze Property			204,295
Delinquent Tax			35,750
Penalty and Interest			26,000
Total General Fund	\$0.3598	63.80%	\$2,841,670
<u>DEBT SERVICE FUND:</u>			
Current Tax	\$0.2042		1,461,403
Revenues From Tax Freeze Property			115,917
Delinquent Tax			19,250
Penalty and Interest			14,000
Total Debt Service	\$0.2042	36.20%	\$1,610,570
DISTRIBUTION	\$0.5640	100.00%	\$4,452,240

CITY OF BASTROP

AGENDA ITEM **D-1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Board appointment by Mayor Kesselus, subject to confirmation by the Bastrop City Council on the APPOINTMENT of BRIAN RIDER, as Pl. 2 Member of the HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION BOARD; a three-year term that EXPIRES June 2017.

2. Party Making Request **Ken Kesselus, Mayor**

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

8. Staff Recommendation: **For Council's Consideration - No Action Required.**

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____



August 21, 2014

Honorable Mayor Ken Kesselus
Bastrop City Hall
Bastrop, TX 78602

RE: Hunters Crossing Local Government Corporation Board

Dear Mayor Kesselus:

Thank you for inviting us to request your nomination of a representative on the Hunters Crossing Local Government Corporation Board.

The LGC was conceived and created as a joint project of the City of Bastrop and Forestar as a way to provide enhanced services and facilities to the Bastrop residents at Hunters Crossing. Forestar has had a representative on the Board of the LGC since its inception, due to our significant investment in the Hunters Crossing community and our expertise in managing the activities and projects of the LGC.

We request that you appoint Brian Rider to this Board.

Forestar Group still has significant commercial land that remains undeveloped, and future single family lots that can be developed in the community as well. We appreciate your consideration in allowing our interests to be represented on this Board.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim DeCosmo".

Jim DeCosmo
President and Chief Executive Officer
Forestar Group



CITY OF BASTROP

City Secretary's Office
 1311 Chestnut Street
 Bastrop, Texas 78602
 (512) 332-8800
<http://www.cityofbastrop.org>

**Application for
 City Board/Commission/Committee
 Please Print or Type Clearly.**

New Appointment:

Request for Re-Appointment:

SECTION A- APPLICANT INFORMATION			
Last Name	Rider	First	Brian
		Middle	C
Street Address	2906 Hatley Drive		Mailing Address
Apt/Unit #	City	State	ZIP Code
	Austin	TX	78746
Phone	(512) 872-2088	E-mail Address	briderc@sdcAustin.com
Date Available	9/1/14	I have lived in Bastrop	n/a years.
		Place of Employment	Self/Attorney
Have you filed an application here before?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If so, when?	
Have you ever been convicted of a crime?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If so, when?	
Do you reside within the City Limits of Bastrop?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Currently Employed	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<p><i>Note: Various boards, commissions and committees of the City either allow for or require appointments of persons who reside in the County, the City's Extra Territorial Jurisdiction, and/or the Bastrop Independent School District. For more information on this please refer to the Articles of Incorporation or By Laws of the entities of interest. The City Secretary is able to assist in obtaining copies of the By-Laws, upon request.</i></p>			

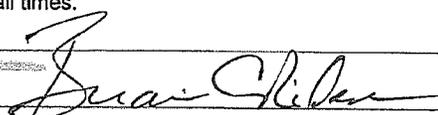
SECTION B- REFERENCES	
Please list three professional references.	
Full Name	Bradley Schlosser
Relationship	Client
Company	Schlosser Development
Phone	(512) 872-2071
Full Name	Robert Chesney
Relationship	Faculty
Company	U of Texas Law School
Phone	(512) 232-1298
Full Name	J.C. Brown
Relationship	Opposing Counsel
Company	Attorney
Phone	(512) 236-1000

SECTION C- ADDITIONAL INFORMATION
Do you currently serve on any other boards, commissions, or committees? Please list any below:
No
What qualifies you to serve on the board(s) you are applying for?
Knowledge of subdivision due to development and owner Association work
Why do you want to serve on the board(s) you are applying for?
I can help the smooth operation of the LGC

SECTION D: BOARDS/COMMISSIONS/COMMITTEES		
Please indicate the Boards, Commissions or Committees you are interested in serving. List in order of preference.		
<input type="checkbox"/> Bastrop Parks Board	<input type="checkbox"/> Bastrop Economic Development Corporation	<input type="checkbox"/> Bastrop Housing Authority
<input type="checkbox"/> Planning and Zoning Commission	<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Construction Standards Board of Adjustments
<input type="checkbox"/> Main Street Advisory Board	<input type="checkbox"/> Fairview Cemetery Advisory Board	<input type="checkbox"/> Art in Public Places Board
<input checked="" type="checkbox"/> Hunters Crossing Local Government Corporation Board	<input type="checkbox"/> Bastrop Library Board (<input type="checkbox"/> City Resident / <input type="checkbox"/> BIRD Area Resident)	
<input type="checkbox"/> Automated Red Light Advisory Committee	<input type="checkbox"/> Other:	
<input type="checkbox"/> Historic Landmark Commission	*Please indicate which position(s) you are qualified to serve under. <input type="checkbox"/> Architect, Planner, Designer <input type="checkbox"/> Licensed Real Estate Professional <input type="checkbox"/> Own Commercial Historic Structure/Property <input type="checkbox"/> Own Residential Historic Structure/Property <input type="checkbox"/> General Resident of City of Bastrop <input type="checkbox"/> Planning and Zoning Member <input type="checkbox"/> Bastrop County Historic Society Member	

DISCLAIMER AND SIGNATURE

- It is understood and agreed upon that any misrepresentation by me on this application will be sufficient cause for cancellation of this application and/or separation from the board/commission/committee.
- I give the City of Bastrop the right to investigate all references and to secure additional information about me, if related. I hereby release from liability the City of Bastrop and its representatives for seeking such information and all other persons, corporations or organizations for furnishing such information.
- This application is kept on active file at the City Secretary's Office for 1 year. At the conclusion of this time, if I have not heard from the City Secretary and still wish to be considered for a board/commission/committee, it will be necessary to fill out a new application.
- I understand that just as I am free to resign at any time, the City of Bastrop reserves the right to terminate my status as member at any time, with or without cause and without prior notice. I understand that no representative of the City of Bastrop has the authority to make any assurances to the contrary.
- I understand it is the City of Bastrop's policy not to refuse to hire a qualified individual with a disability because of this person's need for an accommodation that would be required by the ADA.
- I agree to participate and complete any required training the city deems necessary, such as Open Meetings Act training, as a condition of my board service, and I agree to submit a copy of completion documentation on file with the City Secretary.
- If selected, I agree to adhere to the City of Bastrop's Ethics Ordinance and to represent the City's business ethically at all times.

Signature  Date 9/4/14

WRITTEN NOTICE

A hardcopy of this application with the original signature must be printed and mailed to be officially accepted for a board/commission/committee. Please return by mail or in person to:

City of Bastrop, TX
 City Secretary's Office
 1311 Chestnut Street
 Bastrop, Texas 78602

OFFICE USE ONLY

Date Application Received:		Application Received by:	
Position Appointed:		Date Appointed:	
Term Starts:		Term Expires:	

CITY OF BASTROP

AGENDA ITEM **D-2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion, and possible action regarding the development of a process or procedure for dealing with requests for funding from organizations requesting funding subsequent to the Mayor Pro Tempore's request of the City Manager to outline level excess funds in the Hotel Occupancy Tax account and how such funds might be used to aid a building project of the Bastrop Arts Guild "LOST PINES ART CENTER & SCULPTURE GARDEN" and the City Manager's August 12 report in response. This item may also include action regarding specific funding amounts for any or all such requests.

2. Party Making Request **Ken Kesselus, Mayor**

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

8. Staff Recommendation: **For Council's Consideration - No Action Required.**

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____



MAKE YOUR MARK ON BASTROP!

CAPITAL CAMPAIGN
STEERING COMMITTEE

- MARK ROSE
CO-CHAIR
- STEVE RIVERS
CO-CHAIR
- MARY McMURREY
CO-CHAIR
- JOE BEAL
- GLENDA DAYTON
- KATHLEEN HANDY
- JANE HUNT
- LINDA WILSON
- ROBERT SAUNDERS
- TERESA SAUNDERS
- KAROL RICE
PROJECT DIRECTOR
- JEANETTE CONDRA
PROJECT FINANCE DIRECTOR

August 13, 2014

The Honorable Ken Kesselus, Mayor
 City of Bastrop
 1311 Chestnut Street
 Bastrop, TX 78602

Dear Mayor Kesselus,

Please accept this letter as the formal request by the Bastrop Fine Arts Guild to be placed on the agenda for the August 26, 2014, City Council meeting. The purpose will be to update you, the Council and City Manager on the progress of the Lost Pines Art Center & Sculpture Garden and to ask that the Council consider our request for additional City funding of this extraordinary economic development project in the amount of \$500,000.

We look forward to informing the Council members of our progress and addressing any questions you or Council members may have.

Best Regards,

Karol Rice

Karol Rice, Project Director
 Lost Pines Art Center & Sculpture Garden
 Bastrop Fine Arts Guild

815 MAIN STREET
 BASTROP, TX 78602
 512-321-8055
 BASTROPFINEARTS@ATT.NET
 WWW.BASTROPFINEARTSGUILD.COM

RECEIVED
 8/15/14

CITY OF BASTROP

AGENDA ITEM **D-3**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion, and possible action on the ADDITIONAL FUNDING request by the Bastrop Arts Guild's for the development of the "LOST PINES ART CENTER & SCULPTURE GARDEN" in the City of Bastrop.

2. Party Making Request **Ken Kesselus, Mayor**

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: **For Council's Consideration - No Action Required.**

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____

CITY OF BASTROP

AGENDA ITEM **D-4**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

- 1. Agenda Item: Consideration, discussion and possible action on the ADDITIONAL FUNDING request for \$100,000 in roof repairs that will help preserve the BASTROP OPERA HOUSE located in the Historic Area of Downtown Bastrop.
- 2.
- 2. Party Making Request: **Council Member Jackson**
- 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
- 8. Staff Recommendation: **For Council's Consideration - No Action Required.**
- 9. Advisory Board: Approved Disapproved None
- 10. Manager's Recommendation: Approved Disapproved None
- 11. Action Taken: _____



BASTROP Opera House

P. O. Box 691

(512) 321-6283

711 Spring St.

Bastrop, TX 78602

July 15, 2014

Dear Mayor Kesselus, Council members: Garcia-McAnally, Gilleland, De La Rosa, Beal, Jackson and City Manager Talbot:

This letter is difficult for me to write. I have built the Bastrop Opera House (BOH) into a small arts business in our historic downtown over the last thirty years under my leadership. However, while we do pay our way, a structural need has become more prevalent than our routine business can address.

The 1979 roof needs to be repaired or replaced as assessed by Jim Whitten Roof Consultants last spring. Their conservative estimate was \$56,000.-76,000. covered in two options to address this issue. Whitten Consultants charged \$2,100. for the report which they donated back to BOH in full.

The BOH has raised \$22,000. held in our preservation/restoration savings account.

I am requesting your consideration of funding the re-roofing project and restoration of the leak damaged interior walls throughout the building. In addition these requested funds would cover interior restoration plastering, sanding and painting. If funds remain then the floors, windows and front doors would be refinished. Should the requested funds only cover the re-roofing, our savings would begin to address the interior upgrades.

(continued)

Page 2 of 2

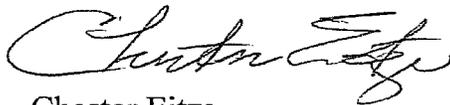
I am requesting \$100,000., in full or in part, to address the roofing project.

I, along with the new eleven-member BOH Production Board and the newly forming nine-member BOH Preservation Guild, both to be installed by September 30, 2014, welcome your guidance and proposals regarding this request.

The Production Board will be concerned with the daily operations and program activities while the Preservation Guild will oversee the projects and monies allocated to their tasks, including the roof project, the 715 Spring Street support building capital campaign, the eventual stage house extension construction and future property acquisitions. Both elements of the BOH governance would consider a partnership with the City of Bastrop.

Having built a significant theatre program, cultivated tourism development and maintained to the best of my abilities the visibility of this historic opera house throughout Texas, I appreciate your consideration of my bold request.

Respectfully,



Chester Eitze
Executive Director
Bastrop Opera House
chester@BastropOperaHouse.com
(512) 922-1159 personal cell

CITY OF BASTROP

AGENDA ITEM **D-5**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion and possible action on the ADDITIONAL FUNDING request by the DOWNTOWN BUSINESS ALLIANCE.

2. Party Making Request **Council Member McAnally**

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

8. Staff Recommendation: **For Council's Consideration - No Action Required.**

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

REQUEST FOR FUNDING

BASTROP DOWNTOWN BUSINESS ALLIANCE

The Bastrop Downtown Business Alliance requests the following funds from the City of Bastrop for the following purposes with funding to begin Fiscal Year 2015.

1. \$20,000 for Contract Labor position for Events Planner. This position will be for a part-time person with professional experience in large event planning. The person will work under the directions of the DBA Steering Committee and with the departments of the City of Bastrop to plan and execute events including but not limited to Yesterfest Weekend, Veterans Day Car Show Weekend, Lost Pines Christmas Weekend, Halloweenfest, Pet and Pal Parade, First Friday Art Walk, and Third Thursday, all for the purpose of promoting Bastrop as a destination for shopping, dining and recreation. This position will be for twenty (20) hours per week for fifty (50) weeks per year at \$20 per hour.
2. \$15,625 for Contract Labor position for Social Media and Technical Support of Events and Promotions. The person filling this position will be responsible for development of a new Website that is user friendly and tracks movements to lodging websites. The person will also manage all Facebook and social media promotions of events, work with advertising professionals on advertising of events, and develop and manage all forms and registrations related to events. This will lead to an increase in visibility of the events and lead to more people coming to Bastrop for them. The position will be for twenty-five (25) hours per week for fifty (50) weeks per year at \$12.50 per hour.
3. \$25,000 for billboard advertising campaign on the highways leading to Bastrop as a means to brand Bastrop as a destination. This amount will fund up to 4 billboards for a full year on Highways 71 and 290 with the goal of capturing drivers traveling between Austin and Houston with a message that Bastrop has a downtown that is worth getting off the highway and exploring.

The funds requested for staffing will enable DBA to continue to produce the five quality events that bring 32,000-40,000 people to the downtown area each year to stay in hotels, eat in the restaurants, shop in retail businesses, and take part in recreational activities. It will also fund the year-round efforts to bring people downtown through smaller events and social media promotions. The billboards will keep Bastrop in competition for tourism with nearby cities such as Columbus, La Grange, Smithville, Gruene, and Salado, all of which already have billboard campaigns.

This request includes a request to be on the City Council Agenda August 26, 2014, or at the soonest available date.

Respectfully submitted August 19, 2014 by Steering Committee, Bastrop Downtown Business Alliance, Deborah Johnson, president.



Steering Committee

Deborah Johnson, President
Nancy Wood, Vice-President
Deborah Viesel, Treasurer
Michelle Adams, Secretary
Debbie Moore
Tracy Stamper
Pam Ferguson
Brad Cook
Lee Harle
Naseem Khonsari
Drusilla Rogers, Past President

August 19, 2014

To Mayor Ken Kesselus
To Councilwoman Kelly Gilleland
To Councilman Willie DeLaRosa
To Councilwoman Kay Garcia McAnally
To Councilman Joe Beal
To Councilman Dock Jackson

Dear Mayor and Council members,

The purpose of this letter is to acquaint you with the current state of affairs with Bastrop Downtown Business Alliance, its current plans and ideas for the future, the effects of recent comments made by the mayor, the effects of recent decisions made by the city council, and what action DBA would like to take to address these recent developments.

DBA's purpose is to develop and maintain an environment in downtown Bastrop that helps local businesses thrive through promotion of downtown Bastrop. DBA began this promotion through the use of local events:

1. DBA was approached by the Bastrop Opera House to take over Yesterfest and, in doing so, moved the event downtown. It continued the traditional celebration of the historic heritage through re-enactors, demonstrators and live performances. It also added a street market and children's area. This event brings in 8,000-10,000 people each year.
2. DBA was asked by the Chamber of Commerce to take over the downtown Christmas event and has worked with the Main Street program to help develop Lost Pines Christmas Weekend by organizing the downtown events on Main Street as well as the Lighted Christmas Parade, resulting in 6,000-8,000 people being downtown each year.
3. DBA saw a need for a community event on Halloween to provide a fun and safe place for families to enjoy the night resulting in Halloweenfest and a crowd of 6,000-8,000 enjoying games, trick or treating, haunted houses, costume contests and music on Main Street and adjoining blocks. This event has been noted by several travel sites as one of the top community Halloween celebrations in the country.
4. DBA formed Veterans Day Classic Car Show as an event planned primarily to honor our veterans but also to provide fun. This event with the parade of honor, classic car show, live music, and street market gives over 12,000 people each year a fun event and , most importantly, a time to express appreciation to our veterans for their service to our country.
5. DBA wanted to offer a way for citizens and families to celebrate our country's Independence Day and started Pet and Pal Parade on the Saturday near 4th of July. While a small event, it is a fun and creative way for kids and kids at heart to celebrate and remember what it means to be an American.

In recent years DBA has responded to concerns expressed by both hotels and the city council that one day events do not put "heads in beds" and have worked to make Yesterfest, Veterans Day Classic Car Show, and Lost Pines Christmas all three day events:

1. Yesterfest 2013 added a Saturday night concert and Sunday morning cowboy breakfast. Yesterfest 2014 expanded the live music to a three-day El Camino Real Music Festival spanning Friday evening through Sunday afternoon, added the Friday night "Spirits of Bastrop Stroll", changed the street market to a two-day Juried Arts, Crafts and Antiques Fair, added Cowboy Church, clowning and story-telling to Sunday, and joined forces

- with Bastrop County Family Rodeo to offer a three day Yesterfest Scholarship Rodeo. Plans are already underway for Yesterfest 2015 to continue and improve the programs offered in 2014 along with the addition of a chuck wagon cook-off, a stage featuring traditional dance groups including Native American dancers, cloggers, Irish step dancers, Ballet Folklorico, African dancing and tap and ballet performances. Plans also include a melodrama by the Opera House, performances of the Bastrop County Bar Association's historic trial re-enactments, and a Miss Yesterfest scholarship contest.
2. Veterans Day Classic Car Show has been a two day event with a nostalgic drive-in movie on Friday evenings and the car show and Veterans events on Saturday. In 2013, the committee joined forces with Smithville for a Veterans event on Sunday. This year's committee is formulating plans for Friday evening "Cruise Main Street" with '50's costume contest, car-hop restaurant service and maybe even an Elvis contest. Saturday evening plans are for a sock-hop at 921 Main and on Sunday to introduce a "Road Rally". This will make a fun-filled weekend that will encourage people to spend the whole weekend.
 3. Lost Pines Christmas is already a wonderful 4-day event but needs more activity to entice families to spend the weekend. The Christmas Committee is working to add a "Winter Wonderland" to the lot at 921 Main with Friday evening through Sunday activities including an ice skating rink, an inflatable snow globe for family photo ops, and a street train, all dependent on securing funding for the rental of the equipment. The committee is also working to have local choirs perform on the other weekends in December on the stage at 921 Main.

These efforts to expand the weekends have resulted in at least three hotels and one bed and breakfast reporting that they were booked for Yesterfest weekend this year with those keeping track attributing the bookings to Yesterfest.

DBA acknowledges that the most important criteria for anything funded by HOT funds is bringing in more tourism, but also reminds the council that these events also proved a sense of community that will lead to a quality of life that will entice people to move to Bastrop to start businesses and raise families. DBA also notes that the amount of advertising (in excess of \$35,000 per year) across Central Texas, Austin, Houston, and San Antonio helps to brand Bastrop as a destination.

DBA has responded to the need for more customer traffic in the Main Street area at times other than the events by assuming the leadership of First Friday Art Walk, forming Shop, Rock and Roll for extra activities during the Christmas holiday season, and starting the Third Thursday shopping event all largely funded by the participating businesses. DBA also researches and offers information on cooperative advertising opportunities and offers various programs related to promoting and running small businesses. DBA has rented and maintained the lot at 921 Main as a performance venue and downtown gathering space. The lack of shade for daytime and lighting for night time has limited the use of the space but DBA is working with Main Street to apply for a grant to purchase lights, stage lights, and shade sails to make the space useful. Plans to apply for performance grants are also underway in order to pay for performances once the space is improved. This is anticipated to bring more traffic downtown, provide a public gathering place, and increase the visibility of Bastrop as a whole.

DBA has seen the need for more social media promotions of both events specifically and the downtown area in general and has hired a part time social media/technical specialist on a contract basis to do as much of this as the funding permits. Unfortunately, funds have only allowed a small portion of the twenty hours per week that is needed to do this job as thoroughly as it should be to benefit the events and downtown.

DBA is providing a tremendous service to the City of Bastrop as well as the restaurant, retail, entertainment, and service businesses through these events and programs that reach out to tourists in Texas as well as our local residents. This effort requires two major assets: money and volunteers. The cost of events, programming, and operations has resulted in a budget need of approximately \$125,000 to get the job done, of which HOT funds provide 40% and only in restricted areas. DBA has been able to leverage the advertising dollars coming from HOT funds into corporate sponsorship packages selling advertising coverage connected to the events. DBA has also been able to fund portions of the entertainment costs of the events through HOT funds. The funds raised from the sale of the sponsorship packages has to cover the 60% of the budget that is left including portions of three events not eligible to be covered by HOT funds (such as sound engineers and portapotties) as well as all of Halloweenfest and Pet and

Pal Parade and all of our programming and operating expenses. Please note, that as a 501c6 organization, DBA does not qualify for charitable donations.

The other need to do all of these events is the need for volunteers and DBA has been blessed with a small but strong core of volunteers. You probably know how many volunteers are needed to do an event if you have attended any but you may not be aware of the thousands of hours needed to raise funds and plan the events along with the other things that DBA does. Many of those dedicated early volunteers are getting weary and ready to move on to something else. The DBA Steering Committee and most of the event leadership is made up largely of downtown business owners, many of them single “mom and pop” businesses. They are taking a tremendous time away from their own businesses to do the work necessary to plan and execute these events and programs to benefit the City of Bastrop, their own businesses, and those businesses of owners unable or unwilling to volunteer. The Steering Committee has realized that to continue to do all of this, some paid professional staff is necessary, hence our request for funds to hire an event planner for our events starting with Yesterfest. We also asked for funds to bring the social media/technical support person up to at least 20 hours per week on marketing events and the downtown to encourage more tourists to come to Bastrop.

We offer apologies for the length of this letter but we hope that you have a better understanding of DBA and what its leadership is striving to accomplish. We, the steering committee of DBA, feel that there is an indication of a lack of support from the elected leadership of our city and hence a perceived lack of support for our downtown businesses. Please note that we are very happy with the support from the city staff—the city manager, Main Street office, police and fire departments, and public works and parks departments. They are always there with needed help and assistance in any way that they can.

When DBA formed and began doing the events, the City Council recognized the need for these events and began supporting these endeavors through the awarding of HOT funds for advertising and entertainment. This has resulted in DBA being in the top four non-profit organizations to receive HOT funds. DBA is very grateful for this level of support. In 2012, the council noted that funds would no longer be given for Pet and Pal Parade and Halloweenfest because they were too local to qualify under the “heads in beds” criteria. DBA accepted this decision

and worked to raise funds to continue the two events. In 2013 the council reduced the HOT funds given to DBA for the other three events despite the fact DBA was working to build these events to full weekends to put more “heads in beds” and despite the fact that no other organization receiving HOT funds brings in the number of people brought in every year by DBA events. DBA events bring in 32,000-40,000 people to the downtown and city every year. This number averages to over 100 people per day above all the other efforts to bring people to downtown Bastrop. We repeat, no other organization has this impact and it has been accomplished by a purely volunteer force thus far.

The reduction of funds has an impact. Decreasing the funds leads to less advertising and reduces our ability to sell our sponsor packages to fund all the other areas not eligible for HOT funds. In fact, DBA is the only organization that includes other events done in town on its advertising, such as including Homecoming, Patriot Festival, and SUP CUP on magazine ads and table tents. Advertising purchased with HOT funds serves another purpose besides promoting a single event. It promotes Bastrop every time someone sees an ad and brands it as a destination. Decreased funds for entertainment make it difficult to continue to offer the quality events that the city and the guests have come to expect. Especially in light of the need to make these full weekend events with activities all three days, the reduction in funds makes our task more and more difficult.

This year, in spite of finding an additional \$13,000 in HOT funds to award, the council again reduced our funds and did nothing to address our request for staffing help. These reduced funds were approved at the same meeting where one council member, with apparent support from others, stated that there appeared to be an additional \$300,000 of HOT funds available and advocated to use that amount to fund a specific organization and its project. Other Council members did note that, if indeed that kind of money was available, there may be other eligible organizations who would like to request those funds. DBA agrees with these council members that if there are more funds to award, all groups who qualify and have a need for more funds should be allowed to apply and be considered. DBA would like to be considered for a portion of the extra funds.

Attached to this letter is a request for funds that will enable DBA to continue to produce quality events in the near future as well as add some very necessary promotions to entice people to get off the highways and explore downtown

Bastrop. This will also mean that the events that help our city become a community will be able to continue and thrive. We are asking for \$60,625 to be used to contract a professional event planner to work with all events, to contract a social media/technical professional to design a better website and promote DBA events and to handle the paperwork associated with these events, and to purchase billboard advertising. **We ask that this request be put on the agenda at the next City Council meeting, August 26, 2014.** We will have representatives there to answer questions. We are also willing to meet with or speak with any council members prior to this time should there be questions.

These recent events have led the DBA Steering Committee to evaluate how it will move forward in the near future. The Council's decision to award these new funds or not will affect DBA and the plans we will be making plans this fall for 2015. We will have to decide how and if DBA will continue to produce events, and, if so, how many events our resources both financial and human will allow us to produce. We will have to decide how DBA will continue to promote the downtown, and how to finance any promotion activities. DBA will be making decisions for 2015 events in early October in order to begin the campaign for sponsorships for 2015 acknowledging that companies are building their advertising budgets for the next year. Time is of the essence in addressing these critical issues. DBA has worked very hard to build a vehicle to promote Bastrop. We have enjoyed the partnership with the city of Bastrop in doing this. We have endeavored to address the needs of downtown businesses to bring in more customers and to benefit the city through both increased sales tax and "heads in beds". However, we have reached the limits of what a purely volunteer organization can do and we are asking the City Council to help us climb this hurdle and continue to advertise and promote Bastrop and to continue to make the quality of life one such that people will want to visit, move to, start businesses in, and raise their families in Bastrop.

Thank you for your past support of DBA and its efforts and we hope to continue in partnership with the City of Bastrop.

Deborah Johnson, President, on behalf of the Steering Committee of DBA

Cc Mike Talbot

CITY OF BASTROP

AGENDA ITEM **D-6**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion and possible action on the ADDITIONAL FUNDING request by the HOMECOMING COMMITTEE
2. Party Making Request **Council Member McAnally**
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: **For Council's Consideration - No Action Required.**
9. Advisory Board: _____ Approved _____ Disapproved _____ None
10. Manager's Recommendation: _____ Approved _____ Disapproved _____ None
11. Action Taken: _____

CITY OF BASTROP

AGENDA ITEM **D-7**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: August 28, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: Consideration, discussion, and possible action by the Bastrop City Council on the FUNDING request by UPSTART for \$85,148 for program enhancements/ improvements.

2. Party Making Request **Hank Nations**

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

8. Staff Recommendation: **For Council's Consideration - No Action Required.**

9. Advisory Board: Approved Disapproved None

10. Manager's Recommendation: Approved Disapproved None

11. Action Taken: _____

CITY OF BASTROP

AGENDA ITEM **D-8**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: September 19, 2014

MEETING DATE: September 23, 2014

1. Agenda Item: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF BASTROP PARTICIPATING IN AN AGREEMENT FOR A PERIOD OF ONE (1) FOR THE RENTAL OF THE PARKING LOT LOCATED AT THE SOUTHWEST CORNER OF PINE STREET AND WATER STREET FOR THE PURPOSE OF CREATING ADDITIONAL PARKING IN THE CENTRAL BUSINESS DISTRICT.

2. Party Making Request: Michael H. Talbot

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

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. **Agenda Summary:** As the Council will recall in August the Council received a report from Mr. Dan Hepker that he was a member of the Mayor's "Ad-Hoc" parking group evaluating potential sites to create additional parking in the "Central Business District". The group has secured a commitment from the owner of the parking lot at the southwest corner of Water and Pine Street to lease the lot to the County, the BEDC and the City for \$1,500.00 a month for a period of one (1) year.

9. Advisory Board: _____ Approved _____ Disapproved _____ None

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

11. Action Taken: _____