

**Bastrop, TX City Council Meeting Agenda**  
**Bastrop City Hall City Council Chambers**  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8800



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**June 27, 2017 at 6:00 P.M.**

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*City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.*

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**GROUP PICTURE OF COUNCIL FOR WEBSITE (6:00 P.M.)**

1. **WORK SESSION - INFORMATION TECHNOLOGY TRAINING FOR COUNCIL**
2. **CALL TO ORDER – REGULAR SESSION (6:30 P.M.)**
3. **PLEDGE OF ALLEGIANCE – Kalleigh Kawazoe, BISSD and Karsyn Kawazoe, Cedar Creek High School**

**TEXAS PLEDGE OF ALLEGIANCE**

*Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

4. **INVOCATION – Pastor Bob Long, Bastrop Christian Fellowship**
5. **OATH OF OFFICE**
- 5A. Consider action to approve Resolution No. R-2017-37 to canvass Election returns and declare results of June 17, 2017 City of Bastrop Runoff Election.

- 5B. Incoming Council Member Lyle Nelson, Place 3
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
  - Signature of Official Documents
  - Welcome by Council
  - Comments by Council Member Lyle Nelson

**RECEPTION FOR NEW MEMBER – RECESS MEETING FOR 20 MINUTES.**

**6. PRESENTATIONS**

- 6A. Receive a presentation from Burditt & Associates regarding the Master Plan for the Cultural and Heritage Trail in Bob Bryant Park developed by Bastrop Art in Public Places.
- 6B. Mayor's Report
- 6C. Councilmembers' Report
- 6D. City Manager's Report

**7. WORK SESSION/BRIEFINGS**

- 7A. Discuss Communications Plan in the event of a High Water Event.

**8. STAFF AND BOARD REPORTS**

- 8A. Receive presentation on the unaudited monthly Financial Report for the period ending May 31, 2017.

**9. CITIZEN COMMENTS**

*At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Comment portion of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.*

*To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the consideration of that item.*

*It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.*

## 10. CONSENT AGENDA

*The following may be acted upon in one motion. A Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.*

- 10A. Consider action to approve minutes from the June 13, 2017 meeting.
- 10B. Consider action to approve the second reading of Ordinance No. 2017-17 granting a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street, setting out conditions; and establishing an effective date.
- 10C. Consider action to approve Resolution R-2017-40 of the City Council of Bastrop Texas Terminating the Land Lease Agreement with the Bastrop County dated February 17, 2017, and authorize the City Manager to enter into a Land Lease Agreement with Bastrop County for property in the City's Mayfest Park upon the County receiving authorization from the Texas General Land Office to use grant funds for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher; and establishing an effective date.

## 11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A. Receive update on Phase 1 of the Culinary Arts District and Culinary District process and consider action to approve Resolution R-2017-38 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a contract for Phase 2 Professional Services with Cygnet Strategies utilizing existing FY 2017 budgeted Tourism Promotions dollars in accordance with the City's purchasing policy; and establishing an effective date.
- 11B. Consider action to approve the first reading of Ordinance No. 2017-18 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Section 9.09.041 (Emergency, Fire, and Rescue Services) authorizing the Bastrop Fire Department to seek reimbursement of costs of certain emergency, fire and rescue services; approving a repealing clause; and establishing an effective date, and move to include on the July 11, 2017 agenda for a second reading.
- 11C. Consider action to approve Resolution No. R-2017- 39 of the City Council of the City of Bastrop, Texas authorizing Bastrop Art in Public Places to acquire through purchase four permanent sculptures, amounting to \$44,500 in accordance with the City's purchasing policy; and establishing an effective date.
- 11D. Consider action to approve the first reading of Ordinance No. 2017-15 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Article 4.03 (taxicabs, shuttles and touring vehicles) providing the requirements of operating a taxicab, shuttles and touring vehicles and designating the City Manager or his or her designee to enforce all requirements; approving a repealing clause; establishing an effective date and move to include on the July 11, 2017, agenda for a second reading.
- 11E. Consider action to approve Resolution No. R-2017-42 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,663 square feet in the amount of Twenty Thousand Seven Hundred Eighty-Seven Dollars and Fifty Cents (\$20,787.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page

956 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 919 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

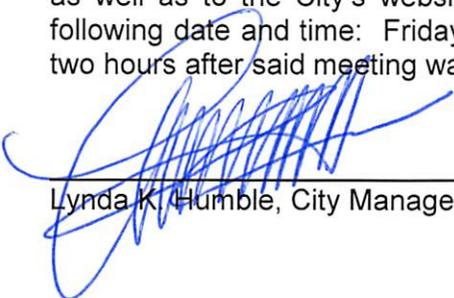
- 11F. Consider action to approve Resolution No. R-2017-43 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,142 square feet in the amount of Fourteen Thousand Two Hundred Seventy-Five Dollars and 00 Cents (\$14,275.00) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 925 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.
- 11G. Consider action to approve Resolution No. R-2017-44 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,639 square feet in the amount of Twenty Thousand Four Hundred Eighty-Seven Dollars and Fifty Cents (\$20,487.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.113 acre in a deed from Jack Griensenbeck, et ux, to Bastrop Chamber of Commerce dated November 2, 1993 and recorded in Volume 685, Page 498 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck,; granting the use of four (4) parking spaces for exclusive use to the building located at 927 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.
- 11H. Consider action to approve Resolution No. R-2017-45 of the City Council of the City of Bastrop, Texas authorizing the purchase of land containing 454 square feet from Chestnut Street LTD situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T. A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Official Records of Bastrop County; granting the use of one (1) parking space for exclusive use to the building located at 707 Chestnut Street Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.
- 11I. Consider action to approve Resolution No. R-2017-41 of the City Council of the City of Bastrop, Texas confirming all board and commission appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

12. EXECUTIVE SESSION - NONE

13. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

14. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: Friday, June 23, 2017 at 10:00 p.m. and remained posted for at least two hours after said meeting was convened.



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Lynda K. Humble, City Manager





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 5A

**TITLE:**

Consider action to approve Resolution No. R-2017-37 to canvass Election returns and declare results of June 17, 2017 City of Bastrop Runoff Election.

**STAFF REPRESENTATIVE:**

Ann Franklin, City Secretary

**BACKGROUND/HISTORY:**

Sec. 67.002. CANVASS OF PRECINCT RETURNS.:

(a) Except as otherwise provided by law, the precinct election returns for each election shall be canvassed by the following authority:

- (1) for an election ordered by the governor or by a county authority, the commissioners court of each county in which the election is held; and
- (2) for an election ordered by an authority of a political subdivision other than a county, the political subdivision's governing body.

(b) The canvass of precinct returns shall be conducted in accordance with this chapter except as otherwise provided by this code.

**POLICY EXPLANATION:**

N/A

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-37 to canvass Election returns and declare results of June 17, 2017 City of Bastrop Runoff Election.

**ATTACHMENTS:**

- Summary Report
- Resolution No. 2017-37

**RESOLUTION NO. R-2017-37**

**A RESOLUTION OF THE CITY COUNCIL OF BASTROP,  
TEXAS TO CANVASS THE JUNE 17, 2017 RUNOFF  
ELECTION FOR PLACE 3 OF THE BASTROP CITY  
COUNCIL.**

**WHEREAS**, on June 17, 2017, a runoff election was held for the purpose of electing Council Member for Place 3; and

**WHEREAS**, the returns of the runoff election have been made to the Council and show that the votes for City Council Member was cast as follows:

CITY COUNCIL MEMBER PLACE 3

Lyle Nelson            361

Lee Harle             248

**WHEREAS**, Lyle Nelson received a majority of all votes cast for the office of City Council Place 3.

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

**SECTION 1.** The Council finds that all of the recitals contained in this resolution are true and adopts them as findings of fact by this governing body; and

**SECTION 2.** The Council finds that the results of the runoff election as tabulated and canvassed reflect the votes cast at the election; and

**SECTION 3.** The Council accepts and approves the returns for the runoff election, as tabulated and received and canvassed, and declares that the following person is declared elected and may qualify for the office indicated for terms that begin June 27, 2017:

City Council Member Place 3 Lyle Nelson; and

**SECTION 4.** With this canvass, Council is making official the precinct returns received from Bastrop County.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

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Connie B. Schroeder, Mayor

**ATTEST:**

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Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

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David F. Bragg, City Attorney

SUMMARY REPORT

City of Bastrop Place 3  
Run-Off Election  
June 17, 2017

OFFICIAL

Run Date:06/17/17 07:19 PM

VOTES PERCENT

PRECINCTS COUNTED (OF 1) . . . . .	1	100.00
REGISTERED VOTERS - TOTAL . . . . .	5,125	
BALLOTS CAST - TOTAL . . . . .	609	
VOTER TURNOUT - TOTAL . . . . .		11.88

City Council, Place 3

VOTE FOR 1

Lyle Nelson . . . . .	361	59.28
Lee Harle . . . . .	248	40.72



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 5B

**TITLE:**

Incoming Council Member Lyle Nelson, Place 3

- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
- Signature of Official Documents
- Welcome by Council
- Comments by Council Member Lyle Nelson

**STAFF REPRESENTATIVE:**

Ann Franklin, City Secretary

**BACKGROUND/HISTORY:**

Texas Constitution

Article 16. General Provisions

Sec. 1. OFFICIAL OATH. (a) All elected and appointed officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

"I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

(b) All elected or appointed officers, before taking the Oath or Affirmation of office prescribed by this section and entering upon the duties of office, shall subscribe to the following statement:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God."

Texas Election Code

Title 6,

Sec. 67.016. CERTIFICATE OF ELECTION. (a) After the completion of a canvass, the presiding officer of the local canvassing authority shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by that authority's canvass.

**POLICY EXPLANATION:**

N/A

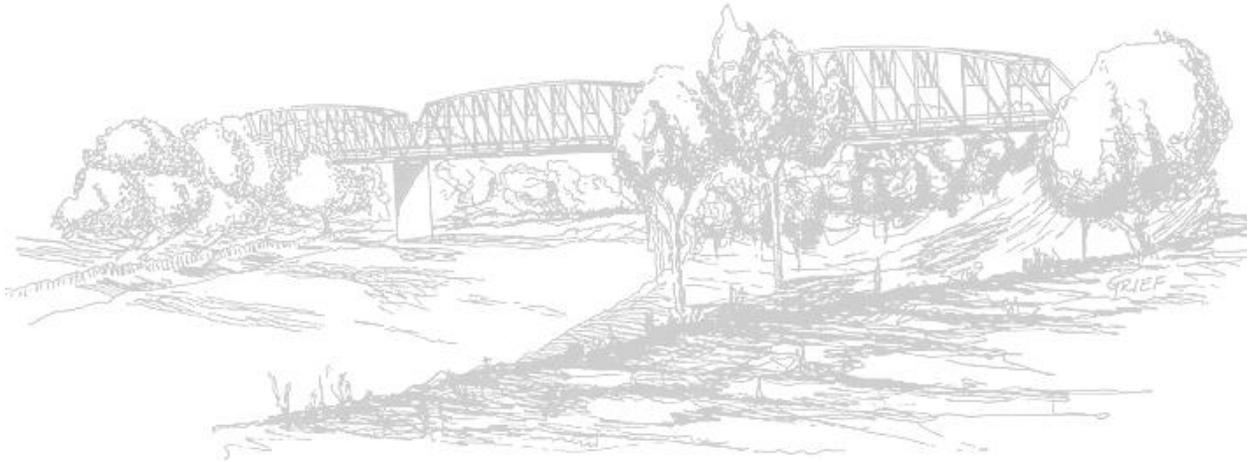
**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**  
N/A

**ATTACHMENTS:**

- Oath of Office
- Certificate of Election
- Statement of Appointed Officer



# OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS, I, Lyle Nelson, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of City Council – Place 3 of the City of Bastrop, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant

SWORN TO and subscribed before me by affiant on this 27<sup>th</sup> day of June 2017.

State of Texas

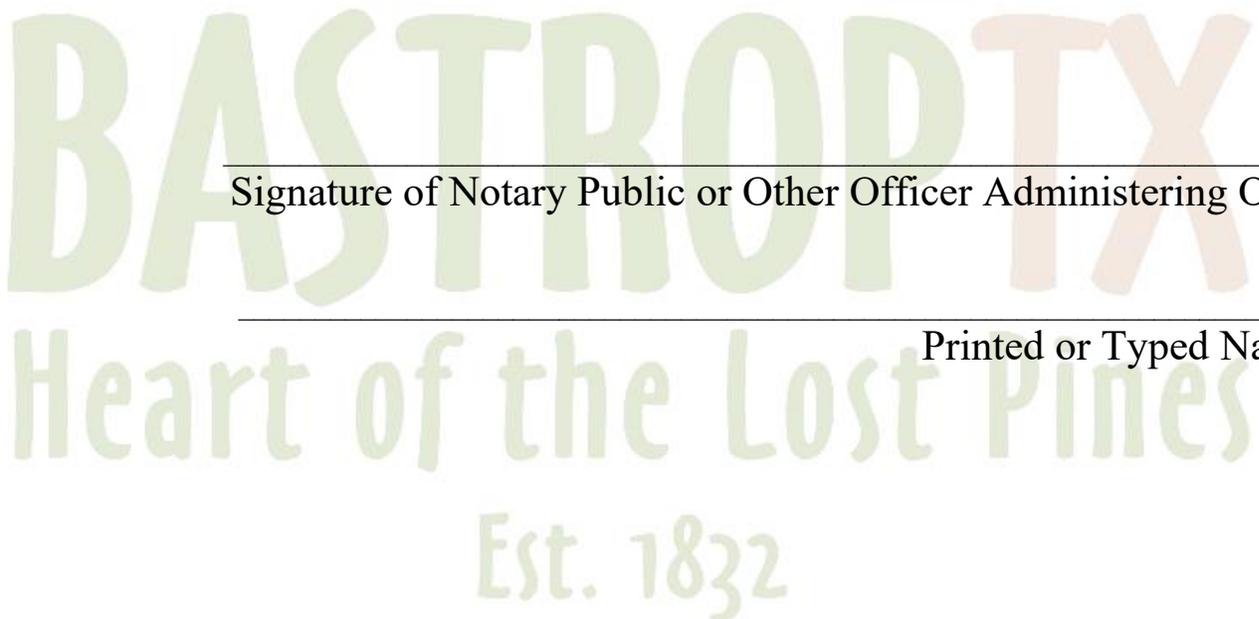
County of Bastrop

Sworn to and subscribed before me this 27<sup>th</sup> day of June, 2017.

(seal)

\_\_\_\_\_  
Signature of Notary Public or Other Officer Administering Oath

\_\_\_\_\_  
Printed or Typed Name





In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY, that at a runoff election held on

27<sup>th</sup>, June, 2017

LYLE NELSON was

duly elected

COUNCIL MEMBER, PLACE THREE

In testimony whereof, I have

Hereunto signed my name and  
Caused the Seal of Bastrop, TX. to be  
Affixed at the City of Bastrop,  
This the 27<sup>th</sup> day of June, 2017

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Connie B. Schroeder, Mayor



# City of Bastrop

## Statement of Elected/Appointed Officer

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I, Lyle Nelson, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

This 27<sup>th</sup> day of June, 2017.

*UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.*

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# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 6A

**TITLE:**

Receive a presentation from Burditt & Associates regarding the Master Plan for the Cultural and Heritage Trail in Bob Bryant Park developed by Bastrop Art in Public Places.

**STAFF REPRESENTATIVE:**

Sarah O'Brien, Main Street Program Director

**BACKGROUND/HISTORY:**

Bastrop Art in Public Places allocated funding in their FY 2017 budget for the development of a Master Plan for this project. This Master Plan represents an intensive six (6) month effort utilizing community input and Bastrop Art in Public Places as the driving force. The intention of this project is to develop a multi-purpose public space/walking area that strengthens the connection between people and the places they share. It is the vision of Bastrop Art in Public Places that this project will stimulate the local economy and lead to increased innovation, visitation, cultural diversity and civic engagement. This project is envisioned as a public space in the form of a "Cultural Heritage Trail" designed to tell the story of the cultures, traditions, ethnic backgrounds and perspectives that represent the strength and resiliency of the Bastrop community. Bastrop Art in Public Places approved the Master Plan at their June 7<sup>th</sup>, 2017 meeting.

**POLICY EXPLANATION:**

At the January 24<sup>th</sup>, 2017 Council Meeting, Council approved a general service contract to Burditt and Associates for the design of the Culture Walk as part of phase one of a multiple year project.

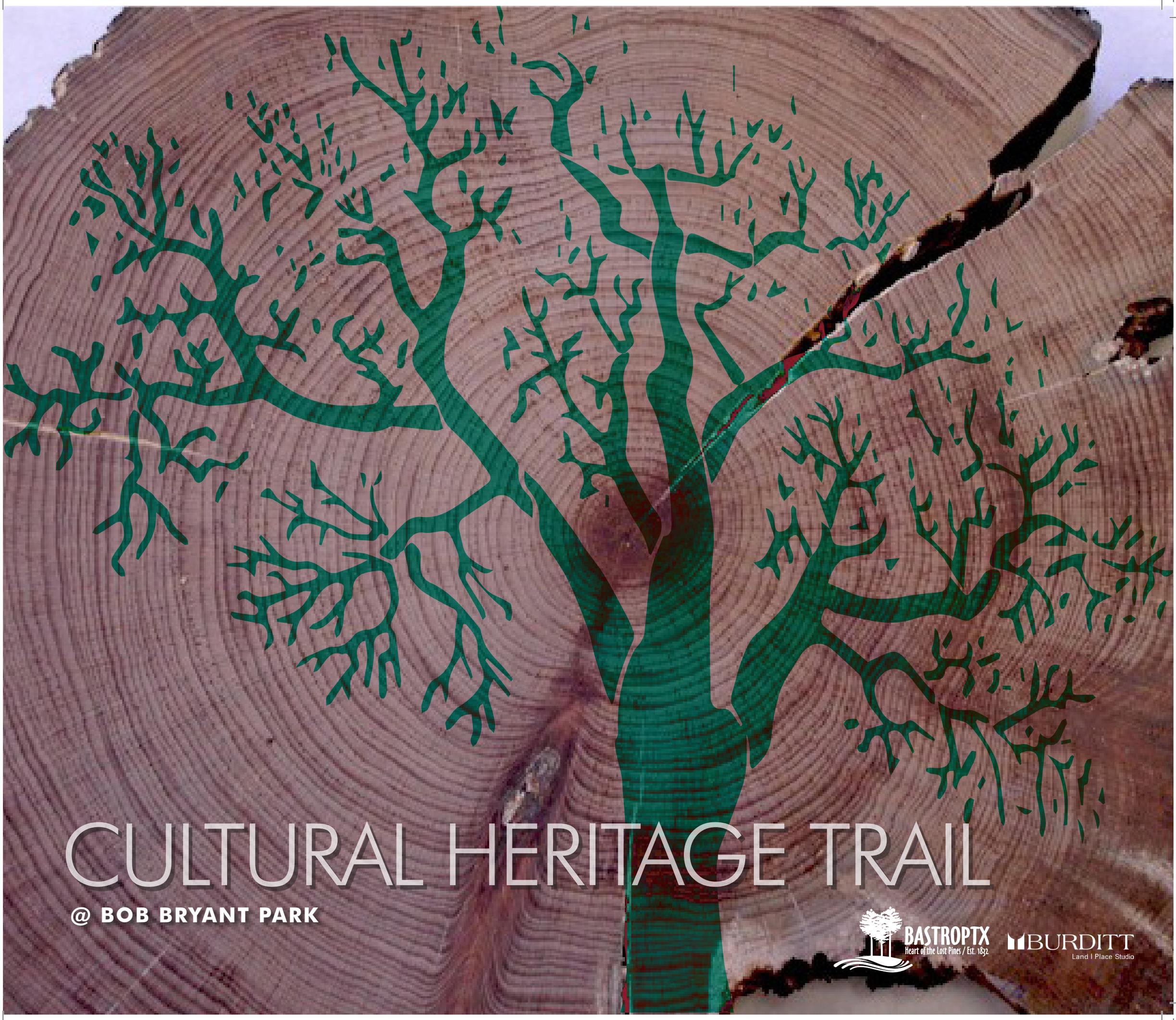
**FUNDING SOURCE:** Bastrop Art in Public Places would like for Council to consider this project as part of the Capital Improvement program.

**RECOMMENDATION:**

No action required.

**ATTACHMENTS:**

- Master Plan
- Letter of Support from Bastrop Art in Public Places



# CULTURAL HERITAGE TRAIL

@ BOB BRYANT PARK



**BASTROPTX**  
Heart of the Lost Pines / Est. 1832

**BURDITT**  
Land | Place | Studio

# 00 EXECUTIVE SUMMARY

## Cultural Heritage Trail at Bob Bryant Park

City of Bastrop, Texas

This Master Design Plan for the City of Bastrop Cultural Heritage Trail represents an intensive 6-month effort to plan for and create both a bond-funded and a phased development approach with preliminary opinion of probable cost. The Bastrop Art in Public Places (BAIPP) has been the driving force of this project with the intention of developing a multi-purpose public space/walking area that strengthens the connection between people and the places they share. It is the vision of the BAIPP that this project will stimulate the local economy and lead to increased innovation, cultural diversity and civic engagement.

This project is envisioned as a public space in the form of a “Cultural Heritage Trail” designed to tell the story of the cultures, traditions, ethnic backgrounds and perspectives that represent the strength and resiliency of the Bastrop community.

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### City Staff

Trey Job, Director of Public Works

### Bastrop City Council

Connie Schroeder, Mayor  
Willie Lewis “Bill” Peterson  
Gary Schiff  
Kay Garcia McAnally  
Bill Ennis  
Deborah Jones



### BAIPP

Deborah Johnson, Chairperson  
Kathryn Nash  
Kristi Koch  
Dianna Rose  
Sergio Altamirano  
Barbara Bryant Wolanski  
Ed Skarnulis  
Lynette Philpot  
Jo Albers  
Anne Beck  
Sarah O’Brien

### Cultural Heritage Trail Design Committee

Deborah Johnson, Chairperson  
Sergio Altamirano  
Anne Beck  
Dianna Rose  
Georgina Ngozi  
Barbara Bryant Wolanski  
Trey Job  
Sarah O’Brien

### Bastrop County Historical Society

Carol Kysar, Archivist

### Citizens of Bastrop



### Burditt Consultants Team

Diana L. Wilson, Project Manager  
Eric Geppelt, Project Architect  
Claudia T. Walker, Graphics and Design  
Leroy Collins, Landscape Architect  
Sarah Korpita, Economic Development  
Paul S. Howard, Resources  
Jack Hill, Senior Urban Forester  
Charles Burditt, President



Falon Mihalic

**01** **INTRODUCTION**  
Local Context Map  
Local Context / Economic Development  
Stakeholder Involvement  
Project Program



**02** **MASTER PLAN**  
Existing Conditions Assessment  
Opportunity Analysis Diagram  
Illustrative Master Plan  
Opinion of Probable Costs  
Perspective Rendering



**03** **GUIDELINES**  
Art and Culture  
Educational Features  
Nature Pavilion Opportunities  
Bio-Swale Opportunities  
Historic Timeline Tree Ring Plaza Concept  
Signage, Graphics, & Wayfinding  
Play Back in the Day  
Life Back in the Day  
Native American Campsites  
Meditative Spaces  
Wildflower Meadow  
Nature Enhancements  
Wildlife and Nature Habitat Enhancements  
Health and Wellness  
Safety and Security  
Recommended Plants List  
ADA Transition Guidelines  
Example for Call to Artists





## Local Context/ Economic Development

Bob Bryant Park, located slightly over a one mile walk from historic downtown Bastrop, not only provides a local recreational amenity for Bastrop residents, but should also be considered a gem for out of towners choosing Bastrop as a Texas vacation or weekend destination.

### Economic Development and Tourism Opportunities

Given the park's proximity to downtown, effort should be made to tie the park and Cultural Heritage Trail into the City of Bastrop's existing wayfinding system. Signage throughout the town directs residents and visitors to points of interest throughout the community. To effectively provide connectivity opportunities, signage downtown should direct visitors to the park and additional signage should be added along Chestnut and Old Austin Highway to direct individuals both to the park and to the downtown area.

The City of Bastrop Economic Development, Mainstreet and Tourism departments manage a BastropTX application which lists points of interest related to Recreation and The Arts. A website for the Park and Cultural Heritage Trail should be created as part of the park project and this site should be added to the application under appropriate content areas.

Finally, City of Bastrop Tourism and Parks and Recreation departments should leverage partnerships with area hotels and bed and breakfast operators to educate them about the Cultural Heritage Trail and its amenities for visitors. In doing so, the Trail will enhance and complement existing destinations in the community and add to the experience of visiting Bastrop.

### Grant Funding Opportunities

Seeking sustainable revenue for public park projects through grant funding is a necessary part of park planning. A diverse park project like the Cultural Heritage Trail lends itself to a variety of grant opportunities which will be highlighted in this section.

Texas Parks and Wildlife provides a number of grant opportunities to municipalities in the state of Texas. These grant programs include the Local Parks and Recreational Trails Grants. Additionally, if Bastrop chooses to facilitate outdoor recreation at the park facility, the CO-OP grant may also provide funding for these initiatives.

The Texas Commission on the Arts provides grants for organizations promoting the arts in communities in Texas. The Arts Create and Arts Respond programs may be valuable financial resources for public art programs in Bastrop at the Bob Bryant Park's Cultural Heritage Trail.

The National Endowment of the Arts has a unique grant program called Our Town, for Arts Engagement, Cultural Planning, and Design Projects. The grant could be used to pay for a portion of the planning and park development costs.

### Other Funding Considerations

As Bastrop City Council continues to consider bond funding for future infrastructure projects in the City of Bastrop, the Master Plan for the Cultural Heritage Trail should be included as a potential capital improvement project for the community.

As the park will encourage and promote the arts, the public art pieces, signage to encourage tourists to visit the site and advertising for the trail are all eligible expenses under the HOT tax expenditure guidelines. Under Texas law, local HOT revenue can be used only to directly promote tourism and the convention/hotel industry. This means the proceeds should be spent on projects or events that result in visitors or attendees staying overnight in the community, generating more hotel occupancy tax. Additionally, the expenditure then must fit into one of the categories authorized by statute. According to the Comptroller's Data Analysis & Transparency Division, these categories include:

- the construction, maintenance and operation of a convention or visitor center;
- facilities and personnel for the registration of convention delegates;
- advertising and promotional programs to attract tourists;
- encouragement and promotion of the arts;
- historical restoration and preservation projects;
- advertising to encourage tourists to visit historic sites and museums;
- signage directing the public to sights and attractions frequently visited by tourists;
- certain transportation systems serving tourists and hotel guests;
- and, for certain cities, sporting events for which the majority of participants come from out of town;
- qualifying sports facilities that routinely host regional or national tournaments; and
- coliseums or multiuse facilities.

\*Information received from  
<https://comptroller.texas.gov/economy/fiscal-notes/2016/june-july/hotel-tax.php>

# 01 PROJECT INTRODUCTION Stakeholder Involvement

In February of 2017 a site visit was conducted with members of the BAIPP committee, City Public Works Director Trey Job, and the Burditt planning team. Site features were assessed and preliminary committee goals and conceptual ideas were discussed and recorded in the project program (found in *Project Program* pages of this document).

Over the following 4-6 weeks, conversations and interviews were conducted with; Bastrop EDC Director Shawn Kirkpatrick, members of the Bastrop Museum staff, several committee members, Main Street Director Sarah O'Brien, and City Manager Lynda Humble.

## Agenda



**BASTROPTX**  
TEXAS DEVELOPMENT, LTD. (TXD)

**BAIPP** bastrop art in public places

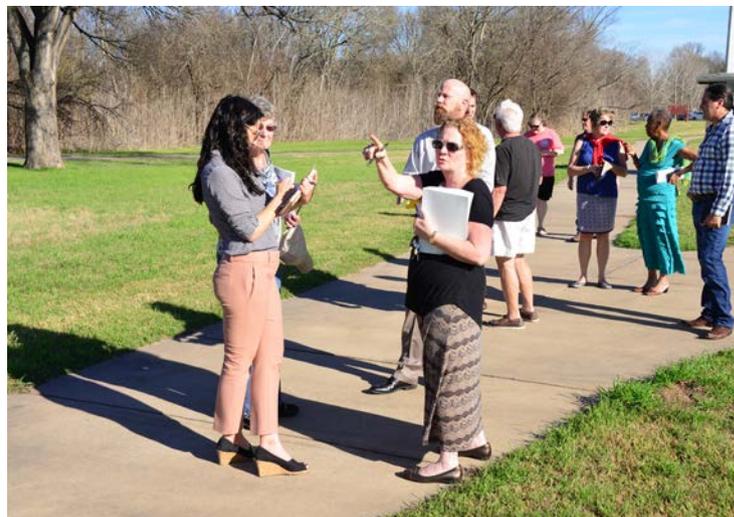
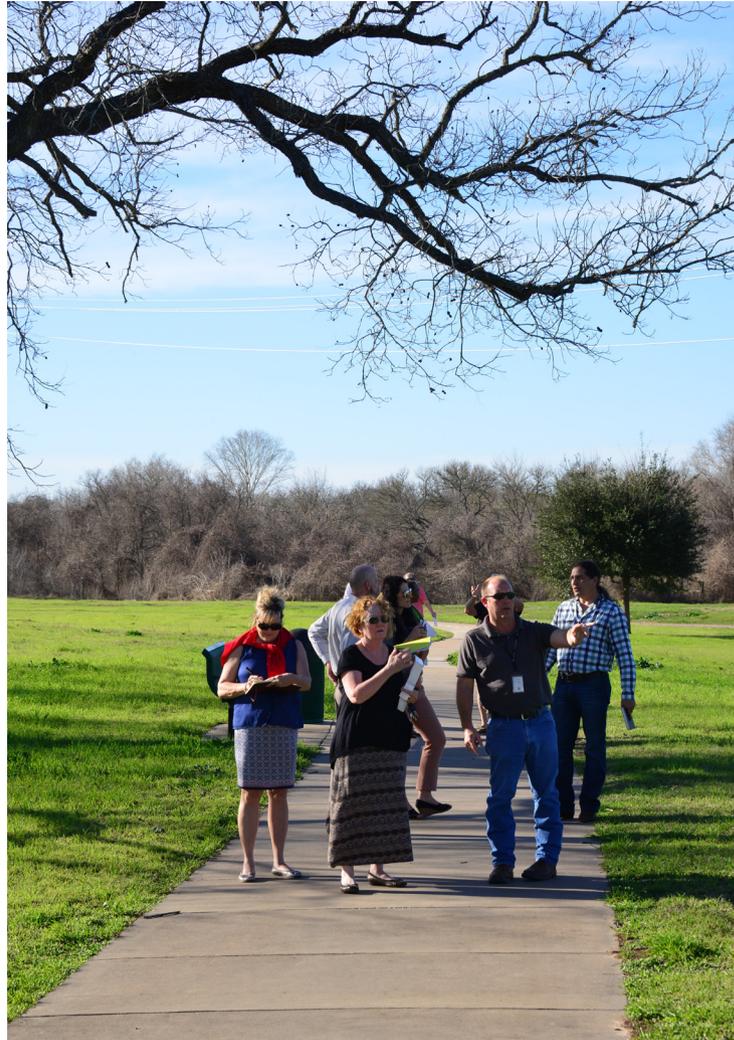
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**Agenda**  
 Burditt Staff, BAIPP Members

1. Site Visit to Bob Bryant Park
2. Introductions
3. General Site Discussion and Existing Conditions
4. Workshop Session (Return to City Hall)
5. Discuss BAIPP Goals and Objectives
6. Programming Exercise
7. Next Steps

TEXAS MESQUITE SAVANNAH BOARDWALK

HERITAGE POST SITE MARKERS



*Photos Above: Committee site visit and programming meeting at Bob Bryant Park.*

## Stakeholder Involvement

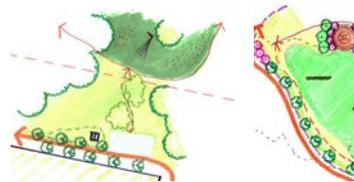
In April, a site meeting was held with Police Chief Steve Adcock and Assistant Chief James Altgelt to discuss security and safety planning measures for the park. Later in the month residents of Bastrop were invited via mailed announcements from the City to a public meeting on site at the Bob Bryant Park Pavilion where exhibits were available of the proposed improvements to create a Cultural Heritage Trail. Participants were invited to express their preferences for the various design alternatives, discuss what they like about the existing park, and what they would like to see in the next phase. A children's workshop was also conducted where children painted ceramic tiles and were invited to discuss their design ideas.

## Agenda



### Workshop Stations

1. Master Plan Rendering
2. Art & Culture
3. Economic Development & Tourism
4. Health & Wellness
5. Nature
6. Nature Center
7. Culture & Heritage
8. Structures & Form
9. Safety & Security
10. Opportunity Analysis



*Photos Above: Public and Children's input at Bob Bryant Pavilion*

## Project Program

Burditt Consultants employs a project programming approach built around the time tested Problem Seeking methodology developed by William Pena, cofounder of the world renowned Planning and Architecture firm, CRSS. This approach facilitates a sense of ownership and gives participants a common ground from which to work.

### Programming concerns five steps:

1. Establish Goals
2. Collect and analyze Facts.
3. Uncover and test Concepts.
4. Determine Needs
5. State the Problem.

### Goals:

What does the client want to achieve, and Why?

### Facts:

What do we know? What is given?

### Concepts:

How does the client want to achieve the goals?

### Needs:

How much money and space? What level of quality?

### Problem Statements:

What are the significant conditions affecting the design of the project? What are the general directions the design should take?

The program for the Cultural Heritage Trail was developed from stakeholder input, data collection, and professional analysis techniques to build project consensus.



# Project Program

## Bastrop Cultural Heritage Trail Program and Site Basis of Design

	GOALS	FACTS	CONCEPTS	NEEDS	PROBLEM
<b>FUNCTION</b>  People Activities Relationships	<ul style="list-style-type: none"> <li>Expand BAIPP presence by creating an Art and Culture Heritage Trail for the enjoyment of Bastrop residents and visitors.</li> <li>Connect the Art and Cultural Heritage Trail to downtown Bastrop, the local community and the school system.</li> <li>Align with the Bastrop Parks and Recreation Master Plan.</li> <li>Incorporate health and wellness opportunities and design elements in the design.</li> </ul>	<ul style="list-style-type: none"> <li>The Culture Heritage Trail will be owned, operated and maintained by the City of Bastrop.</li> <li>Bob Bryant Park is located in Bastrop, Texas along the Colorado River. A portion of the site is developed as an active park with playground, sports fields and restrooms.</li> <li>The site must be a safe, accessible environment that is ADA compliant.</li> </ul>	<ul style="list-style-type: none"> <li>Consider a wildflower meadow with educational signage linking the story of Mrs. Bryant's connection to the Lady Bird Johnson Wildflower Center.</li> <li>Consider an open play area for "Play Back in the Day" games such as capture the Flag, Red Rover, and Hide and Seek.</li> <li>Consider an outdoor learning center for small group meetings with exhibits that inform Bastrop culture, ecology, flora and fauna.</li> <li>Consider an amphitheater as a gathering and celebration place for live performances that take advantage of site topography and solar orientation.</li> </ul>	<ul style="list-style-type: none"> <li>Additional parking and restrooms may be required.</li> <li>Existing walkway will be rerouted to avoid pedestrian vehicular conflicts.</li> </ul>	<ul style="list-style-type: none"> <li>Since Bob Bryant Park will increase public awareness and education regarding art, natural resources, and the diverse culture and history of Bastrop, consider a range of educational as well as recreation space that have the potential to teach and inform.</li> <li>Since the park supports visitors of all ages and abilities, the design and resulting environment must be secure, safe and accessible.</li> </ul>
<b>FORM</b>  Site Environment Quality	<ul style="list-style-type: none"> <li>Provide inspirational and contemplative spaces with opportunities to celebrate nature and the enduring human spirit characteristic of the people of Bastrop.</li> <li>Compliment existing City graphic standard through graphics and wayfinding.</li> <li>Encourage sustainable life-cycle environmental design.</li> </ul>	<ul style="list-style-type: none"> <li>The site is in the Flood Plain.</li> <li>A water treatment plant and a water well are present on the site and require regular traffic by maintenance vehicles.</li> <li>Pedestrian Vehicular conflicts are present in some areas.</li> <li>There is a 200' conservation easement along the Colorado River.</li> </ul>	<ul style="list-style-type: none"> <li>Consider redevelopment of the Pecan grove creating a seed bank from native trees.</li> <li>Consider paving featuring animal tracks.</li> <li>Consider auditory site elements such as wind chimes and interactive musical instruments.</li> <li>Consider local materials where possible.</li> <li>Signage should integrate materials, language and architecture of historical time periods.</li> <li>Consider habitats for animals.</li> </ul>	<ul style="list-style-type: none"> <li>Replace non-ADA compliant walkway.</li> <li>Provide natural and artificial shade.</li> <li>Relocate utilities underground.</li> <li>Improve safety and security through edges, sight lines, and visibility.</li> </ul>	<ul style="list-style-type: none"> <li>Since the project should be inspirational with places to talk, think and dream; the proposed design should include active and passive spaces using sculpture, signage, architectural elements, site furnishing.</li> <li>Since Bastrop has a developing city plan, with an established signage and wayfinding system; the Art and Cultural Heritage Trail should become part of the city-wide system with linkage to downtown and other social infrastructure.</li> </ul>
<b>ECONOMY</b>  Budgets Operating Costs Lifecycle Costs	<ul style="list-style-type: none"> <li>Stimulate the local Economy by creating a destination that fosters innovation, civic engagement, and provides a venue for local performances and social gatherings.</li> <li>Create a Master Plan that can be phased over time as budgeted funds are available.</li> <li>Establish low-cost maintenance features in the design.</li> </ul>	<ul style="list-style-type: none"> <li>Energy efficient lighting is essential parameter.</li> <li>The development of the park will require additional budgeted funds.</li> <li>Funding sources include grants, donations, CIP funds, and City sales/HOT tax revenues.</li> </ul>	<ul style="list-style-type: none"> <li>Consider commission for local artists as well as national call to artists for a signature work.</li> <li>Consider native and drought tolerant plant materials to lower operational and maintenance cost.</li> </ul>	<ul style="list-style-type: none"> <li>The first phase budget needs to be determined.</li> <li>Identify funding mechanisms for park amenities, permanent and rotational works of art.</li> </ul>	<ul style="list-style-type: none"> <li>Since the Master Plan will set the tone for future development; identify a first phase project that provides immediate impact and excitement for the community.</li> </ul>
<b>TIME</b>  Past Present Future	<ul style="list-style-type: none"> <li>Incorporate Cultural, Historical and Social characteristics including artistic influences, traditions, and significant ecological features for generations to come.</li> </ul>	<ul style="list-style-type: none"> <li>The project will be multi-phased.</li> <li>The first phase will be implemented in 2018.</li> </ul>	<ul style="list-style-type: none"> <li>Provide nodes along the Art and Culture Walk with markers, sculpture, and landscape vignettes that portray "life the way it was" as well as significant moments in recent history.</li> <li>Feature exhibits of historical figures such as the Baron of Bastrop, J.J. Hamilton, Gen. Edward Bursleson and Josiah Wilbarger.</li> <li>Consider a "Tree Ring Plaza" as an educational venue that features historical moments in Bastrop history with a seat wall and splash pad option.</li> <li>Use famous quotes to honor historical figures and events.</li> </ul>	<ul style="list-style-type: none"> <li>A Master Plan with probable costs by phase of development.</li> </ul>	<ul style="list-style-type: none"> <li>Since the project may be implemented over time; the master plan will provide opinions of probable cost under a phased approach.</li> </ul>

# 02 MASTER PLAN

## Existing Conditions Assessment

The park and surrounding area was evaluated to determine existing conditions with regards to natural features and their influence on the programming and design process. Factors considered are as follows:

- Topography
- Soil Composition
- Geology
- Floodplain
- Ecological Systems

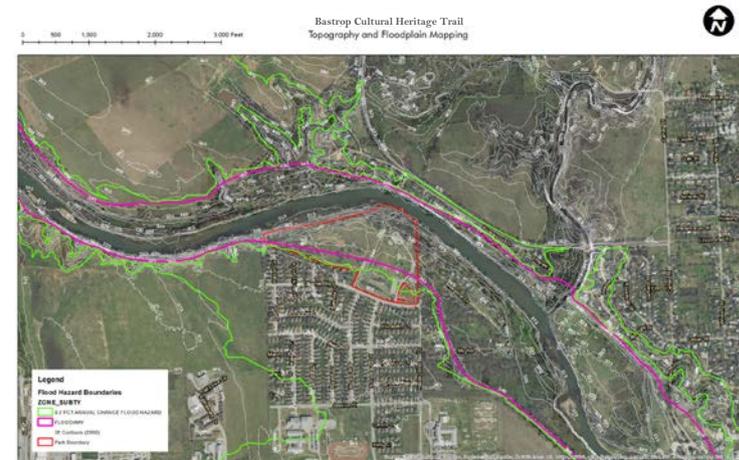
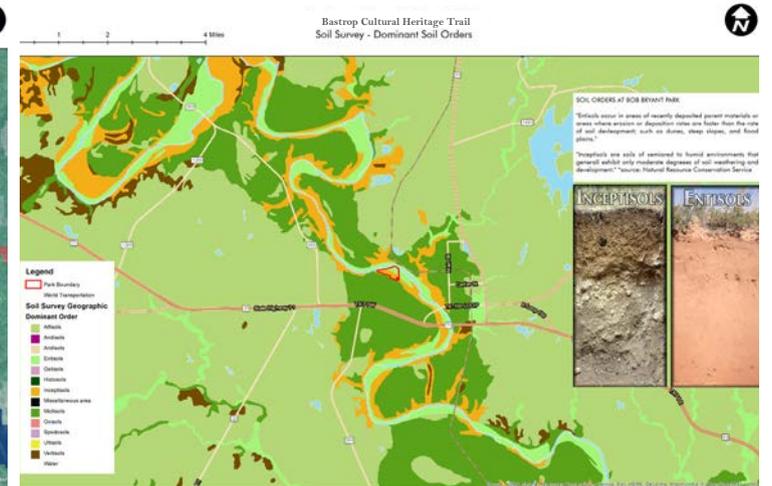
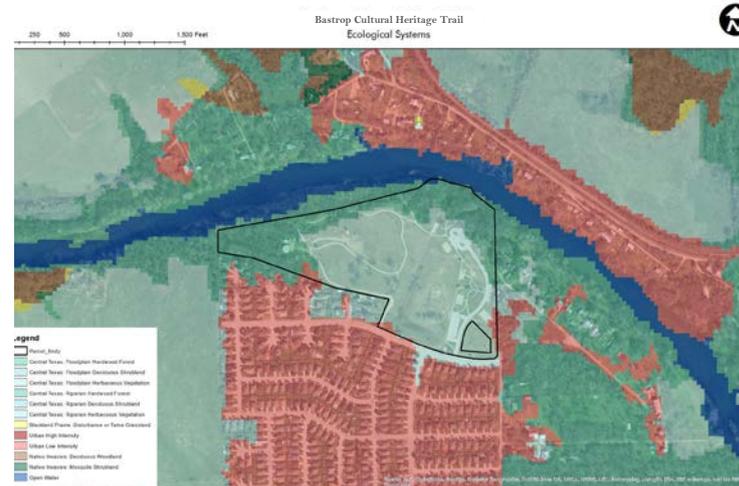
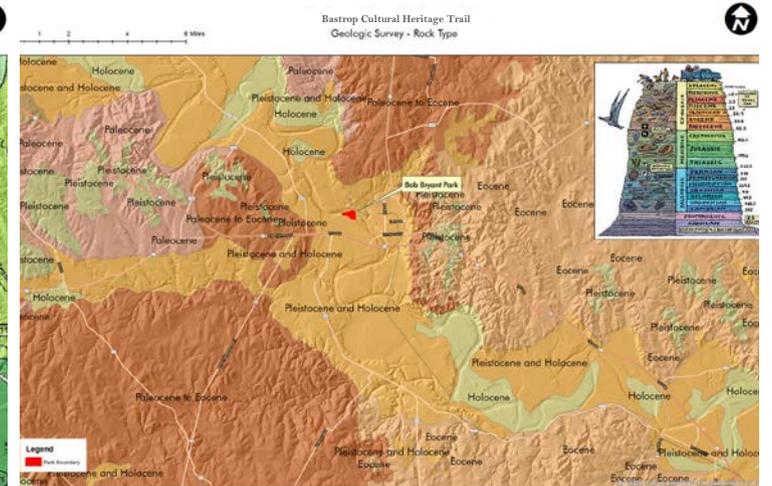
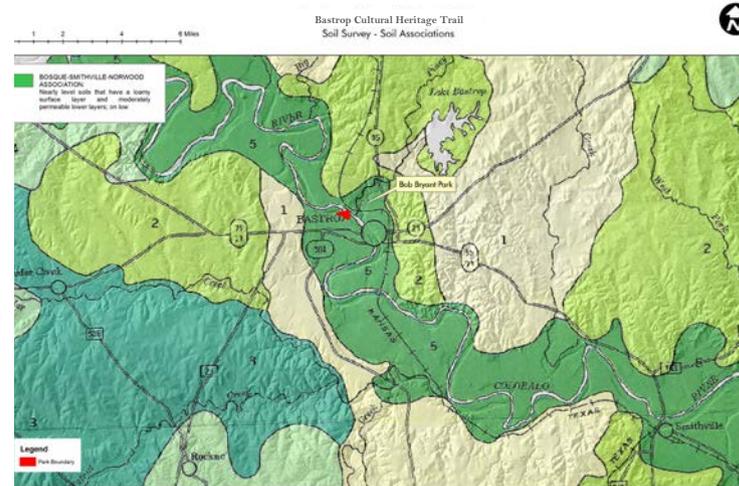
The data utilized for the site assessment was derived from various State and Federal agencies including the Natural Resource Conservation Service, Texas Natural Resource Information System, FEMA, and Texas Parks and Wildlife Department. These geographic datasets informed the design team about site drainage, compatible plant species, and the natural and cultural history of the land.

### Soils, Geology and Floodplain

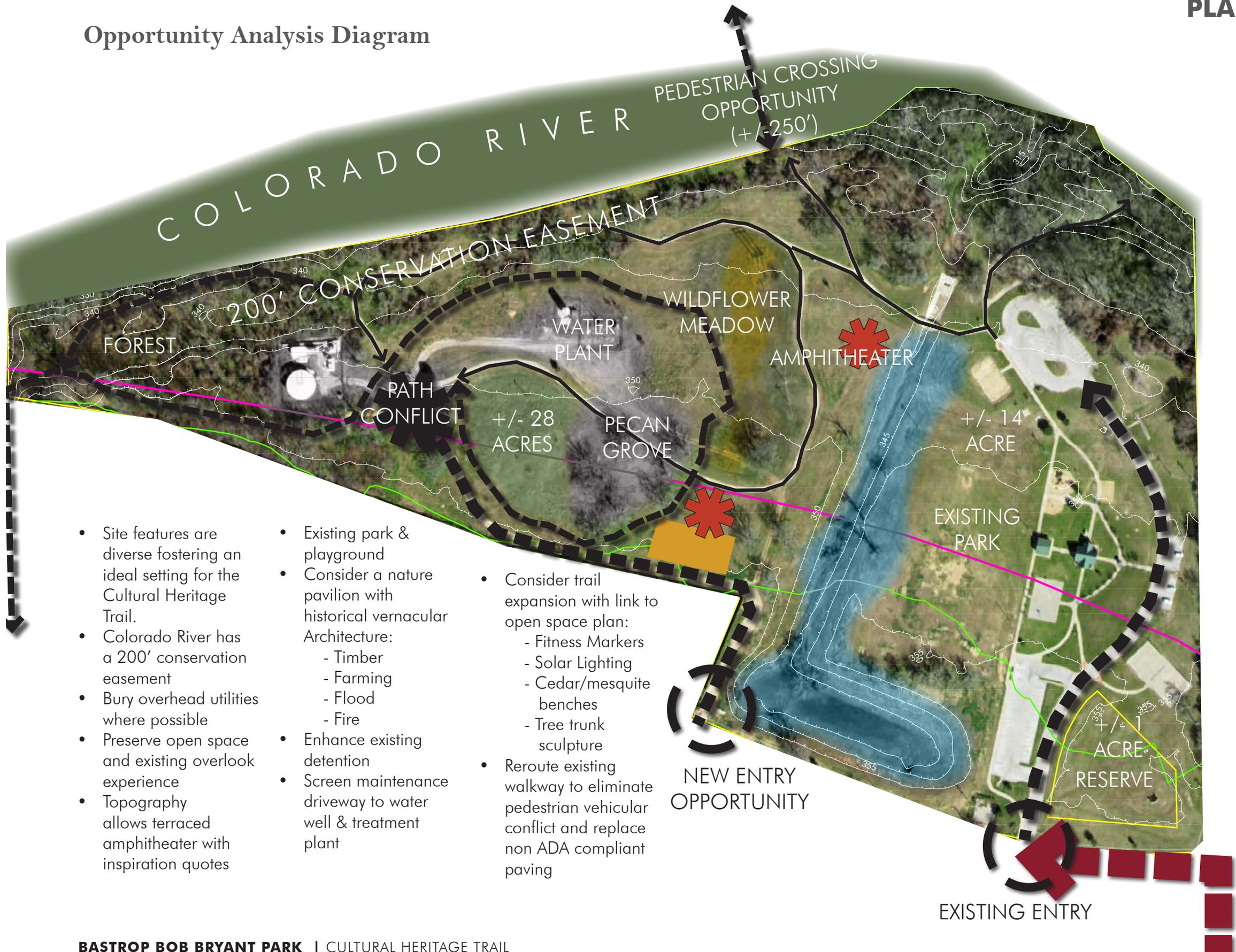
The park property is located along the banks of the Colorado River, and the land's history is intimately connected to the river. From millions of years ago, after the oceans receded for the last time, the land in Bastrop County has been carved by rivers, wind and rain into its current state. The river not only erodes soil along the banks of the property, but also deposits soils carried down from upstream. These sediments, rich in nutrients, create a riparian environment along the river bank that is unique from that of the upland areas of the county. Within this riparian zone, some species of plants thrive that are not as common elsewhere. The land is also located within the floodplain and floodway. With more than half of the park within this zone, it is important to consider the impacts of flooding on any proposed structures. Conversely it is important to consider the impacts of development on the flood zones; knowing that increases in impervious surfaces will increase the peak flow of stormwater runoff. In addition to flooding, the riparian zones provide an important ecosystem service by filtering stormwater runoff prior to its

entry into the river. This process not only helps with local water quality, but has implications reaching all the way to the Gulf of Mexico. Proposed design

should consider a 200 foot buffer along the bank of the river to protect vital ecosystems and provide habitat for wildlife.



Opportunity Analysis Diagram



- Site features are diverse fostering an ideal setting for the Cultural Heritage Trail.
- Colorado River has a 200' conservation easement
- Bury overhead utilities where possible
- Preserve open space and existing overlook experience
- Topography allows terraced amphitheater with inspiration quotes
- Existing park & playground
- Consider a nature pavilion with historical vernacular Architecture:
  - Timber
  - Farming
  - Flood
  - Fire
- Enhance existing detention
- Screen maintenance driveway to water well & treatment plant
- Consider trail expansion with link to open space plan:
  - Fitness Markers
  - Solar Lighting
  - Cedar/mesquite benches
  - Tree trunk sculpture
- Reroute existing walkway to eliminate pedestrian vehicular conflict and replace non ADA compliant paving

# 02 MASTER PLAN

## Illustrative Master Plan



### LEGEND

- 1 Trail Entry
- 2 Parking Lot (+/- 40)
- 3 Nature Pavilion (Restrooms)
- 4 Art Walk Corridor
- 5 Butterfly Meadow
- 6 Water Runnel Display (Utility Screen Opportunity)
- 7 Proposed Walk Route (Maypole Sculpture Opportunity)
- 8 Demonstration Area (Life The Way It Was)
- 9 Amphitheater
- 10 Wildflower Meadow (Mosaic Seat Walls)
- 11 Tree Ring Plaza (Splash Pad Opportunity)
- 12 Field Stone Walls (Play Back In The Day)
- 13 Service Drive (Buffered)
- 14 Trail Connection
- 15 Existing Preserve (Maintenance Underbrush)
- 16 Future Trail Connection
- 17 Graffiti Wall Opportunity
- 18 Bioswale Enhancement
- 19 Landscape Buffer
- 20 Existing Utilities
- 21 Existing Sports Park
- 22 Future Development & Community Garden
- 23 Meditative Spaces

### PROPOSED SCULPTURES OPPORTUNITIES

- A Baron of Bastrop
- B JJ Hamilton
- C Maypole
- D Gen. Edward Burleson
- E McDade Pottery as it relates to the soil found in Bastrop
- F Edward Burleson
- G Josiah Wilbarger
- H Steam Boat / River / transportation
- I Ethnic groups via: Maypole (German), The Rosenwald School (African American)
- J Legend of the Indian Princess and Lost Pines
- K Hay Hoop Gateway
- L Artistic licence for creative ideas
- M Stephen F. Austin
- N Minerva Delgado
- O Jewel Hodges



NORTH  
Graphic Scale: 1" = 00'-0"  
0' 50' 200' 400'

DISCLAIMER:  
THIS INFORMATION PRESENTS AN ARTIST'S RENDERING OF SOME OF THE PROPOSED ELEMENTS OF THE BASTROP BOB BRYANT PARK ARTS AND CULTURAL WALK. THIS RENDERING IS NOT INTENDED TO SHOW ALL ELEMENTS AND SOME OF THE ELEMENTS ON THIS RENDERING MAY NOT BE CONSTRUCTED AS SHOWN. NOTHING CONTAINED HEREIN SHALL BE CONSTRUCTED AS EITHER AN EXPRESSED OR IMPLIED REPRESENTATION OR WARRANTY.

THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT FOR REGULATORY APPROVAL, BIDDING, PERMIT OR CONSTRUCTION PURPOSES.  
LANDSCAPE ARCHITECT: CLAUDIA T WALKER, # 2987  
04.18.2017

# Opinion of Probable Costs

Phase / Description	OPC
<b>01 General Requirements</b>	
1.1 Mobilization, Temporary Service, supervision, permit fees, SW3P, etc	\$ 175,000.00
<b>02 Landscaping &amp; Features</b>	
2.1 Wildflower meadow (at amphitheater): soils, berm, flower mix, grass mix, establishment	\$ 47,000.00
2.2 Landscape and Irrigation	\$ 25,000.00
2.3 Bioswale	\$ 80,000.00
2.4 Nature pavilion ground improvements: Plaza, Amenities, Landscape & Irrigation	\$ 60,000.00
2.5 Central wildflower meadow: soils, berms, flower mix, grass mix, establishment	\$ 135,000.00
2.6 Mosaic seat walls	\$ 12,000.00
2.7 Haybale entry arches	\$ 10,000.00
2.8 New trail: close & reroute trail; 1585 LF of new trail	\$ 65,000.00
2.9 History/culture: cabin, shed, fence, windmill, landscape, educational	\$ 90,000.00
2.10 Water play: low wall, flagstone, dry creek, water pump, screening	\$ 10,000.00
2.11 Butterfly meadow: soils, berm, flower mix, grass mix, establishment	\$ 57,000.00
2.12 Landscape buffer: existing utilities	\$ 60,000.00
2.13 Additional trees: 47 new trees w/ irrigation	\$ 40,000.00
2.14 Play back in the day: berms, tree ring plaza, splash pad, flower mix, grass mix; 16 trees, irrigation	\$ 160,000.00
2.15 Fieldstone walls	\$ 35,000.00
2.16 Underbrush & cleaning of high bank, 8 ac	\$ 35,000.00
2.17 West side trail connection: new trail 1180 lf	\$ 48,000.00
2.18 Adult workout stations: 5 timber stations	\$ 15,000.00
2.19 Underbrush & cleaning of high bank, 5 ac	\$ 20,000.00
<b>03 Parking &amp; Roadway</b>	
3.1 Parking lot expansion (permeable): 20 spaces, driveways, walks	\$ 14,400.00
3.2 Park road improvements at Nature Center: 500ftx24ft wide	\$ 85,000.00
3.3 New parking lot (permeable)	\$ 115,000.00
<b>04 Structures</b>	
4.1 Amphitheater: covered structure	\$ 200,000.00
4.2 Amphitheater: seating (200 persons), grass, stage, electrical	\$ 250,000.00
4.3 Rest pavilions	\$ 75,000.00
4.4 Nature pavilion (open-air) w/ restrooms, seating and covered public space	\$ 750,000.00
<b>05 Site Lighting and Security</b>	
5.1 Amphitheater lighting; extending electrical services	\$ 30,000.00
5.2 Roadway and Parking lot Lighting	\$ 75,000.00
5.3 Security Camera System	\$ 50,000.00
5.4 Improvements to existing lighting and new trails	\$ 125,000.00
<b>06 Wayfinding &amp; Signage</b>	
6.1 Neighborhood Watch Signage	\$ 1,000.00
6.2 Signage/Wayfinding	\$ 25,000.00
<b>07 Public Art/Sculpture</b>	
7.2 Call to artists: stipend, awards	\$ 42,000.00

**Total Construction OPC \$ 3,016,400.00**

<b>08 *GC Profit/OH and Contingency</b>	
8.1 G.C. Profit and Overhead (15%)	\$ 452,460.00
8.2 Contingency (10%)	\$ 346,886.00

**Projected GC Fees & Contingency \$ 799,346.00**

\* These are estimated projections only. GC Profit/OH and Contingency will fluctuate per project conditions and circumstances

# Perspective Rendering



*View from bio-swale bridge towards amphitheater with meandering walkways and berming blanketed in grasses and wildflowers.*

**OPINIONS OF COST (OPC)**  
Opinions or estimates of probable construction cost are prepared on the basis of Consultant's experience and qualifications and represent Consultant's judgment as a professional general familiar with the industry. However, since Consultant has no control over the cost of labor, materials, equipment or services furnished by others, over contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from Consultant's opinions

# 03

## DESIGN GUIDELINES

### Art and Culture

Portraying the rich cultural heritage of the Bastrop Community through art and sculpture is a primary goal of this master plan. The BAIPP envision this project as a public space that will be a “Heritage Trail” which tells the story of the cultures, traditions, ethnic backgrounds and perspectives that represent the strength and resiliency of the Bastrop community. The project will incorporate both inspirational and contemplative art and sculpture that celebrates the smart, hardworking, strong and compassionate individuals who collectively represent an enduring human spirit of triumph over hardship in a place to think, talk and dream.

In 2016 a Call to Artists competition was issued by the BAIPP for a cultural heritage trail design concept. The winning design by Falon Mihalic was used as a starting point for this master plan. It also incorporates elements from second-place sketches submitted by Austin-based landscape architect Sarah Gamble, whose concept showed a towering piece of art at the trailhead and stone benches carved with historical information.

The following images represent design ideas featuring the heritage of Native American(Phoenix) Spanish, African, and Anglo settlers.(May Pole)

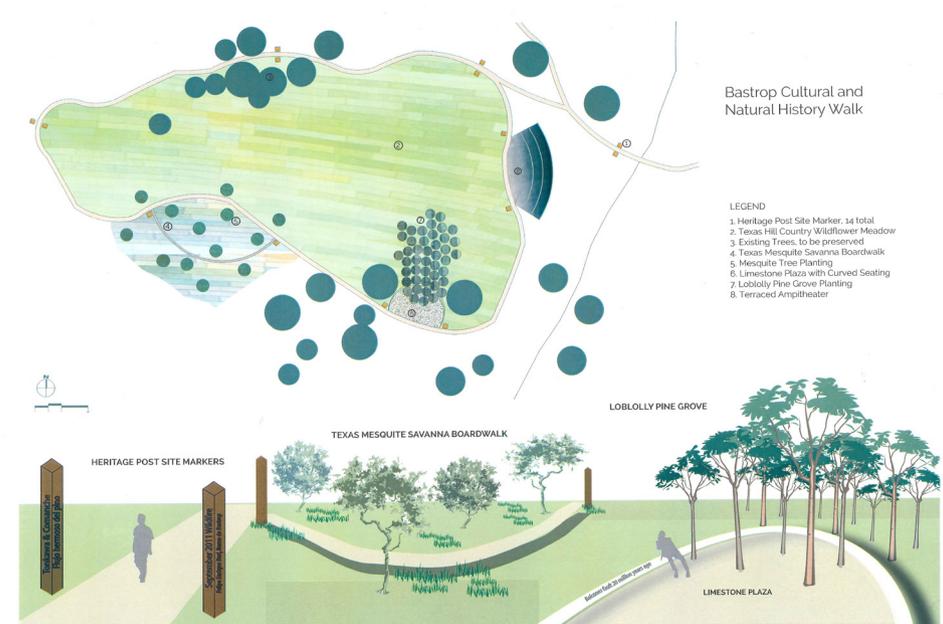


*Falon Mihalic with Burditt*

Sculptural and informational installations should also include famous Bastrop community leaders such as Minerva Delgado who advocated for public education for Mexican American students, and dedicated community activist Jewel Hodges who was quoted as saying “Lend a hand to your fellow man”.

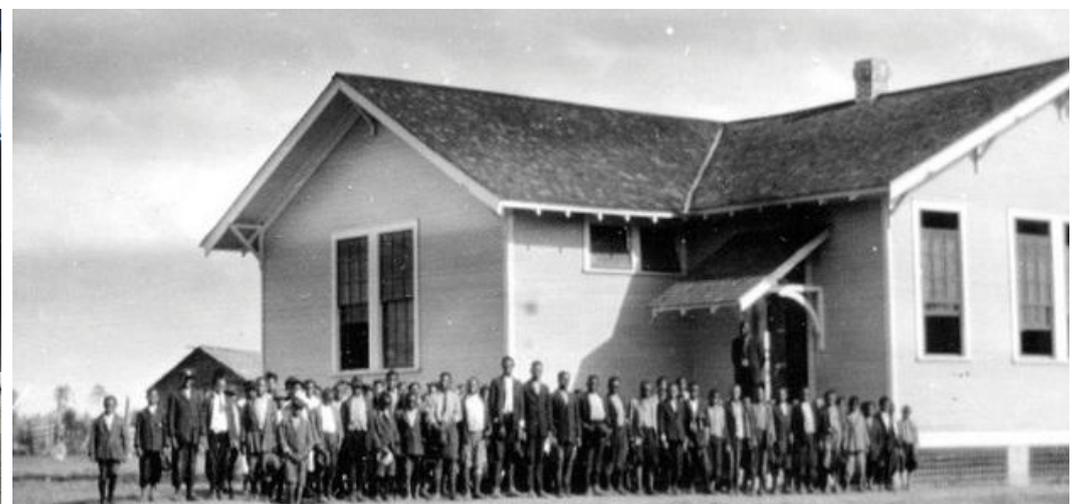
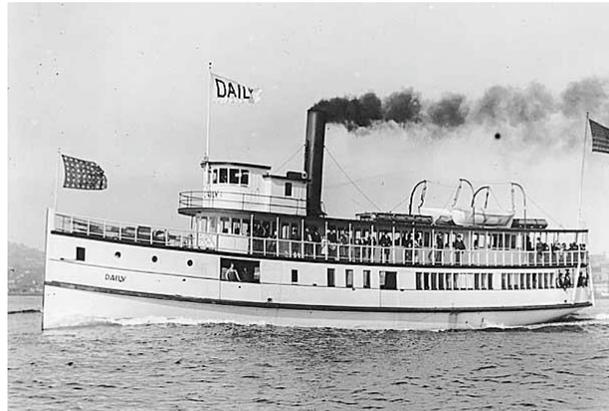


*Peter Mangan 2016 Call to Artist*



*Falon Mihalic 2016 Call to Artist*

Art and Culture



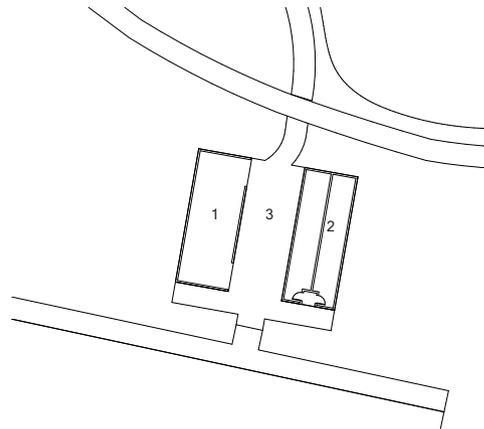
# 03

## DESIGN GUIDELINES

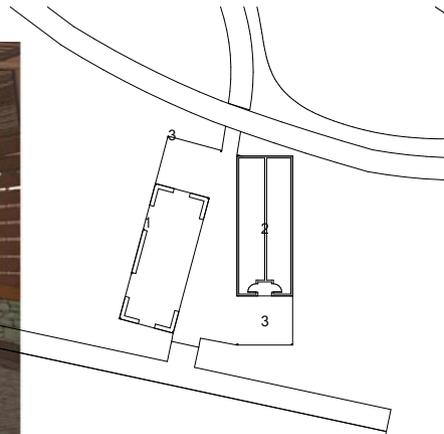
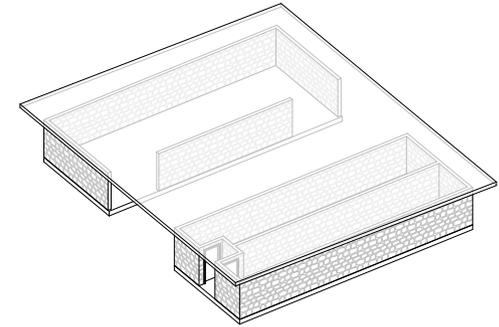
### Educational Nature Pavilion Opportunities

As part of the transformation of Bob Bryant Park, an open-air nature pavilion is positioned at the head of the trails to serve as a welcoming entrance to the art walk and associated installations. The nature pavilion provides shaded seating for educational instruction and information as to the variety of features of the park. Restrooms, storage, and drinking fountains are also offered in close proximity for patron use and convenience of city maintenance staff.

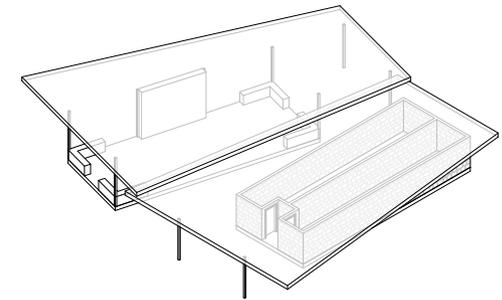
*Precedent and Inspiration images shown below.*



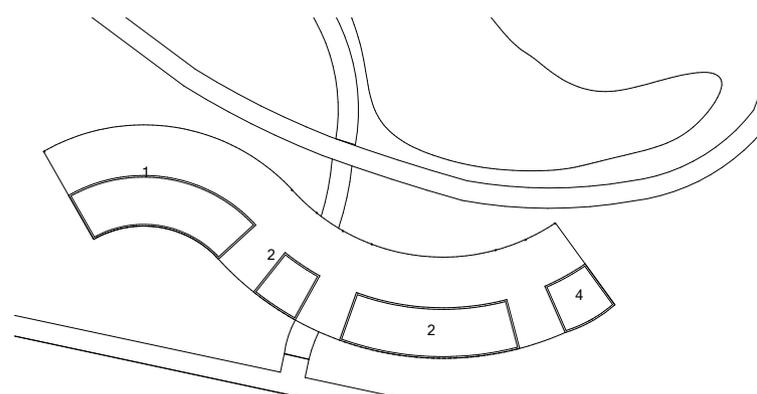
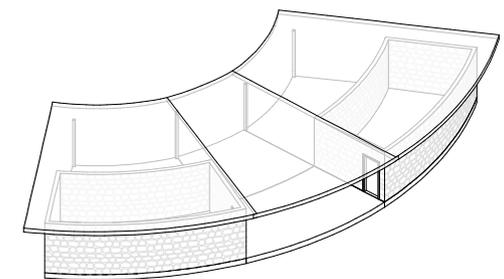
- 1. Pavilion
- 2. Bathroom
- 3. Patio Deck



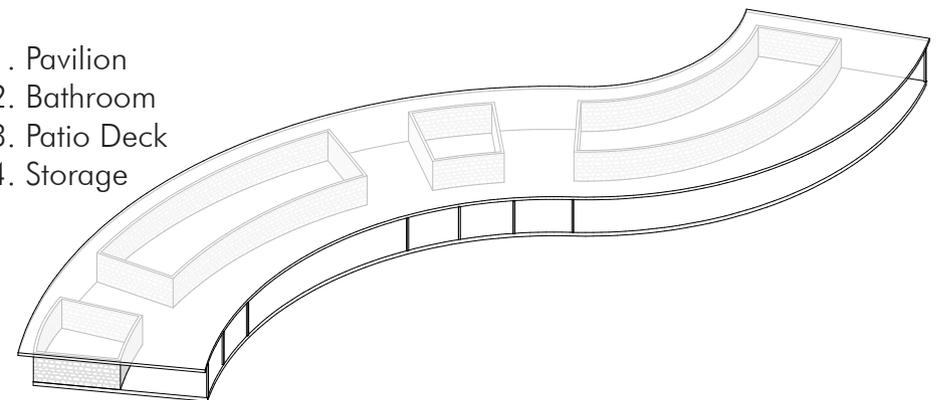
- 1. Pavilion
- 2. Bathroom
- 3. Patio Deck



- 1. Pavilion
- 2. Bathroom
- 3. Patio Deck



- 1. Pavilion
- 2. Bathroom
- 3. Patio Deck
- 4. Storage



## Educational Bio-Swale Opportunities

As part of the design recommendations, a series of strategies for storm water management are proposed. The current detention system outflows directly into the Colorado River with minor consideration for filtration or community interaction. One of the main efforts of the park is environmental education. As

a design response, storm water collection strategies, filtration opportunities, patron engagement structures, and conveyance/erosion appurtenances connect with one another to organize a bio-filtration and educational system.



# 03

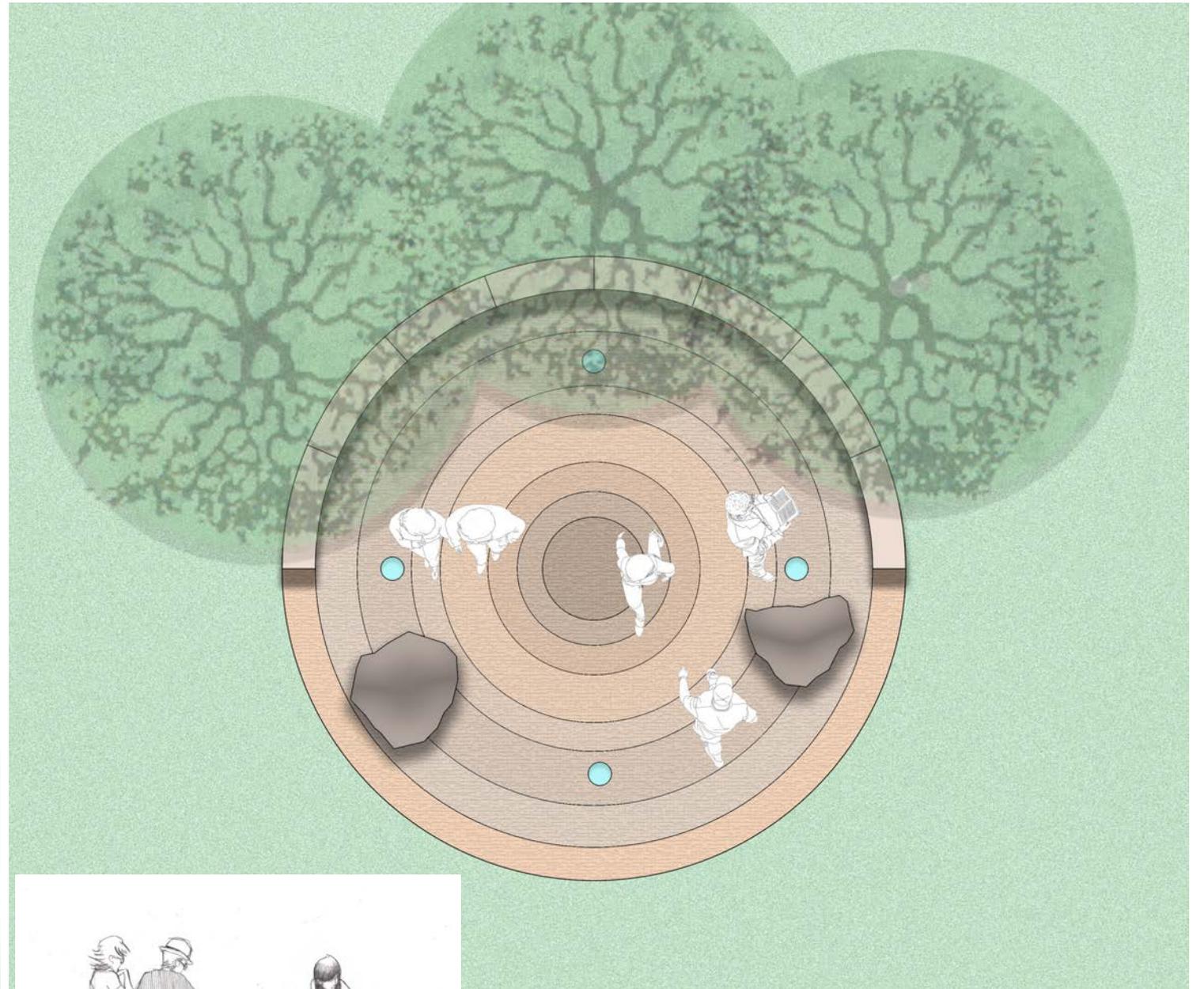
## DESIGN GUIDELINES

### Historic Timeline Tree Ring Plaza Concept

Dendrochronology (or tree-ring dating) is the scientific method of dating tree rings (also called growth rings) to the exact year they were formed in order to analyze atmospheric conditions during different periods in history. Dendrochronology is useful for determining the timing of events and rates of change in the environment (most prominently climate) and also in works of art and architecture, such as old panel paintings on wood, buildings, etc. It is also used in radiocarbon dating to calibrate radiocarbon ages. Periods of drought, flood, and fire can also be identified in the study of tree rings.

This design concept suggests a plaza with rings as a metaphor showing important climatic, historical, and cultural events in the history of Bastrop. Splash pad features could represent times of flood, fire scars could signify historical forest fire events, and dates of significant historical events could also be keyed within the rings.

The following time line of important dates was provided by Bastrop County Historical Museum Archivist Carol Kysar



## Historic Timeline

- **9 and 20 million years ago** mastodons lived in the Bastrop County area. A partial skull was found July 25, 1992 on the first island in the Colorado River south of the Highway 71 Bridge. The Balcones Research Center estimates the age of the skull to be between 9 and 20 million years old.
- **8000 BC** – Indians in Texas were using arrowheads and worked stones. Arrowheads and worked stones have been found at Indian camp sites along the Colorado River.
- **1690** - El Camino Real de los Tejas (The King's Highway) connected Louisiana and Mexico. The "Old San Antonio Road" was part of it and came through Bastrop at the southern edge of downtown. It was designated a National Historic Trail in 2004.
- **1805** - the first Anglo, non-Native American settlement in the area was established at Fort Puesta del Colorado, a stockade built in the southern portion of present Bastrop near the river.
- **1827** - Stephen F. Austin received permission to establish his "Little Colony." It included the town of Bastrop, about one-third of a mile south of present-day Bastrop downtown.
- **1830s** – ferries began to be used to enable people, animals and equipment to cross the Colorado River
- **1831** – first person buried in Fairview Cemetery was a child named Sarah Wells
- **1832** - the town was formally laid out by Samuel May Williams, surveyor, and the Mexican Land Commissioner Miguel de Arciniega.
- **1833** - Josiah Wilbarger, a Bastrop County resident, was scalped in present-day Austin and lived for 11 more years.
- **1835** – first Protestant church founded in Bastrop by 11 Methodists in an unfinished store. This was done in secret as the Mexican government allowed only the Catholic religion.

- **1835** - the Texas Revolution began and in 1836 the Texas Declaration of Independence was signed.
- **1836** - Bastrop residents fled the town to avoid the advancing Mexican army. This event is called the Runaway Scrape.
- **1837** - the town of Bastrop was incorporated.
- **1837-1838** – Cotton and lumber industries began in Bastrop County
- **1845** - Texas was annexed by the United States.
- **1851** – the future Governor of Texas, Joseph D.



- Sayers, moved to Bastrop as a young boy. He died in 1929 and is buried in Fairview Cemetery.
- **1852** – Bastrop Advertiser began printing newspaper. It has been printed every year since except for the period of the Civil War.
  - **1861** – first Bastrop Company responded to call by the Confederacy for soldiers
  - **1862** - a fire destroyed almost half of the business district on Main Street between Chestnut and Pine Streets.
  - **1865** - on June 19 Texas learned of the Confederate surrender and the slaves learned they were free.

- **1866-1885** – Cattle drives from Bastrop joined with herds coming from South Texas via the Chisholm Trail and continued to the railheads in Kansas
- **1871** – the Houston and Texas Central Railway was completed across the northern part of Bastrop County
- **1886** – the Taylor, Bastrop, and Houston Railway Company lines arrived in Bastrop
- **1889** – first bridge was built across the Colorado River. It is known as "Old Iron Bridge" and was followed by a steel bridge in 1923. The current highway bridge was built in 1992.
- **1898** – first commercially mined lignite coal operation initiated the major rise of the Hispanic population
- **1914** – the Kerr Community Center was built as a social center for the African-American community in Bastrop.
- **1933-1937** – the Civilian Conservation Corps built

### Bastrop State Park

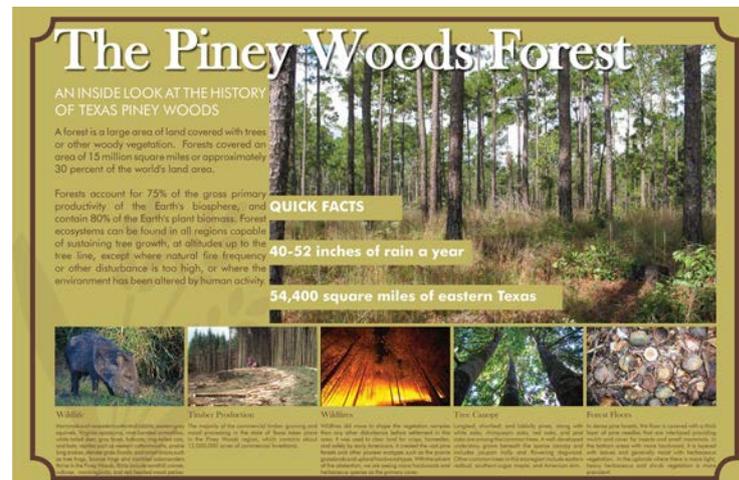
- **1942** – Camp Swift began operation about seven miles north of Bastrop. As World War II progressed it accommodated 90,000 troops at one time.
- **1948** – Delgado v Bastrop BISD suit began the process to end segregation of Mexican-American students in public schools in Texas.
- **2011** – Bastrop Complex Fire destroyed 34,000 acres in Bastrop County

# 03

## DESIGN GUIDELINES

### Signage, Graphics, & Wayfinding

Signage, graphics, and wayfinding will play an important role in the success of the Cultural Heritage Trail. Well-designed graphics are also important to the function and safety of the project. Opportunities exist to teach about culture, nature, and the rich heritage of the Bastrop community with inspirational quotes, special paving designs, and informational signage.



*"We become not a melting pot but a beautiful mosaic. Different people, different beliefs, different yearning, different hopes, different dreams." - Jimmy Carter*

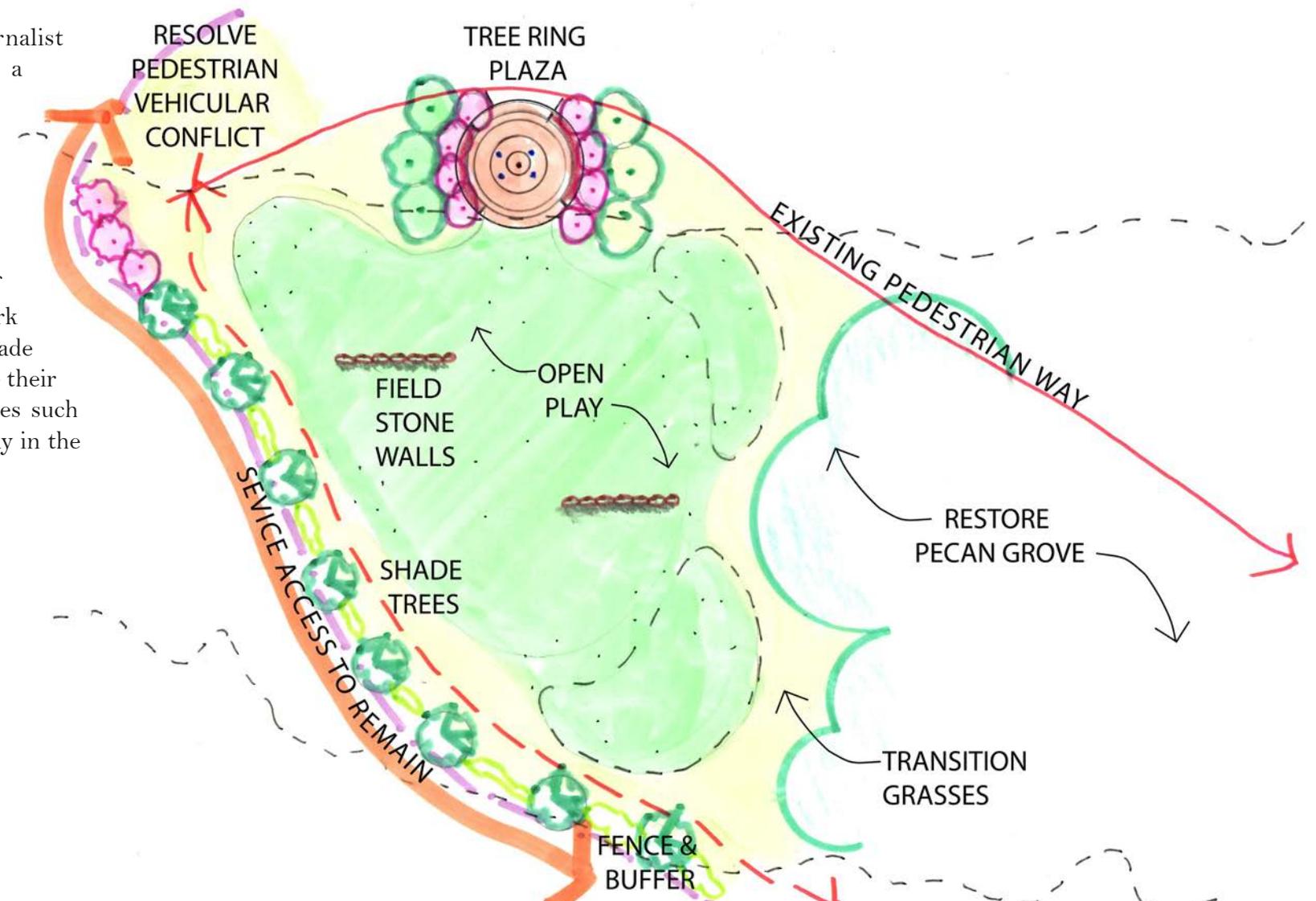
*"Texas has a reverberating quality that other places don't have." - James Michener*

*"Nor is it the habit of Texans to look back. We have tradition of looking forward." - Lyndon Johnson*

## Play Back in the Day

In his book “Last Child in the Woods” Journalist and child advocate Richard Louv describes a staggering divide between children and the outdoors. Louv suggests that there is a direct link between the rise in obesity, attention disorders, and depression to the absence of nature in the lives of today’s youth.

The opportunity exists in the development of the Cultural Heritage Trail at Bob Bryant park for an open play area with gentle berms, shade trees, and a few stone walls to let children use their imagination to play informal children’s games such as capture the flag, leap frog, tag, or just to lay in the grass and enjoy nature.



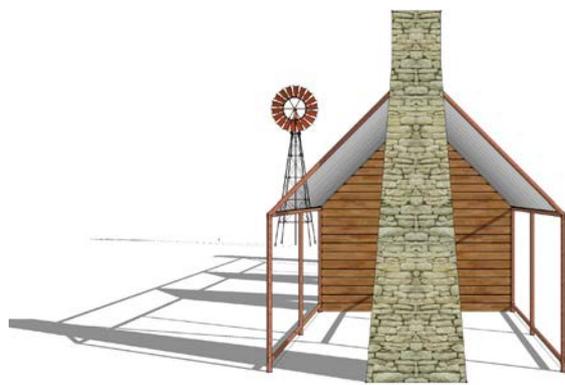
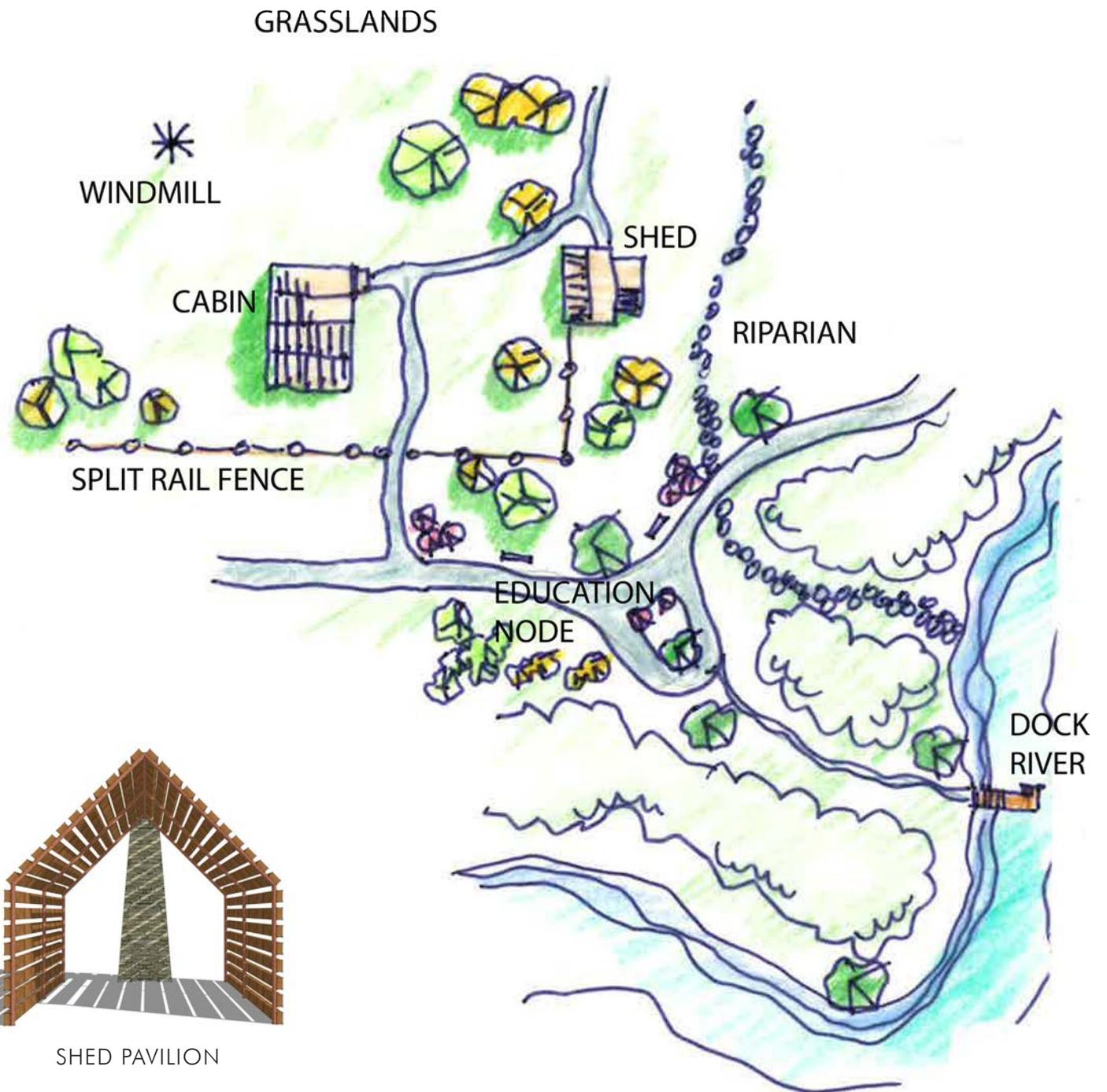
BASTROP BOB BRYANT PARK | CULTURAL HERITAGE TRAIL

# 03

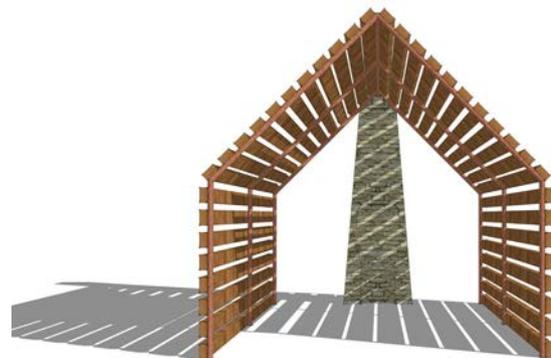
## DESIGN GUIDELINES

### Life Back in the Day

One of the programming goals for the Cultural Heritage Trail is to educate visitors about life styles from earlier time periods. This can be accomplished through a series of landscaped spaces showing native plants and grasses, rest areas, and perhaps a vignette portraying a pioneer cabin or shed pavilion of natural stone and wood construction.



CABIN PAVILION



SHED PAVILION



## Native American Campsite

According to the Archivist of The Bastrop Historical Museum Carol Kysar, there were Comanche, Caddo, Wichita and Tonkawa tribes in Texas. The Tonkawa figure most prominently in Bastrop County history. They lived in scattered villages of tepees constructed from buffalo hides or arbors made from brush and grass.

The Handbook of American Indians North of Mexico describes the arrival of Anglo-Americans, Stephen F. Austin colonists in particular, as ushering in a period of cordial relations between early settlers and the Tonkawa Indians. The Tonkawa often aided their new Anglo allies against the Comanche.

An interpretive Indian campsite could portray the unique culture of these Native Americans whose artifacts can still be found today in the form of arrowheads and spear points in the landscape in and around Bastrop.

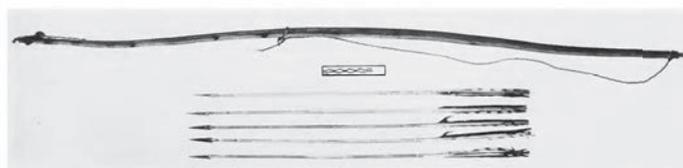


FIGURE 5.—Tonkawa bow and five arrows. (USNM neg. no. 2053-H.)

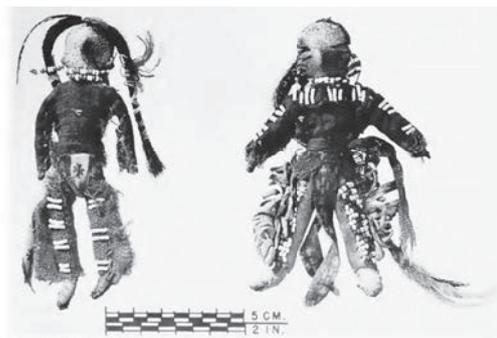
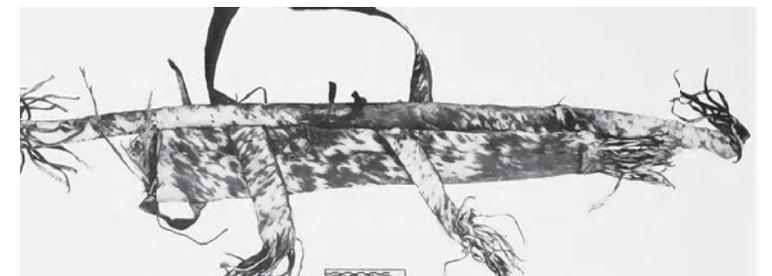


FIGURE 14.—Tonkawa dolls, front view. Note long breechcloth on doll on the right. (USNM neg. no. 2050-D.)

FIGURE 15.—Tonkawa dolls, back view. (USNM neg. no. 2050-C.)



MAP 1.—Historic Locations of the Tonkawa Indians.



FIGURE 10.—Tonkawa war drum and drum sticks. (USNM neg. no. 2053-F.)

*Smithsonian Press Washington (1969), author of William K. Jones, "Notes on the History and Material Culture of the Tonkawa Indians."*

# 03

## DESIGN

### GUIDELINES

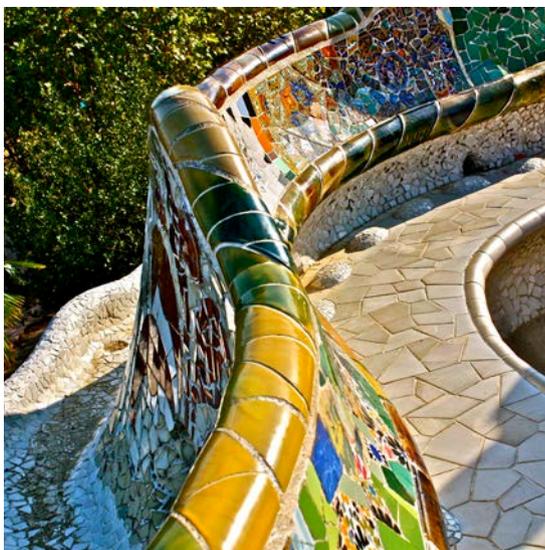
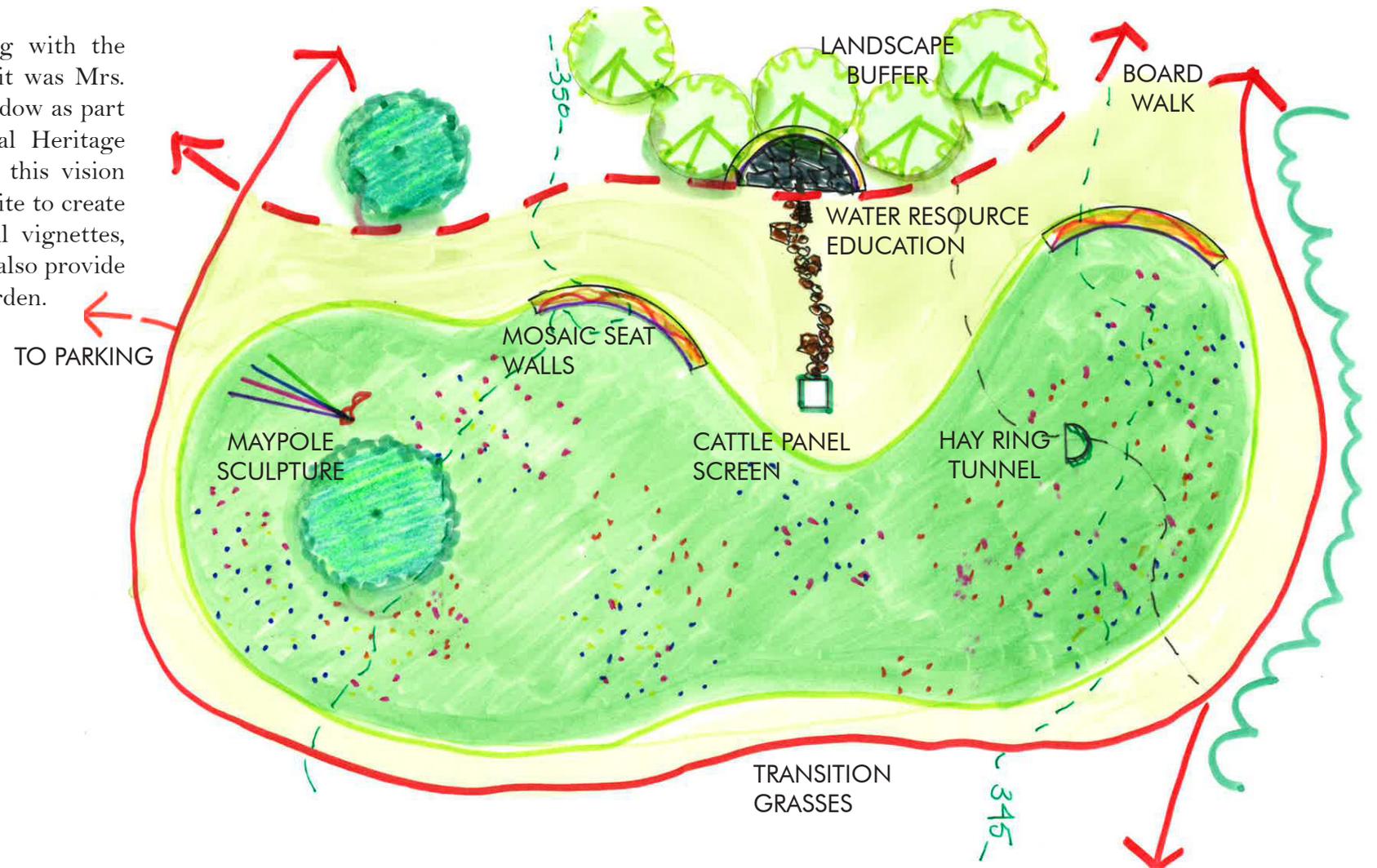
#### Meditative Spaces

Retaining space for quiet reflection, meditation, or to just take a break is a primary goal of this master plan. This space could include a bin for shoe storage or yoga mats, the soft sound of wind chimes, or kinetic art. These quiet spaces could also provide opportunities to observe birds, enjoy nature or have a quiet conversation with a friend.



## Wildflower Meadow

Influenced by her many years working with the Lady Bird Johnson Wildflower Center, it was Mrs. Bryant's vision to have a wildflower meadow as part of the Bob Bryant Park. The Cultural Heritage Trail presents an opportunity to bring this vision to reality by sculpting a portion of the site to create a background for weddings, educational vignettes, and a stage for public art. This area will also provide habitat for butterflies and a pollinator garden.



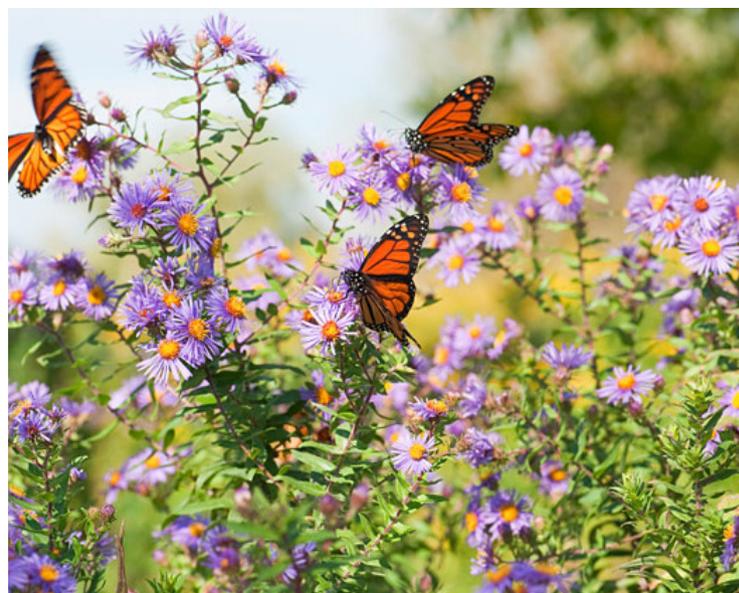
# 03

## DESIGN GUIDELINES

### Nature Enhancements



*“Consider liason with local master naturalist, master gardeners, high school, and texas native plant society for on going volunteer maintenance programs”*

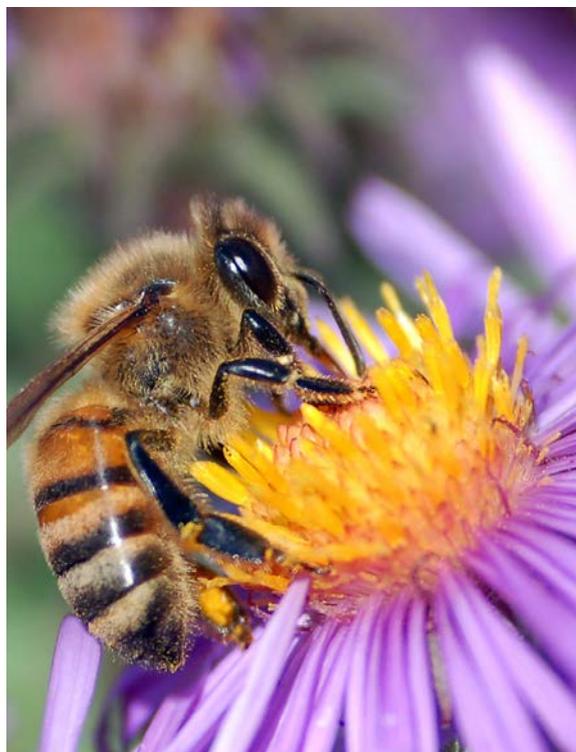
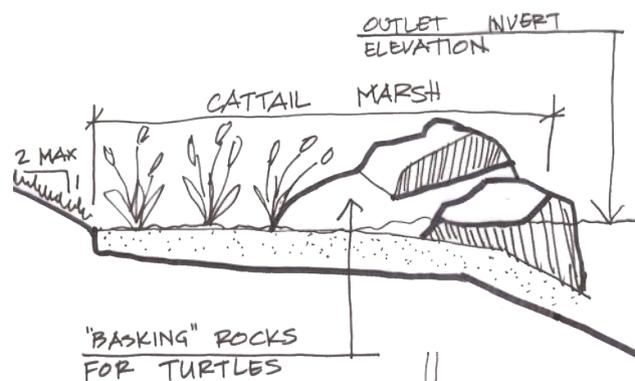


## Wildlife and Nature Habitat Enhancements

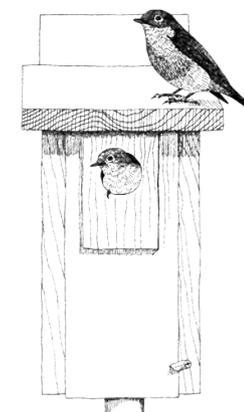
Creating and/or enhancing spaces for the interaction and observation of nature and existing wildlife are important factors in the design of the Art and Cultural Walk at Bob Bryant Park. With the needs and objectives of the City and public in mind, there are several options available for the conservation, management, and enhancement of wildlife and wildlife habitat. Overall, the property is in great condition with several areas presenting unique opportunities for wildlife enhancement. Bird and bat boxes could be provided to provide shelter which is one of the four basic needs of wildlife. Food, water and space are also needed elements to attract and maintain wildlife. The key to managing wildlife is diversity. The more diverse the habitat, the more wildlife species you will attract.



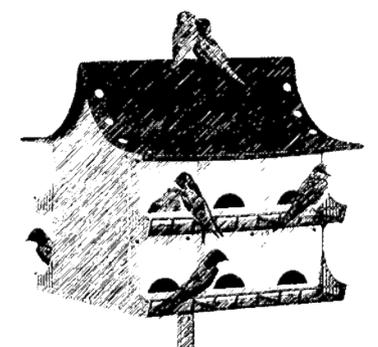
*Water and native landscapes are two beautiful and simple ways to enhance wildlife. A floating island adds character and provides additional animal habitat.*



Bluebird Box

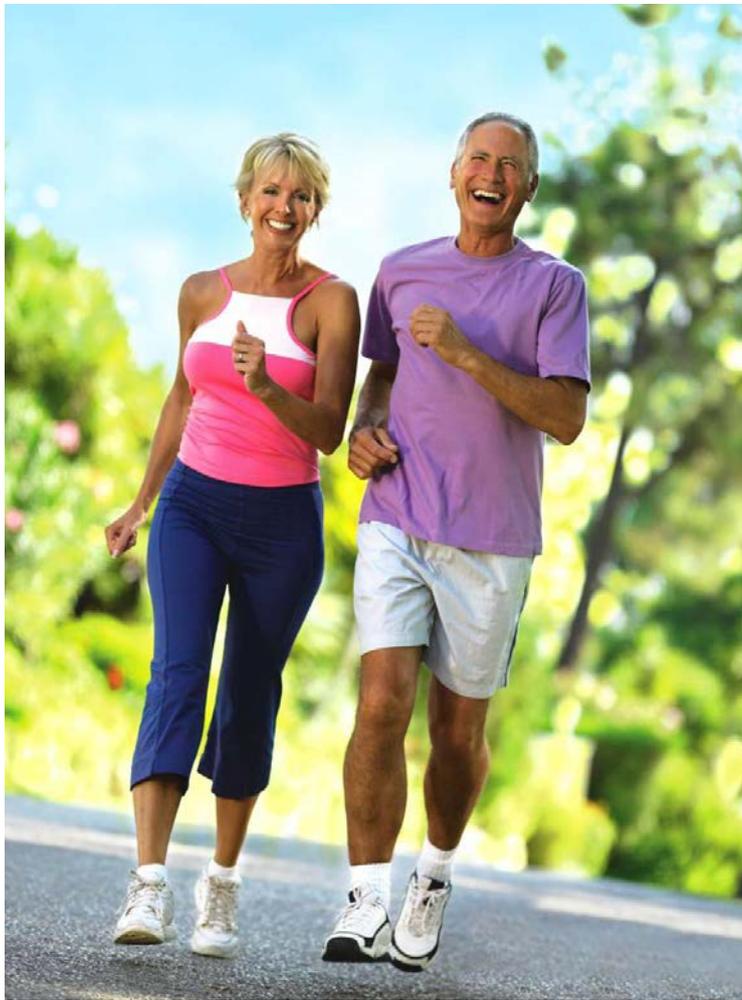


Purple Martin Box

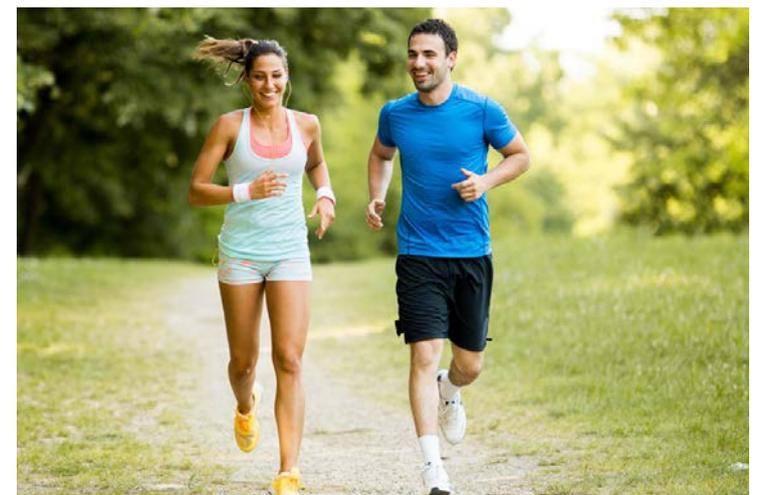


# 03 DESIGN GUIDELINES

## Health and Wellness



*“Consider teaming with local hospital to promote community health initiatives”*



Safety and Security



1. Consider hiring a police officer to serve the Bastrop Park System
2. Neighborhood Watch Signs & Signage with Park Hours
3. Time Future Connections with Planned Development
4. Maintain thick grassy areas & prune trees for improved visual surveillance, and to control rats & snakes
5. Consider improved perimeter fencing that allows surveillance
6. Consider a graffiti wall



# 03 DESIGN GUIDELINES

## Recommended Plants List

### Trees

1. Black Cherry
2. Bald Cypress
3. Cedar Elm
4. Bur Oak
5. Chinquapin Oak
6. Southern Live Oak
7. Pecan

### Small Trees/Large Shrubs

1. Red Buckeye
2. Carolina Buckthorn
3. Possumhaw Holly
4. Yaupon Holly
5. Mexican Plum
6. Roughleaf Dogwood
7. Rusty Viburnum
8. Wax Myrtle

### Shrubs

1. American Beautyberry
2. Coralberry
3. Fragrant Sumac

### Perennials

1. Beebalm
2. Black-eyed Susan
3. Engelmann Daisy
4. River Fern
5. Gaura
6. Gregg Mistflower
7. Texas Lantana
8. Maximilian Sunflower
9. Fall Obedient Plant
10. Missouri Primrose
11. Mealy Blue Sage
12. Tropical Sage

13. Wright's Purple Skullcap
14. Perennial Winecup

### Ornamental Grasses

1. Little Bluestem
2. Inland Sea Oats
3. Meadow Sedge
4. Switchgrass

### Vines

1. Trumpet Vine

### Groundcovers

1. Frogfruit
2. Horseherb
3. Pigeonberry

### Warm-season Turfgrasses

1. Shortgrass Prairie Seed Mixes
2. Bermudagrass



## ADA Accessibility

Texas Accessibility Standards (TAS) is an essential parameter in the design and development of the Cultural Heritage Trail at Bob Bryant Park. Accessibility to facilities, structures, and sculptural elements for individuals with disabilities as well as baby strollers is very important. These requirements are regulated by the Texas Department of Licensing

and Regulation under the Texas Architectural Barriers Act, codified as Chapter 469, Texas Government Code. These requirements are to be applied during the design, construction, additions and alteration of sites, facilities, buildings, and elements. In some cases an ADA transition plan may be required.



# 03

## DESIGN GUIDELINES

### Example for Call to Artist

A call to artists to create pieces for Bob Bryant Park will focus on works that respond to the history, culture, and people of Bastrop. The artworks will integrate historical references, famous people or events, languages, myths, legends, local stories, or symbols into the work. These references can be literal, figurative, or abstract with the goal of creating a variety of works that are open to interpretation and contemplation as people encounter the sculptures throughout the park. A sample of local cultural references that could potentially be included are listed here for inspiration.

- Baron of Bastrop
- JJ Hamilton
- Gen. Edward Burleson
- McDade Pottery as it relates to the soil found in Bastrop
- Edward Burleson
- Josiah Wilbarger
- Steam Boat / River / transportation
- European Maypole
- The Rosenwald School (African American)
- Legend of the Indian Princess and Lost Pines
- Stephen F. Austin
- Minerva Delago
- Jewel Hodges

**Call Type:** Public Art, Request for Qualifications (RFQ)

**Call Summary:** The Bastrop Art in Public Places Board requests qualifications from professional artists for site-specific art installations for Bob Bryant Park.

**Artwork Goals:** The overall goal for public artwork in Bob Bryant Park is to create an arts and culture destination for Bastrop residents and visitors. This will be achieved with the implementation of multiple artworks in the park that meet one or more of the following criteria:

1. Respond to the history, culture, and people of Bastrop by integrating historical references, famous people or events, languages, or symbols into the work. These references can be literal, figurative, or abstract.
2. Respond to the specific environmental conditions of the park to provide moments of contemplation and connection to the natural environment. Projects that celebrate natural forces or materials such as wind, sunlight, soil, plants, birds, or water are encouraged.
3. Tie together educational components that teach the public about history, culture, or ecology in ways that are playful, inviting, and encourage interaction.

**Location Description:** Bob Bryant Park is a 22 acre park nestled on the Colorado River in Bastrop, Texas. The park currently features multipurpose fields, playgrounds, a nature trail, and scenic views of the river. Additional amenities are being designed for the park to integrate with public art projects. Read more about the rich history of Bastrop in Appendix A (use “History of Bastrop” appendix from the 2016 Concept Design Call to Artists).

**Eligibility:** Consider designating the call for Texas based artists only. Alternatively, it can be a national call with a note that Texas based artists are encouraged to apply. For example:

1. State Eligibility: Professional artists living and working in the State of Texas are eligible to apply. Artists must be at least 18 years old.
2. National Eligibility: This call is open to professional artists working in the United States who are at least 18 years old. Artists living and working in Texas are strongly encouraged to apply.

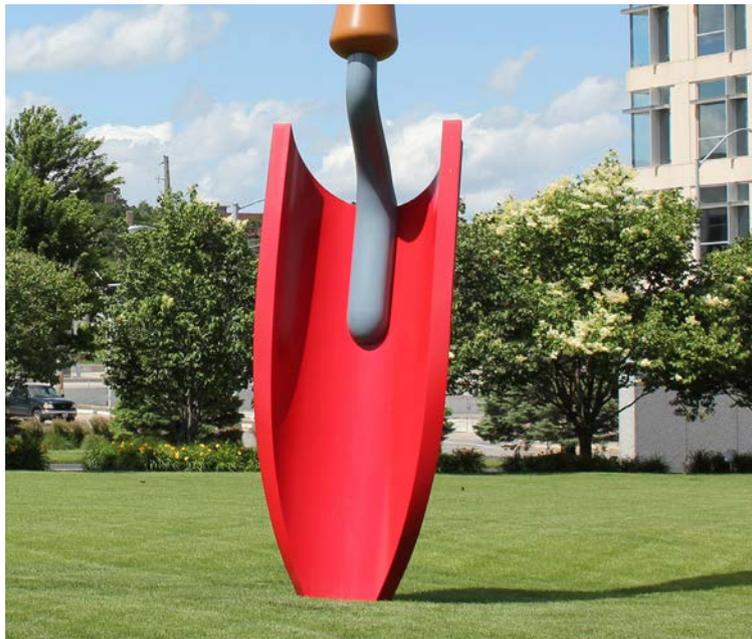
Artists must have demonstrated experience with projects of similar scope and context. Work samples submitted to this call must meet one or more of the criteria outlined in the artwork goals. BAIPP is particularly interested in seeing examples of work that are culturally-based, site-specific, and durable for permanent placement in the outdoors.

Submission Materials (to be submitted electronically either as an emailed PDF or via an online platform such as CAFÉ- Call for Entry, PublicArtist.org, or Submittable.com):

1. Letter of Intent, 500 words max, which outlines your interest in this project. Please describe why your work is a good fit for this opportunity and highlight previous relevant experience.
2. 10 to 20 images of previously completed works. Jpeg format
3. Professional Resume not to exceed 3 pages. PDF format
4. 3 References who are familiar with your public art process and qualifications

# CULTURAL HERITAGE TRAIL

@ BOB BRYANT PARK





*Barbara Bryant Wolanski, daughter of Mr. and Mrs. Bob Bryant, with children who participated in the park workshop and tile painting at Bob Bryant Park.*

*Bob Bryant Park was established and envisioned as a place for play, for community gathering, and enjoyment of the natural resources and open space found adjacent to the Colorado River. Above all, it's a place for children of all ages to find both the joy of friendship and the solitude of nature.*



To: Members of the Bastrop, Texas City Council  
From: Ed Skarnulis on Behalf of Bastrop Art in Public Places  
Re: Cultural Heritage Trail proposal

Last night, representatives of the Burditt Consultant Group shared an executive summary of an exciting proposal for future development of the Bob Bryant Park. They asked for input from us as members of your Bastrop Art in Public Places (BAIPP) Board in advance of a presentation they plan to give to you at the June 27<sup>th</sup> City Council Meeting.

After the representatives left, the BAIPP members talked and I was asked to share some thoughts for your consideration. If implemented, it will require a significant investment of energy and public funds over time to turn all or part of this creative vision into reality. But...it's worth the expenditure.

While much has been done to make Bob Bryant Park a fine resource for the kids and adults of our City, this would put it in a whole new category of "destination-locations." The residents of Riverside Grove have often felt that their community gets short shrift in allocation of resources and the Heritage Trail would make them the envy of cities and towns throughout the state.

It checks off boxes for all Bastropians: a) a canvas for artists; b) fitness options; c) yoga and meditation sites; d) wildlife and nature habitats; e) educational centers/pavilions; f) an opportunity for synergy with master gardeners and master naturalists. The list goes on indefinitely.



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 6B

**TITLE:**  
Mayor's Report

**STAFF REPRESENTATIVE:**  
Lynda Humble, City Manager

## ACTIVITIES OF MAYOR SCHROEDER SINCE THE LAST COUNCIL MEETING:

- We had our FIRST run off election! Congratulations to Mr. Nelson and thanks to Mr. Harle for all their hard work.
- Last Friday was busy! I started with BEDC's coffee chat, then went to the Ferry Park ribbon cutting. Later, I attended Cherry Blossom Spa's 7 year anniversary party! - then it was time to go to the Juneteenth Banquet. We had a full City table, thanks to City Manager and Council Members Peterson and Ennis for attending.
- We also had our FIRST City float in a parade, which was the Juneteenth Parade held on Saturday, June 17<sup>th</sup>. Thanks to the Public Works Department for ALL of their hard work on the float! Mayor Pro Tem Gary Schiff and Council Member Bill Ennis rode the float, along with members of staff! City Manager Humble and I were in a car ahead of the City's float.

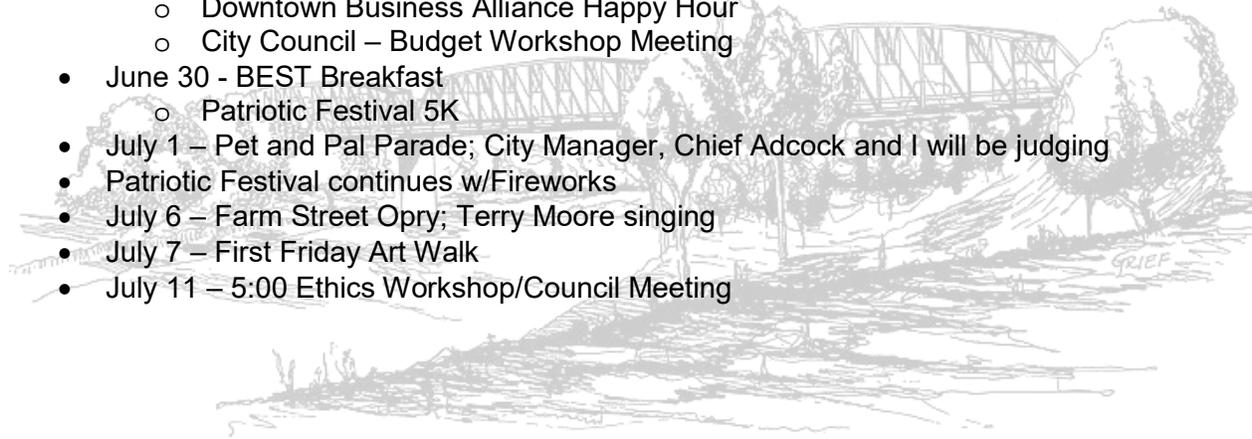


- If you missed the parade you missed a good time! It was great to attend Friday's banquet and the parade. I presented the City and County Joint Emancipation Proclamation along with Councilmembers Peterson and Ennis and City Manager Humble to Pam Aldridge, Juneteenth Celebration Chair.
- After the parade on Saturday, several of us attended the Public Art Celebration, hosted by Bastrop Art in Public Places at the Library – over 70 people attended!

- I attended Bastrop Rotary Luncheon, where Judge Pape was the guest speaker, and then took a tour of the Family Crisis Center.
- Last Wednesday, we attended Texas Municipal League's Quarterly Region 10 Meeting in Hutto. It was our City Manager's first trip to Hutto and she won the door prize! The City of Bastrop nearly won the coveted "attendance" award. Thanks to Council Members Ennis, Jones and Peterson for attending.
- Summer reading program is still going on – I'm over 2000 minutes and ahead of Mickey!
- Great news – I received a letter from an attorney in El Paso who recently visited with some scouts who got themselves in a bad situation – the professional and courtesy manner in which our Police and Fire departments handled the matter was outstanding. Everyone is safe – life lessons learned. Special thanks to our teams!

**Upcoming events:**

- June 29 – Ribbon Cutting: Bastrop County Republican Party
  - Downtown Business Alliance Happy Hour
  - City Council – Budget Workshop Meeting
- June 30 - BEST Breakfast
  - Patriotic Festival 5K
- July 1 – Pet and Pal Parade; City Manager, Chief Adcock and I will be judging
- Patriotic Festival continues w/Fireworks
- July 6 – Farm Street Opry; Terry Moore singing
- July 7 – First Friday Art Walk
- July 11 – 5:00 Ethics Workshop/Council Meeting





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 6C

**TITLE:**

Councilmembers' Report

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 6D

**TITLE:**

City Manager's Report

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 7A

**TITLE:**

Discuss Communication Plan in the event of a High Water Event.

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager

Steve Adcock, Director of Public Safety

Trey Job, Managing Director of Public Works & Leisure Services

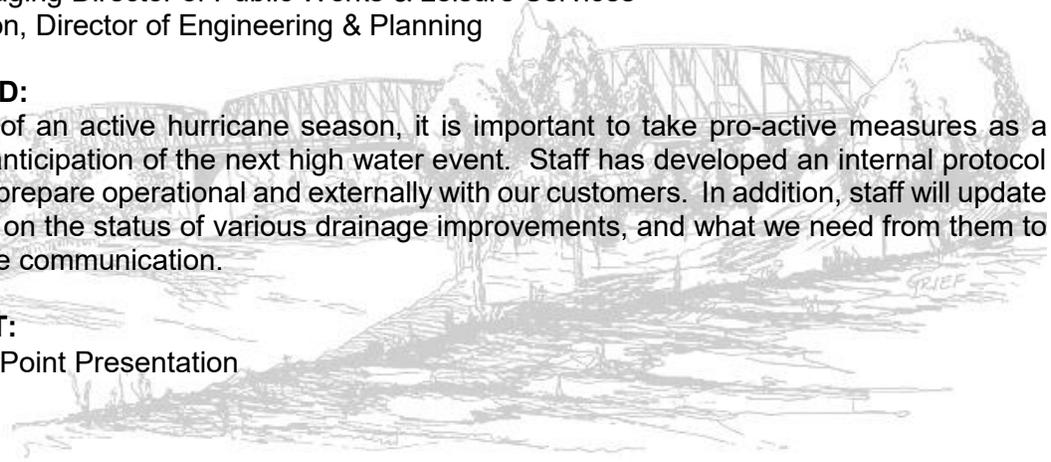
Wesley Brandon, Director of Engineering & Planning

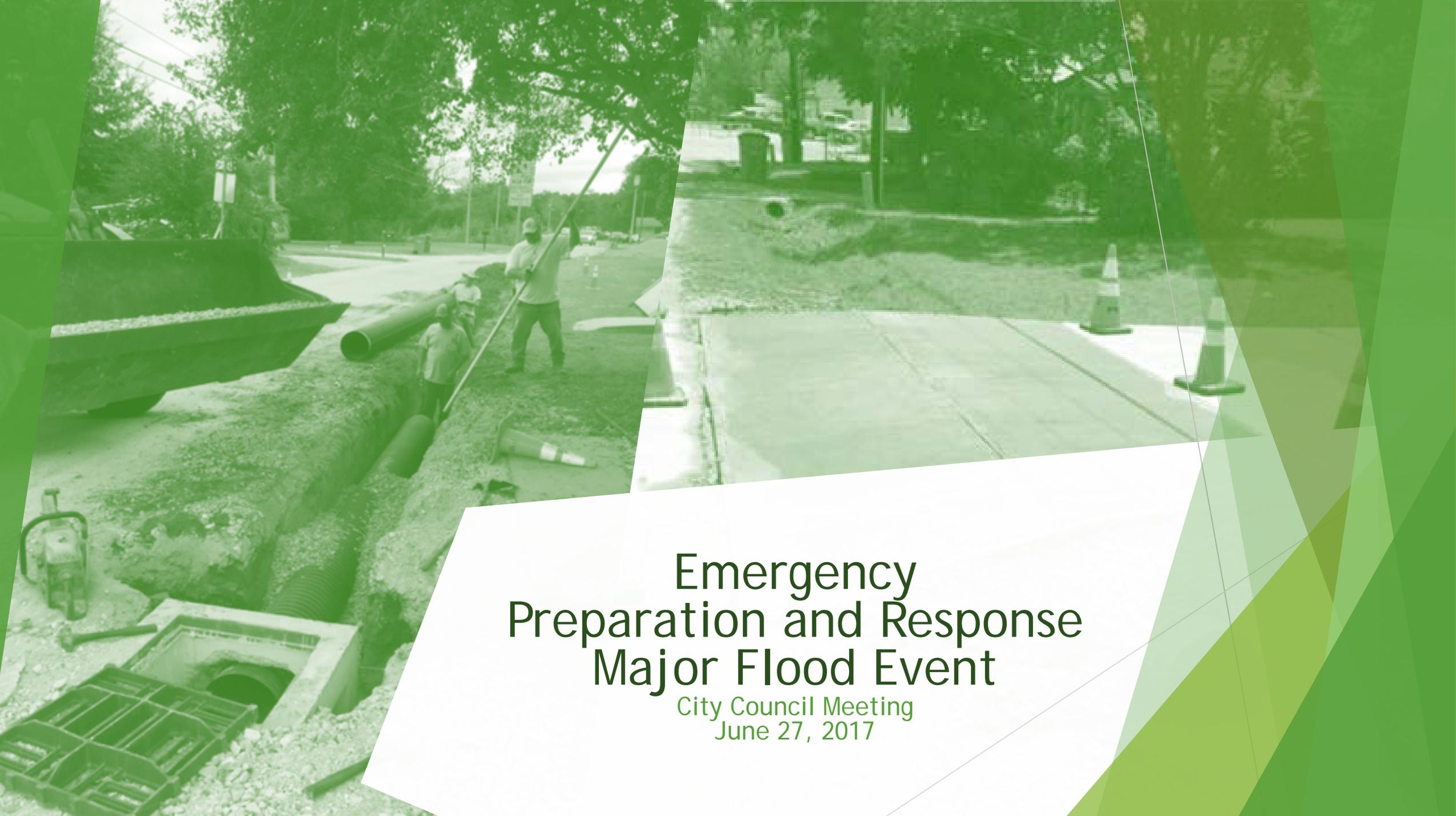
**BACKGROUND:**

In anticipation of an active hurricane season, it is important to take pro-active measures as a community in anticipation of the next high water event. Staff has developed an internal protocol on how we will prepare operational and externally with our customers. In addition, staff will update the community on the status of various drainage improvements, and what we need from them to ensure effective communication.

**ATTACHMENT:**

- PowerPoint Presentation



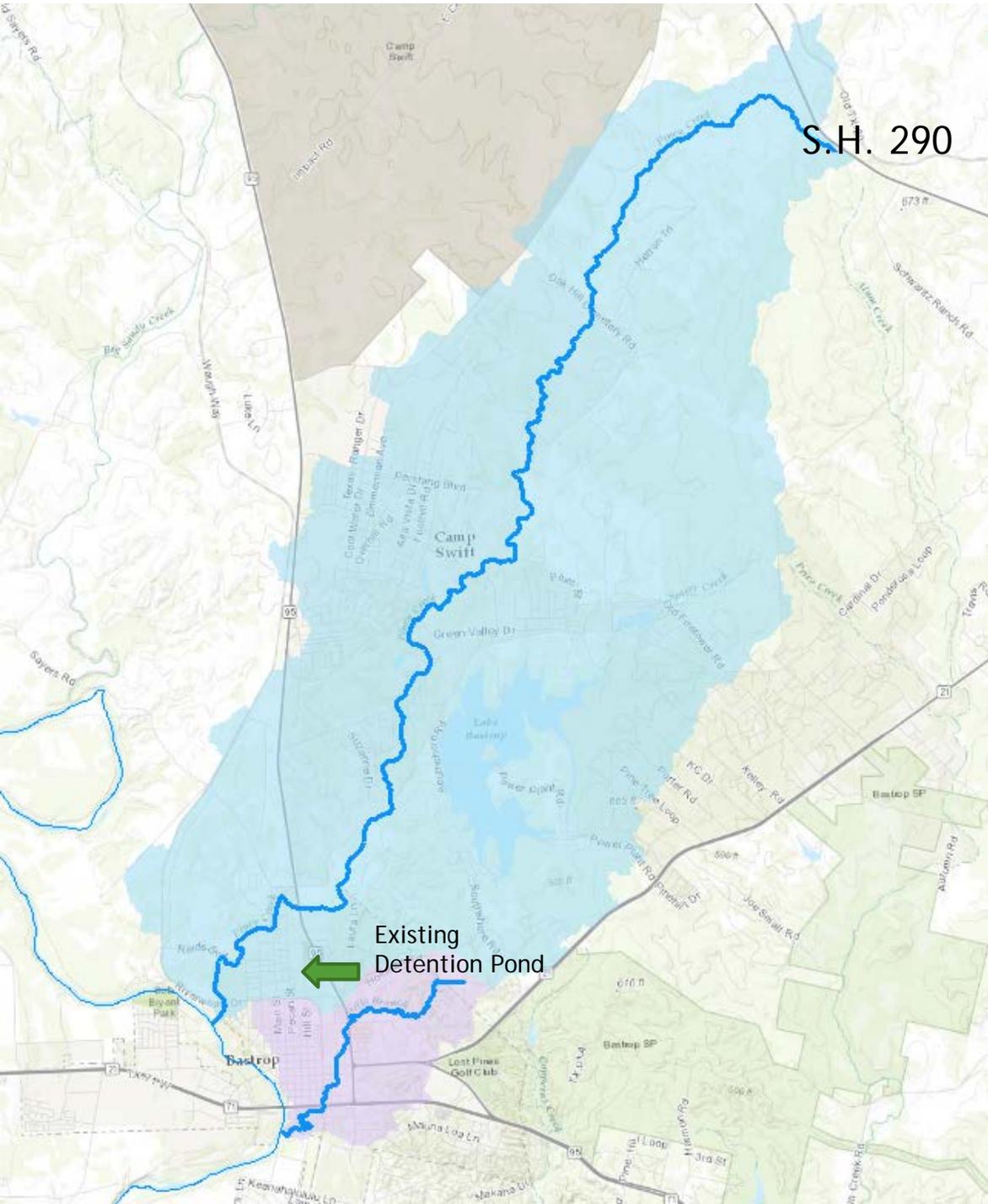


# Emergency Preparation and Response Major Flood Event

City Council Meeting  
June 27, 2017

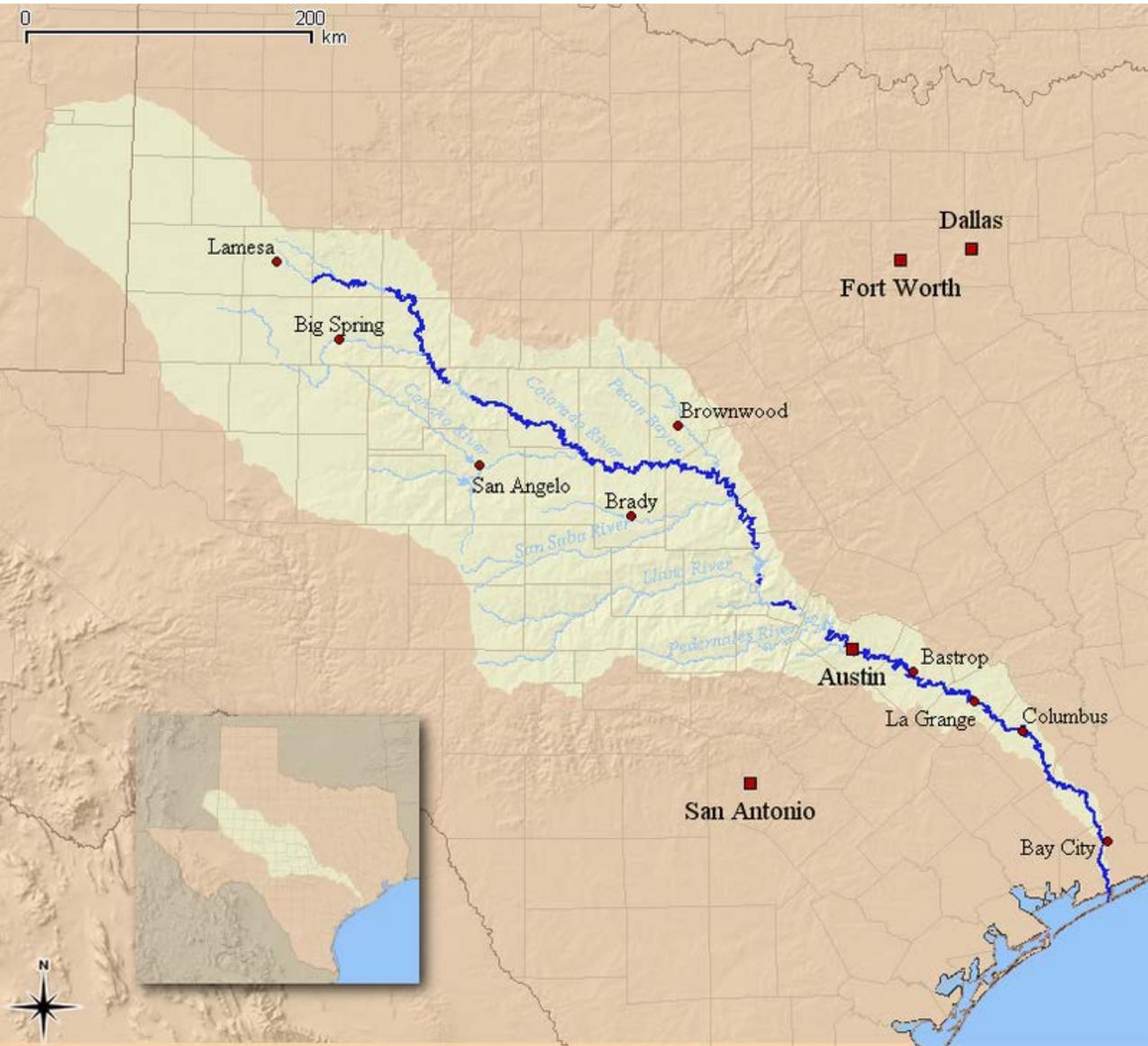
# Overview

- ▶ Major Watersheds - (Piney Creek, Gills Branch, Colorado River)
- ▶ Where does the water come from?
- ▶ Comparisons of Each Storm and Existing Drainage Capacity
- ▶ Local vs. Regional Infrastructure
- ▶ What is the City doing to be prepared?
- ▶ What do Citizens need to do to be prepared?



## Where does the water come from?

- ▶ Piney Creek Watershed
  - ▶ 38 sq.mi.
  - ▶ (24,320 acres)
- ▶ Gils Branch Watershed
  - ▶ 2.8 sq.mi.
  - ▶ (1,792 acres)

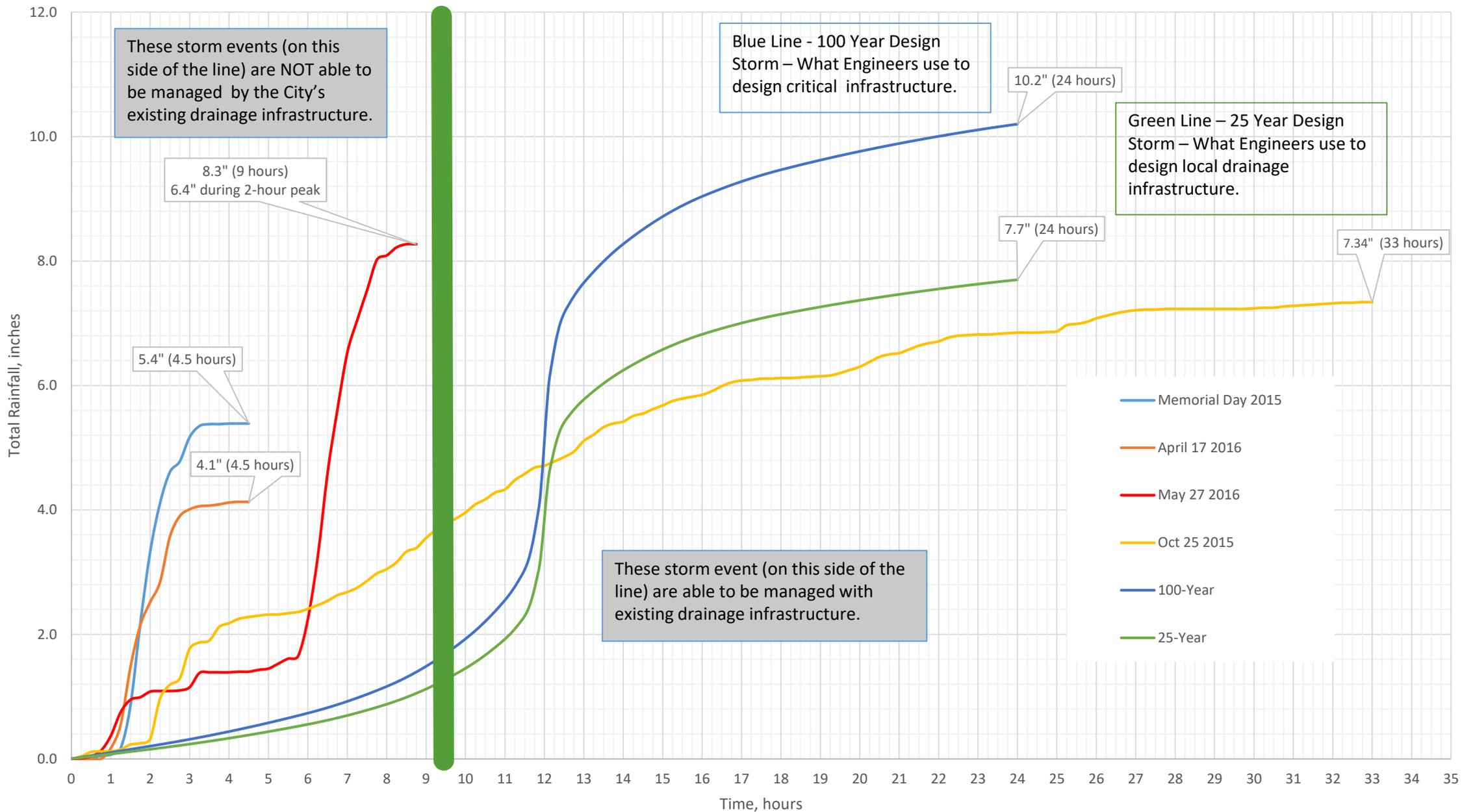


# Where does the water come from?

## ▶ Colorado River Watershed

- ▶ 39,000 sq.mi.
- ▶ Water level will GREATLY impact Piney Creek Watershed

# Total Rainfall Comparison



These storm events (on this side of the line) are NOT able to be managed by the City's existing drainage infrastructure.

Blue Line - 100 Year Design Storm – What Engineers use to design critical infrastructure.

Green Line – 25 Year Design Storm – What Engineers use to design local drainage infrastructure.

These storm event (on this side of the line) are able to be managed with existing drainage infrastructure.

# What does 100-Year Infrastructure Look Like?

- ▶ Bridge Crossings
- ▶ Large-diameter Culverts
- ▶ Major Channels



# What does 25-Year Infrastructure Look Like?

- ▶ Driveway Culverts
- ▶ Street Curb Inlets



# How are we preparing for major flood events?

## Immediate / Short-Term

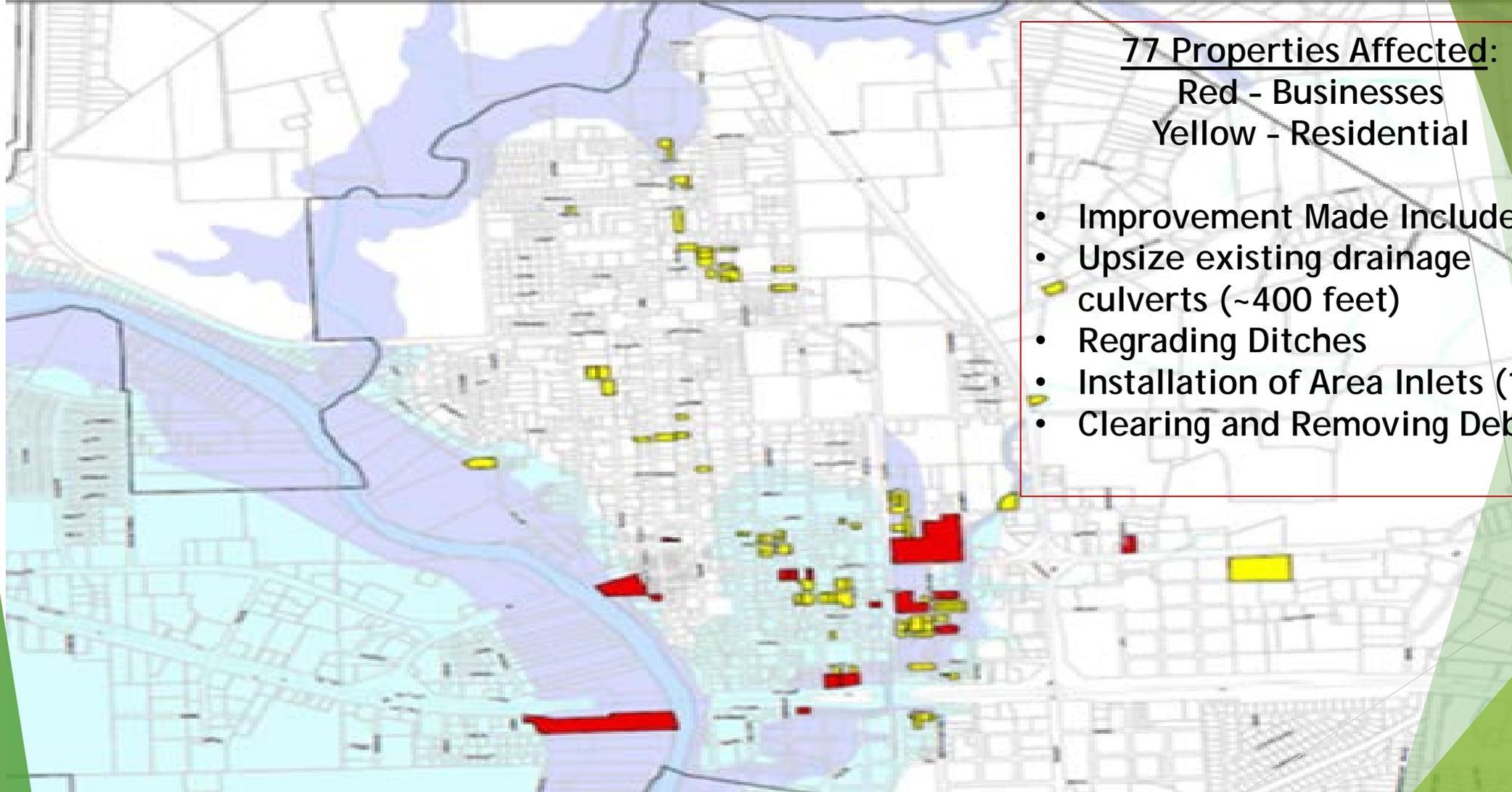
- ▶ Routine Maintenance (PICTURES)
- ▶ System Inspections
- ▶ Minor Improvements (Local issues)
- ▶ Apply for FEMA Grants

## Medium / Long-Term

- ▶ Various studies
- ▶ Digital Inventory/Database
- ▶ Capital Improvement Projects
- ▶ Development Code Amendments
- ▶ Grant Applications

Drainage work over the past 12 months  
for Immediate / Short Term

# Impact from May 2016 Storm Event



## 77 Properties Affected:

Red - Businesses

Yellow - Residential

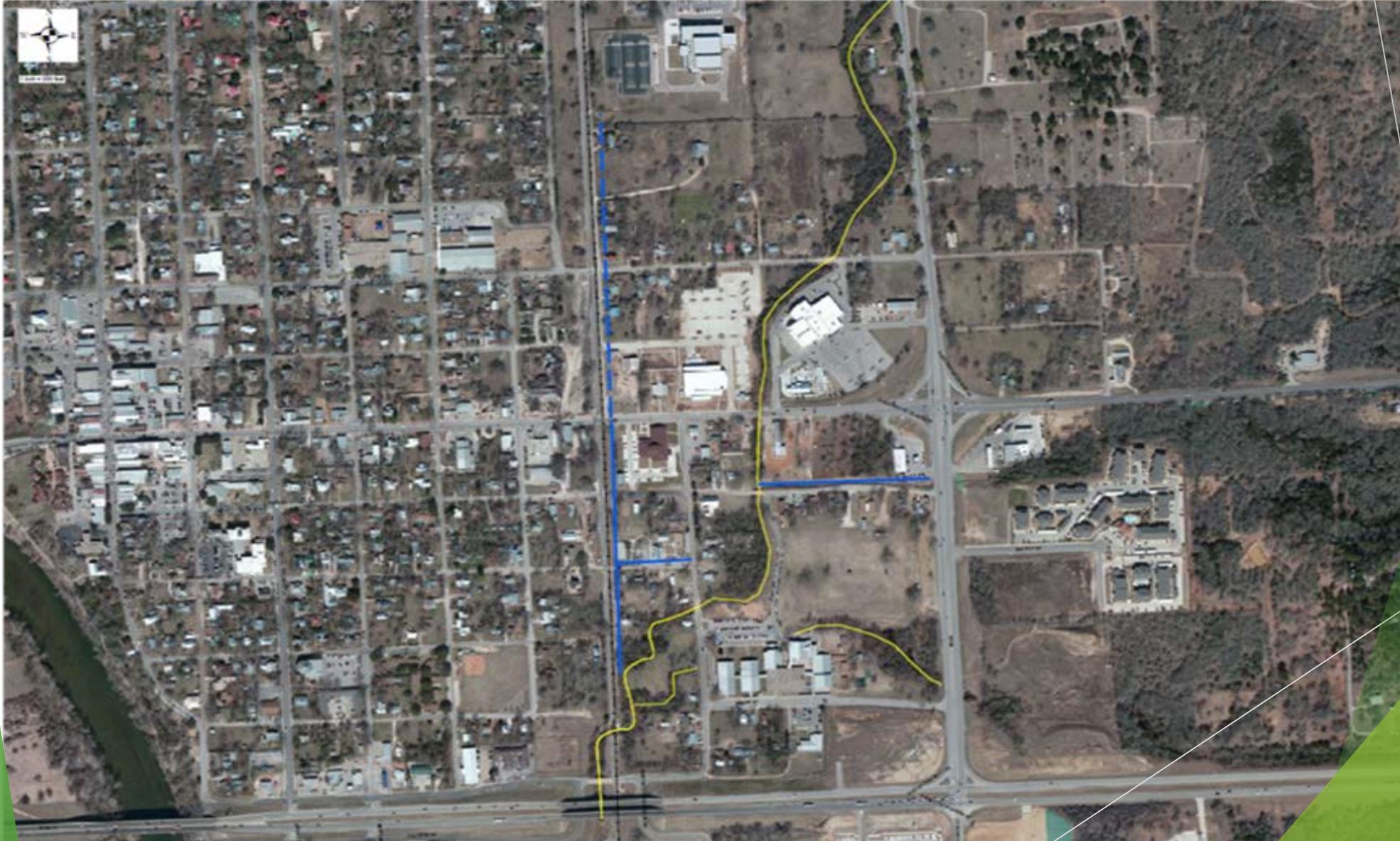
- Improvement Made Include:
- Upsize existing drainage culverts (~400 feet)
- Regrading Ditches
- Installation of Area Inlets (10+)
- Clearing and Removing Debris



## In-House Local Drainage Improvements for Short-Term

# Recent Work Areas

## Intermediate Short-Term



- ▶ In an effort to keep everyone calm, I wanted to disperse the rumors of a Prehistoric Beaver roaming Bastrop TX.



- ▶ Its just your friendly neighborhood PRO-ACTIVE municipal employee! 😊





## Immediate/Short Term

- ▶ Cleaning up and clearing brush
- ▶ Regrade to drain
- ▶ Replace undersized culverts
- ▶ Checking storm sewers and prior to a storm event
- ▶ Immediately removing debris from catch basins, ponds and culverts after a storm
- ▶ Having a conversation with Council during the FY 2018 Budget to develop a multi-year Drainage Maintenance Plan.



## Capital Improvement Projects

- ▶ Hired Halff Associates to complete Drainage Study.
- ▶ Spent months being reviewed by Texas Water Development Board.
- ▶ Anticipate receiving draft copy of Study in early September, which will contain:
  - ▶ List of Projects
  - ▶ Priority List based on Greatest Benefit to the Overall Community
  - ▶ Projected Costs of Each Project
- ▶ Know there will be the need for several significant infrastructure projects:
  - ▶ Increasing size of detention pond by Public Works Warehouse (applied for funding through FEMA)
  - ▶ Newton Street Channel Improvements (applied for funding through FEMA)
  - ▶ Pine Street Channel Improvements (applied for funding through FEMA)

# Trigger Points



- The Office of Emergency Management monitors the river levels.
- We stay in contact with LCRA, who predicts the rivers crest.
- This information is used to trigger certain functions by Emergency Management.
- Prediction of high river level will trigger:
  - Public Works to have barricades on standby
  - All police and fire staff on standby
  - Prepared to open the emergency operations center when activated



# Trigger Points

River level 14 feet - Close Riverwood Crossing

River level at 24 feet - Notify KOA campground and two homes off Perkins

River level at 30 feet - Notify homes off south Perkins

River level at 35 feet - Utilize Code Red for emergency instructions



# CODE RED REGISTRATION

WarnCentralTexas



Stay informed — Register to get emergency warnings in your neighborhood by text, email or phone.

[Register Here](#)

Registering with WarnCentralTexas allows emergency personnel in your local community to directly contact you by phone, text or email during a disaster or public safety event. Using WarnCentralTexas, emergency response teams can warn residents about dangerous conditions and situations as events unfold. They can quickly give specific directions that affect your neighborhood such as evacuation orders and directions to shelters.

The Capital Area Council of Governments has partnered with communities in Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson counties to bring residents and visitors WarnCentralTexas, an emergency alert system that can save lives and protect property during disasters.

Residents must register cellphone numbers and email addresses to get alerts sent to their mobile devices, but CAPCOG has already registered landline phones.

# CODE RED REGISTRATION

The screenshot shows a web browser window with the URL <http://www.capcog.org/divisions/homeland-security>. The browser tabs include "Mass Notification System for L...", "CAPCOG » Homeland Secur...", and "Community Notification Enroll...". The website header features a dark blue navigation bar with the text "Serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties". Below this is a red navigation bar with links for "Home", "About", "CAPCOG A to Z", and "Calendar".

The main content area is divided into a left sidebar and a main section. The sidebar, titled "Divisions", lists several categories: "Administrative Services", "Area Agency on Aging", "Regional Services", "Planning & Economic Development", "Emergency Communications", "Homeland Security" (highlighted in a dark blue box), and "Regional Law Enforcement Academy".

The main section displays the breadcrumb "Home > Homeland Security > WarnCentralTexas" and the heading "WarnCentralTexas". Below the heading is a large graphic featuring a red outline of the state of Texas with a white signal tower icon inside, followed by the text "WarnCentralTexas.org". A sub-heading reads "Stay informed — Register to get emergency warnings in your neighborhood by text, email or phone". A prominent green button with rounded corners contains the text "Register Here".

# CODE RED REGISTRATION



Keeping citizens informed.

This site is optimized for current and supported common browsers (i.e. IE, Chrome, Firefox). For the best user experience, please ensure your browser is up-to-date.



COMMUNITY NOTIFICATION ENROLLMENT

Capital Area Council of Governments (CAPCOG), TX

Please take a moment to fill in the appropriate information below to be notified by your local emergency response team in the event of emergency situations or critical community alerts. Examples include: evacuation notices, bio-terrorism alerts, boil water notices, and missing child reports.

## Contact Information

First name

Last name

## Contact Addresses and Communication Methods

Address is:

Residential  Business

Address name:

Home

Address to be notified

(please no P.O. boxes)

City

State

Choose State...

Zip



Phones

# CODE RED REGISTRATION

## Phones

Phone Number:   TDD/TTY device - Tone delivery, for hearing impaired

Send text messages - 1 message per alerting event. Message and data rates may apply.

[SMS Terms & Conditions and Privacy Policy](#)

Reply STOP to 31678 or 76127 or 76933 to stop receiving messages from that number

## Alert Types

Emergency Notifications

General Notifications

Optional Severe Weather Warnings ⓘ

Phone:

Tornado  Severe Thunderstorm  Flash Flood



- Remove phone

+ Add phone

## Emails

+ Add email

# This is how the City is preparing....

- ▶ Routine System Maintenance
- ▶ Ditch Cleaning/Mowing
- ▶ Debris Removal
- ▶ Culvert Replacement
- ▶ Master Plans & Studies
- ▶ Data Collection & Mapping
- ▶ Capital Improvement Projects
- ▶ Emergency Management Planning
- ▶ Grant Applications

# This is what you, as a Citizen, need to do:

- ▶ Join Code Red
- ▶ Maintain cleaned creek around behind or beside house, if along creek the City cleans.
- ▶ Sandbags will be made available, if needed
- ▶ Follow these websites:
  - ▶ Sign up for [ATXFloods Alerts](#).
  - ▶ Register your cell phone with [Warn Central Texas](#).
- ▶ Buy a [weather radio](#).
- ▶ During a storm, monitor local media.
- ▶ Access rainfall and creek level data at the following sources:
  - ▶ [City of Austin gauges \(ATX Hydromet\)](#)
  - ▶ [LCRA Hydromet](#)
  - ▶ [USGS](#)
- ▶ Be prepared!

# This is what you, as a Citizen, need to do:

## Save Yourself!

Rushing water has tremendous power. Taking the following steps during a storm can help you stay safe:

- ▶ Be alert to your surroundings.
- ▶ Monitor local media.
- ▶ Avoid driving.
- ▶ Stay away from creeks, trails, culverts, ponds and other drainage infrastructure.
- ▶ If water starts to rise, seek higher ground. This may mean getting on your roof.



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 8A

**TITLE:**

Hear presentation on the unaudited Monthly Financial Report for the period ending May 31, 2017.

**STAFF REPRESENTATIVE:**

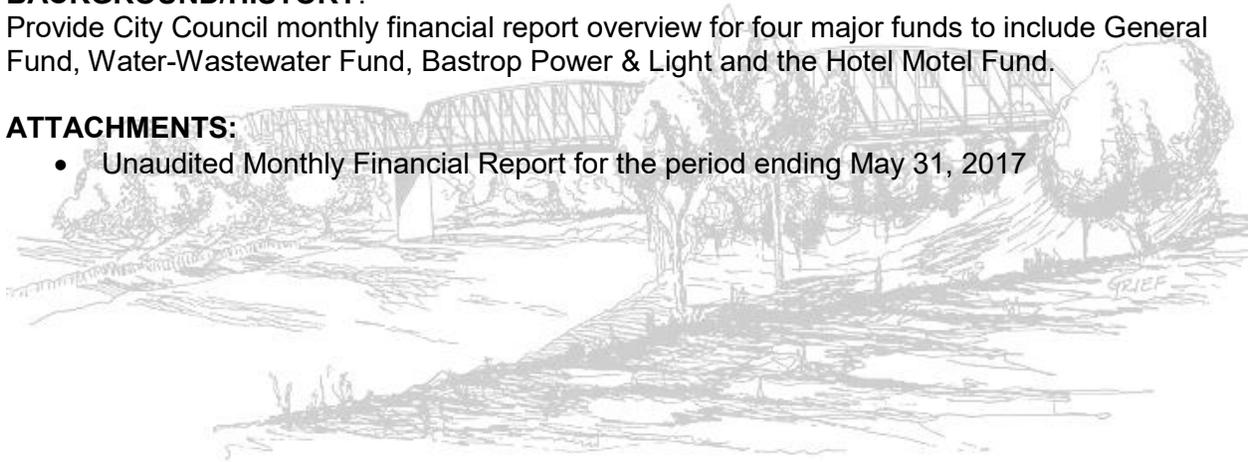
Tracy Waldron, Chief Financial Officer

**BACKGROUND/HISTORY:**

Provide City Council monthly financial report overview for four major funds to include General Fund, Water-Wastewater Fund, Bastrop Power & Light and the Hotel Motel Fund.

**ATTACHMENTS:**

- Unaudited Monthly Financial Report for the period ending May 31, 2017



# CITY OF BASTROP, TEXAS

## MONTHLY FINANCIAL REPORT FOR PERIOD ENDING May 31, 2017



# Highlights for this reporting period as of May 31, 2017

## General Fund:

- City Economic Development Incentives:

<u>Agreement with</u>	<u>Effective Date</u>	<u>Original Amount</u>	<u>Remaining Balance YTD</u>
Schulman Theaters	March 7, 2012	\$200,000 or 7 Years	\$52,546
Bastrop Retail Partners (Burleson Crossing)	August 30, 2007	\$7,370,694 or 15 Years	\$3,026,372

# Legal fees by Attorney/Category

AS OF May 31, 2017

FIRM	CASE	FY14-15	FY15-16	FY16-17
<b>JC BROWN</b>				
	General Legal	\$ 335,518	\$ 279,242	\$ -
	Water permit	\$ 16,698	\$ 39,856	\$ -
	Vandiver	\$ 10,356	\$ 9,275	\$ -
<b>BUNDREN</b>				
	Pine Forest Interlocal	\$ 89,738	\$ 700,800	\$ 27,811
	Vandiver	\$ 3,393	\$ 79,951	\$ 2,343
	Aqua CCN	\$ 13,005	\$ 21,735	\$ 12,898
	Red Light Camera Sui	\$ 5,822	\$ 60,279	\$ -
<b>TERRELL LAW FIRM</b>				
	Water permit	\$ 61,015	\$ 482,815	\$ 37,170
Reimburse Council				
	General Legal	\$ -	\$ -	\$ 6,939
<b>DAVID BRAGG, P.C.</b>				
	General legal	\$ -	\$ 8,603	\$ 38,768
	Vandiver	\$ -	\$ -	\$ 8,660
	Water Permit	\$ -	\$ -	\$ 2,900
	Pine Forest Interlocal			\$ 2,860
<b>TAYLOR, OLSON, ADKINS, SRALLA &amp; ELAM, LLP</b>				
	Red Light Camera Sui	\$ -	\$ 1,246	\$ 432
<b>Total Legal</b>		\$ 535,544	\$ 1,683,801	\$ 140,780

Row Labels	Sum of FY14-15	Sum of FY15-16	Sum of FY16-17
Aqua CCN	\$ 13,005	\$ 21,735	\$ 12,898
General Legal	\$ 335,518	\$ 287,845	\$ 45,706
Pine Forest Interlocal	\$ 89,738	\$ 700,800	\$ 30,671
Red Light Camera Suit	\$ 5,822	\$ 61,525	\$ 432
Vandiver	\$ 13,749	\$ 89,226	\$ 11,003
Water permit	\$ 77,713	\$ 522,671	\$ 40,070

**CITY OF BASTROP**  
**SUMMARY OF REVENUES AND EXPENDITURES**  
 AS OF May 31, 2017

**Fiscal year 2017 is 8 month or 66% completed**

	<b>FY 16-17 Budget*</b>	<b>FY 16-17 YTD Actual</b>	<b>% of Budget</b>
<b>Revenues</b>			
General Fund	\$ 10,297,361	\$ 7,970,809	77%
W/WW Fund	\$ 4,539,243	\$ 3,249,276	72%
Electric Fund	\$ 6,999,250	\$ 4,217,846	60%
Hotel Motel Fund	\$ 2,882,000	\$ 1,716,520	60%
<b>Expenditures</b>			
General Fund	\$ 11,449,207	\$ 6,809,614	59%
W/WW Fund	\$ 5,874,335	\$ 2,808,407	48%
Electric Fund	\$ 7,546,181	\$ 4,065,386	54%
Hotel Motel Fund	\$ 1,774,742	\$ 1,363,224	77%

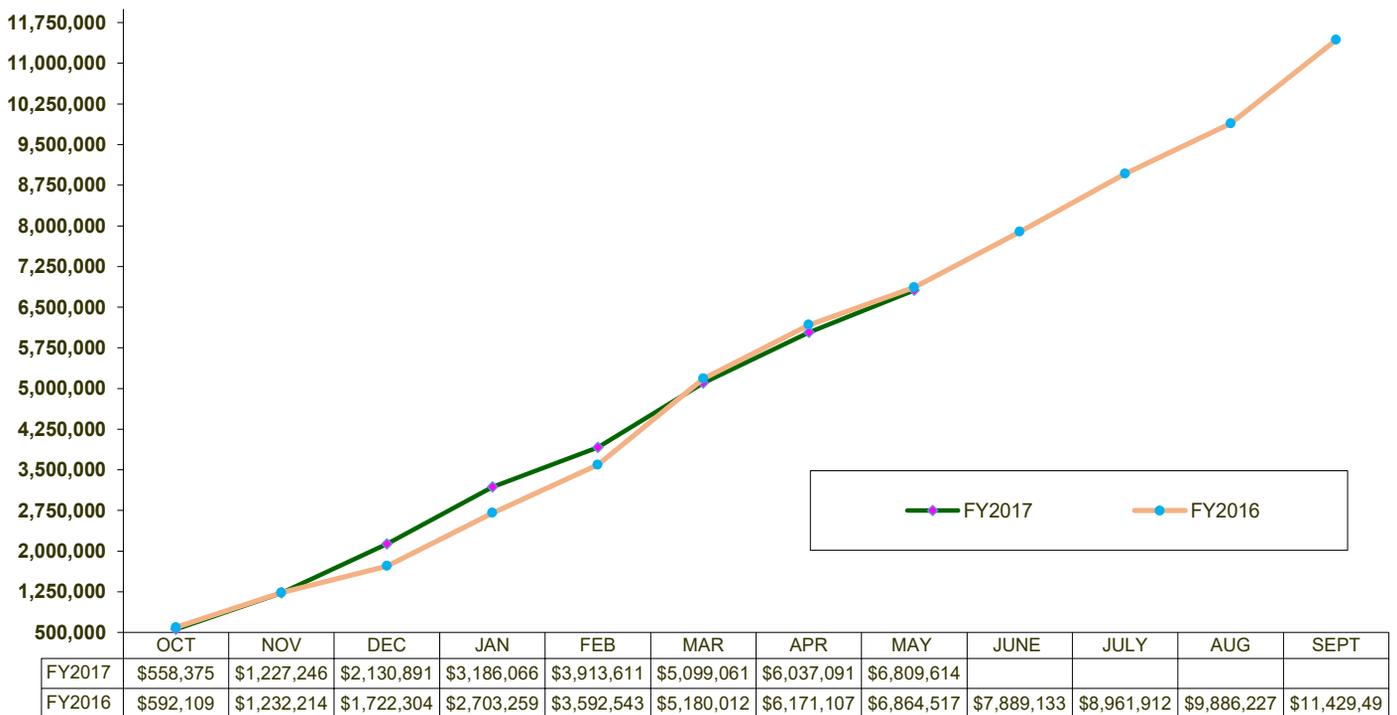
\*Budget amounts reflect any budget **amendments** approved by Council during the Fiscal Year

# GENERAL FUND REVENUE & EXPENDITURES AS OF May 31, 2017

## FY 2016 & 2017 Revenues



## FY 2016 & 2017 Expenditures

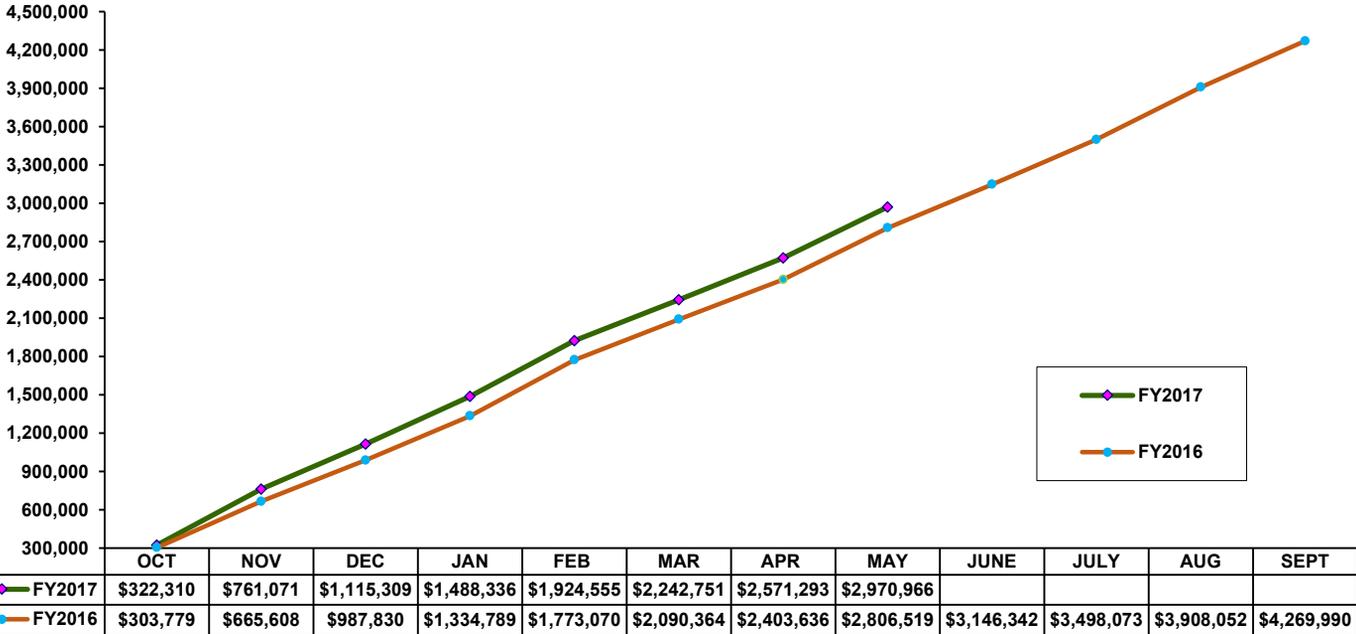


# GENERAL FUND REVENUE

AS OF May 31, 2017

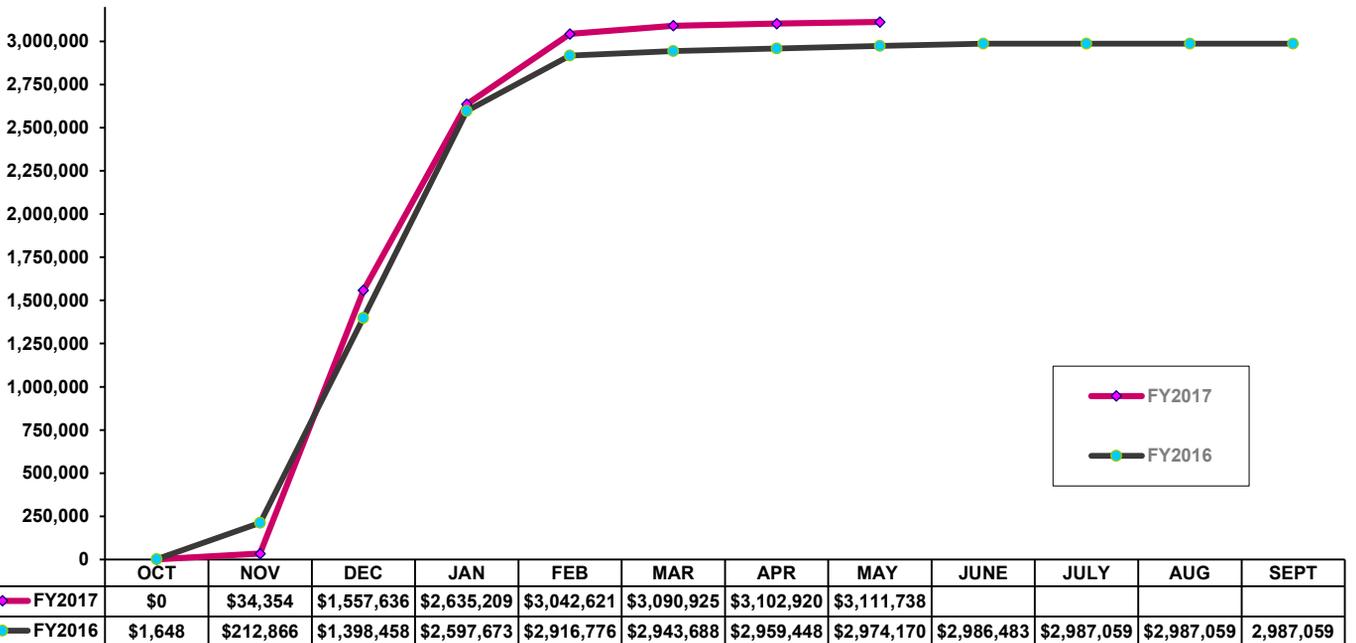
FY2017 Budgeted \$4,456,850

## Sales Tax



## Ad Valorem Taxes

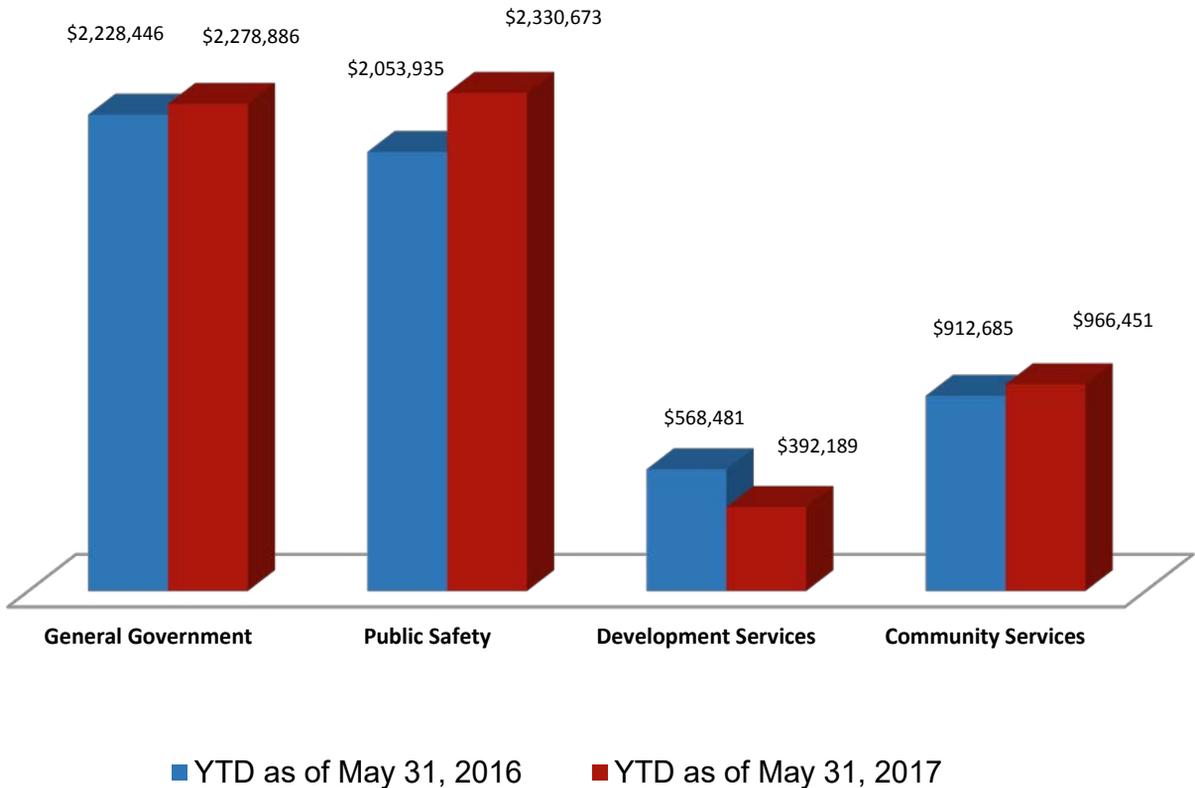
FY2017 Budget \$3,131,361



# GENERAL FUND EXPENDITURES

AS OF May 31, 2017

General Fund Operating Expenditures Comparison

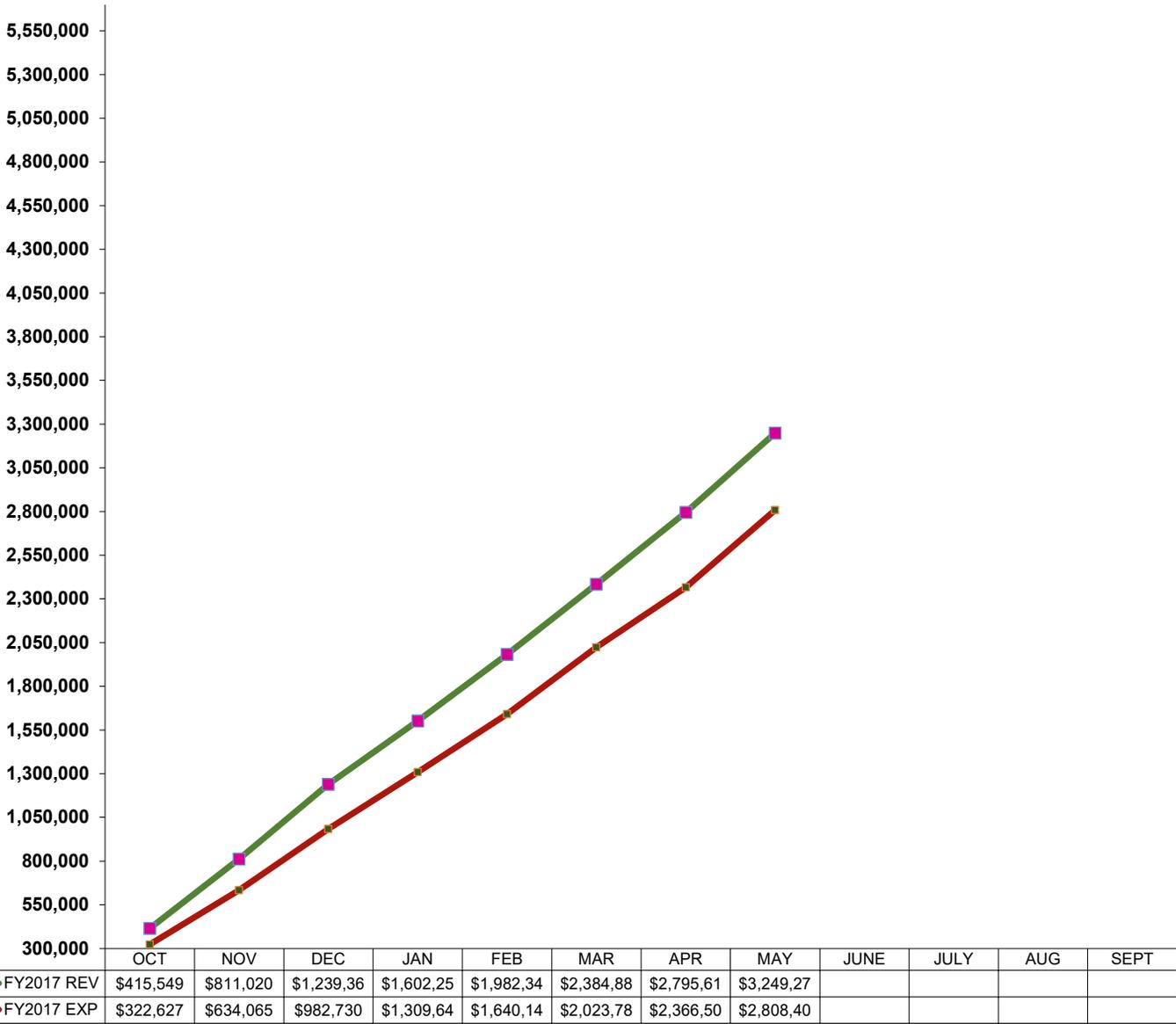


- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, and Building Maintenance
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes the Planning Department
- Community Services includes Recreation, Parks, and Library

# WATER WASTEWATER FUND REVENUE & EXPENDITURES

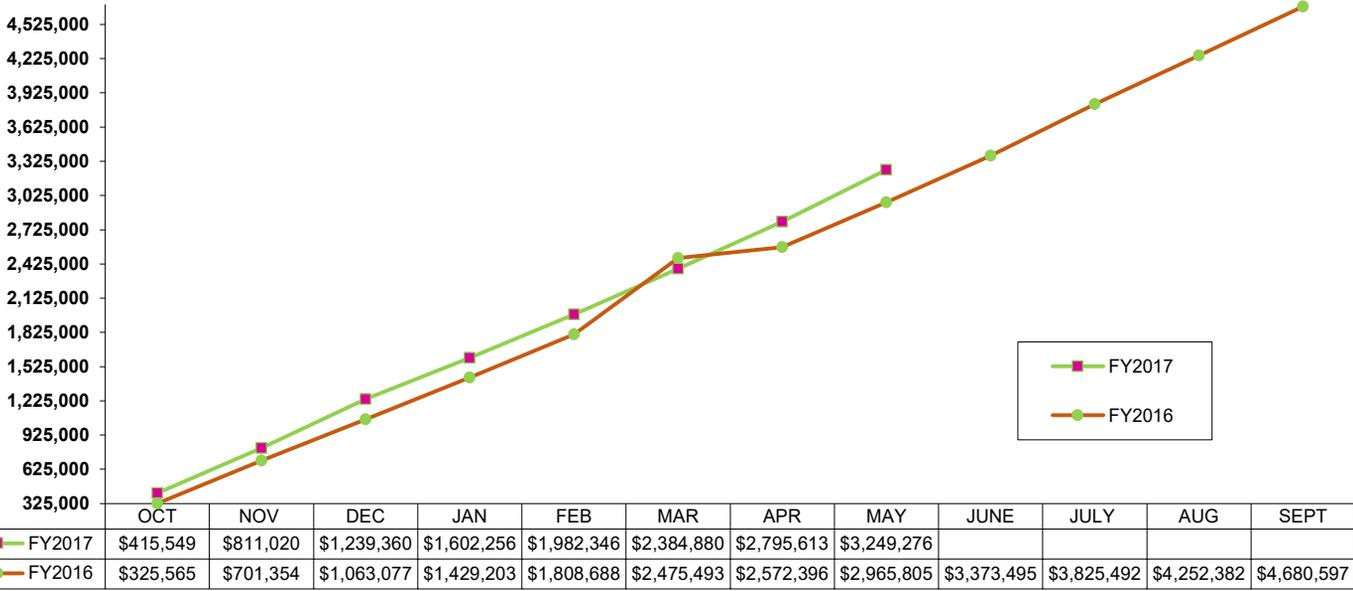
AS OF May 31, 2017

❖ Water/ Wastewater Fund Revenues Year-to-date (YTD) as of May 31, 2017 are \$3,249,276 or 72% of the budgeted amount

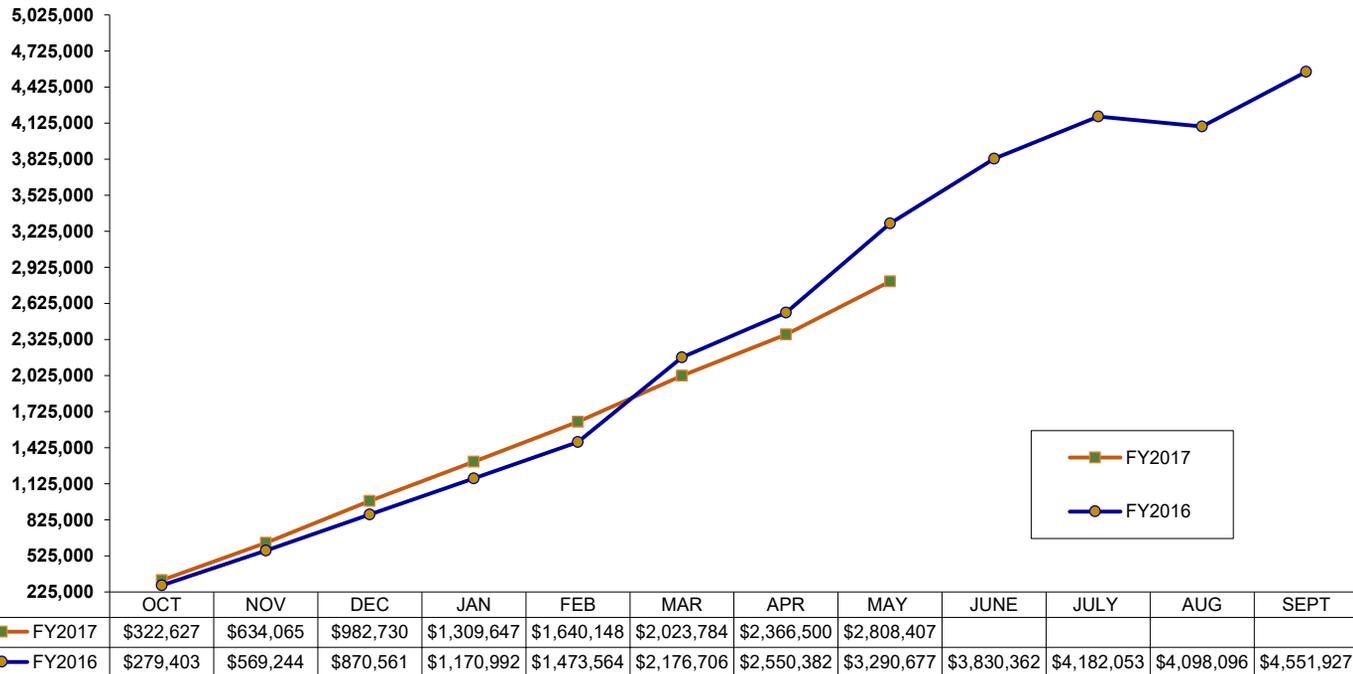


# WATER WASTEWATER FUND REVENUE & EXPENDITURES AS OF May 31, 2017

## FY 2016 & 2017 Revenues



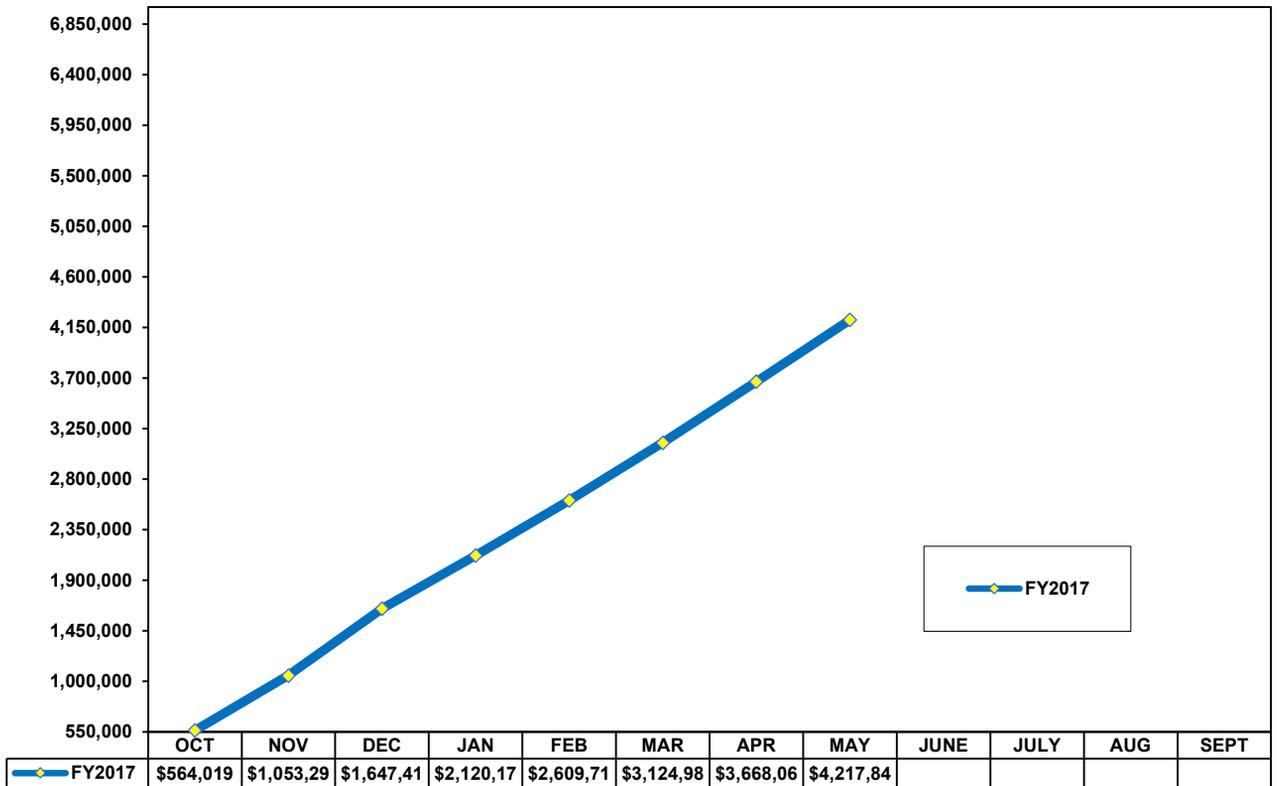
## FY 2016 & 2017 Expenditures



# BASTROP POWER AND LIGHT / ELECTRIC FUND REVENUE

AS OF May 31, 2017

- ❖ Electric Fund Revenues Year-to-date (YTD) as of May 31, 2017 are \$4,217,846 or 60% of the FY2017 adopted budget.



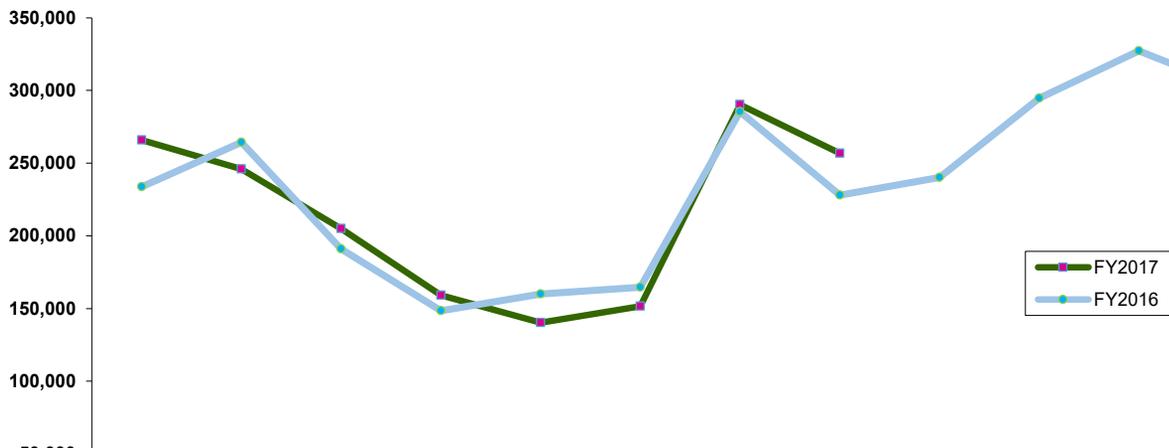
# HOTEL MOTEL TAX REVENUE FUND

## REVENUE AND EXPENDITURES

AS OF May 31, 2017

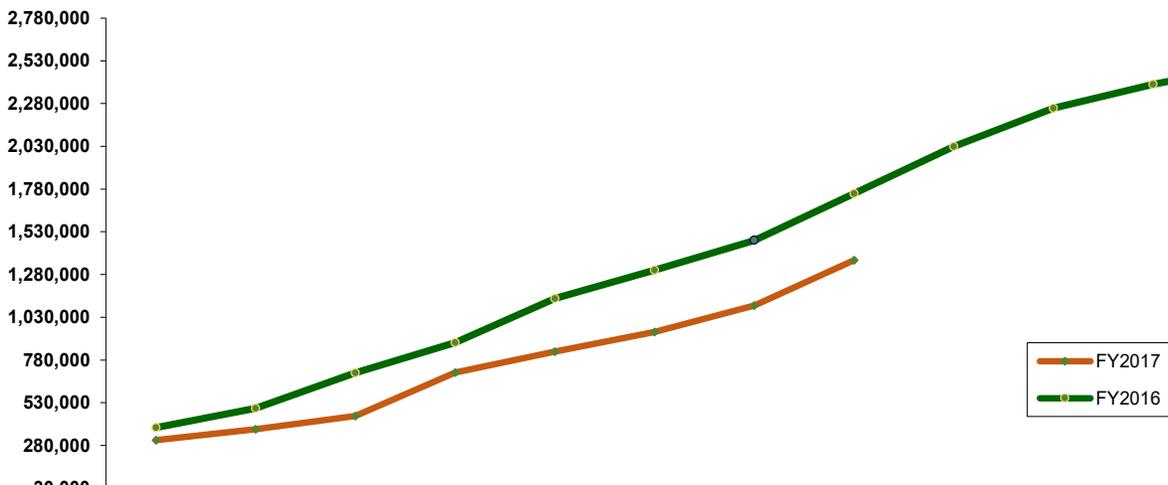
- ❖ Revenues as of May 31, 2017 represent YTD earned revenue of \$1,716,520. Due to a timing issue the revenue earned in October is an estimate.
- ❖ Expenses in October are increased due to the one-time disbursement of funds to Hotel Motel funded organizations.

### Revenue (Month to Month comparison)



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
FY2017	\$265,867	\$245,914	\$205,040	\$159,021	\$140,221	\$151,631	\$290,182	\$256,839				
FY2016	\$233,812	\$264,410	\$190,912	\$148,408	\$159,973	\$164,671	\$285,276	\$227,902	\$240,126	\$294,628	\$327,236	\$300,000

### Expenses (YTD comparison)



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
FY2017	\$310,955	\$375,415	\$451,655	\$706,467	\$829,057	\$943,349	\$1,098,00	\$1,363,22				
FY2016	\$384,908	\$498,476	\$704,803	\$882,749	\$1,139,74	\$1,306,04	\$1,479,82	\$1,754,13	\$2,028,10	\$2,254,06	\$2,391,70	\$2,505,27

**FINANCIAL STATEMENT REPORTS ARE ATTACHED:**

- General Fund
- Water/ Wastewater Utility Fund
- Hotel Motel Fund

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<b>TAXES &amp; PENALTIES</b>						
00-00-4001 CURRENT TAXES M&O	2,974,169.09	3,131,361.00	8,817.70	3,111,738.01	19,622.99	99.37
00-00-4002 DELINQUENT TAXES M&O	15,570.66	21,000.00	0.00	9,523.47	11,476.53	45.35
00-00-4003 PENALTIES & INTEREST M&O	19,460.78	31,500.00	1,772.51	28,090.51	3,409.49	89.18
00-00-4004 FRANCHISE TAX	255,227.20	454,000.00	80,549.68	245,955.92	208,044.08	54.18
00-00-4006 CITY SALES TAX	2,806,518.50	4,456,850.00	399,673.56	2,970,966.15	1,485,883.85	66.66
00-00-4008 OCCUPATION TAX	4,107.67	8,000.00	0.00	1,205.00	6,795.00	15.06
00-00-4009 MIXED BEVERAGE TAX	25,965.33	48,000.00	0.00	28,973.87	19,026.13	60.36
00-00-4010 380 AGREEMENT PROP REFUND	( 46,607.13)	( 47,000.00)	0.00	( 61,803.96)	14,803.96	131.50
TOTAL TAXES & PENALTIES	6,054,412.10	8,103,711.00	490,813.45	6,334,648.97	1,769,062.03	78.17
<b>LICENSES &amp; PERMITS</b>						
00-00-4020 BUILDING PERMITS	62,329.34	120,000.00	19,777.42	109,900.13	10,099.87	91.58
00-00-4021 ZONING FEES	1,809.00	3,500.00	906.00	3,571.73	( 71.73)	102.05
00-00-4022 PLATTING FEES	47,924.13	40,000.00	11,539.65	18,429.65	21,570.35	46.07
00-00-4023 SPECIAL EVENT PERMIT FEE	644.00	2,000.00	100.00	1,600.00	400.00	80.00
TOTAL LICENSES & PERMITS	112,706.47	165,500.00	32,323.07	133,501.51	31,998.49	80.67
<b>CHARGES FOR SERVICES</b>						
00-00-4040 ANIMAL SERVICE RECEIPTS	155.00	200.00	10.00	85.00	115.00	42.50
00-00-4043 PARK RENTALS & FEES	2,490.00	5,000.00	310.00	5,301.80	( 301.80)	106.04
00-00-4044 PD ACCIDENT REPORTS	1,041.00	1,800.00	132.00	1,087.00	713.00	60.39
00-00-4046 SPECIAL EVENTS HOT REIMB	4,453.24	25,000.00	0.00	0.00	25,000.00	0.00
00-00-4047 PROJ ESCROW REIMB	3,946.24	0.00	0.00	6,413.26	( 6,413.26)	0.00
00-00-4049 TRANSFER STATION RECEIPTS	5,424.62	8,000.00	0.00	350.00	7,650.00	4.38
00-00-4051 SANITATION REVENUE	320,208.98	475,000.00	39,529.11	313,084.30	161,915.70	65.91
00-00-4052 SANITATION PENALTIES	4,738.71	7,500.00	660.97	4,983.92	2,516.08	66.45
00-00-4055 FILMING/BROADCASTING FEES	0.00	26,400.00	0.00	525.00	25,875.00	1.99
TOTAL CHARGES FOR SERVICES	342,457.79	548,900.00	40,642.08	331,830.28	217,069.72	60.45
<b>FINES &amp; FORFEITURES</b>						
00-00-4070 MUNICIPAL COURT FINES	202,543.27	245,000.00	21,575.91	224,618.04	20,381.96	91.68
00-00-4076 LIBRARY RECEIPTS	11,305.97	17,000.00	1,296.69	11,280.88	5,719.12	66.36
00-00-4078 JUVENILE CASE MANAGER-M/C	7,099.73	9,000.00	520.84	6,349.25	2,650.75	70.55
00-00-4080 TEEN COURT (MC)	886.90	1,000.00	0.00	0.00	1,000.00	0.00
TOTAL FINES & FORFEITURES	221,835.87	272,000.00	23,393.44	242,248.17	29,751.83	89.06
<b>INTEREST INCOME</b>						
00-00-4400 INTEREST RECEIPTS	14,497.01	30,000.00	6,804.98	30,449.52	( 449.52)	101.50
TOTAL INTEREST INCOME	14,497.01	30,000.00	6,804.98	30,449.52	( 449.52)	101.50



## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
NON-DEPARTMENT						
00-NON-PROGRAM						
TOTAL						
TOTAL						
LEGISLATIVE						
00-NON-PROGRAM						
PERSONNEL COSTS	4,675.32	7,015.00	565.18	4,662.65	2,352.35	66.47
SUPPLIES & MATERIALS	1,028.68	4,530.00	511.26	700.29	3,829.71	15.46
OCCUPANCY	5,041.94	8,000.00	1,202.01	6,182.37	1,817.63	77.28
CONTRACTUAL SERVICES	4,474.36	10,900.00	0.00	457.50	10,442.50	4.20
OTHER CHARGES	( 13,741.02)	26.00	( 359.21)	( 5,383.88)	5,409.88	707.23-
TOTAL 00-NON-PROGRAM	1,479.28	30,471.00	1,919.24	6,618.93	23,852.07	21.72
TOTAL LEGISLATIVE	1,479.28	30,471.00	1,919.24	6,618.93	23,852.07	21.72
ORGANIZATIONAL						
00-NON-PROGRAM						
PERSONNEL COSTS	31,606.80	53,261.28	1,562.28	26,339.16	26,922.12	49.45
SUPPLIES & MATERIALS	14,278.20	17,290.00	2,101.49	9,933.38	7,356.62	57.45
MAINTENANCE & REPAIRS	4,018.71	14,500.00	2,992.18	14,153.04	346.96	97.61
CONTRACTUAL SERVICES	483,638.77	495,075.00	10,219.37	285,085.82	209,989.18	57.58
OTHER CHARGES	289,347.60	518,548.00	213.99	307,463.66	211,084.34	59.29
CONTINGENCY	0.00	11,000.00	0.00	0.00	11,000.00	0.00
CAPITAL OUTLAY	16,317.00	0.00	0.00	( 63.76)	63.76	0.00
TRANSFERS OUT	625,000.00	37,500.00	0.00	37,500.00	0.00	100.00
TOTAL 00-NON-PROGRAM	1,464,207.08	1,147,174.28	17,089.31	680,411.30	466,762.98	59.31
TOTAL ORGANIZATIONAL	1,464,207.08	1,147,174.28	17,089.31	680,411.30	466,762.98	59.31
CITY MANAGER						
00-NON-PROGRAM						
PERSONNEL COSTS	208,322.83	230,895.00	26,239.89	112,812.58	118,082.42	48.86
SUPPLIES & MATERIALS	4,919.65	7,550.00	196.27	4,041.01	3,508.99	53.52
OCCUPANCY	5,191.86	9,400.00	1,253.25	5,868.93	3,531.07	62.44
CONTRACTUAL SERVICES	139.50	94,659.00	2,500.00	117,213.08	( 22,554.08)	123.83
OTHER CHARGES	( 124,560.77)	( 126,667.00)	( 9,556.40)	( 87,003.03)	( 39,663.97)	68.69
TOTAL 00-NON-PROGRAM	94,013.07	215,837.00	20,633.01	152,932.57	62,904.43	70.86
TOTAL CITY MANAGER	94,013.07	215,837.00	20,633.01	152,932.57	62,904.43	70.86

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
CITY SECRETARY						
00-NON-PROGRAM						
PERSONNEL COSTS	59,785.91	99,352.00	7,607.40	62,376.53	36,975.47	62.78
SUPPLIES & MATERIALS	709.43	5,975.00	0.00	4,656.11	1,318.89	77.93
OCCUPANCY	1,562.50	2,190.00	321.09	1,492.23	697.77	68.14
CONTRACTUAL SERVICES	0.00	5,600.00	0.00	1,584.07	4,015.93	28.29
OTHER CHARGES	( 22,735.72)	14,148.00	1,316.14	9,067.57	5,080.43	64.09
TOTAL 00-NON-PROGRAM	39,322.12	127,265.00	9,244.63	79,176.51	48,088.49	62.21
TOTAL CITY SECRETARY	39,322.12	127,265.00	9,244.63	79,176.51	48,088.49	62.21
FINANCE						
00-NON-PROGRAM						
PERSONNEL COSTS	227,128.48	401,106.00	30,349.90	253,969.84	147,136.16	63.32
SUPPLIES & MATERIALS	3,893.40	4,460.00	89.30	1,592.96	2,867.04	35.72
MAINTENANCE & REPAIRS	18,395.59	33,500.00	0.00	23,875.82	9,624.18	71.27
OCCUPANCY	4,201.42	7,550.00	1,130.58	4,649.68	2,900.32	61.59
CONTRACTUAL SERVICES	34,087.61	55,860.00	545.49	36,721.39	19,138.61	65.74
OTHER CHARGES	( 148,016.56)	( 257,501.00)	( 22,224.97)	( 172,349.64)	( 85,151.36)	66.93
TOTAL 00-NON-PROGRAM	139,689.94	244,975.00	9,890.30	148,460.05	96,514.95	60.60
UTILITY CUSTOMER SERVICE						
PERSONNEL COSTS	171,383.69	218,715.00	16,502.05	141,208.91	77,506.09	64.56
SUPPLIES & MATERIALS	13,117.84	23,640.00	2,147.56	15,958.41	7,681.59	67.51
MAINTENANCE & REPAIRS	26,594.79	23,500.00	0.00	21,813.98	1,686.02	92.83
OCCUPANCY	7,836.29	11,165.00	934.00	5,744.49	5,420.51	51.45
CONTRACTUAL SERVICES	250,674.68	431,040.00	35,262.37	281,855.05	149,184.95	65.39
OTHER CHARGES	( 215,194.71)	( 258,888.00)	( 22,020.32)	( 175,474.07)	( 83,413.93)	67.78
TOTAL UTILITY CUSTOMER SERVICE	254,412.58	449,172.00	32,825.66	291,106.77	158,065.23	64.81
TOTAL FINANCE	394,102.52	694,147.00	42,715.96	439,566.82	254,580.18	63.32
HUMAN RESOURCE						
00-NON-PROGRAM						
PERSONNEL COSTS	71,223.35	141,701.00	11,145.76	90,198.91	51,502.09	63.65
SUPPLIES & MATERIALS	952.02	3,175.00	0.00	677.67	2,497.33	21.34
OCCUPANCY	1,912.22	3,445.00	542.99	2,219.93	1,225.07	64.44
CONTRACTUAL SERVICES	17.00	325.00	5.00	35.00	290.00	10.77
OTHER CHARGES	( 10,655.21)	( 17,111.00)	( 2,119.79)	( 13,094.37)	( 4,016.63)	76.53
TOTAL 00-NON-PROGRAM	63,449.38	131,535.00	9,573.96	80,037.14	51,497.86	60.85
TOTAL HUMAN RESOURCE	63,449.38	131,535.00	9,573.96	80,037.14	51,497.86	60.85

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
INFORMATION TECHNOLOGY						
00-NON-PROGRAM						
PERSONNEL COSTS	113,920.26	153,251.00	11,469.37	97,077.31	56,173.69	63.35
SUPPLIES & MATERIALS	11,169.41	11,500.00	371.49	7,623.68	3,876.32	66.29
MAINTENANCE & REPAIRS	95,043.68	122,800.00	5,938.31	85,511.26	37,288.74	69.63
OCCUPANCY	7,999.38	11,152.00	1,742.46	9,427.57	1,724.43	84.54
CONTRACTUAL SERVICES	3,490.00	34,237.00	2,173.08	5,706.64	28,530.36	16.67
OTHER CHARGES	( 74,923.14)	( 105,515.00)	( 8,884.58)	( 69,863.79)	( 35,651.21)	66.21
CAPITAL OUTLAY	24,245.00	0.00	0.00	0.00	0.00	0.00
TOTAL 00-NON-PROGRAM	180,944.59	227,425.00	12,810.13	135,482.67	91,942.33	59.57
TOTAL INFORMATION TECHNOLOGY	180,944.59	227,425.00	12,810.13	135,482.67	91,942.33	59.57
FILMING/BROADCASTING						
00-NON-PROGRAM						
PERSONNEL COSTS	0.00	32,899.00	2,424.49	20,395.67	12,503.33	61.99
SUPPLIES & MATERIALS	0.00	7,400.00	0.00	3,123.70	4,276.30	42.21
MAINTENANCE & REPAIRS	0.00	5,888.00	0.00	5,502.55	385.45	93.45
OCCUPANCY	0.00	3,000.00	66.60	308.49	2,691.51	10.28
CONTRACTUAL SERVICES	0.00	5,000.00	0.00	0.00	5,000.00	0.00
OTHER CHARGES	0.00	3,000.00	0.00	15.00	2,985.00	0.50
TOTAL 00-NON-PROGRAM	0.00	57,187.00	2,491.09	29,345.41	27,841.59	51.31
TOTAL FILMING/BROADCASTING	0.00	57,187.00	2,491.09	29,345.41	27,841.59	51.31
POLICE						
ADMINISTRATION						
PERSONNEL COSTS	316,179.53	514,695.00	38,504.33	329,465.74	185,229.26	64.01
SUPPLIES & MATERIALS	17,416.75	32,670.00	1,880.14	16,790.04	15,879.96	51.39
MAINTENANCE & REPAIRS	21,229.67	40,819.00	2,050.26	18,231.25	22,587.75	44.66
OCCUPANCY	31,636.86	55,980.00	6,824.31	42,678.76	13,301.24	76.24
CONTRACTUAL SERVICES	96,238.71	350,112.00	9,247.98	249,413.43	100,698.57	71.24
OTHER CHARGES	22,883.41	33,858.00	6,321.06	18,223.71	15,634.29	53.82
CAPITAL OUTLAY	1,497.50	449,189.00	104,040.31	331,109.87	118,079.13	73.71
TOTAL ADMINISTRATION	507,082.43	1,477,323.00	168,868.39	1,005,912.80	471,410.20	68.09
CODE ENFORCEMENT						
PERSONNEL COSTS	36,662.80	59,385.00	4,519.10	37,735.86	21,649.14	63.54
SUPPLIES & MATERIALS	1,078.92	5,125.00	576.87	1,497.97	3,627.03	29.23
MAINTENANCE & REPAIRS	921.27	3,002.00	33.42	490.63	2,511.37	16.34
CONTRACTUAL SERVICES	1,589.99	10,370.00	550.00	3,439.99	6,930.01	33.17
OTHER CHARGES	12,012.08	24,150.00	0.00	1,684.95	22,465.05	6.98
TOTAL CODE ENFORCEMENT	52,265.06	102,032.00	5,679.39	44,849.40	57,182.60	43.96

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
EMERGENCY MANAGEMENT						
SUPPLIES & MATERIALS	29.49	1,600.00	0.00	83.52	1,516.48	5.22
MAINTENANCE & REPAIRS	1,631.97	3,950.00	0.00	84.48	3,865.52	2.14
OTHER CHARGES	1,552.84	2,500.00	155.00	725.00	1,775.00	29.00
TOTAL EMERGENCY MANAGEMENT	3,214.30	8,050.00	155.00	893.00	7,157.00	11.09
POLICE-CID						
PERSONNEL COSTS	156,774.43	255,234.00	20,152.71	164,864.41	90,369.59	64.59
SUPPLIES & MATERIALS	1,103.35	3,910.00	92.16	1,131.87	2,778.13	28.95
MAINTENANCE & REPAIRS	242.03	3,918.00	34.50	137.48	3,780.52	3.51
CONTRACTUAL SERVICES	0.00	3,704.00	444.98	444.98	3,259.02	12.01
OTHER CHARGES	4,526.65	5,490.00	82.75	1,503.37	3,986.63	27.38
TOTAL POLICE-CID	162,646.46	272,256.00	20,807.10	168,082.11	104,173.89	61.74
POLICE-PATROL						
PERSONNEL COSTS	876,031.36	1,314,435.00	97,472.34	829,966.29	484,468.71	63.14
SUPPLIES & MATERIALS	66,309.36	92,893.00	3,259.32	60,704.90	32,188.10	65.35
MAINTENANCE & REPAIRS	12,620.29	18,460.00	3,080.48	11,911.61	6,548.39	64.53
CONTRACTUAL SERVICES	3,043.64	12,960.00	814.48	4,998.60	7,961.40	38.57
OTHER CHARGES	3,056.45	12,240.00	977.51	5,768.33	6,471.67	47.13
CAPITAL OUTLAY	168,537.38	0.00	0.00	0.00	0.00	0.00
TOTAL POLICE-PATROL	1,129,598.48	1,450,988.00	105,604.13	913,349.73	537,638.27	62.95
POLICE-CRIME PREVENTION						
PERSONNEL COSTS	0.00	94,018.00	6,498.50	52,777.54	41,240.46	56.14
SUPPLIES & MATERIALS	957.56	4,225.00	81.99	765.29	3,459.71	18.11
MAINTENANCE & REPAIRS	0.00	1,576.00	11.00	57.99	1,518.01	3.68
CONTRACTUAL SERVICES	84.50	1,974.00	0.00	0.00	1,974.00	0.00
OTHER CHARGES	354.00	2,820.00	( 149.94)	233.95	2,586.05	8.30
TOTAL POLICE-CRIME PREVENTION	1,396.06	104,613.00	6,441.55	53,834.77	50,778.23	51.46
TOTAL POLICE	1,856,202.79	3,415,262.00	307,555.56	2,186,921.81	1,228,340.19	64.03
FIRE-VOLUNTEER						
00-NON-PROGRAM						
PERSONNEL COSTS	43,716.13	111,180.00	13,779.40	90,036.46	21,143.54	80.98
SUPPLIES & MATERIALS	27,972.75	96,324.00	6,618.90	67,760.90	28,563.10	70.35
MAINTENANCE & REPAIRS	44,615.54	53,500.00	2,936.09	38,009.23	15,490.77	71.05
OCCUPANCY	29,722.92	39,585.00	3,512.47	25,768.11	13,816.89	65.10
CONTRACTUAL SERVICES	20,603.52	135,457.00	3,740.32	53,123.10	82,333.90	39.22
OTHER CHARGES	12,970.05	26,825.00	( 148.00)	12,360.79	14,464.21	46.08
CAPITAL OUTLAY	0.00	46,000.00	0.00	0.00	46,000.00	0.00
TOTAL 00-NON-PROGRAM	179,600.91	508,871.00	30,439.18	287,058.59	221,812.41	56.41
TOTAL FIRE-VOLUNTEER	179,600.91	508,871.00	30,439.18	287,058.59	221,812.41	56.41

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
MUNICIPAL COURT						
00-NON-PROGRAM						
PERSONNEL COSTS	143,527.95	227,935.00	17,775.75	146,703.17	81,231.83	64.36
SUPPLIES & MATERIALS	6,115.60	30,600.00	774.56	4,547.90	26,052.10	14.86
MAINTENANCE & REPAIRS	8,026.02	8,350.00	0.00	7,897.80	452.20	94.58
OCCUPANCY	5,647.21	9,410.00	1,056.49	5,457.52	3,952.48	58.00
CONTRACTUAL SERVICES	20,872.37	34,400.00	2,752.58	19,436.19	14,963.81	56.50
OTHER CHARGES	3,976.67	6,075.00	86.00	3,759.80	2,315.20	61.89
TOTAL 00-NON-PROGRAM	188,165.82	316,770.00	22,445.38	187,802.38	128,967.62	59.29
TOTAL MUNICIPAL COURT	188,165.82	316,770.00	22,445.38	187,802.38	128,967.62	59.29
PLANNING & DEVELOPMENT						
00-NON-PROGRAM						
PERSONNEL COSTS	319,465.16	533,356.00	32,396.45	317,956.01	215,399.99	59.61
SUPPLIES & MATERIALS	4,926.98	14,100.00	1,357.67	9,249.71	4,850.29	65.60
MAINTENANCE & REPAIRS	1,744.65	26,450.00	3,000.00	9,094.41	17,355.59	34.38
OCCUPANCY	6,207.66	11,200.00	1,908.95	7,480.25	3,719.75	66.79
CONTRACTUAL SERVICES	202,724.39	182,350.00	4,638.90	46,769.55	135,580.45	25.65
OTHER CHARGES	33,412.56	( 3,860.00)	( 1,975.77)	1,639.56	( 5,499.56)	42.48-
CAPITAL OUTLAY	0.00	50,000.00	16,952.40	42,715.11	7,284.89	85.43
TOTAL 00-NON-PROGRAM	568,481.40	813,596.00	58,278.60	434,904.60	378,691.40	53.45
TOTAL PLANNING & DEVELOPMENT	568,481.40	813,596.00	58,278.60	434,904.60	378,691.40	53.45
PUBLIC WORKS						
ADMINISTRATION						
PERSONNEL COSTS	400,846.90	729,309.00	49,846.96	420,429.70	308,879.30	57.65
SUPPLIES & MATERIALS	40,780.85	77,810.00	4,134.50	33,931.85	43,878.15	43.61
MAINTENANCE & REPAIRS	84,455.53	289,004.00	5,791.15	103,141.95	185,862.05	35.69
OCCUPANCY	7,660.30	14,010.00	1,301.19	9,171.37	4,838.63	65.46
CONTRACTUAL SERVICES	40,698.78	75,387.00	4,428.98	34,905.07	40,481.93	46.30
OTHER CHARGES	4,951.53	14,400.00	1,875.43	3,781.61	10,618.39	26.26
CAPITAL OUTLAY	141,091.30	556,800.00	0.00	268,130.14	288,669.86	48.16
TOTAL ADMINISTRATION	720,485.19	1,756,720.00	67,378.21	873,491.69	883,228.31	49.72
RECREATION						
PERSONNEL COSTS	0.00	40,225.00	0.00	0.00	40,225.00	0.00
SUPPLIES & MATERIALS	0.00	2,350.00	0.00	199.63	2,150.37	8.49
MAINTENANCE & REPAIRS	0.00	250.00	0.00	7.79	242.21	3.12
OCCUPANCY	0.00	250.00	0.00	0.00	250.00	0.00
CONTRACTUAL SERVICES	19,750.00	44,980.00	0.00	10,642.50	34,337.50	23.66
OTHER CHARGES	0.00	17,000.00	24.37	9,523.60	7,476.40	56.02
TOTAL RECREATION	19,750.00	105,055.00	24.37	20,373.52	84,681.48	19.39

FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<b>PARKS</b>						
PERSONNEL COSTS	325,670.74	643,538.00	41,962.70	367,489.15	276,048.85	57.10
SUPPLIES & MATERIALS	19,372.65	51,610.00	6,851.15	32,622.57	18,987.43	63.21
MAINTENANCE & REPAIRS	53,878.71	86,430.00	2,950.85	43,517.05	42,912.95	50.35
OCCUPANCY	33,257.42	46,740.00	5,974.25	37,131.89	9,608.11	79.44
CONTRACTUAL SERVICES	11,895.84	15,730.00	651.99	9,685.03	6,044.97	61.57
OTHER CHARGES	7,295.99	8,250.00	2,773.18	8,257.98	( 7.98)	100.10
CAPITAL OUTLAY	116,894.00	69,000.00	39,530.00	62,212.56	6,787.44	90.16
<b>TOTAL PARKS</b>	<b>568,265.35</b>	<b>921,298.00</b>	<b>100,694.12</b>	<b>560,916.23</b>	<b>360,381.77</b>	<b>60.88</b>
<b>BUILDING MAINTENANCE</b>						
PERSONNEL COSTS	88,300.79	185,155.00	14,243.06	116,439.06	68,715.94	62.89
SUPPLIES & MATERIALS	8,643.57	15,700.00	2,396.70	14,181.97	1,518.03	90.33
MAINTENANCE & REPAIRS	551.60	3,500.00	331.96	2,165.18	1,334.82	61.86
OCCUPANCY	219.52	1,550.00	79.65	388.52	1,161.48	25.07
CONTRACTUAL SERVICES	952.16	8,350.00	592.90	4,819.25	3,530.75	57.72
OTHER CHARGES	( 21,571.85)	( 45,607.00)	( 3,825.58)	( 30,604.64)	( 15,002.36)	67.11
<b>TOTAL BUILDING MAINTENANCE</b>	<b>77,095.79</b>	<b>168,648.00</b>	<b>13,818.69</b>	<b>107,389.34</b>	<b>61,258.66</b>	<b>63.68</b>
<b>TOTAL PUBLIC WORKS</b>	<b>1,385,596.33</b>	<b>2,951,721.00</b>	<b>181,915.39</b>	<b>1,562,170.78</b>	<b>1,389,550.22</b>	<b>52.92</b>
<b>LIBRARY</b>						
<b>00-NON-PROGRAM</b>						
PERSONNEL COSTS	343,818.10	555,890.00	39,568.67	351,337.49	204,552.51	63.20
SUPPLIES & MATERIALS	43,702.00	61,012.00	6,770.48	38,834.74	22,177.26	63.65
MAINTENANCE & REPAIRS	8,569.78	15,024.00	1,115.50	8,122.23	6,901.77	54.06
OCCUPANCY	22,196.37	42,482.00	4,123.21	24,790.36	17,691.64	58.35
CONTRACTUAL SERVICES	14,815.20	25,740.00	1,630.00	13,941.70	11,798.30	54.16
OTHER CHARGES	8,461.76	11,987.00	2,204.33	10,347.20	1,639.80	86.32
CAPITAL OUTLAY	0.00	99,811.00	0.00	99,811.00	0.00	100.00
<b>TOTAL 00-NON-PROGRAM</b>	<b>441,563.21</b>	<b>811,946.00</b>	<b>55,412.19</b>	<b>547,184.72</b>	<b>264,761.28</b>	<b>67.39</b>
<b>TOTAL LIBRARY</b>	<b>441,563.21</b>	<b>811,946.00</b>	<b>55,412.19</b>	<b>547,184.72</b>	<b>264,761.28</b>	<b>67.39</b>
<b>BEDC ADMINISTRATION</b>						
<b>00-NON-PROGRAM</b>						
<b>TOTAL</b>	_____	_____	_____	_____	_____	_____
<b>TOTAL</b>	_____	_____	_____	_____	_____	_____
<b>*** TOTAL EXPENSES ***</b>						
	<b>6,857,128.50</b>	<b>11,449,207.28</b>	<b>772,523.63</b>	<b>6,809,614.23</b>	<b>4,639,593.05</b>	<b>59.48</b>
	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	437,361.84	( 1,151,846.28)	( 119,680.86)	1,161,194.45	( 2,313,040.73)	100.81-
<b>*** END OF REPORT ***</b>						

## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 202-WATER/WASTEWATER FUND

REVENUES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<b>CHARGES FOR SERVICES</b>						
TOTAL						
<b>FINES &amp; FORFEITURES</b>						
TOTAL						
<b>WATER REVENUES</b>						
00-00-4101 WATER SALES-RESIDENTIAL	862,554.14	1,362,500.00	164,398.47	976,450.55	386,049.45	71.67
00-00-4102 WATER SALES-COMMERCIAL	823,163.48	1,250,000.00	107,539.40	846,475.14	403,524.86	67.72
00-00-4150 PENALTIES	23,392.32	35,000.00	3,090.09	24,560.77	10,439.23	70.17
00-00-4152 WATER TAPPING FEES	4,400.00	5,000.00	800.00	19,600.00	( 14,600.00)	392.00
00-00-4154 WATER SERVICE FEES	10,550.00	22,000.00	1,522.50	12,935.50	9,064.50	58.80
00-00-4156 OTHER	400.18	0.00	0.00	0.00	0.00	0.00
00-00-4161 SPECIAL PROJECT REIMB	0.00	13,043.00	0.00	13,042.78	0.22	100.00
TOTAL WATER REVENUES	1,724,460.12	2,687,543.00	277,350.46	1,893,064.74	794,478.26	70.44
<b>WASTEWATER REVENUES</b>						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	614,292.08	904,700.00	84,606.50	662,121.60	242,578.40	73.19
00-00-4202 WASTEWATER SALES-COMMERCIAL	499,106.04	745,000.00	69,136.53	516,345.96	228,654.04	69.31
00-00-4210 BY THE WAY CAMPGROUND	8,655.15	22,000.00	8,659.56	13,196.82	8,803.18	59.99
00-00-4215 LCRA/WCID	82,847.90	125,000.00	5,648.54	90,973.97	34,026.03	72.78
00-00-4250 PENALTIES	15,824.57	25,000.00	2,121.89	17,334.46	7,665.54	69.34
00-00-4252 SEWER TAPPING FEES	1,800.00	2,500.00	400.00	22,945.14	( 20,445.14)	917.81
00-00-4256 OTHER	450.00	500.00	0.00	0.00	500.00	0.00
TOTAL WASTEWATER REVENUES	1,222,975.74	1,824,700.00	170,573.02	1,322,917.95	501,782.05	72.50
<b>OTHER REVENUE</b>						
TOTAL						
<b>INTEREST INCOME</b>						
00-00-4400 INTEREST RECEIPTS	11,227.91	22,000.00	5,739.86	32,093.19	( 10,093.19)	145.88
TOTAL INTEREST INCOME	11,227.91	22,000.00	5,739.86	32,093.19	( 10,093.19)	145.88
<b>INTERGOVERNMENTAL</b>						
TOTAL						
<b>MISCELLANEOUS</b>						
00-00-4519 BACKFLOW TESTING COST	6,700.00	5,000.00	0.00	1,200.00	3,800.00	24.00
TOTAL MISCELLANEOUS	6,700.00	5,000.00	0.00	1,200.00	3,800.00	24.00



## FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

## 202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
NON-DEPARTMENT						
00-NON-PROGRAM						
TOTAL						
TOTAL						
WATER/WASTEWATER DEPT.						
ADMINISTRATION						
PERSONNEL COSTS	527,773.43	132,425.00	10,290.74	89,987.92	42,437.08	67.95
SUPPLIES & MATERIALS	29,355.69	24,910.00	1,814.92	11,991.82	12,918.18	48.14
MAINTENANCE & REPAIRS	8,371.59	14,430.00	0.00	1,782.29	12,647.71	12.35
OCCUPANCY	12,319.96	21,000.00	2,716.86	14,462.83	6,537.17	68.87
CONTRACTUAL SERVICES	691,390.02	581,936.00	45,262.83	385,001.58	196,934.42	66.16
OTHER CHARGES	12,774.76	46,810.00	806.17	7,013.60	39,796.40	14.98
CONTINGENCY	0.00	10,000.00	0.00	0.00	10,000.00	0.00
CAPITAL OUTLAY	0.00	0.00	24,953.53	24,953.53	( 24,953.53)	0.00
DEBT SERVICE	973,539.68	1,425,366.00	( 831,462.24)	0.00	1,425,366.00	0.00
TRANSFERS OUT	275,000.00	0.00	981,459.66	981,459.66	( 981,459.66)	0.00
TOTAL ADMINISTRATION	2,530,525.13	2,256,877.00	235,842.47	1,516,653.23	740,223.77	67.20
W/WW DISTRIBUT/COLLECT						
PERSONNEL COSTS	0.00	410,208.00	32,084.25	252,132.17	158,075.83	61.46
SUPPLIES & MATERIALS	21,360.47	29,710.00	1,871.17	41,123.65	( 11,413.65)	138.42
MAINTENANCE & REPAIRS	54,818.74	82,900.00	13,031.90	49,688.53	33,211.47	59.94
CONTRACTUAL SERVICES	3,994.55	44,296.00	2,676.08	23,605.62	20,690.38	53.29
OTHER CHARGES	497.50	4,000.00	215.04	1,891.04	2,108.96	47.28
CAPITAL OUTLAY	0.00	1,028,043.00	38.68	8,773.22	1,019,269.78	0.85
TOTAL W/WW DISTRIBUT/COLLECT	80,671.26	1,599,157.00	49,917.12	377,214.23	1,221,942.77	23.59
WATER PRODUCTION/TREAT						
PERSONNEL COSTS	0.00	257,661.00	20,644.40	151,106.88	106,554.12	58.65
SUPPLIES & MATERIALS	23,067.04	35,000.00	2,752.66	24,350.81	10,649.19	69.57
MAINTENANCE & REPAIRS	183,768.43	356,790.76	36,421.87	109,808.28	246,982.48	30.78
OCCUPANCY	63,565.78	130,000.00	9,797.65	74,835.25	55,164.75	57.57
CONTRACTUAL SERVICES	79,782.59	321,668.70	22,155.80	104,969.27	216,699.43	32.63
OTHER CHARGES	0.00	4,000.00	1,185.00	1,818.69	2,181.31	45.47
CAPITAL OUTLAY	0.00	133,004.00	0.00	0.00	133,004.00	0.00
TOTAL WATER PRODUCTION/TREAT	350,183.84	1,238,124.46	92,957.38	466,889.18	771,235.28	37.71
WW TREATMENT PLANT						
PERSONNEL COSTS	0.00	265,969.00	21,175.48	162,507.88	103,461.12	61.10
SUPPLIES & MATERIALS	18,519.94	33,800.00	4,599.06	19,774.94	14,025.06	58.51
MAINTENANCE & REPAIRS	80,356.80	168,965.00	21,574.11	117,484.96	51,480.04	69.53
OCCUPANCY	98,046.56	167,548.00	12,143.29	106,991.97	60,556.03	63.86
CONTRACTUAL SERVICES	38,973.11	60,520.00	3,306.06	37,928.86	22,591.14	62.67

FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

202-WATER/WASTEWATER FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
OTHER CHARGES	0.00	4,000.00	392.16	1,477.66	2,522.34	36.94
CAPITAL OUTLAY	93,400.00	79,375.00	0.00	1,484.37	77,890.63	1.87
TOTAL WW TREATMENT PLANT	329,296.41	780,177.00	63,190.16	447,650.64	332,526.36	57.38
TOTAL WATER/WASTEWATER DEPT.	3,290,676.64	5,874,335.46	441,907.13	2,808,407.28	3,065,928.18	47.81
*** TOTAL EXPENSES ***	3,290,676.64	5,874,335.46	441,907.13	2,808,407.28	3,065,928.18	47.81
REVENUES OVER/(UNDER) EXPENDITURES	( 41,160.88)	( 1,335,092.46)	11,756.21	440,868.60	( 1,775,961.06)	33.02-

\*\*\* END OF REPORT \*\*\*



FINANCIAL STATEMENT

AS OF: MAY 31ST, 2017

501-HOTEL/MOTEL TAX FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
NON-DEPARTMENT						
00-NON-PROGRAM						
TOTAL						
TOTAL						
HOTEL/MOTEL TAX FUND						
00-NON-PROGRAM						
CONTRACTUAL SERVICES	744,422.15	475,823.00	167,624.28	572,002.88	( 96,179.88)	120.21
OTHER CHARGES	8,168.45	430,000.00	25,185.20	211,942.01	218,057.99	49.29
TRANSFERS OUT	1,001,542.00	868,919.00	72,409.91	579,279.29	289,639.71	66.67
TOTAL 00-NON-PROGRAM	1,754,132.60	1,774,742.00	265,219.39	1,363,224.18	411,517.82	76.81
TOTAL HOTEL/MOTEL TAX FUND	1,754,132.60	1,774,742.00	265,219.39	1,363,224.18	411,517.82	76.81
*** TOTAL EXPENSES ***	1,754,132.60	1,774,742.00	265,219.39	1,363,224.18	411,517.82	76.81
REVENUES OVER/(UNDER) EXPENDITURES	( 77,961.00)	1,107,258.00	( 8,380.36)	353,296.29	753,961.71	31.91

\*\*\* END OF REPORT \*\*\*



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 9

**TITLE:**

## **CITIZEN COMMENTS**

*At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Citizens' Comment portion of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.*

*To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the consideration of that item.*

*It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.*



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 10A

**TITLE:**

Consider action to approve minutes from the June 13, 2017, regular Council Meeting.

**STAFF REPRESENTATIVE:**

Lynda Humble, City Manager  
Ann Franklin, City Secretary

**BACKGROUND/HISTORY:**

N/A

**POLICY EXPLANATION:**

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
  1. State the subject of each deliberation; and
  2. Indicate the vote, order, decision, or other action taken.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve minutes from the June 13, 2017, Regular Council Meeting.

**ATTACHMENTS:**

- June 13, 2017 DRAFT Regular Council Meeting Minutes

**MINUTES OF REGULAR COUNCIL MEETING  
BASTROP CITY COUNCIL  
June 13, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, June 13, 2017 at 5:00 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Schiff and Council Members Ennis and Jones. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin, City Attorney David Bragg and Judge Duggan.

**CALL TO ORDER**

At 5:08 p.m. Mayor Schroeder called the meeting to order with a quorum being present. Council Members McAnally and Peterson were absent.

At 5:09 p.m. Mayor Schroeder recessed the regular council meeting and convened into the work session.

- 2A. Discuss Ethics Ordinance and receive input from citizens.  
**Presentation was made by City Manager Lynda Humble and City Attorney David Bragg.**

**Work session to continue the discussion of the Ethics ordinance will be held on  
July 11, 2017 at 5:00 p.m.**

At 6:30 p.m. Mayor Schroeder recessed the work session.

At 6:35 p.m. Mayor Schroeder reconvened the regular meeting.

**PLEDGE OF ALLEGIANCE**

Ryan St. Clair, President and Bailey Torcoletti, Secretary, Bastrop High School Bear Stage Theatre Company led the Pledge of Allegiance.

**TEXAS PLEDGE OF ALLEGIANCE**

*Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

**INVOCATION**

Pastor Johnnie Bond, Bastrop Church of Christ gave the Invocation.

**PRESENTATIONS**

- 5A. Presentation of Joint Proclamation between Bastrop County and the City of Bastrop recognizing and celebrating the 30<sup>th</sup> Juneteenth Anniversary on June 17, 2017.
- 5B. Presentation of Residency Requirements for All Boards & Commissions.  
**Presentation was given by City Manager Lynda Humble.**
- 5C. Mayor's Report
- **June 10, 2017, participated in the Yarn Bomb Installation.**
  - **Joined the Summer Reading Program.**
  - **Bottled water and Gatorade is being solicited by Chief Wobus for the "Bottled Water Drive" put on by the Fire Department.**

- The Chamber of Commerce is looking for volunteers for the Patriotic Festival.
- Friday, June 23, 2017 6:30 p.m. – 8:30 p.m., Fridays in Motion, for children with autism and their families, put on by the YMCA.
- Movies in the Park.
- June 24, 2017, Bastrop County Gospel Extravaganza.
- June 25, 2017, Gospel Music Fest at the Macedonia First Baptist Church.

5D. Councilmembers' Report  
**Council Member Ennis**

- On Thursday, June 8, 2017, the Mayor and Council Member Ennis attended an extensive training session put on by the Capitol Area Council of Government.
- In the last week - Attended Chamber luncheon, meeting of the Library Board, DBA meeting and Main Street Design Committee.
- Commend Chief Wobus and Curtis Ervin and their staff on the quick response to the electrical outage on Pecan Street.
- Spring Street work – Neighbors have commented on how well the work is being undertaken and how little affect it is having on the neighbors. Compliments were given to Public Works Director Trey Job.

**Mayor Pro Tem Schiff**

- Runoff Election on Saturday, June 17, 2017.

**Council Member Jones**

- Visited the Bastrop Museum and viewed a documentary that was prepared by students of the Bastrop High School discussing the process of integration.

5E. City Manager's Report  
**NOTHING TO REPORT**

**6. STAFF AND BOARD REPORTS**

- 6A. Receive report from Bastrop Economic Development Corporation.  
**Report was given by Bastrop Economic Development Corporation Director Shawn Kirkpatrick.**
- 6B. Hear presentation from Visit Bastrop Interim Director, Dale Lockett.  
**The presentation was made by Visit Bastrop Interim Director Dale Lockett. The following members of the Visit Bastrop Board were announced by Mr. Lockett.**

Anne Smarzik, Chairperson  
Cindy Wolford Ginsel, Board Member  
Naseem Khonsari, Board Member  
Robert Jones, Board Member  
Kevin Lee Plunkett, Board Member  
Brenda Abbott, Board Member  
Shawn Anther-Pletsch  
Jamie Creacy

David Jacobs, Board Member  
Hiren Patel, Secretary  
Tom Scott, Board Member  
Rick Bracket, Treasurer  
Clint Howard, Board Member  
Dale Lockett, Ex Officio

## 7. CITIZEN COMMENTS

**Pamela Aldridge** – Invited everyone to come out to the Bastrop Juneteenth celebration on Friday, June 16, 2017 and Saturday, June 17, 2017.

## CONSENT AGENDA

**A motion was made by Mayor Pro Tem Schiff to approve items 8A, 8B, and 8C listed on the consent agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Ennis, motion was approved on a 3-0 vote. Council Members McAnally and Peterson were absent.**

- 8A. Consider action to approve minutes from the May 23, 2017 Regular Council Meeting.
- 8B. Consider action to approve Resolution R-2017-35 of the City Council of the City of Bastrop, Texas approving a Final Plat for Pecan Park 3A, being 12.181 acres within the Mozea Rousseau Survey A-56, located west of the Childers Drive extension, and south of the 100' wide LCRA easement, within the city limits of Bastrop, Texas; and providing an effective date.
- 8C. Consider action to approve Resolution R-2017-36 of the City Council of the City of Bastrop, Texas approving a Final Plat for Pecan Park 6A, being 10.913 acres within the Mozea Rousseau Survey A-56, located west of the Childers Drive extension, and south of the 100' wide LCRA easement, within the city limits of Bastrop, Texas; and providing an effective date.

## ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Hold public hearing and consider action to approve the first reading of Ordinance No. 2017-17 granting a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street, setting out conditions; establishing an effective date and move to include on the June 27, 2017, agenda for a second reading.

**Presentation was made by Planning and Engineering Director Wesley Brandon.**

**The public hearing was closed.**

**A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance No. 2017-17, seconded by Council Member Jones, motion was approved on a 3-0 vote. Council Members McAnally and Peterson were absent.**

- 9B. Consider action to approve the first reading of Ordinance No. 2017-15 amending the code of ordinances by amending Article 4.03 (taxicabs, shuttles and touring vehicles) providing the requirements of operating a taxicab, shuttles and touring vehicles and designating the city manager or his or her designee to enforce all requirements; approving a repealing

clause; establishing an effective date and move to include on the June 27, 2017, agenda for a second reading.

**Presentation was made by Public Safety Director/Chief of Police Steve Adcock.**

**A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance No. 2017-15, seconded by Council Member Ennis, motion failed on a 2-1 vote. Council Member Jones voted nay. Council Members McAnally and Peterson were absent.**

**10. EXECUTIVE SESSION - NONE**

**11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.  
Not Applicable.**

**12. ADJOURNMENT**

**Mayor Pro Tem Schiff made the motion to adjourn the meeting at 7:50 p.m., seconded by Council Member Ennis. The motion was approved on a 3-0 vote. Council Members McAnally and Peterson were absent.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor Connie B. Schroeder

\_\_\_\_\_  
City Secretary Ann Franklin



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 10B

**TITLE:**

Consider action to approve the second reading of Ordinance No. 2017-17 granting a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street, setting out conditions; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Wesley Brandon, P.E., Director of Planning and Engineering

**BACKGROUND/HISTORY:**

On April 27, 2017, the property owner moved a pre-owned 1998 model manufactured home onto the lot at 1103 Cedar Street. The previous structure was a 1974 model mobile home that had been occupied on the lot since 1975. According to the property owner in the week prior, a large branch from a nearby tree fell on the structure irreparably damaging the house. The owner purchased the manufactured home and through a misunderstanding, believed that the seller and mover had secured the necessary permits.

After being informed that they were in violation of city codes, the property owner immediately made application for the Conditional Use Permit (CUP) to start securing the necessary city approvals. Staff allowed the manufactured home to remain on the lot **unoccupied** while undergoing the permit process, provided that the structure was properly secured. Work began on the exterior to improve its compatibility with the neighborhood. The applicant is living elsewhere until a decision is made on the CUP.

**PUBLIC COMMENTS:**

Twelve adjacent property owner notifications were mailed on May 10, 2017. At the time of this report, six (6) responses were received; three (3) were in favor, two (2) were opposed and one (1) had no objection. No verbal comments were made during the P&Z public hearing. (Attachment 3)

**POLICY EXPLANATION:**

A Conditional Use Permit is adopted by Ordinance, similar to the process that a zoning request, with public hearings at Planning & Zoning Commission and City Council and two ordinance readings at separate City Council meetings.

Within the Form-based Code, there are specific criteria that must be met for manufactured homes. Staff included some additional conditions for this case. These criteria and conditions are detailed in the attached Planning & Zoning Commission staff report.

The Planning & Zoning Commission held a public hearing and recommended approval of the CUP at their May 25, 2017 meeting by a vote of 8-0, with the following conditions.

- a. Construction shall be in conformance with the City of Bastrop regulations.

- b. All necessary permits for the proposed development shall be acquired prior to occupying the building.
- c. A Building Permit shall be applied for and secured within fourteen (14) days from the date the Conditional Use Permit is granted (second reading of the ordinance). **(Note: The Zoning Ordinance states that a permit shall be secured within one year, but due to the current existence of the home, Staff recommends shortening this timeframe).** A building permit is issued in order to document and inspect the work required to install the home, connect utilities, and make any other improvements to the property.
- d. The accessory structures and other debris in the backyard must be cleaned up and brought into compliance with the Property Maintenance Code within three months from the date the Conditional Use Permit is granted.
- e. The roof of the home must be structurally sound and not present any health and safety issues.
- f. The skirting must be cleaned and reattached to the front and sides of the structure within six months from the date the Conditional Use Permit is granted.
- g. A covered front porch with a minimum area of 100 square feet must be added to front of the house. All other exterior exits/entryways need stairs and landing that meet the building code requirements. These conditions must be met prior to the home being occupied.
- h. Existing street facing fence must be removed within six months from the date the Conditional Use Permit is granted. If a new fence is installed, it must meet all current code requirements and be constructed after applying for and receiving a fence permit.
- i. The covered parking and landscaping requirements in Section 35.4 of the Zoning Ordinance must be installed within six months from the date the Conditional Use Permit is granted.

The City Council approved the CUP on first reading with no changes to the conditions at the June 13, 2017 meeting by a vote of 3-0.

**RECOMMENDATION:**

Consider action to approve the second reading of Ordinance No. 2017-17 granting a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street, setting out conditions; and establishing an effective date.

**ATTACHMENTS:**

- Ordinance with Exhibits
- Planning & Zoning Commission Staff Report
- Attachment 1: Location Map
- Attachment 2: Letter from Applicant
- Attachment 3: Surrounding Property Owners' Responses
- Attachment 4: Site Plan and Before/After Picture of Property
- Attachment 5: Photographs of Nearby Properties

**ORDINANCE 2017- 17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A CONDITIONAL USE PERMIT TO ALLOW A MANUFACTURED HOME, ON 0.289 ACRES OF BUILDING BLOCK 20, EAST OF MAIN STREET, LOCATED AT 1103 CEDAR STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Helen Juarez (hereinafter referred to as “Applicant”) submitted a request for a Conditional Use Permit (CUP) to allow manufactured home for 0.289 within a portion of Building Block 20, East of Main Street, within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

**WHEREAS**, a location map is attached hereto as Exhibit “A” (the “Property”); and

**WHEREAS**, the Property is currently zoned as Form-based Code Character Zone, N, Neighborhood; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the CUP request on May 25, 2017; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission has recommended **approval** of the proposed request, subject to certain conditions set forth herein; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the Conditional Use Permit on June 13, 2017 to consider the Applicant’s request to install a manufactured house; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to approve the CUP.

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

**Section 1:** The Property, situated in 0.289 acres within a portion of Building Block 20, East of Main Street located at 1103 Cedar Street, within the city limits of Bastrop, Texas as more particularly shown and described on attachments Exhibit “A”, shall be and is hereby approved with the following conditions to:

- a. Construction shall be in conformance with the City of Bastrop regulations.
- b. All necessary permits for the proposed development shall be acquired prior to occupying the building.
- c. A Building Permit shall be applied for and secured within fourteen (14) days from the date the Conditional Use Permit is granted (second reading of the ordinance). **(Note: The Zoning Ordinance states that a permit shall be secured within one year, but due to the current existence of the home, Staff recommends shortening this timeframe)**. A building permit is issued in order to document and inspect the work required to install the home, connect utilities, and make any other improvements to the property.
- d. The accessory structures and other debris in the backyard must be cleaned up and brought into compliance with the Property Maintenance Code within three months from the date the Conditional Use Permit is granted.
- e. The roof of the home must be structurally sound and not present any health and safety issues.
- f. The skirting must be cleaned and reattached to the front and sides of the structure within six months from the date the Conditional Use Permit is granted.
- g. A covered front porch with a minimum area of 100 square feet must be added to front of the house. All other exterior exits/entryways need stairs and landing that meet the building code requirements. These conditions must be met prior to the home being occupied.
- h. Existing street facing fence must be removed within six months from the date the Conditional Use Permit is granted. If a new fence is installed, it must meet all current code requirements and be constructed after applying for and receiving a fence permit.
- i. The covered parking and landscaping requirements in Section 35.4 of the Zoning Ordinance must be installed within six months from the date the Conditional Use Permit is granted.

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

**Section 3:** 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.

**Section 4:** This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in

accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and ACKNOWLEDGED on First Reading on the 13<sup>th</sup> day of June 2017.

READ and APPROVED on the Second Reading on the 27<sup>th</sup> day of June 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

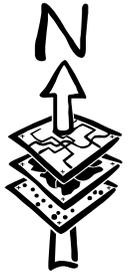
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney



# Property Location Map for 1103 Cedar Street



## Legend

 1103 Cedar Street

# PLANNING & ZONING STAFF REPORT



**MEETING DATE:** May 25, 2017

**TITLE:**

Public hearing and consider action to recommend approval of a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street.

**STAFF REPRESENTATIVE:**

Wesley Brandon, P.E., Director of Planning and Engineering

**ITEM DETAILS:**

Site Address: 1103 Cedar Street (Attachment 1)  
Total Acreage: 0.289 acres  
Legal Description: A portion of Building Block 20, East of Main Street, 0.289 acres

Property Owner: Helen Juarez  
Agent Contact: Florence Juarez

Existing Use: Single-Family Residential  
Existing Zoning: N, Neighborhood (Form-Based Code)  
Future Land Use: Downtown Bastrop

**BACKGROUND/HISTORY:**

On April 27, 2017, the property owner moved a pre-owned 1998 model manufactured home onto the lot at 1103 Cedar Street. The previous structure was a 1974 model mobile home that had been occupied on the lot since 1975.



*Previous Mobile Home*

According to the property owner, in the week prior, a large branch from a nearby tree fell on the structure, irreparably damaging the house. The owner purchased the manufactured home and

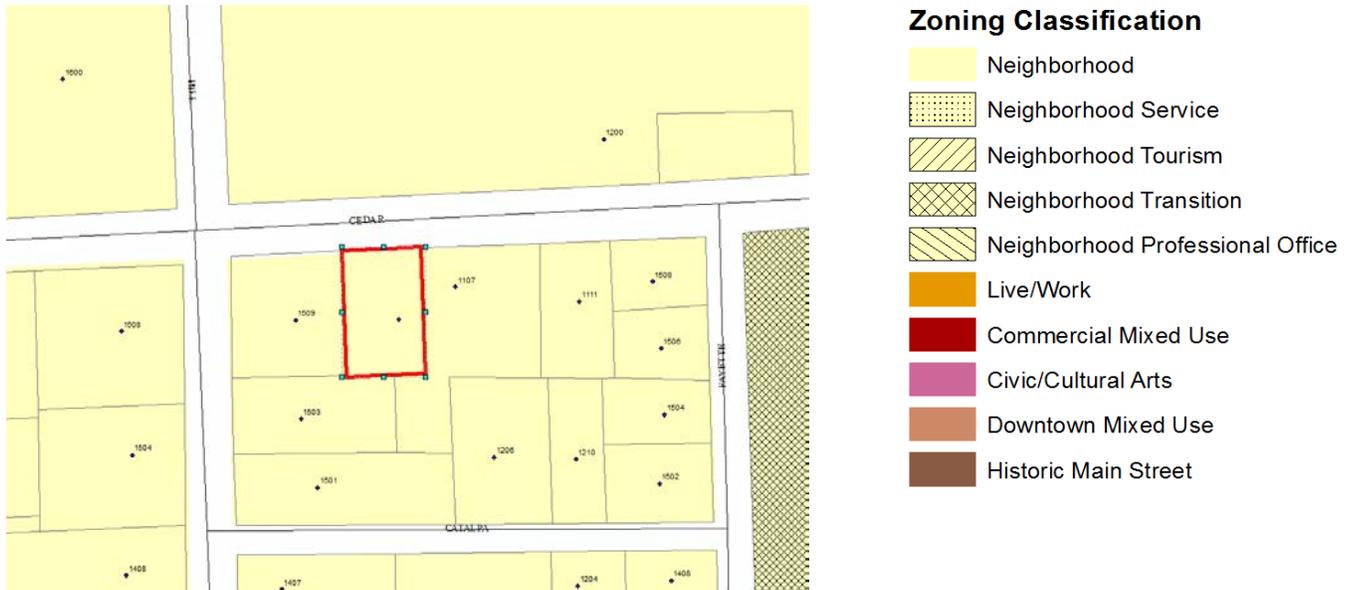
through a misunderstanding, believed that the seller and mover had secured the necessary permits.



*Current Manufactured Home*

After being informed that they were in violation of city codes, the property owner immediately made application for the Conditional Use Permit (CUP) to start securing the necessary city approvals. Staff allowed the manufactured home to remain on the lot **unoccupied** while undergoing the permit process, provided that the structure was properly secured. Work began on the exterior to improve its compatibility with the neighborhood. The applicant is living elsewhere until a decision is made on the CUP.

The lot is zoned N, Neighborhood and is in the Form-Based Code Regulating Plan Area.



*Zoning Map*

Per Section 3.5 (c) of the Form-Based Code, structures that are destroyed by an “Act of God” are allowed to be replaced, provided that the new structure is the same size and shape. The previous structure was approximately 56 feet by 14 feet (784 s.f.), according to the Bastrop Central Appraisal District records. The current structure is 56 feet by 28 feet (1,568 s.f.). The structure is 100% larger than the previous structure, which exceeds the requirements of this section. Moving new manufactured homes into the Neighborhood District is permitted with a CUP.

**PUBLIC COMMENTS:**

Twelve adjacent property owner notifications were mailed on May 10, 2017. At the time of this report, five (5) responses were received; two (2) were in favor, two (2) were opposed and one (1) had no objection. (Attachment 3)

**POLICY EXPLANATION:**

The purpose of conditional uses is to allow certain uses in districts that under most circumstances would not be compatible with other permitted uses, but may be compatible if certain conditions and development restrictions are met. A Conditional Use Permit (CUP) is adopted by Ordinance, similar to a standard zoning request, with public hearings at Planning & Zoning Commission and City Council meetings, as well as two ordinance readings at separate City Council meetings.

Section 5.2 of the Form-Based Code states that the Planning and Zoning Commission may consider the following criteria when approving a CUP:

- i. The use is harmonious and compatible with surrounding existing uses or proposed uses;*

This lot is on the edge of a residential area. The area to the north is zoned N, Neighborhood, but is the site of the Bastrop High School athletic facility. In the surrounding residential area, there is a mix of single-family housing types. Within the neighborhood, the homes vary greatly in size, shape and age (see Attachment 5). Additionally, while many homes are well maintained, there are some structures that need significant repairs.

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

The manufactured home is a single-family structure, which is the primary use of the Neighborhood District. The purpose of the CUP is to ensure that the structure is compatible within the area.

- iii. The nature of the use is reasonable;*

The requested use will remain residential in nature and will not increase the intensity of use on the property.

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

Staff is recommending a series of conditions, that once met, will mitigate negative impacts on the surrounding area. These conditions will ensure that the current structure is an improvement in appearance and compatibility within the neighborhood, greater than the previous structure provided.

- v. Any additional conditions specified [to] ensure that the intent of the district purposes are being upheld.*

Staff suggests the following conditions for approval of the CUP:

- The accessory structures and other debris in the backyard must be cleaned up and brought into compliance with the Property Maintenance Code, prior to the home being occupied.
- The roof of the home must be cleaned and repaired to improve its appearance and comply with the City's Building Code.
- New skirting must be added to the front and sides of the structure to improve curb appeal, prior to the home being occupied.
- A covered front porch with a minimum area of 100 square feet must be added to front of the house, which meets the requirements of Section 7.3 (b) of the Form-Based Code for Residential Façades.
- The existing street facing fence must be removed. If a new fence is installed, it must meet all current code requirements, and be constructed after applying for and receiving a fence permit.

Section 35.4 of the Zoning Ordinance, entitled Special and Supplemental Requirements, states that all manufactured homes approved through a Manufactured Home Overlay or Conditional Use Permit, must satisfy the following requirements:

- A. All dwelling units shall be HUD-code manufactured home units. *(Current home is compliant)*
- B. Anchorage of Manufactured Homes: To insure against natural hazards such as tornadoes, high winds, and electrical storms, anchorage at each manufactured home shall be provided, at the time of installation, according to the Building Code. *(Current home is compliant)*
- C. Skirting *(Current home is compliant; however, Staff is recommending replacement of the existing skirting)*:
  1. All manufactured home units, not attached to a permanent foundation, shall provide weather resistant skirting, at the time of installation, from the top of the unit's frame to grade. Skirting shall totally enclose and secure from view the unit's axles and all required anchors, footings, and piers.
  2. All required skirting shall be of a texture and color similar to the materials used in the construction of the manufactured home unit.
- D. Two (2) off-street parking spaces must be provided. One must be covered (carport/garage) and must meet the setback requirements. A building permit must be submitted for this carport or garage within two (2) months from the date the manufactured home was installed. The carport or garage must be built within six (6) months from the date the manufactured home was installed. ***(The current home was installed on April 27, 2017. Therefore, a building permit for the garage/carport must be submitted by June 27, 2017. If the CUP is approved, construction must be completed by October 27, 2017.)***
- E. The main roof shall be pitched, rather than flat. *(Current home is compliant)*
- F. The manufactured home must be sited with its longest dimension parallel to the street. *(Current home is compliant)*
- G. The exterior finish cannot have a high-gloss finish. The exterior walls shall look like wood or masonry, regardless of the actual composition. *(Current home is compliant)*
- H. The hitch must be removed. *(Current home is compliant)*

- I. The lot must be landscaped so that it is equivalent to the average amount of landscaping that exists on the adjoining lots. At a minimum, two (2) trees of the large variety and two (2) shrubs must be provided. Furthermore, the entire lot must be sodded with grass. ***(Current home is not compliant with this requirement)***
- J. The manufactured home must have a minimum floor area of one thousand (1000) square feet. *(Current home is compliant)*
- K. A manufactured home, that is not being placed within a Manufactured Home Park or subdivision, must have a minimum width of at least twenty-eight feet (28'). *(Current home is compliant, unlike the previous home)*
- L. A manufactured home that is not being placed within a manufactured home park or subdivision shall have a gabled entry or other such break in the facade or roof line. *(Current home is compliant, unlike the previous home)*

In addition to criteria described above, Section 5.2(c) of the City's Form-Based Code states:

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

**HISTORICAL REFERENCES:**

To date, no Conditional Use Permits (CUPs) have been approved for manufactured homes located within the Form-Based Code area since the Code's adoption in 2015. However, two CUPs have been approved for manufactured homes in the last two years within other areas of the City, both with an SF-7 zoning classification. One home was located at 202 MLK Drive, and the owner was authorized to install a new manufactured home on the property with the following conditions:

- 1. Construction and permits submitted shall be in conformance with the City of Bastrop regulations and shall meet the special requirements of Section 35.4, including concrete/asphalt parking/driveway.
- 2. All necessary permits for the proposed development shall be acquired prior to construction/movement of the manufactured home on the subject property.
- 3. A Building Permit shall be applied for and secured within one (1) year from the date the conditional use permit is granted (second reading of the ordinance). A building permit is issued in order to document and inspect the work required to install the home, connect utilities, and make any other improvements to the property.

Another CUP was approved for a pre-owned 2006 model manufactured home located at 1006 Mesquite Street. The approval conditions were identical to the CUP conditions for 202 MLK Drive.

**In each of these previous CUP cases, the homes had not been moved and installed on their respective properties prior to receiving approval of the CUP.** Therefore, several of the suggested timeframes and approval conditions may be different for this current CUP request. For example, the property owner is typically given one year to secure a building permit, but because the home is already located on the property, the permitting timeline must be expedited.

**RECOMMENDATION:**

Hold public hearing and recommend approval of a Conditional Use Permit with the following conditions (in addition to the requirements of Zoning Ordinance Section 35.4), to allow a manufactured home at 1103 Cedar Street, being 0.289 acres of Building Block 20, East of Main Street and forward to the next available City Council meeting.

1. Construction shall be in conformance with the City of Bastrop regulations.
2. All necessary permits for the proposed development shall be acquired prior to occupying the building.
3. A Building Permit shall be applied for and secured within fourteen (14) days from the date the Conditional Use Permit is granted (second reading of the ordinance). **(Note: The Zoning Ordinance states that a permit shall be secured within one year, but due to the current existence of the home, Staff recommends shortening this timeframe).** A building permit is issued in order to document and inspect the work required to install the home, connect utilities, and make any other improvements to the property.
4. The accessory structures and other debris in the backyard must be cleaned up and brought into compliance with the Property Maintenance Code, prior to the home being occupied.
5. The roof of the home must be cleaned and repaired to improve its appearance and comply with the City's Building Code.
6. New skirting must be added to the front and sides of the structure to improve curb appeal, prior to the home being occupied.
7. A covered front porch with a minimum area of 100 square feet must be added to front of the house, which meets the requirements of Section 7.3 (b) of the Form-Based Code for Residential Façades.
8. The existing street facing fence must be removed. If a new fence is installed, it must meet all current code and permit requirements.

**ATTACHMENTS:**

Attachment 1: Location Map

Attachment 2: Letter from Applicant

Attachment 3: Surrounding Property Owners' Responses

Attachment 4: Site Plan and Before/After Picture of Property

Attachment 5: Photographs of Nearby Properties



# Property Location Map for 1103 Cedar Street



## Legend

 1103 Cedar Street



**FASEB**

Federation of American Societies  
for Experimental Biology

Science Research Conferences

Planning and zoning commission,  
I Helen Juarez have been in the  
community of Bastrop. I reside on 1103  
cedar st. Bastrop TX 78602 with my 10 yr  
old granddaughter which ive been raising  
alone with no support from either parent.  
Working at Wal mart for 17 years trying to  
make ends meet. My ~~trailer~~ house is a  
older model 1974 two bedroom 2 bathe  
kitchen. Matince has been very hard to  
afford. Ive become homeless due to the  
act of God a large branch of a pecan  
tree fell onto the roof of the center  
of trailer home which could not be  
repaired due to the fact i had no insurance  
on such a late model. I used what i had  
to pay for movers in which issured me  
of permits and all requirements needed.  
My daughter Florencia Juarez Lamb and her  
husband have taken me in for such a  
time and have financed the needed terms  
and requirements to please allowe me  
to have my trailer my permenant residence.

FASEB Science Research Conferences  
9650 Rockville Pike ♦ Bethesda, MD 20814  
<http://www.faseb.org/src>

Thank You,  
Helen Juarez

X

PROPERTY OWNER'S RESPONSE

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

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

RECEIVED

MAY 18 2017

Property Owner Name: Carol Kuzmick  
 Property Address: 1508 Hill St  
 Phone (optional): \_\_\_\_\_  
 Mailing Address: 20209 Grand Banks, Pflugerville, TX 78660  
 Email (optional): \_\_\_\_\_  
 Property Owner's Signature: Carol Kuzmick

By [Signature]

Comments: (Optional) you just raised my home value by 1.8% and now you want to lower the value by adding a manufactured home. I would only agree if my home value is lowered, not increased (by the appraisal district)

Please provide reply to: Planning and Development Department  
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
 or via fax (512) 332-8829

Re: Conditional Use Permit for a manufactured home at 1103 Cedar Street, notices mailed May 10, 2017

X

PROPERTY OWNER'S RESPONSE

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

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: MARY HERRICK  
 Property Address: 1504 Hill St 78602  
 Phone (optional): \_\_\_\_\_  
 Mailing Address: Same  
 Email (optional): mary.w.herrick@gmail.com  
 Property Owner's Signature: Mary Herrick  
 Comments: (Optional)

RECEIVED

MAY 18 2017

By [Signature]

I am opposed to putting anyone on the street - especially in a situation as this which was through no fault of her own!

Please provide reply to: Planning and Development Department  
 City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
 or via fax (512) 332-8829

which was through no fault of her own!

Re: Conditional Use Permit for a manufactured home at 1103 Cedar Street, notices mailed May 10, 2017

**NOTICE OF PUBLIC HEARINGS  
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

Dear Property Owner:

The **Bastrop Planning and Zoning Commission** will conduct a public hearing on **Thursday, May 25, 2017 at 6:00 p.m.** and the **Bastrop City Council** will conduct a public hearing in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** to consider a request for a Conditional Use Permit to allow a manufactured home at 1103 Cedar Street. The property consists of 0.289 acres, being a portion of Building Block 20, East of Main Street, an area zoned N, Neighborhood, within the city limits of Bastrop, Texas.

Owner/Application: Helen Juarez

Address: 1103 Cedar Street

Legal Description: 0.289 acres, being a portion of Building Block 20, East of Main Street

**PLEASE SEE ATTACHED SITE LOCATION MAP & LETTER FROM PROPERTY OWNER**

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

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

✂  
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✂  
**PROPERTY OWNER'S RESPONSE**

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

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

RECEIVED

MAY 18 2017

Property Owner Name: Leola Caldwell Carman By [Signature]  
Property Address: 1107 Cedar St.  
Phone (optional): 512 321 2671  
Mailing Address: SAME  
Email (optional): \_\_\_\_\_  
Property Owner's Signature: Leola Carman  
Comments: (Optional)

It is a hundred times better than the old trailer that was there. It looks like a very nice house

Please provide reply to: Planning and Development Department  
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
or via fax (512) 332-8829

City of Bastrop Planning Dept.  
May 15 2017

Dear sirs. I am writing this note in regards to Mrs Helen Juarez's request for a permit to install a modular home on her lot on cedar street in Bastrop. Mrs Juarez has been my neighbor for many years. Her old trailer was in terrible condition and was seriously damaged in a wind storm recently. She has worked hard for years and helped support her grand kids and never asked for any thing from the government or the city. Working at walmart and helping her kids trying to get along does not create a hugh wealth acummlation and this Modular home is sure a hugh step forward from where she was with the old trailer and it is a very good looking house. I highly recommend that you approve this application.

  
Charles Carman  
1107 Cedar St.  
Bastrop, Tx 78602

RECEIVED

MAY 18 2017

By \_\_\_\_\_  


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

✂  
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✂  
**PROPERTY OWNER'S RESPONSE**

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

- I am in favor of the request.  
 I am opposed to the request. (ARE THEY ALLOWED TO MOVE ANOTHER ONE IN BEFORE THEY GET APPROVAL/PERMISSION?)  
 I have no objection to the request.

Property Owner Name: KRISTINE NGUYEN  
Property Address: 1509 HILL ST  
Phone (optional): \_\_\_\_\_  
Mailing Address: 1509 HILL ST  
Email (optional): \_\_\_\_\_  
Property Owner's Signature: Kristine Nguyen  
Comments: (Optional)

(APRIL 27<sup>th</sup>, 2017)  
TRAILER ADDRESS

THEY ALREADY MOVED ANOTHER TRAILER THERE. THEY DO NOT UPKEEP THE PROPERTY (IN THE BACK) I HAVE NOT SEEN THE TREE BRANCH THEY CLAIM. THE TRAILER

RECEIVED  
Please provide reply to:

Planning and Development Department  
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
or via fax (512) 332-8829

HAS BEEN FALLING APART FOR SOME TIME.

MAY 18 2017

By [Signature]

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

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✂  
**PROPERTY OWNER'S RESPONSE**

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

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

RECEIVED

MAY 16 2017

By           *JC*          

Property Owner Name: Jimmy & Linda Mathison

Property Address: 1103 Cedar St

Phone (optional): 512 301 3458

Mailing Address: PO Box 1202 Bastrop

Email (optional): \_\_\_\_\_

Property Owner's Signature: Jimmy Mathison

Comments: (Optional)

Let this lady replace her home

She always keeps her place very clean.

Please provide reply to: Planning and Development Department  
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
or via fax (512) 332-8829

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

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✂  
**PROPERTY OWNER'S RESPONSE**

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

- I am in favor of the request.  
 I am opposed to the request.  
 I have no objection to the request.

Property Owner Name: Jennifer E. bhw Dutton

Property Address: 1503 H. II

Phone (optional): \_\_\_\_\_

Mailing Address: 11

Email (optional): \_\_\_\_\_

Property Owner's Signature: [Signature]

Comments: (Optional)

Without question, let her live how she needs to.

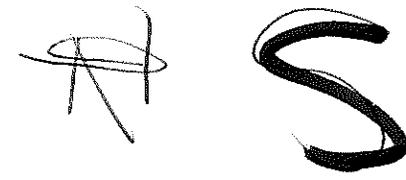
Please provide reply to:

Planning and Development Department  
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602  
or via fax (512) 332-8829

6:04 pm

rec'd 5/25/17 @ the meeting

# FARM LOT 20, E.M.S.



EAST 90'

NW CORNER  
L.D. PREWITT, et ux  
111/183



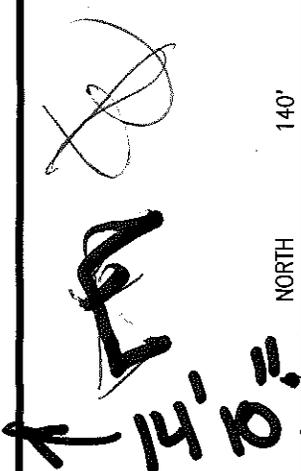
62' 6"

RALPH HOLLIGAN



NORTH 140'

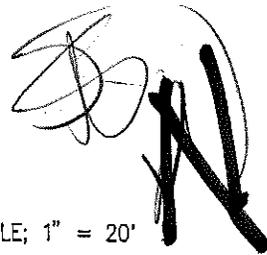
SOUTH 140'



50' 2"



WEST 90'



SCALE: 1" = 20'

CEDAR ST

HELEN JUAREZ



# ROAD

Previous Mobile Home



## Current Manufactured Home



# Attachment 5: Photographs of Nearby Properties







# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 10C

**TITLE:**

Consider action to approve Resolution R-2017-40 of the City Council of Bastrop Texas Terminating the Land Lease Agreement with the Bastrop County dated February 17, 2017, and authorize the City Manager to enter into a Land Lease Agreement with Bastrop County for property in the City's Mayfest Park upon the County receiving authorization from the Texas General Land Office to use grant funds for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager  
Trey Job, Managing Director of Public Works and Leisure Services

**BACKGROUND/HISTORY:**

On February 14, 2017, the City Council approved a 75-Year lease with Bastrop County for 2.35 acres of land located at Mayfest Park to be used as emergency shelter and multi-use facility of approximately 12,000 square feet. Compensation for the 75-Year lease is \$102,366.

**POLICY EXPLANATION:**

Bastrop County has been notified that they will not be eligible to receive funding for their multi-use facility, if they have executed a lease prior to approval by the General Land Office. Therefore, this is the first of a two (2) step process:

Step #1: Terminate the Land Lease Agreement with the Bastrop County dated February 17, 2017, and authorize the City Manager to enter into a Land Lease Agreement with Bastrop County for property in the City's Mayfest Park upon the County receiving authorization from the Texas General Land Office to use grant funds for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher.

Step #2: When AUGF is received, another Resolution will be placed on a Council Agenda for Council consideration authorizing the City Manager to enter into a 75-Year Land Lease Agreement with Bastrop County for 2.35 acres of property in the City's Mayfest Park for a one-time lease payment of \$102,366.00 for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve Resolution R-2017-40 of the City Council of Bastrop Texas Terminating the Land Lease Agreement with the Bastrop County dated February 17, 2017, and authorize the City Manager to enter into a Land Lease Agreement with Bastrop County for

property in the City's Mayfest Park upon the County receiving authorization from the Texas General Land Office to use grant funds for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher; and establishing an effective date.

**ATTACHMENTS:**

- Resolution



## RESOLUTION R-2017-40

**A RESOLUTION OF THE CITY COUNCIL OF BASTROP TEXAS TERMINATING THE LAND LEASE AGREEMENT WITH THE BASTROP COUNTY DATED FEBRUARY 17, 2017, AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A LAND LEASE AGREEMENT WITH BASTROP COUNTY FOR PROPERTY IN THE CITY'S MAYFEST PARK UPON THE COUNTY RECEIVING AUTHORIZATION FROM THE TEXAS GENERAL LAND OFFICE TO USE GRANT FUNDS FOR A COMMUNITY CENTER TO BE BUILT BY BASTROP COUNTY; CAROLYN DILL, MIKE FISHER; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, On February 14, 2017, the City Council approved a 75-Year lease with Bastrop County for 2.35 acres of land located at Mayfest Park to be used as emergency shelter and multi-use facility of approximately 12,000 square feet. Compensation for the 75-Year lease is \$102,366; and

**WHEREAS**, Bastrop County has been notified that they will not be eligible to receive funding for their multi-use facility, if they have executed a lease prior to approval by the Texas General Land Office.

**WHEREAS**, therefore, the City of Bastrop will terminate the Land Lease Agreement with the Bastrop County dated February 17, 2017; and

**WHEREAS**, when the necessary approval is received, the City of Bastrop will enter into a 75-Year Land Lease Agreement with Bastrop County for 2.35 acres of property in the City's Mayfest Park for a one-time lease payment of \$102,366.00 for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher.

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

**Section 1:** That the City Council authorizes the termination of the Land Lease Agreement with the Bastrop County dated February 17, 2017 for a 75-Year lease with Bastrop County for 2.35 acres of land located at Mayfest Park to be used as emergency shelter and multi-use facility of approximately 12,000 square feet.

**Section 2:** That the City Council authorizes the City Manager to execute all documentation required to enter into a 75-Year Land Lease Agreement with Bastrop County for 2.35 acres of property in the City's Mayfest Park for a one-time lease payment of \$102,366.00 for a Community Center to be built by Bastrop County; Carolyn Dill, Mike Fisher, when the appropriate authorization is granted by the Texas General Land Office.

**Section 3:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11A

**TITLE:**

Receive update on Phase 1 of the Culinary Arts District and Culinary District process and consider action to approve Resolution R-2017-38 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a contract for Phase 2 Professional Services with Cygnet Strategies utilizing existing FY 17 budgeted Tourism Promotions dollars in accordance with the City's purchasing policy.

**STAFF REPRESENTATIVE:**

Sarah O'Brien, Main Street Program Director

**BACKGROUND/HISTORY:**

On November 22<sup>nd</sup>, 2016 City Council approved the Hotel Occupancy Tax Tourism Promotions Budget which included working with Cygnet Strategies to develop plans of action for both the Cultural Arts District and Culinary Districts in anticipation of the Destination Marketing Organization being established so that there was a defined product to market outside of Bastrop to draw visitors. Beginning in January 2017, Cygnet Strategies began the research portion of the project and conducted approximately 45 one on one interviews with businesses and organizations in both districts. Several group interviews were also conducted, as well as individual meetings with Cultural District asset board representatives. An online survey was enlisted to gather feedback on what potential visitors would like to see in the district, with approximately 166 responses. Summary results of the survey are attached for your review. Staff and Cygnet strategies soon realized that a deliverable plan for districts was not possible until further work had been conducted to enhance the visitor experience. In today's highly competitive tourism industry marketing environment, with every destination going after their share of the tourism economic "pie", the role of the visitor experience is paramount. The impact of social media means that destinations must perform, not only every day but every hour, in meeting and exceeding the visitor expectation. If the destination experience is not good, our visitors turn from being brand advocates into brand opponents which can almost eliminate any positive marketing the destination is doing. With this information in hand Cygnet Strategies conducted 60+ secret shopper visits to culinary & Cultural Arts District businesses, as well as digital footprint assessments and presented the results to participants confidentially. Staff was provided a summary report which is attached for your review. With Phase 1 now complete, Staff would like to proceed with Phase 2, the final Phase of the project. Phase 2 includes: Provide customized customer service training for employees and managers/owners of shops, attractions and restaurants. Utilize Bastrop's assets, particularly its riverfront location, to define and clarify an identity for downtown for the Destination Marketing Organization to market. Create and implement a cohesive strategic plan for the Culinary District and the Cultural District. Provide board development, management and/or operations strategy assistance for individual organizations and businesses, as appropriate. Work with business owners on defining how the identity might be integrated successfully for them. Provide a stakeholder workshop to communicate the identity and plan to address questions and concerns. Vicky Soderberg with

Cygnnet Strategies will be here to answer any questions about the work performed in Phase 1 and the proposed work in Phase 2.

**POLICY EXPLANATION:**

N/A

**FUNDING SOURCE:**

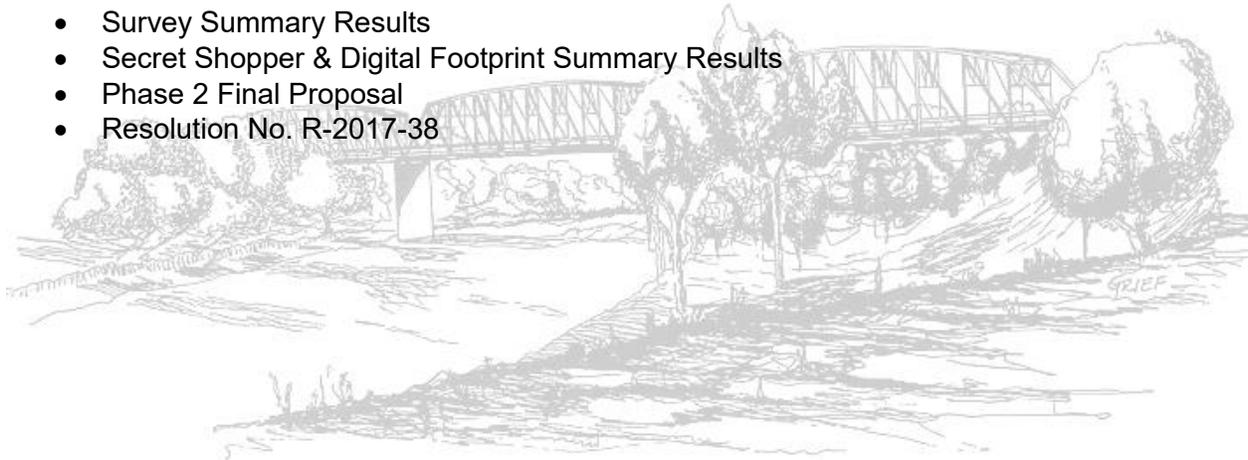
\$40,000 FY 17 Hotel Occupancy Tax- Tourism Promotions Budget  
\$5,000 FY 17 Main Street Program Budget  
\$5,000 FY 17 Bastrop Economic Development Corporation Budget

**RECOMMENDATION:**

Consider action to approve Resolution R-2017- of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a contract for Phase 2 for Professional Services with Cygnnet Strategies utilizing existing FY 17 budgeted Tourism Promotions dollars in the amount of \$40,000 in accordance with the City's purchasing policy.

**ATTACHMENTS:**

- Survey Summary Results
- Secret Shopper & Digital Footprint Summary Results
- Phase 2 Final Proposal
- Resolution No. R-2017-38



**RESOLUTION NO. R-2017-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES FOR PHASE 2 OF THE CULINARY & CULTURAL ARTS DISTRICT DESTINATION PLANNING PROCESS UTILIZING EXISTING FY 2017 BUDGETED TOURISM PROMOTIONS DOLLARS IN ACCORDANCE WITH THE CITY'S PURCHASING POLICY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, On November 22nd, 2016 City Council approved the Hotel Occupancy Tax Tourism Promotions Budget which included working with Cygnet Strategies to develop plans of action for both the Cultural Arts District and Culinary Districts;

**WHEREAS**, Cygnet Strategies has completed Phase 1 of the project;

**WHEREAS**, In today's highly competitive tourism industry marketing environment, with every destination going after their share of the tourism economic "pie", the role of the visitor experience is paramount; and in an effort to prepare a portion of the Bastrop Tourism project for Visit Bastrop to market;

**WHEREAS**, The City Council wishes to begin Phase 2, which requires Cygnet Strategies to: (1) Provide customized customer service training for employees and managers/owners of shops, attractions and restaurants; (2) Utilize Bastrop's assets, particularly its riverfront location, to define and clarify an identity for downtown for the Destination Marketing Organization to market; (3) Create and begin implementation of a cohesive strategic plan for the Culinary District and the Cultural District; (4) Provide board development, management and/or operations strategy assistance for individual organizations and businesses, as appropriate; (5) Work with business owners on defining how the identity might be integrated successfully for them; (6) Provide a stakeholder workshop to communicate the identity and plan to address questions and concerns.

**WHEREAS**, Funds are allocated in the current Tourism Promotions Budget for this project;

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

**Section 1:** That the City Manager is hereby authorized to execute a contract for Professional Services for Phase 2 with Cygnet Strategies

**Section 2:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

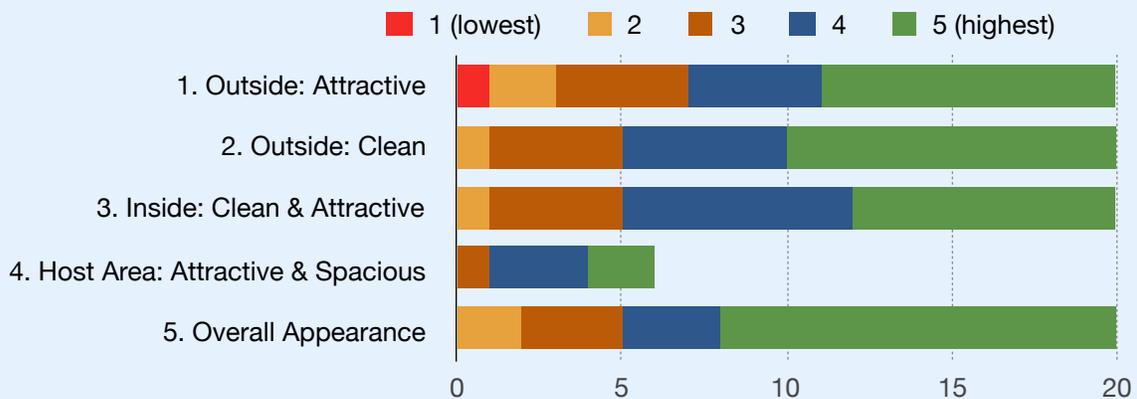
Secret shopper visits were made to nearly 60 restaurants, shops and attractions around Bastrop between the end of March and early April. Digital assessments were also completed between February and early April. The businesses were unaware this was occurring and each was rated on the same criteria. The confidential reports were distributed only to each business and each business was provided an opportunity to further discuss their results with the review team—to ask questions and obtain additional suggestions.

This report serves as the public summary of the results and is divided into sections for Restaurants, Shops, Attractions and Digital Assessments. The charts below indicate how many business received each score.

Working collectively to improve, benefits everyone. The ultimate goal is for every customer (whether a resident or out-of-town visitor) to have a positive experience so they encourage others to visit and then return themselves.

## Restaurants: Appearance

Restaurants were scored on their exterior, interior and overall appearances. Most made a good first impression, which is an important aspect of getting customers through the door. Note: the low composite number for “Host Area” is because most restaurants did not have a separate, designated area.



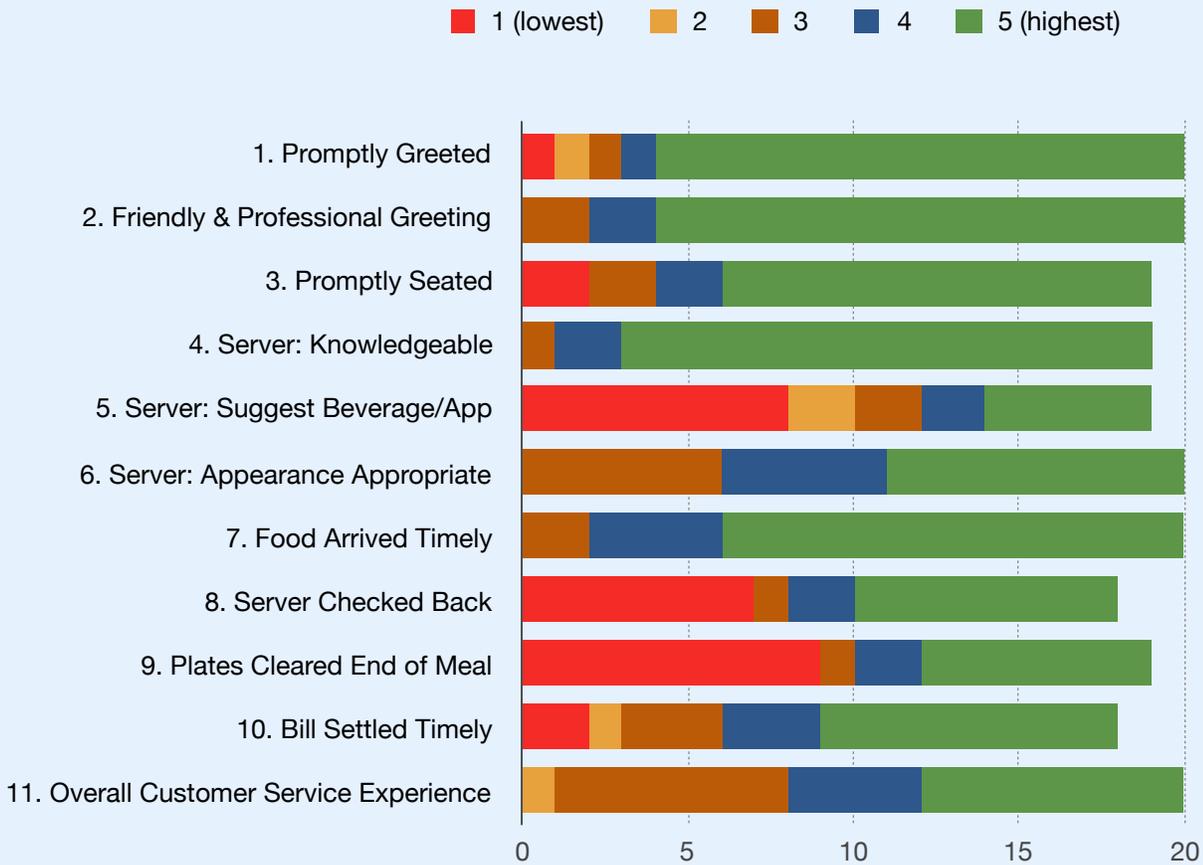
*“Everything looked clean and inviting.”*

*“Pretty attractive overall. Need to manage the weeds out front better. Parking is easy and near door.”*

*Two tables were un-bussed when I arrived, and were left that way for more than 30 minutes.*

# Restaurants: Staff

Staff were scored on different aspects of customer service. Overall, many restaurants scored well on general customer service but small things—suggesting a beverage or appetizer, checking back frequently or clearing plates—need improvement.



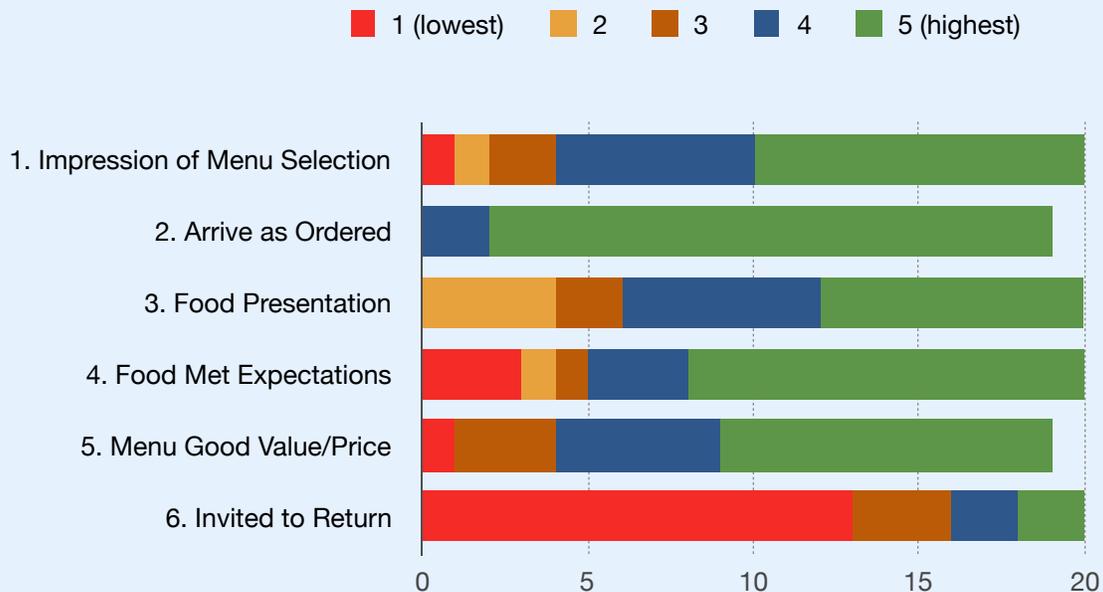
*“Thirteen minutes later, my server arrived to take my order. She apologized that she “forgot about me” and said she would try to rush my order.”*

*“Staff need to wear name tags. Not suggesting a drink, appetizer, or dessert is a missed opportunity for an upsell. The waitress wasn’t super friendly, but not rude.”*

*“The waitress was kind, conversational, knew the menu and was focused on the customer service experience. Lots of smiles. People seem happy to be working here.”*

# Restaurants: Food

Nearly all restaurants served dishes that arrived as ordered and had an attractive presentation but, sadly, some food quality did not meet expectations and was overpriced. One easy marketing tool that everyone should implement immediately—staff should invite guests to return or “come back soon” at the end of their meal.



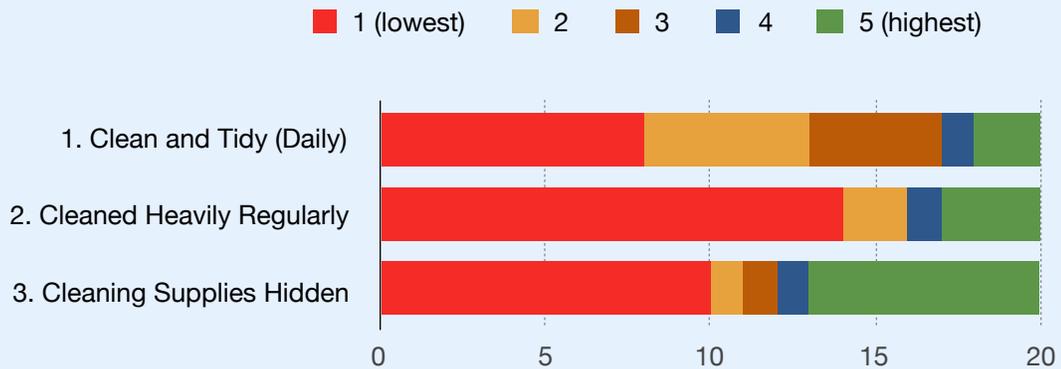
*“The food was delicious, hot and presented well.”*

*“The soup was hot and warm, depending which part of the bowl I ate from, like it was reheated unevenly in the microwave. The chicken was oddly chewy.”*

*“The food was excellent! I would make this a regular restaurant for the food alone.”*

## Restaurants: Restroom

Generally, patrons judge the cleanliness of the kitchen by the cleanliness of the restroom. Here, most of the restrooms were dirty (some were downright disgusting) and needed heavy cleaning. Only four restaurants received the highest score for restroom cleanliness.



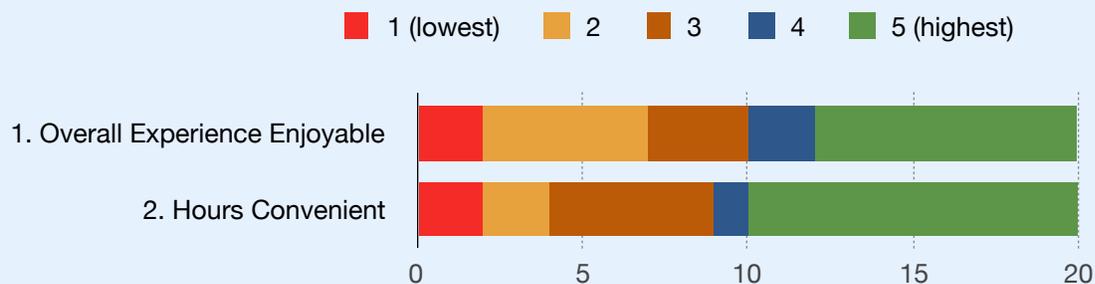
*“The restroom was dirty, dusty and dated.”*

*“The restroom was very clean. It was evident that regular deep cleaning took place. Problem areas, such as grime around the faucet, were not visible in this restroom.”*

*“There were no paper towels or dryer in the ladies’ room.  
I had to wipe my clean hands on my pants.”*

# Restaurants: Overall Dining Experience

Half of the restaurants provided very enjoyable experiences and left us with a desire to return. The fact that some of the restaurants closed early on the weekend or in the afternoon often made a mid-day snack or late lunch tough to find.



*“Look at these spotless toilets and tanks with no dust! THIS is what restaurant restroom toilets are supposed to look like. Any other restaurant could take a lesson from Paw-Paw’s clean restrooms. Attention to cleanliness is paramount and they have aced it.”*

*“Overall, this was an excellent dining experience. The food was delicious and priced very well.”*

*“This place says to me that no one cares about the impression they’re making. Disappointing because the taco was tasty. If they will get enthusiastic and pay attention to details, this place could be in high demand!”*

*“I have a hard time believing a restaurant that has mastered great food and great service would permit restrooms to sink to this level of neglect. The ladies’ room was reprehensible.”*

*“The dining experience here was very delightful. The food was delicious and the staff were friendly and attentive.”*

## Shops: Store Appearance

Most of the stores ranked very highly in appearance. Only a few need to clean/dust their display shelves more and post store hours.



*“They need music playing in there; it’s too quiet.  
Music would make it more inviting to linger longer.”*

*“The store was very cute inside and it had good signage outside.”*

*“This store smells fantastic and has great music playing. So many great items for sale and everything is beautifully merchandised. You immediately feel welcomed and relaxed upon entering. What a jewel find for a shopper who has never been here before!”*

*“Very nice young lady owner. She complimented what I was wearing and I thanked her. She is sincere and authentic.”*

# Shops: Merchandise

The merchandise mix within individual shops was generally good with appropriate displays and pricing. Some shops need to have a clearance sale to make space for newer items and a handful could make pricing easier to find. Note: this project did not address the overall mix of merchandise available in downtown.



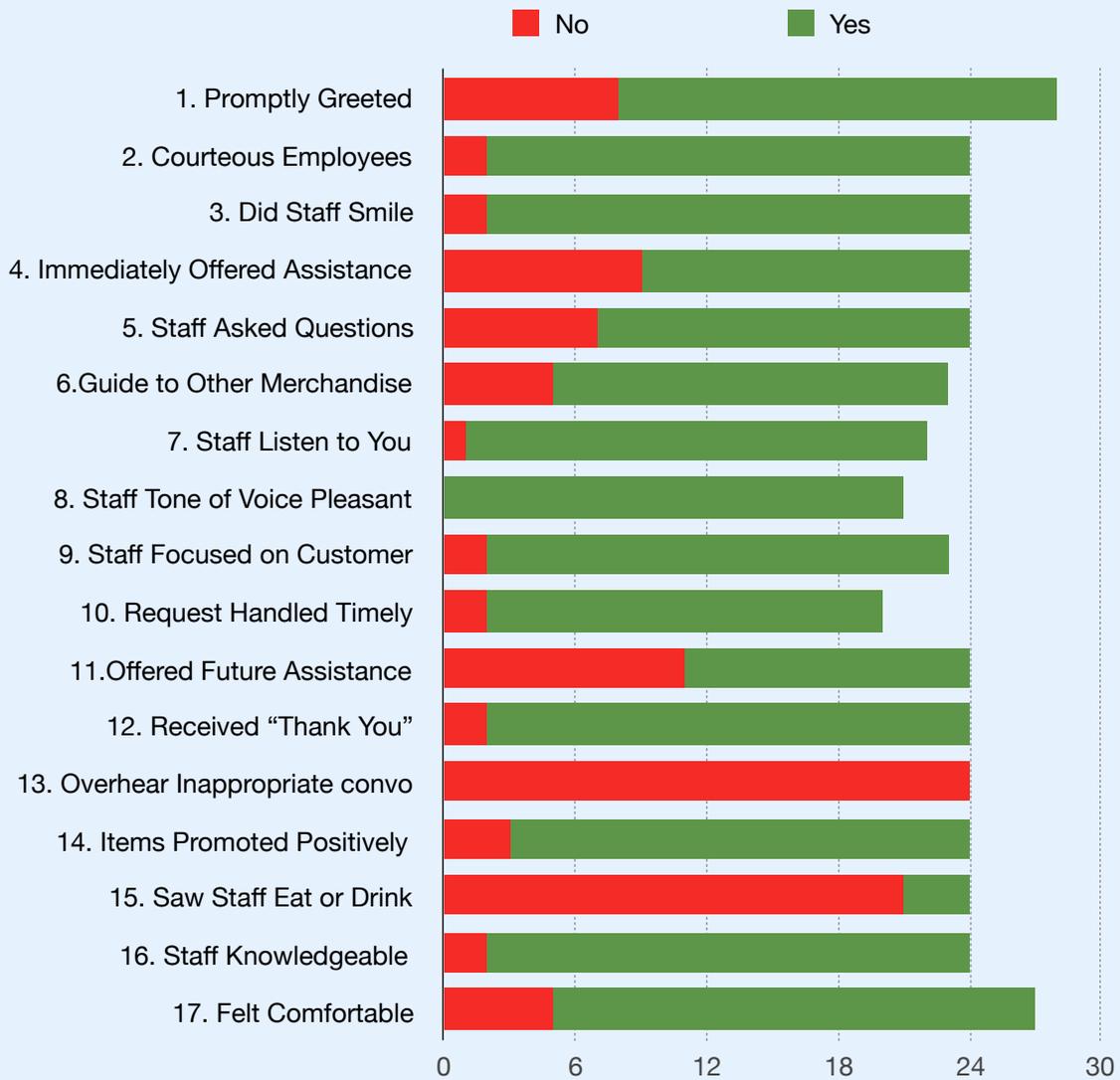
*“Why are there no business cards and brochures to take?  
Why is there no apology that she missed me and invitation  
to please contact her to set up an appointment?”*

*“There’s a lot to see and buy.  
Plenty of items for kids and adults of all ages.”*

*“Great variety of merchandise; fantastic selection.  
Great place to shop for gifts in Bastrop”*

# Shops: Sales Staff

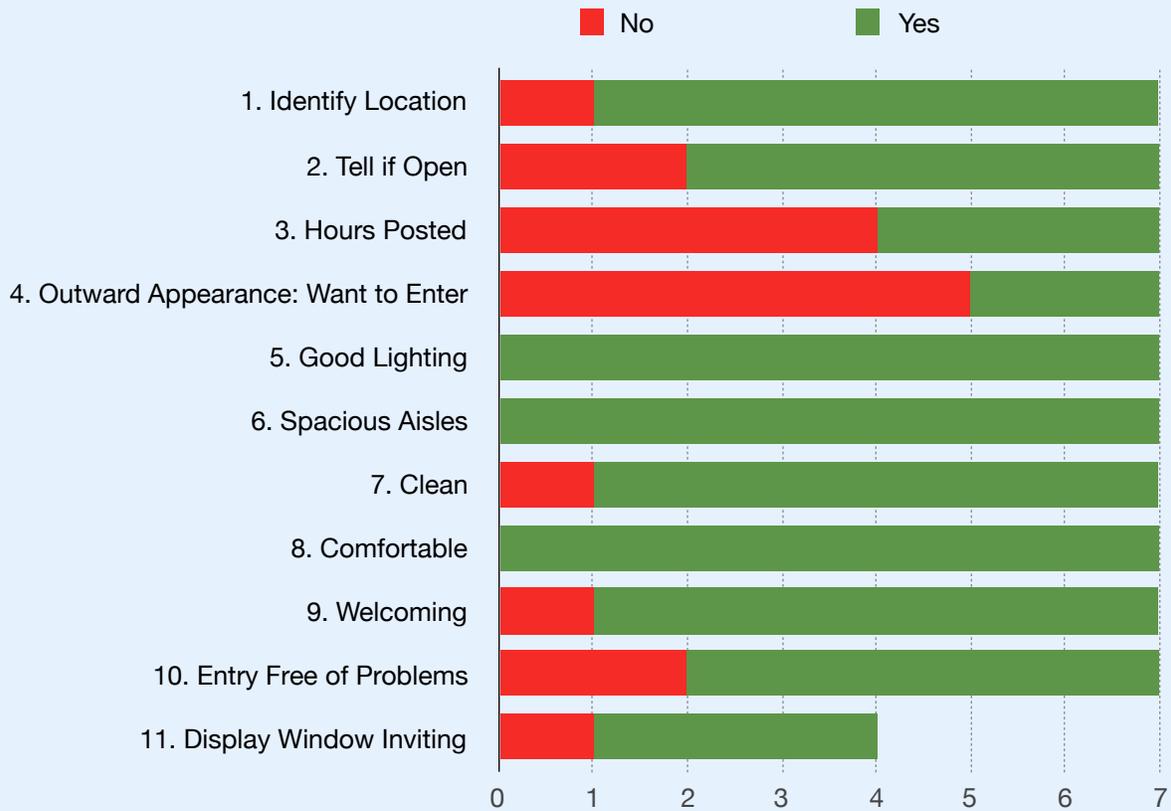
Customer service is the biggest challenge for downtown and a binary scale doesn't easily the situation in Bastrop. For example, if there was no staff present (or no staff interacted with us) whether they asked us questions was marked N/A.



*“Owner of Colorado River Winery recommended to me several things to do while in town: Spa at Lost Pines Hyatt, Neighbor’s “New York Style” Pizza, Copper Shot, Liberty Glenn, RA Green Shops, and that I must eat at Piney Creek Steakhouse. I was very impressed that he referred that many local businesses without even being asked. It made me wonder if each of these businesses is recommending a visit to his shop to their customers. Is there an award for the merchant who cross-promotes the best? If so, it should go to him. Every merchant in town could learn his techniques!”*

# Attractions: General

Most of the attractions need help with their first impression, whether it was their entrance road or the actual entrance area most do not have an appealing presence.



*“The outward appearance was very plain.  
Trees were blocking the name on the building”*

*“Seemed odd that there was no one at the front desk to welcome me.”*

*“There are several foreign visitors here. Some speak English and some do not. This attraction must market near and far to have such cultural diversity here.”*

# Attractions: Gift Shop/Attraction

Most of the attractions scored well in all categories with the exception of maintenance.

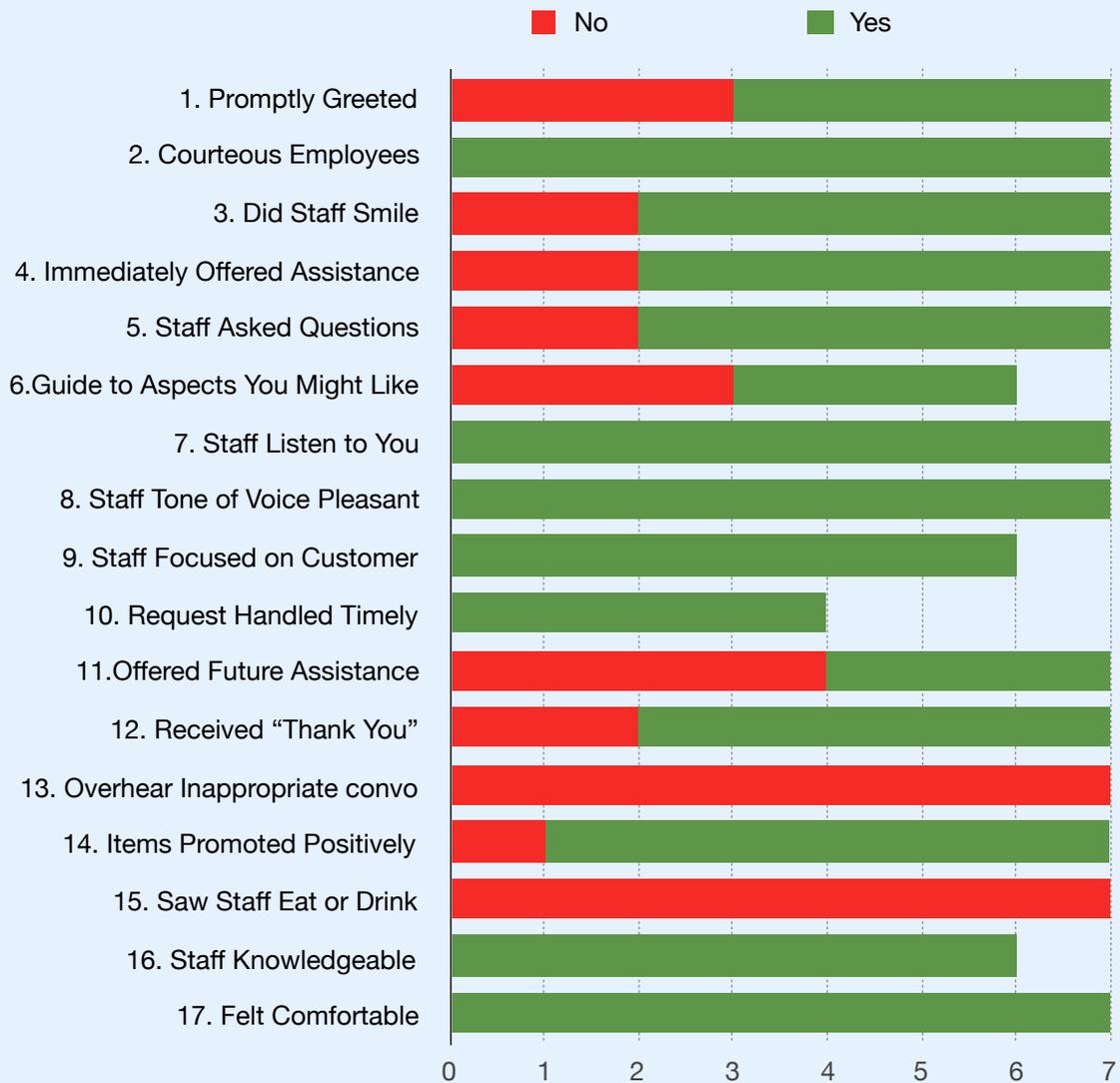


*“Nice layout and welcoming facility. Not sure why the front desk area is so junky; it doesn’t match the serene nature of the rest of the building.”*

*“Lawn is perfectly mowed and manicured.”*

# Attractions: Staff

Overall, the staff at each attraction was courteous—that’s a good starting point. Improving overall communication and making recommendations, inviting visitors to return (and bring their family and friends) will improve the visitor experience dramatically.

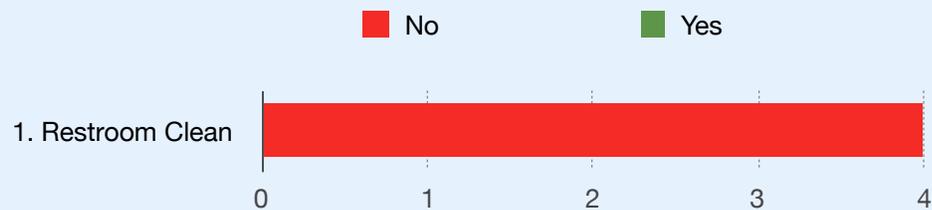


*“They were not rude but not overly friendly. No one invited me to look around, or offered to show me around. That was a perfect opportunity to say one positive thing about the attraction, but of the three ladies there, not one did.”*

*“Staff made the visit enjoyable and was able to answer my questions. Staff was polite and helpful.”*

# Attractions: Restroom

None of the attractions had restroom cleanliness up to our standard.



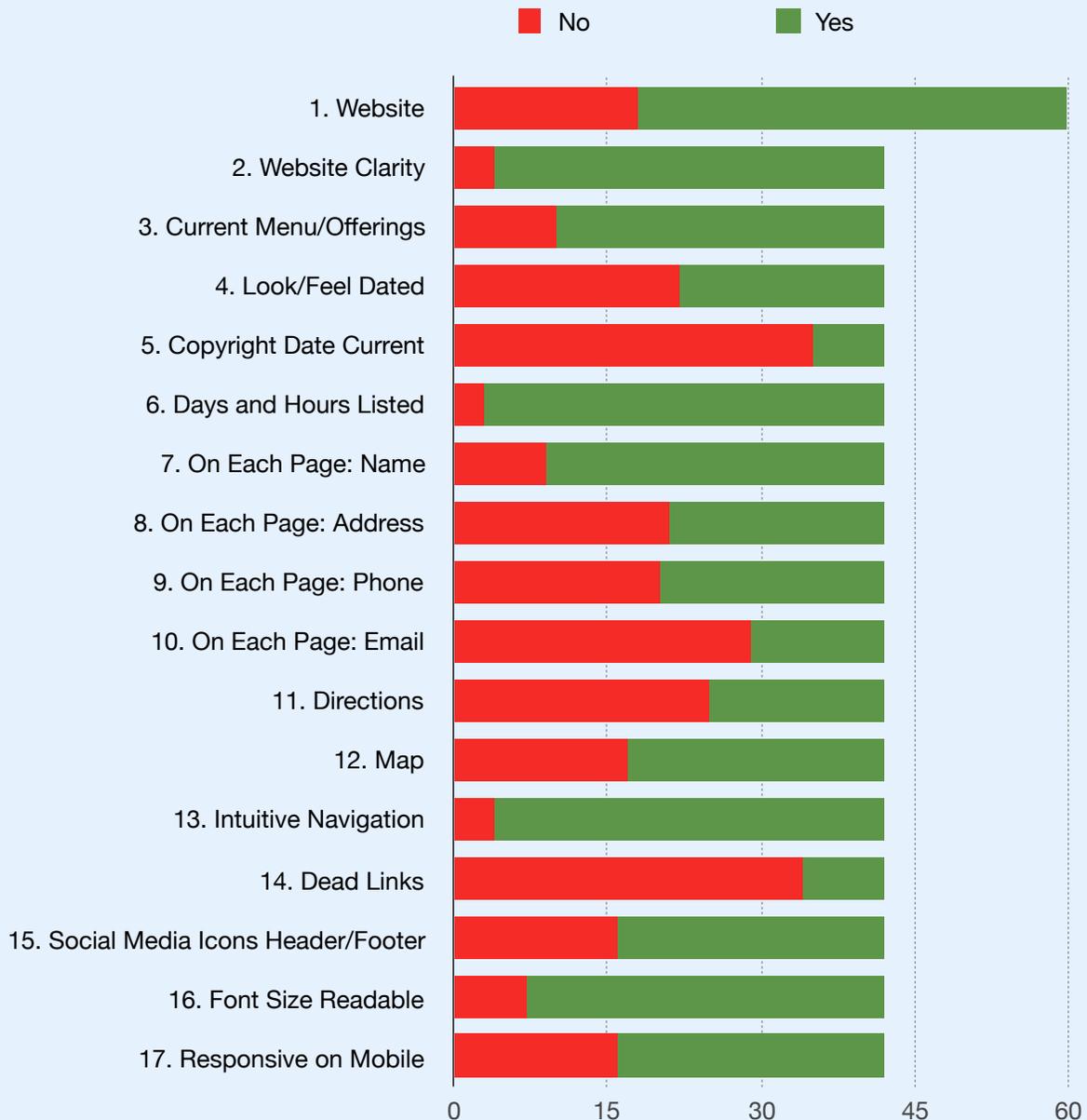
*“The restroom mirrors were dirty and dusty. The hot water didn't work on one restroom sink but there wasn't a sign indicating this.”*

*“The ladies' restrooms were really untidy for such a new and otherwise clean facility.”*

*“Toilets dirty. Toilet paper pieces on the floor. It's embarrassing and irresponsible for a business to post an official sign that has improper sentence structure, missing punctuation and missing capitalization. This sign needs to be replaced immediately with one containing proper grammar and punctuation.”*

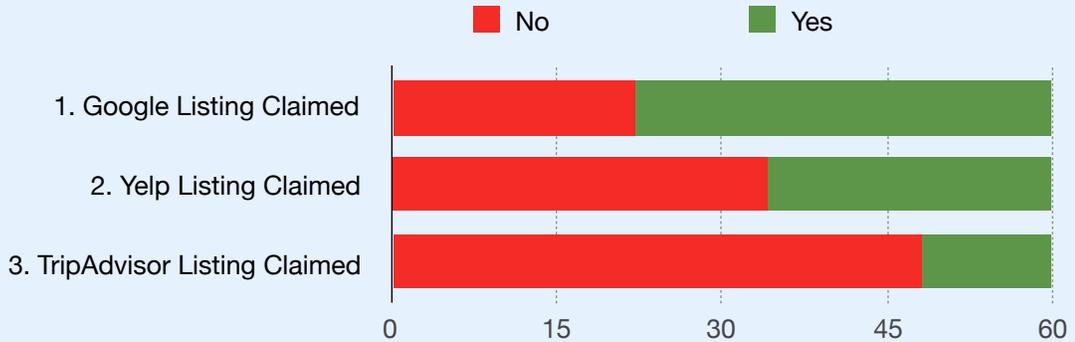
# Digital Assessments: General Website

More than two-thirds of the businesses had websites (70%). Of these businesses, approximately half of the websites were dated. Little things, such as a 2017 copyright date, making sure your menu/calendar is current and listing full contact info on every page, are very important. Consumers expect businesses to have a responsive website for use on phones and tablets.



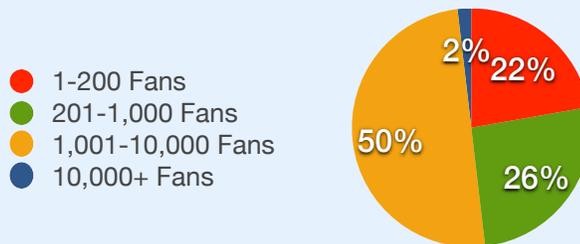
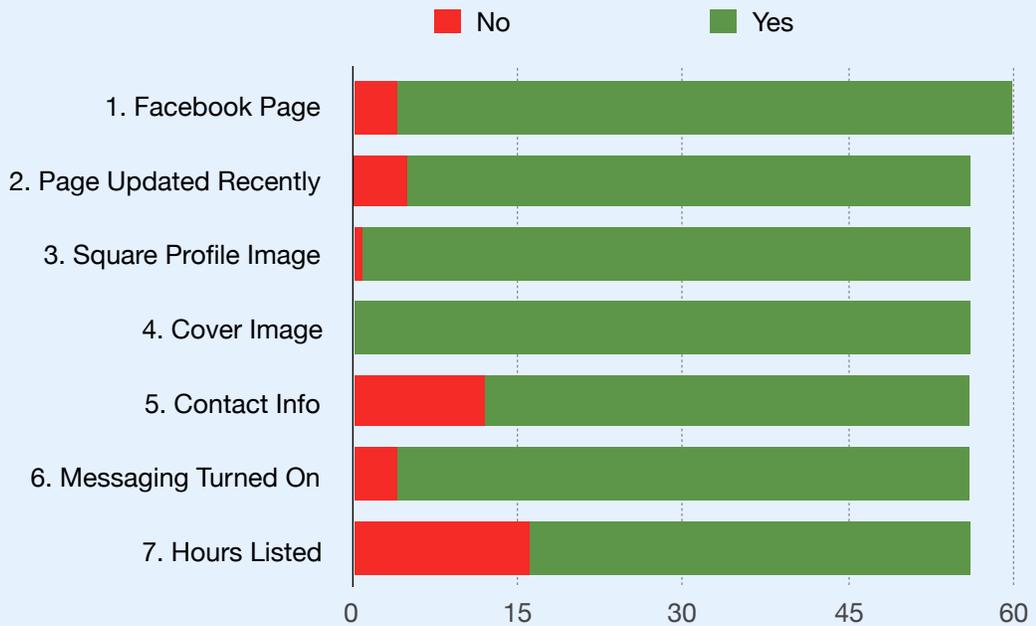
## Digital Assessments: Other Sites

Not enough businesses have created or claimed their listings on the sites below and this negatively impacts everyone.



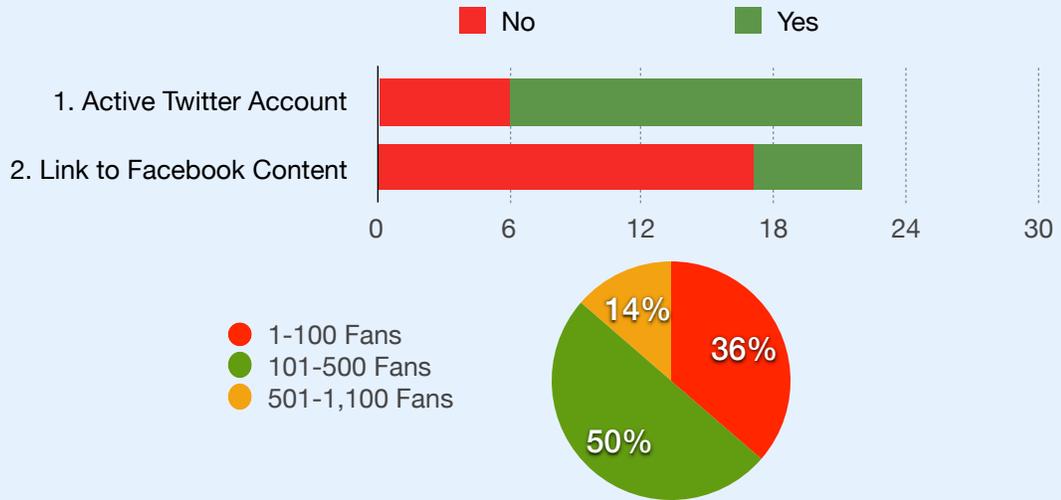
## Digital Assessments: Facebook

Most businesses had active Facebook pages.



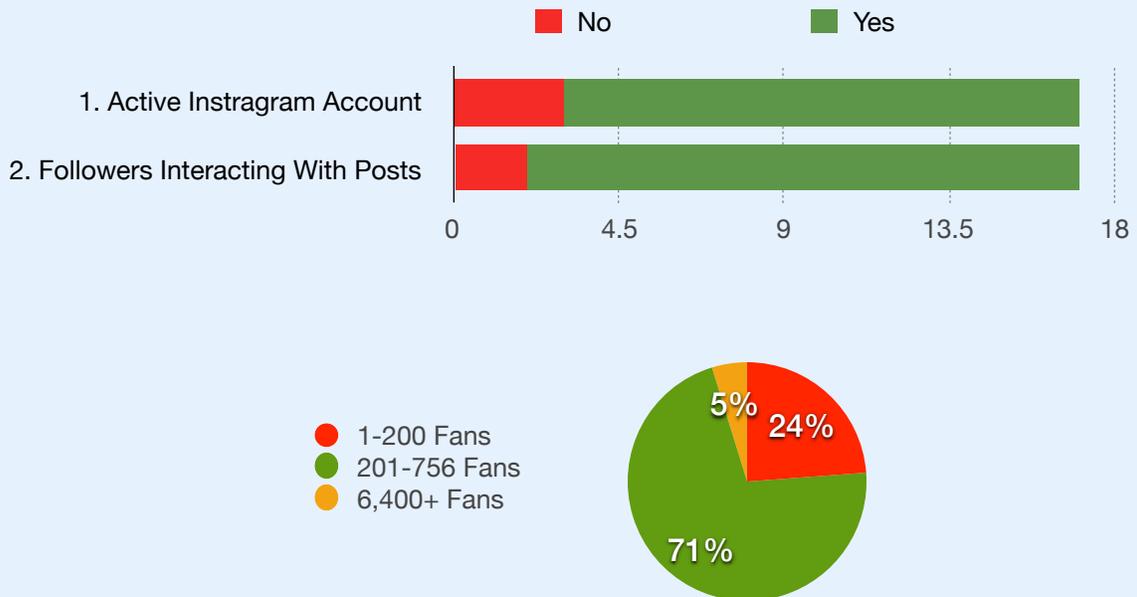
# Digital Assessments: Twitter

Sixteen Businesses had active Twitter Accounts.



# Digital Assessments: Instagram

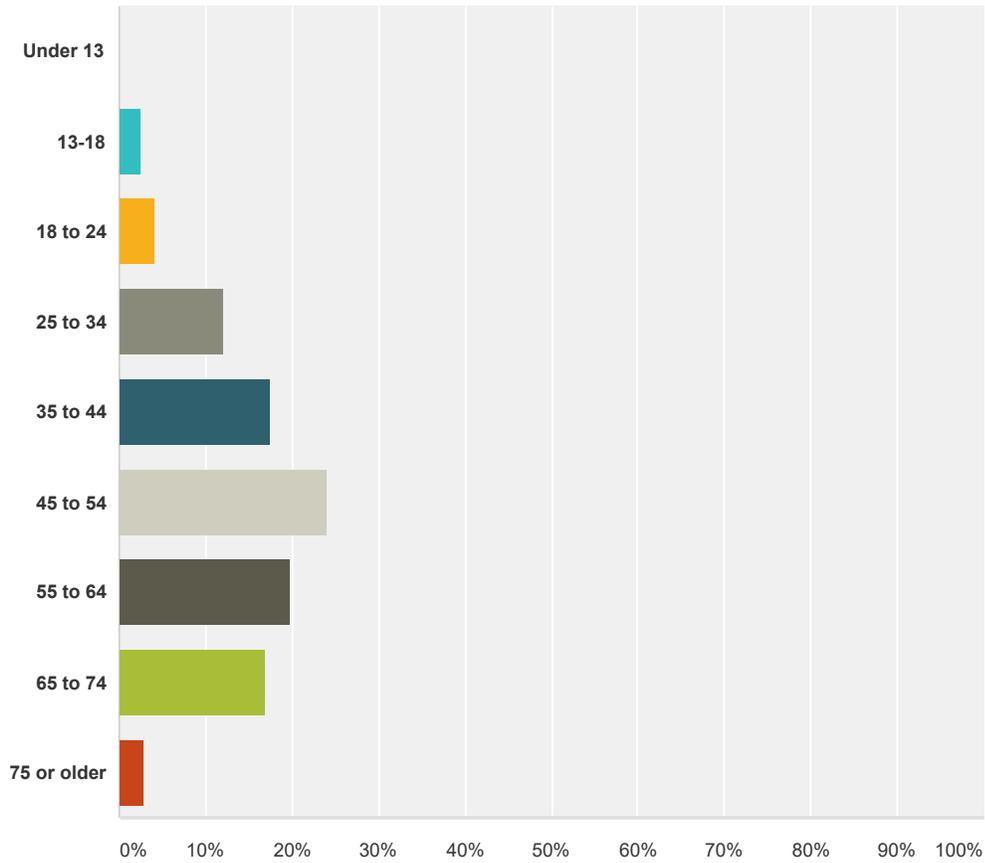
Fourteen Businesses had active Instagram Accounts.





### Q2 What is your age?

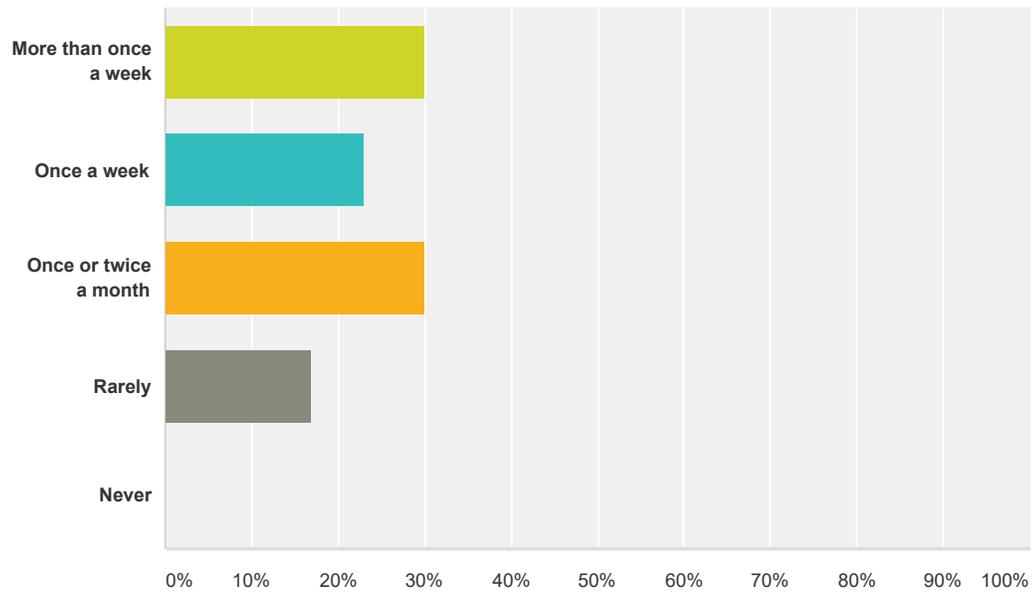
Answered: 166 Skipped: 0



Answer Choices	Responses
Under 13	0.00% 0
13-18	2.41% 4
18 to 24	4.22% 7
25 to 34	12.05% 20
35 to 44	17.47% 29
45 to 54	24.10% 40
55 to 64	19.88% 33
65 to 74	16.87% 28
75 or older	3.01% 5
<b>Total</b>	<b>166</b>

### Q3 How often do you eat at a restaurant in downtown Bastrop?

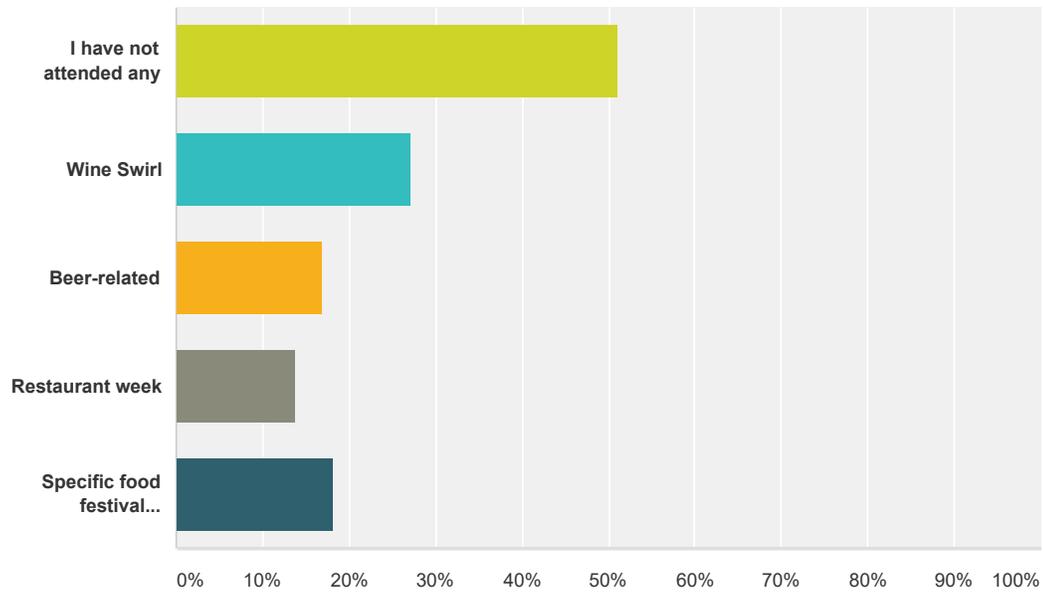
Answered: 166 Skipped: 0



Answer Choices	Responses	Count
More than once a week	30.12%	50
Once a week	22.89%	38
Once or twice a month	30.12%	50
Rarely	16.87%	28
Never	0.00%	0
<b>Total</b>		<b>166</b>

### Q5 In the past year, what type of food or drink-related events have you attended in other communities? (select all that apply)

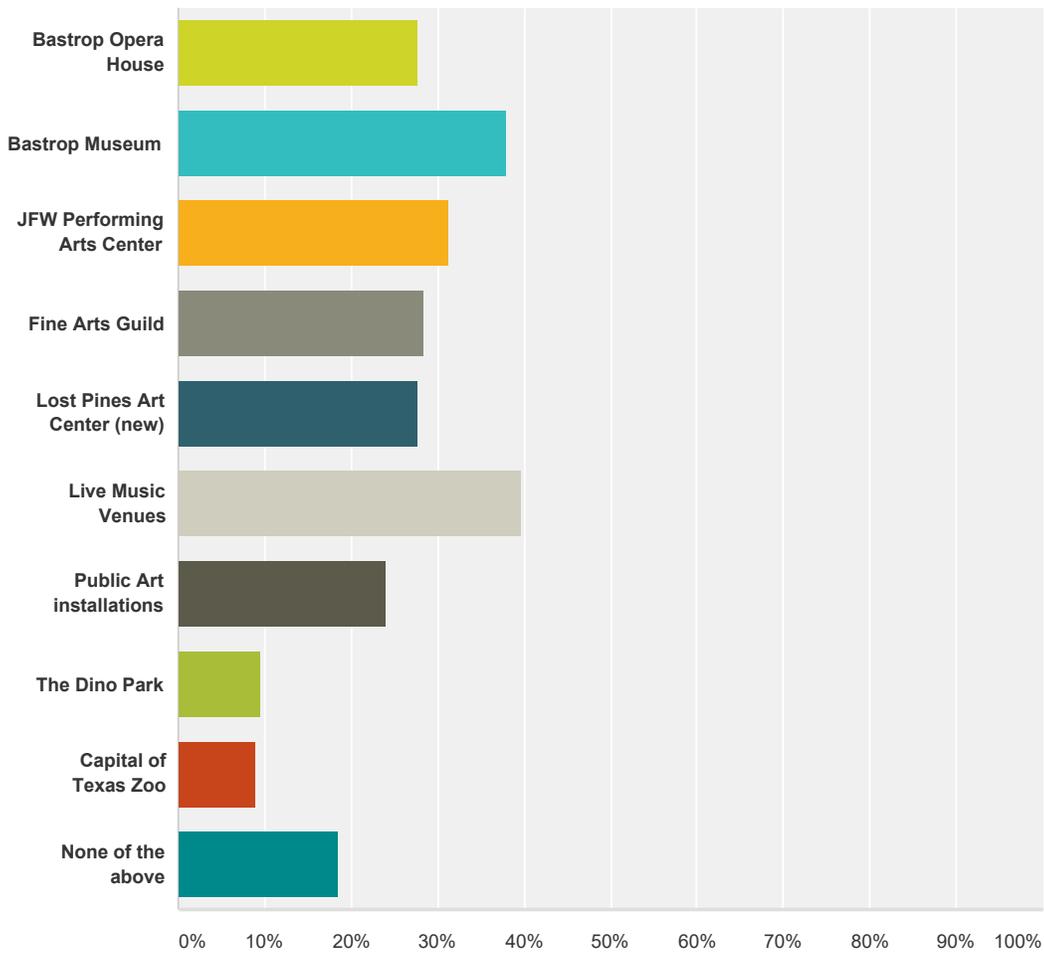
Answered: 166 Skipped: 0



Answer Choices	Responses
I have not attended any	51.20% 85
Wine Swirl	27.11% 45
Beer-related	16.87% 28
Restaurant week	13.86% 23
Specific food festival (please describe in the Other section)	18.07% 30
<b>Total Respondents: 166</b>	

### Q7 In the past year, have you visited any of the following? (select all that apply)

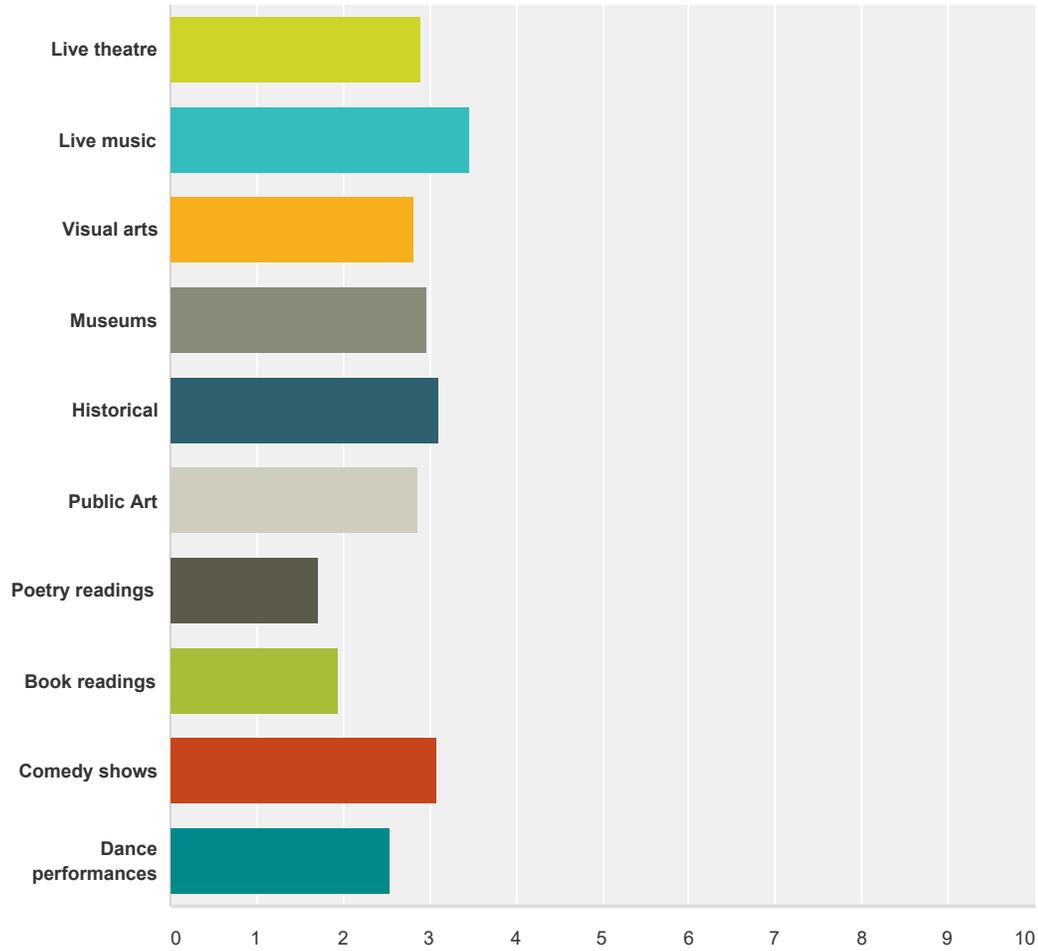
Answered: 166 Skipped: 0



Answer Choices	Responses
Bastrop Opera House	27.71% 46
Bastrop Museum	37.95% 63
JFW Performing Arts Center	31.33% 52
Fine Arts Guild	28.31% 47
Lost Pines Art Center (new)	27.71% 46
Live Music Venues	39.76% 66
Public Art installations	24.10% 40
The Dino Park	9.64% 16
Capital of Texas Zoo	9.04% 15
None of the above	18.67% 31

### Q9 How interested are you in the following activities and events being offered in downtown Bastrop? (select all that apply)

Answered: 166 Skipped: 0

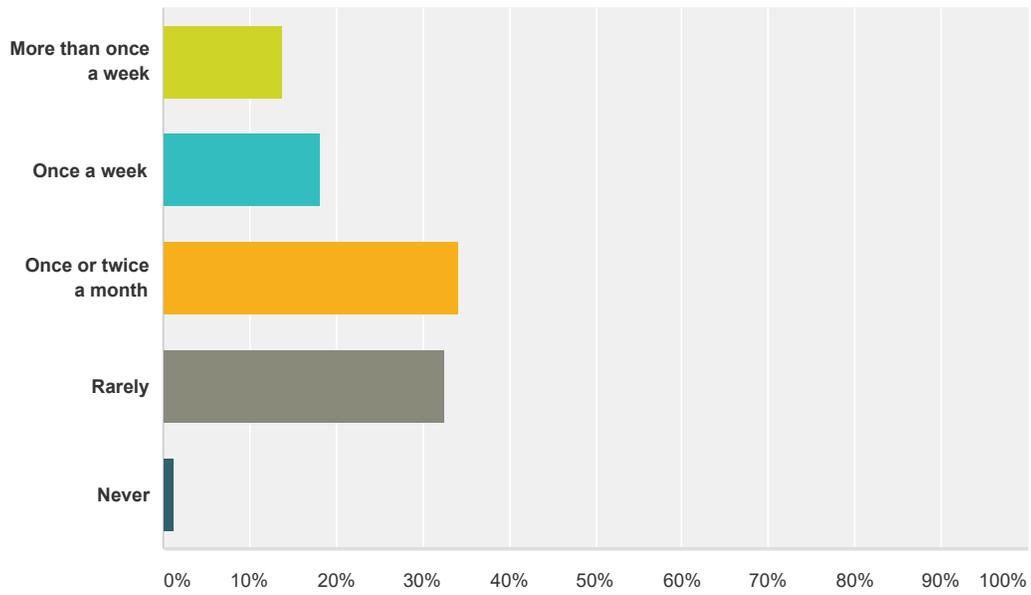


	Very interested	Somewhat interested	Neutral	Not interested	Total	Weighted Average
Live theatre	31.33% 52	38.55% 64	19.88% 33	10.24% 17	166	2.91
Live music	57.83% 96	31.93% 53	9.04% 15	1.20% 2	166	3.46
Visual arts	24.70% 41	38.55% 64	29.52% 49	7.23% 12	166	2.81
Museums	28.92% 48	42.77% 71	24.70% 41	3.61% 6	166	2.97
Historical	36.75% 61	40.36% 67	20.48% 34	2.41% 4	166	3.11
Public Art	26.51% 44	41.57% 69	24.10% 40	7.83% 13	166	2.87
Poetry readings	3.61% 6	16.87% 28	27.11% 45	52.41% 87	166	1.72

Book readings	<b>9.64%</b> 16	<b>18.07%</b> 30	<b>29.52%</b> 49	<b>42.77%</b> 71	166	1.95
Comedy shows	<b>36.14%</b> 60	<b>40.36%</b> 67	<b>19.88%</b> 33	<b>3.61%</b> 6	166	3.09
Dance performances	<b>15.66%</b> 26	<b>39.16%</b> 65	<b>28.31%</b> 47	<b>16.87%</b> 28	166	2.54

### Q11 How often do you shop in downtown Bastrop?

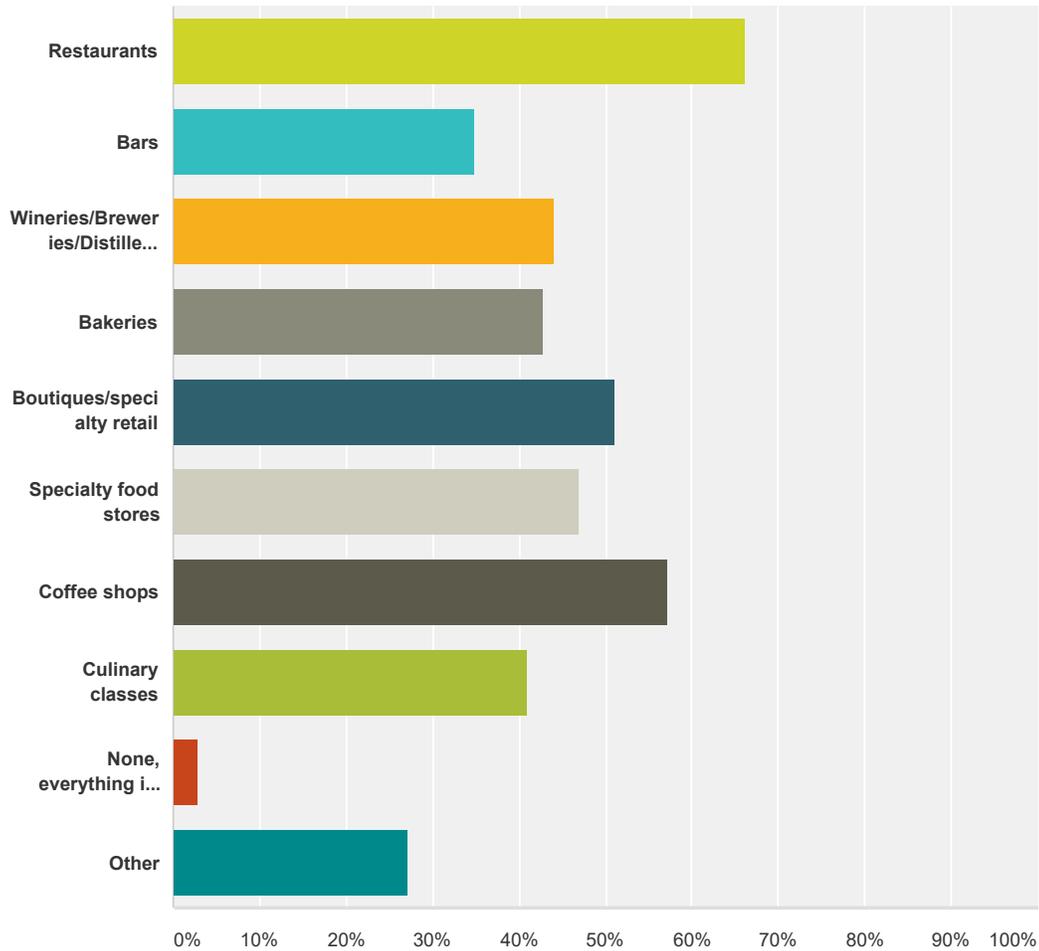
Answered: 166 Skipped: 0



Answer Choices	Responses	Count
More than once a week	13.86%	23
Once a week	18.07%	30
Once or twice a month	34.34%	57
Rarely	32.53%	54
Never	1.20%	2
<b>Total</b>		<b>166</b>

### Q12 What types of new businesses in downtown Bastrop would encourage you to spend more time there? (select all that apply)

Answered: 166 Skipped: 0



Answer Choices	Responses	Count
Restaurants	66.27%	110
Bars	34.94%	58
Wineries/Breweries/Distilleries	43.98%	73
Bakeries	42.77%	71
Boutiques/specialty retail	51.20%	85
Specialty food stores	46.99%	78
Coffee shops	57.23%	95
Culinary classes	40.96%	68
None, everything is already perfect	3.01%	5

### Q15 Please enter me in the drawing for the \$150 or \$50 VISA gift cards

Answered: 138 Skipped: 28

Answer Choices	Responses
First Name	100.00% 138
Company	0.00% 0
Address	0.00% 0
Address 2	0.00% 0
City/Town	0.00% 0
State/Province	0.00% 0
ZIP/Postal Code	0.00% 0
Country	0.00% 0
Email Address	100.00% 138
Phone Number	0.00% 0

**Phase 2 Proposal for:**

**Bastrop, Texas  
Culinary/Cultural Strategy &  
Downtown Identity Development**

**June 2017**



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## OVERALL GOAL

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To define a clear identity for the downtown Bastrop experience and, based upon the research completed in Phase 1, develop a collaborative, implementable product development plan for Bastrop's Culinary District and Cultural District. Once implemented, the plan will preserve the community's assets, enhance quality of life for residents, improve the visitor experience and strengthen economic sustainability.

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## OBJECTIVES

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Results to be achieved include these key objectives:

- Improve the quality and consistency of customer service and products at attractions, restaurants and retail shops
- Change downtown from a "been there, done that" destination to a "let's go see what's happening today" destination
- Define a clear identity for Bastrop's downtown
- Increase communication and collaboration among business owners
- Establish experiences and related support and incentives programs
- Establish tools for tracking success

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## METHODOLOGY

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Assistance in achieving the objectives would include, but not be limited to, the following activities:

- Provide customized customer service training for employees and managers/owners of shops, attractions and restaurants
- Utilize Bastrop's assets, particularly its riverfront location, to define and clarify an identity for downtown
- Create and implement a cohesive strategic plan for the Culinary District and the Cultural District
- Provide board development, management and/or operations strategy assistance for individual organizations and businesses, as appropriate
- Work with business owners on defining how the identity might be integrated successfully for them
- Provide a stakeholder workshop to communicate the identity and plan to address questions and concerns

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## DELIVERABLES AND OUTCOMES

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Success in meeting objectives would be measured by the following deliverables and outcomes:

- Completion of customized customer service training for employees and managers/owners of attractions, restaurants and retail shops
- Well-defined identity established
- Board development, management and/or operations strategy assistance provided for individual organizations and businesses, as appropriate
- Initial experiences and related support and incentives programs established
- Five-year strategic plan for the Culinary District and the Cultural District created and implemented
- Stakeholder workshop held
- Tracking tools created
- Increase in resident satisfaction with quality of life
- Increase in HOT and sales tax revenues

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## COMMITMENTS

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Our commitment:

- We will spend as much time as necessary to fulfill objectives and meet stated time frames
- We will respond to your phone calls and emails within one business day (and usually within one hour)
- We will conduct all information gathering research and public meetings with professionalism and respect
- We will meet all agreed upon deadlines and, in the event a deadline is threatened, will immediately report any such threats to the designated individual

Your commitment:

- You will provide access to all key City staff
- You will share requested information within an agreed upon time frame based upon the availability of the information
- An individual will be designated to participate in regularly scheduled status meetings

We both commit to:

- Immediately inform each other of situations or developments that may materially affect the success of this project

**NOTE: This proposal contains proprietary work product and is confidential pending formal acceptance.**

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**TIMELINE**

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Cygnet Strategies anticipates a 4- to 6-month timeline for completion of deliverables

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**COSTS**

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Total budget—including all travel and miscellaneous expenses  
**\$50,000**



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11B

**TITLE:**

Consider action to approve the first reading of Ordinance No. 2017-18 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Section 9.09.041 (Emergency, Fire, and Rescue Services) authorizing the Bastrop Fire Department to seek reimbursement of costs of certain emergency, fire and rescue services; approving a repealing clause; and establishing an effective date, and move to include on the June 27, 2017 agenda for a second reading.

**STAFF REPRESENTATIVE:**

Steve Adcock, Public Safety Director

**BACKGROUND/HISTORY:**

The ordinance needs to be updated to make the necessary corrections now that the fire department is a city department.

**POLICY EXPLANATION:**

The changes to this ordinance center around updating the ordinance now that the fire department is a city department.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve the first reading of Ordinance No. 2017-18 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Section 9.09.041 (Emergency, Fire, and Rescue Services) authorizing the Bastrop Fire Department to seek reimbursement of costs of certain emergency, fire and rescue services; approving a repealing clause; and establishing an effective date, and move to include on the June 27, 2017 agenda for a second reading.

**ATTACHMENTS:**

- Ordinance
- Red-lined version of Ordinance

**ORDINANCE NO. 2017-18**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 9.09.041 (EMERGENCY, FIRE, AND RESCUE SERVICES) AUTHORIZING THE BASTROP FIRE DEPARTMENT TO SEEK REIMBURSEMENT OF COSTS OF CERTAIN EMERGENCY, FIRE AND RESCUE SERVICES; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, The Bastrop Fire Department (“BFD”) provides fire suppression, emergency, and rescue services for the City of Bastrop.

**WHEREAS**, The BFD is equipped with and utilizes certain apparatus, emergency tools, equipment, and materials as a means of saving lives and property; and

**WHEREAS**, The purchase of said tools, equipment, and materials is a significant expense for the City of Bastrop; and

**WHEREAS**, The BFD has requested that the City Council of the City of Bastrop approve a plan by which the BFD may seek to recover certain costs expended by the BFD to provide fire suppression, emergency and rescue services to persons and entities located within The Bastrop Fire Department service area; and

**WHEREAS**, The Council has determined that it is protective of the health and welfare of the Citizens of the City to have BFD service beneficiaries pay a fair and reasonable share of the cost incurred by the BFD related to items such as, but not limited to: (1) wear and tear of apparatus, tools, and equipment, (2) materials used during the provision of services, and (3) specialized training provided to the firefighters of the BFD.

**WHEREAS**, The City Council has evaluated the proposed Fee Recovery Schedule, provided and proposed by the BFD for various BFD services; and

**WHEREAS**, The BFD has reported to the Council that many persons or entities requiring BFD emergency services have insurance to cover the costs associated with such the provision of services by the BFD, as set forth herein.

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

**Section 1:** That Division 5 of Article 9.09.041, Emergency, Fire, and Rescue Services of the Code of Ordinances of the City of Bastrop, Texas, is hereby amended to read as follows:

**Sec. 9.09.041 – EMERGENCY, FIRE, AND RESCUE SERVICES**

**DIVISION 5. – GENERALLY**

**Sec.9.09.041 – Emergency, Fire, and Rescue Services**

...

**Section 2; changes to read as follows**

BFD Fees and Charges shall be collected for services provided inside the City Limits as set forth ...

...documentation for collection of Fees and Charges, by the BFD.

...

**Section 4; changes to read as follows**

Residents of the City of Bastrop are hereby exempted from the BFD Fees and Charges...

...

**Section 8; entire section deleted and replaced with section 9 moving to section 8 and reading as follows**

The BFD shall remit to the City's Finance Department the fees collected pursuant...

**Section 9; section 10 moved to section 9**

**Section 10; section 11 moved to section 10**

**Section 11; section 12 moved to section 11**

**Section 2:** That all ordinances of the City of Bastrop, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Bastrop, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 3:** That should any sentence, paragraph, 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 hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinance as a whole.

**Section 4:** This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

READ and ACKNOWLEDGED on First Reading on the 27th day of June, 2017.

READ and ADOPTED on Second Reading on the 11<sup>th</sup> day of July, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

EXHIBIT A

<b>ITEMS TO BE BILLED PER HOUR**</b>		
**The minimum charge for any item on this list is one (1) hour, and for any additional hours or portion thereof, the charge will be prorated accordingly.		
<b>Unit of Measure</b>	<b>Apparatus</b>	<b>Price per Hour**</b>
Per Engine	Class A Engine	\$500.00
Per Aerial	Aerial	\$500.00
Per Rescue unit	Rescue (Heavy)	\$600.00
Per Brush unit	Brush Truck	\$400.00
Per Command unit	Command Car/Truck	\$200.00
Per PPV fan	PPV Fan	\$55.00
Per Generator	Generator, Portable	\$55.00
Per Generator	Generator	\$55.00
Per Saw	Chain Saw	\$45.00
Per Pump	Portable Pump	\$95.00
Per Pump	Float Pump	\$65.00

<b>FIRE EQUIPMENT</b>		
<b>Tool</b>	<b>Price</b>	<b>Unit of Measurement</b>
Foam Nozzle	\$55.00	Per Incident
Foam Eductor	\$50.00	Per Incident
AFFF Foam	\$40.00	Per Gallon
Class A Foam	\$25.00	Per Gallon
Piercing Nozzle	\$40.00	Per Incident
M/S Fog Nozzle	\$55.00	Per Incident
M/S Straight Bore Nozzle	\$30.00	Per Incident
Salvage Cover	\$28.00	Each Used
SCBA Pack	\$85.00	Each Used
Hall Runner	\$18.00	Per Incident
Portable Tank	\$75.00	Per incident
Water Extinguisher	\$22.00	Per Incident
Dry Chemical Extinguisher	\$45.00	Per Incident
CO <sub>2</sub> Extinguisher	\$45.00	Per Incident

Scene Lights	\$22.00	Each Used
Water Vests	\$30.00	Each Used
Thermal Imaging Camera	\$75.00	Per Incident
Sawzall	\$55.00	Per Incident

### HAZARDOUS MATERIAL EQUIPMENT

Supplies/Service	Price	Unit of Measurement
Absorbent	\$17.00	Per Bag
Absorbent Booms	\$40.00	Each Used
Top Sol	\$35.00	Each Used
Disposable Coveralls	\$30.00	Each Used
Neoprene Gloves	\$20.00	Each Used
Latex Gloves	\$6.00	Each Used
Over Boots	\$25.00	Each Used
Disposable Goggles	\$15.00	Each Used
Gas Plug Kit	\$50.00	Each Used
Plug and Dike	\$65.00	Each Used
Drum Liners	\$10.00	Each Used
Barricade Tape	\$22.00	Each Used
Poly Sheeting	\$55.00	Each Used
Removal of Hazardous Material	\$150.00	Per Incident
Disposal of Hazardous Material	\$150.00	Per Incident
Gas Multi Meter	\$65.00	Per Incident
CO <sub>2</sub> Meter	\$65.00	Per incident
Microblaze	\$10.00	Per Quart
Microblaze	\$150.00	Per 5 Gallons

### RESCUE EQUIPMENT

Tool	Price	Unit of Measurement
Spreaders	\$250.00	Per Incident
Cutters	\$250.00	Per incident
Rams	\$250.00	Per Incident
Air Bags	\$250.00	Per Incident

K-12 Saw	\$55.00	Per Incident
Target Saw	\$55.00	Per Incident
Ajax Tool	\$25.00	Per Incident
K-Tool	\$25.00	Per Incident
Windshield Tool	\$15.00	Per incident
Rescue Blanket	\$32.00	Each Used
Rope	\$25.00	Each Used

**Collision Investigation Fee** (to be charged in responses where no mitigation services, debris removal, or rescue services are performed), \$275.00

**SECTION 1:** That the City of Bastrop recognizes and supports the right/need of the BFD to recover certain costs incurred by it as a result of its provision of fire suppression, emergency and rescue services. Such fees for BFD services shall be related to items such as, but not limited to: (1) wear and tear of apparatus, tools, and equipment, (2) materials used during the provision of services, and (3) specialized training provided to the firefighters of the BFD to update training and enhance BFD services. ("Fees and Charges")

**SECTION 2:** BFD Fees and Charges shall be collected for services provided inside the City Limits ~~as well as those provided outside the City Limits of Bastrop~~, as set forth in detail in Exhibit A, attached hereto, and as amended by the Council, from time to time. The Administrative personnel of the BFD shall utilize applicable incident report information, which ~~it~~ will be used as documentation for collection of Fees and Charges, by the ~~City's~~ BFD-s.

**SECTION 3:** The BFD, or its authorized agent, shall submit an invoice to the applicable insurance company covering the losses and damages that are related to the BFD's emergency services rendered. If it can be reliably determined that there is no insurance coverage for a specific event/loss which causes the BFD to incur loss, damage, and wear and tear to apparatus, tools, equipment, and materials, then the BFD may seek reimbursement from the person(s) or entities that received emergency services from the BFD.

**SECTION 4:** Residents of the City of Bastrop ~~who have no insurance coverage for the incident(s) connected to receiving emergency services rendered by the BFD~~ are hereby exempted from the BFD Fees and Charges contained herein, unless it is determined that the BFD emergency services rendered were necessary as a direct result of negligent and/or malicious act(s) and/or omissions, on the part of the recipients of the BFD services. Property used for commercial, retail, industrial and/or other non-residential purposes shall not be eligible for any exemption from payment of the BFD Fees and Charges, as stated herein if, the Fire Chief, determines that the facility involved in the emergency services provided by the BFD did not have properly installed and/or functioning fire alarms and/or fire suppression equipment and systems.

**SECTION 5:** BFD shall not seek reimbursement for BFD services provided to residential structures ~~s~~ fires within the City's corporate limits, unless it is determined that the fire fighting services rendered by BFD were a direct result of negligent, malicious act(s) and/or omission, on the part of the property owners/residents. This 'residential exclusion' does not apply to multifamily residential units that provide housing to more than two families, i.e., having more than two separate residential units.

**SECTION 6:** First Responder/Medical Assist calls to residences, (i.e., not involving a motor vehicle), that are located within the City's corporate limits are hereby exempted from the BFD Fees and Charges, unless it is determined that the emergency services rendered were a direct result of negligent, malicious act(s) and/or omissions, on the part of persons receiving the treatment.

**SECTION 7:** In December of each year that this Ordinance is in effect, the Fire Chief shall prepare a summary report of the BFD's collections and assessments as per this Ordinance, and shall submit it to the City Manager. The City Manager shall forward the report to the City Council for its review, consideration and comment, during a City Council meeting.

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~~**SECTION 8:** BFD's allocation of fees collected, shall be proportional as between the City and the BFD, and the division of same shall be based upon the ownership of the equipment used by the BFD on the call that generates the fee.~~

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**SECTION 98:** The BFD shall remit to the City's Finance Department the City's portion of Fees collected pursuant to this Ordinance, by the 15<sup>th</sup> of each applicable month, along with documentation used by the BFD in determining the City's portion of Fees collected.

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~~**SECTION 109:** All City Ordinances or parts of Ordinances that are in conflict with the provisions set forth in this Ordinance are hereby repealed, and no longer have nor shall they be given any force or effect.~~

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~~**SECTION 110:** If any provision of this Ordinance or application thereof to any person(s) or circumstance(s) shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, so long as the remaining, non-conflicting provisions may be given effect~~

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~~**SECTION 1211:** 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.~~

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# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11C

**TITLE:**

Consider action to approve Resolution No. R-2017- 39 of the City Council of the City of Bastrop, Texas authorizing Bastrop Art in Public Places to acquire through purchase four permanent sculptures, amounting to \$44,500 in accordance with the City's purchasing policy; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Sarah O'Brien, Main Street Program Director

**BACKGROUND/HISTORY:**

On June 7<sup>th</sup>, Bastrop Art in Public Places approved recommending the purchase of the following sculptures:

1. "Night Song" by John Maisano- \$14,000
2. "Rising from the Ashes" by Anthony St. James-\$4,000
3. "Sitatunga" by Dan Pogue- \$14,500
4. "A Scarlet Heart" by Alex Porter for \$12,500

**POLICY EXPLANATION:**

Bastrop Art in Public Place's by-laws state:

- Article 1.3: The purpose of Bastrop Art in Public Places is to expand the enjoyment, access, and appreciation of art in Bastrop, Texas. This includes assisting the Bastrop City Council in developing guidelines and standards for the selection, display, and maintenance of in the City and to acquire by purchase or donation, works of art for display.
- Article 4.1: Art Ownership:
- Article 4.1a: Works of art acquired in whole or in part by the City of Bastrop with the assistance of the BAIPP shall be acquired in the name and under the ownership of the City of Bastrop.

On February 14<sup>th</sup>, 2017, the City Council approved the Art Fund, to allow for major purchases and their future maintenance.

**FUNDING SOURCE:**

Bastrop Art in Public Places budgeted \$55,000 during FY 17 for the purchase of permanent art to be added to the City's collection in the Art Fund.

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017- 39 of the City Council of the City of Bastrop, Texas authorizing Bastrop Art in Public Places to acquire through purchase four permanent sculptures, amounting to \$44,500 in accordance with the City's purchasing policy; and establishing an effective date.

**ATTACHMENTS:**

- Resolution
- Images



**RESOLUTION NO. R-2017-39**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TX AUTHORIZING BASTROP ART IN PUBLIC PLACES TO ACQUIRE THROUGH PURCHASE FOUR SCULPTURES TOTALING \$44,500 ON BEHALF OF THE CITY OF BASTROP; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, The City Council has formed Bastrop Art in Public Places to expand the enjoyment, access, and appreciation of art in Bastrop, Texas; and

**WHEREAS**, Bastrop Art in Public Places is to assist the City Council in making recommendations to acquire by purchase works of art for the enjoyment of Bastrop residents and visitors; and

**WHEREAS**, Bastrop Art in Public Places voted unanimously to recommend the purchase of "Night Song" by John Maisano, "Rising from the Ashes" by Anthony St. James, "Sitatunga" by Dan Pogue and "A Scarlet Heart" by Alex Porter at their June 7<sup>th</sup>, 2017 meeting; and

**WHEREAS**, Bastrop Art in Public Places has \$55,000 in their Fiscal Year 2017 budget to acquire such works of art; and

**WHEREAS**, The City of Bastrop approved the Art Fund for acquiring works of art at their February 14<sup>th</sup>, 2017 meeting.

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

**Section 1:** Bastrop Art in Public places is authorized to make the purchase of the above-mentioned pieces of art in accordance with the City's purchasing policy.

**Section 2:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

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Connie B. Schroeder, Mayor

**ATTEST:**

---

Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

---

David F. Bragg, City Attorney



Anthony St James: "Rising from the Ashes"



Alex Porter: "Scarlet Heart"



Dan Pogue: "Sitatunga"



John Maisiano: "Night Song"



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11D

**TITLE:**

Consider action to approve the first reading of Ordinance No. 2017–15 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Article 4.03 (taxicabs, shuttles and touring vehicles) providing the requirements of operating a taxicab, shuttles and touring vehicles and designating the City Manager or his or her designee to enforce all requirements; approving a repealing clause; establishing an effective date and move to include on the July 11, 2017, agenda for a second reading.

**STAFF REPRESENTATIVE:**

Steve Adcock, Public Safety Director

**BACKGROUND/HISTORY:**

Staff has received several calls on this ordinance and the interpretation of it. Staff agrees that the ordinance should be updated and clarified.

**POLICY EXPLANATION:**

The changes to this ordinance center around who must comply with this ordinance, the requirements to be issued a permit and giving authority to the City Manager or his/her designee.

This ordinance was on the June 13, 2017 Council agenda for consideration. There were four (4) Councilmembers present including the Mayor, who does not vote except in the event of a tie. Section 3.13 of the City Charter states:

*“...Four members of the Council shall constitute a quorum to do business, and a **majority** vote of those attending any meeting at which there is a quorum present shall be sufficient to adopt any ordinance or resolution, except as otherwise provided in this Charter...”*

A majority vote of those attending the meeting is three (3). The ordinance failed on a vote of 2-1. Therefore, this item is on the agenda again for Council consideration in anticipation of all five (5) voting members being present.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve the first reading of Ordinance No. 2017–15 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances by amending Article 4.03 (taxicabs, shuttles and touring vehicles) providing the requirements of operating a taxicab, shuttles and touring vehicles and designating the City Manager or his or her designee to enforce all

requirements; approving a repealing clause; establishing an effective date and move to include on the July 11, 2017, agenda for a second reading.

**ATTACHMENTS:**

- Final version of Ordinance 4.03
- Power point presentation



**ORDINANCE NO. 2017-15**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 4.03 (TAXICABS, SHUTTLES AND TOURING VEHICLES) PROVIDING THE REQUIREMENTS OF OPERATING A TAXICAB AND DESIGNATING THE CITY MANAGER OR HIS OR HER DESIGNEE TO ENFORCE ALL REQUIREMENTS; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, The City Council is charged with the regulation of taxicabs, shuttles and touring vehicles; and

**WHEREAS**, The City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

**WHEREAS**, The City Manager is responsible for the proper administration of all affairs of the City; and

**WHEREAS**, The responsibility to regulate and monitor the taxicabs, shuttles and touring vehicles is essential for the safety and wellbeing of our community; and

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

**Section 1:** That Division 1 of Article 4.03, Taxicabs, Shuttles, and Touring Vehicles of the Code of Ordinances of the City of Bastrop, Texas, is hereby amended to read as follows:

**ARTICLE 4.03 - TAXICABS, SHUTTLES AND TOURING VEHICLES**

**DIVISION 1. - GENERALLY**

**Sec. 4.03.001 - License required; exemptions.**

**Section (a); changes to read as follows**

Delete (a)(1) and move (a)(2) to (a)(1) and (a)(3) to (a)(2). Add (a)(3) to read as follows: "Taxi" or "Taxicab" means passenger transportation in a motor vehicle having a capacity of no more than eight passengers (including the driver), not operated on a regular route or between specified places, that is offered by a person that provides local transportation for a fare primarily on the basis of the distance traveled. The term does not include a vehicle that provides a digitally prearranged ride as that term is defined in Texas Occupations Code 2402.001(3) so long as it is not used as a "Taxi" or "Taxicab."

**Section (b); changes to read as follows**

*Determination of fitness of applicant.* Before the City Secretary issues an annual license to an applicant for a taxi, shuttle, or touring vehicle, the City Manager or his/her designee, after consulting with applicable staff and directors, shall first determine the applicant is fit, able, and willing to perform the proposed service. If the City Manager or his/her designee finds that the applicant is not fit, able and willing to perform the service the City Manager or his/her designee shall notify the applicant in writing that the application has been rejected. The applicant may, within ten (10) days after written notice of the decision of the City Manager or his/her designee, appeal the decision to the City Council.

...

**Section (c) (8); changes to read as follows**

... shall be provided to the City Manager or his/her designee. Thereafter, the City Manager or his/her designee shall identify ...

**Section (d); changes to read as follows**

... The City Manager or his/her designee may require a license holder to obtain additional insurance depending on the service to be provided, the type of event and the number of people to be transported. In accord with this section, the City Manager or his/her designee

...

**Section (e)(4); changes to read as follows**

Each vehicle shall have lettering permanently or magnetically affixed to the front doors...

...

**Sec. 4.03.002 - Vehicle operation requirements.**

**Section (b); changes to read as follows**

... For good cause, at any time, the City Manager or his/her designee shall have the discretion...

**Section (f) changes to read as follows**

No person may drive any taxicab, shuttle or touring vehicle in the city: (1) for one year if convicted of two or more moving traffic violations or one or more chargeable motor vehicle accidents in the preceding 12 months, (2) for three years from the date of conviction of a class B misdemeanor, (3) for five years from the date of a conviction of any class A misdemeanor, (4) indefinitely for any felony conviction. It should be noted that probated or deferred adjudication is considered a conviction.

**Section (h); changes to read as follows**

... the licensee shall contact the City Manager or his/her designee to determine appropriate access.

**Section (l); added section l**

All taxicabs, shuttles, and touring vehicles shall have, affixed to the front left windshield, a valid permit issued by the City while in operation.

**Sec. 4.03.003 - Inspection of vehicles.**

**Section 4.03.003; changes to read as follows**

The City Manager or his/her designee, may cause inspections ... Vehicles failing such random city inspections shall not be allowed to operate on city streets or alleys until brought into a condition satisfactory to the City Manager or his/her designee.

...

**Sec. 4.03.006 - Restrictions on operation of taxicabs.**

**Section 4.03.006 (c); delete (c) and move (d) up to (c)**

**Sec. 4.03.007 - Restriction on shuttle operations.**

**Section 4.03.007 (a) changes to read as follows**

In the event ... shall provide to the City Manager or his/her designee the routes ...

...

**Sec. 4.03.031 - Additional requirements.**

**Section 4.03.031 (3) changes to read as follows**

The applicant has agreed to operate only on a schedule and route and over the designated traffic lanes approved by the City Manager or his/her designee ...

**Sec. 4.03.032 - Termination of license.**

**Section 4.03.032; changes to read as follows**

... notice and hearing before the City Manager or his/her designee.

**Section 2:** That all ordinances of the City of Bastrop, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Bastrop, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 3:** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**Section 4:** That should any sentence, paragraph, 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 hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinance as a whole.

**Section 5:** This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

READ and ACKNOWLEDGED on First Reading on the 27<sup>th</sup> day of June 2017.

READ and APPROVED on the Second Reading on the 11<sup>rd</sup> day of July 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

# City of Bastrop Ordinance

## Section 4.03 Taxicabs, Shuttles and Touring Vehicles

Suggested Changes to Ordinance for Council  
Consideration as discussed at April 25<sup>th</sup> Work Session





# City of Bastrop Ordinance

## Section 4.03.001 – License required; exemptions

### Current Ordinance:

Exempt from ordinance *“if temporarily in the city and having their operating base outside of the city.”*

### Proposed Change:

Delete Section 4.03.001 (a) (1) to require anyone operating inside the city to comply with this ordinance.

### **Policy consideration:**

This change would close the loophole of someone operating inside the city that may not be qualified to drive our citizens or visitors around. An example would be if someone lives in the county and uses that address as their operating base. They could use drivers that would not normally be allowed if they were required to follow the city ordinance. The City of Austin requires ALL drivers to be registered with the City, regardless of home base, for this reason.





# City of Bastrop Ordinance

## Section 4.03.001 – License required; exemptions

### Current Ordinance:

### Proposed Change:

Add (3) “Taxi” or “Taxicab” means passenger transportation in a motor vehicle having a capacity of no more than eight passengers (including the driver), not operated on a regular route or between specified places, that is offered by a person that provides local transportation for a fare primarily on the basis of the distance traveled. The term does not include a vehicle that provides a digitally prearranged ride as that term is defined in Texas Occupations Code 2402.001(3) so long as it is not used as a “Taxi” or “Taxicab.”

### Policy consideration:

The ordinance did not have a definition of taxi or taxicabs. By adding this definition it will clear up the type of vehicle that falls under this ordinance.



# City of Bastrop Ordinance

## Section 4.03



### Consistent identification of staff responsible for enforcement

#### Current Ordinance:

Most places in the ordinance refers to the City Manager and some places refer to the Chief of Police

#### Proposed Change:

Clean the language up to refer to the City Manager or his/her designee

#### Policy consideration:

This change will make the ordinance more uniform throughout and always refer to the City Manager or his/her designee. It will also be less confusing to the customer.





# City of Bastrop Ordinance



## Section 4.03.001 (e) (4) – Standards for Vehicles

### Current Ordinance:

Each vehicle shall have permanently affixed to the front doors lettering at least 2 ½ inches high designating it as a taxicab, shuttle or touring vehicle and identifying the licensee.

### Proposed Change:

Add the word magnetically to read “Each vehicle shall have permanently or magnetically affixed to the front doors...”

### Policy consideration:

By allowing a taxicab to use a magnetic sign it would solve the issues of a personally owned vehicle not having a permanent sign on the vehicle when off duty.





# City of Bastrop Ordinance



## Section 4.03.002 (f) – Vehicle Operation Requirements

### Current Ordinance:

No person may drive any taxicab, shuttle or touring vehicle if he or she has been convicted of any alcohol or drug offense that could affect his ability, capacity, or fitness required to perform the duties or poses a threat to public health safety and welfare.

### Proposed Change:

No person may drive any taxicab, shuttle or touring vehicle in the city: (1) for one year if convicted of two or more moving traffic violations or one or more chargeable motor vehicle accidents in the preceding 12 months, (2) for three years from the date of conviction of a class B misdemeanor, (3) for five years from the date of a conviction of any class A misdemeanor, (4) indefinitely for any felony conviction. It should be noted that probated or deferred adjudication is considered a conviction.

### Policy consideration:

The current ordinance does not give ANY grace to the age of a conviction for some violations. By making the proposed changes, it clearly defines a period of time more appropriate for each class of conviction and allows for people to not be unduly punished for the rest of their life.





# City of Bastrop Ordinance

## Section 4.03.002 – Vehicle Operation Requirements

### Current Ordinance:

Replaces language deleted from Section 4.03.001 (e) (4) as permanent lettering

### Proposed Change:

Add (I) to this section: “All taxicabs, shuttles, and touring vehicles shall have affixed to the front left windshield a valid permit issued by the City while in operation.”

### **Policy consideration:**

Staff will come up with a solution that meets this proposed requirement, so law enforcement will be able to identify an authorized taxicab, shuttle or touring vehicle.





# City of Bastrop Ordinance



## Section 4.03.002 (c) – Restrictions on Operation of Taxicabs

### Current Ordinance:

It shall be the duty of every taxicab operated in the City to render ad valorem taxes to the City all vehicles or other equipment used in such business. Failure to render for and pay such ad valorem taxes to the City before they become delinquent shall operate as a revocation of any license authorizing the operating of any taxicab over the public streets, alleys, and ways of the City.

### Proposed Change:

Delete Section 4.03.006 (c)

### Policy consideration:

After researching this section, current laws are already in place that control ad valorem tax. Therefore, this section is no longer needed.





# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11E

**TITLE:**

Consider action to approve Resolution No. R-2017-42 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,663 square feet in the amount of Twenty Thousand Seven Hundred Eighty-Seven Dollars and Fifty Cents (\$20,787.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page 956 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 919 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager  
Trey Job, Managing Director of Public Works and Leisure Services

**BACKGROUND/HISTORY:**

The City is re-building a parking lot in the area known as Alley D at the corners of Pine and Pecan Streets. The parking lot improvements include moving the utilities to underground, fixing drainage, and paving all of the parking lot.

**POLICY EXPLANATION:**

Given the public investment in improvements into this parking lot, there is a public purpose for the City to own and control the entire parking lot. Article II, Section 3 of the Texas Constitution does not allow public funds to be invested for private purpose, and paving property that is currently unpaved constitutes public investment. The property being acquired is used by each property owner for parking and has value attached to their building. In addition to acquiring the land, the City will be granting exclusive use of parking spaces to each building for a period of 99 years or until the building or need for public parking is eliminated.

There are four (4) pieces of property that the City needs to acquire in order to complete this project:

- 1,663 square feet from Raymah Davis in the amount of \$20,787.50 with three (3) parking spaces.
- 1,142 square feet from Ruth and Richard Smarzik in the amount of \$14,275.00 with three (3) parking spaces.

- 1,639 square feet from the Bastrop Chamber of Commerce in the amount of \$20,487.50 with four (4) parking spaces.
- 454 square feet from the Chestnut Street Limited in the amount of \$0.00 through the execution of a Deed without Warranty and the use of one (1) parking space.

**FUNDING SOURCE:**

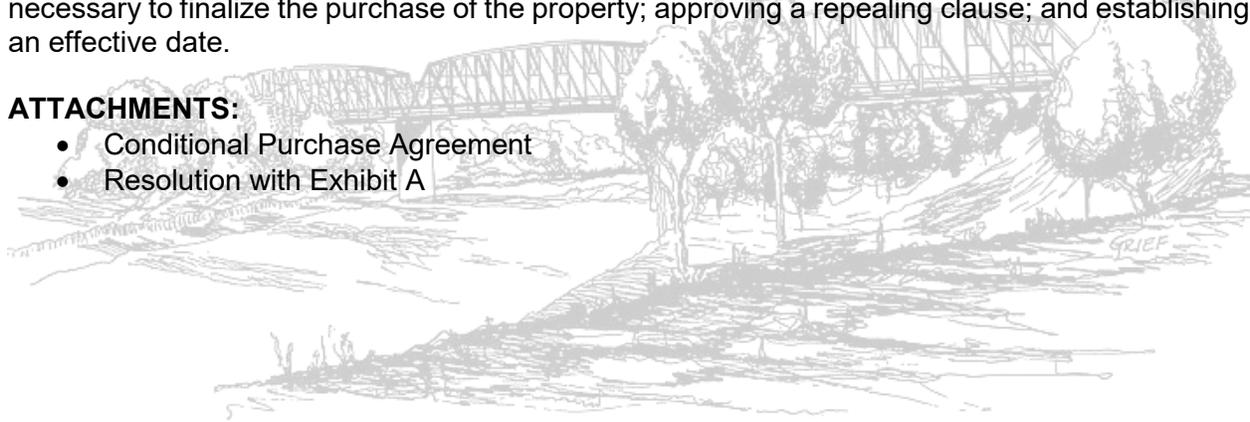
724-00-00-6712 (Bond account for Alley D Parking Project)

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-42 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,663 square feet in the amount of Twenty Thousand Seven Hundred Eighty-Seven Dollars and Fifty Cents (\$20,787.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page 956 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 919 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**ATTACHMENTS:**

- Conditional Purchase Agreement
- Resolution with Exhibit A



**RESOLUTION NO. R-2017-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE PURCHASE OF A PARCEL OF LAND CONTAINING 1,663 SQUARE FEET IN THE AMOUNT OF TWENTY THOUSAND SEVEN HUNDRED EIGHTY-SEVEN DOLLARS AND FIFTY CENTS (\$20,787.50) SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, AND BEING A PART OF THAT TRACT DESCRIBED AS 0.352 ACRE IN A DEED FROM CLYDE STEPHENS TO KENNETH CRUISE DATED DECEMBER 3, 2003 AND RECORDED IN VOLUME 1390, PAGE 956 OF THE OFFICIAL RECORDS OF BASTROP COUNTY; GRANTING THE USE OF THREE (3) PARKING SPACES FOR EXCLUSIVE USE TO THE BUILDING LOCATED AT 919 MAIN STREET FOR A TERM OF NINETY-NINE (99) YEARS UNLESS THE BUILDING OR PARKING LOT IS DEMOLISHED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT, CLOSING DOCUMENTS, AND ANY DOCUMENT NECESSARY TO FINALIZE THE PURCHASE OF THE PROPERTY; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop, Texas is re-building a parking lot in an area known as Alley D; and

**WHEREAS**, the City of Bastrop, Texas is making improvements including paving, relocation of utilities and drainage; and

**WHEREAS**, the City of Bastrop, Texas needs to purchase 1,663 square feet of property from Raymah Davis in order to own and control the property for public purpose; and

**WHEREAS**, the City of Bastrop, Texas recognizes that the property being purchased is currently used for private parking and adds value to the main structure located at 919 Main Street for which exclusive parking spaces will be provided as a part of this transaction.

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

**Section 1:** That the City of Bastrop, Texas will purchase of a parcel of land containing 1,663 square feet from Raymah Davis in the amount of Twenty Thousand Seven Hundred Eighty-Seven Dollars and Fifty Cents (\$20,787.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page 956 of the Official Records of Bastrop County, attached as Exhibit A.

**Section 2:** That the City of Bastrop, Texas will grant three (3) permanent parking places to exclusive use to the building located at 919 Main Street for a term of Ninety-Nine (99) years unless the building or parking lot is demolished first.

**Section 3:** That the City of Bastrop, Texas City Council authorizes the City Manager to execute all necessary documents to complete this transaction.

**Section 4:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

STATE OF TEXAS                   §  
  §  
COUNTY OF BASTROP           §

**CONDITIONAL PURCHASE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **RAYMAH DAVIS**, hereinafter referred to as “**SELLER**”, for and in consideration of the agreed purchase price of **TWENTY THOUSAND SEVEN HUNDRED EIGHTY-SEVEN DOLLARS AND 50/100 (\$20,787.50) DOLLARS** (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL and CONVEY** by General Warranty Deed to the **CITY OF BASTROP, TEXAS**, a Texas home rule municipality, hereinafter referred to as “**PURCHASER**”, a good, marketable title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described property (the “Property”) in the City of Bastrop, Bastrop County, Texas, to-wit:

**PROPERTY:** As more fully described in metes and bounds in **EXHIBIT “A”** attached hereto, the Property is described as follows:

All that certain tract or parcel of land containing 1,663 square feet situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page 956 of the Official Records of Bastrop County.

Together with all improvements incident or belonging thereto.

**Purchase and Sale Agreement:** **SELLER** agrees to sell and convey the Property to **PURCHASER**, and **PURCHASER** conditionally agrees to buy and pay **SELLER** for the Property. The promises by **PURCHASER** and **SELLER** stated in this contract are the consideration for the formation of this contract.

**Offer Conditional:** **PURCHASER’S** obligation to buy or convey the real property described in this agreement is conditional and shall not be effective until such action is approved by the City Council of the City of Bastrop, Texas.

**SELLER** hereby agrees to furnish **PURCHASER** a Release, Partial Release or Subordination of Lien, if applicable.

**Special Conditions:** **PURCHASER AND SELLER** acknowledge and agree to the following:

(1) **SELLER**, and **SELLER’S** heirs, successors and assigns shall reserve from conveyance, for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 919 Main Street, Bastrop, Texas and being owned by the **SELLER**, his heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of three (3) parking spaces upon the Property with right of access; said

reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

The **PURCHASER**, without expense to the **SELLER**, shall prepare the General Warranty Deed document and shall bear the expense of all closing costs.

**INDEPENDENCE TITLE COMPANY** shall act as **Agent**, and the **SELLER** agrees that closing shall occur at a mutually agreeable time and day at the **Agent's** office located at **301 Highway 71 West, Suite 106, Bastrop, Texas** and **SELLER** shall appear at **Agent's** office at said time to execute a **GENERAL WARRANTY DEED** in substantially similar form as **EXHIBIT "B"** and other conveyance documents reasonably required by **Agent**.

Until title has been conveyed to the **PURCHASER**, loss or damage to the Property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Property. This shall be **SELLER'S** sole remedy in the event of **PURCHASER'S** determination not to proceed to proceed with closing. This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager, or other designated official. Such acceptance shall be acknowledged by the City Manager, or other designated official's execution of this contract. This contract contains the entire consideration for the purchase and conveyance of the Property, it being agreed and understood that there is no valid other written or parole agreement regarding the Property between **SELLER** and the City, or any officer or employee of the City.

This Agreement shall remain binding on the Parties for a period of 180 days after execution by the City Manager, or other designated city official. After such period should the sale that is the subject of this contract not close, such failure shall be deemed as **PURCHASER'S** decision not to proceed with closing.

The **PURCHASER** may take possession of the Property immediately upon the **SELLER'S** execution of this contract.

**EXECUTED** this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**SELLER:**

---

Raymah Davis

**PURCHASER:**

**CITY OF BASTROP,**  
a Texas home rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**EXHIBIT A**

[Insert Survey]

**EXHIBIT B**

**[Form of General Warranty Deed]**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**GENERAL WARRANTY DEED**

THE STATE OF TEXAS           §  
  §  
COUNTY OF BASTROP         §

KNOW ALL MEN BY THESE PRESENTS: That **RAYMAH DAVIS** (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF BASTROP, TEXAS**, a home-rule municipality located in Bastrop County, Texas (“Grantee”), whose mailing address is P.O. Box 427, Bastrop, Bastrop County, Texas 78602, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on **EXHIBIT “A”**, attached hereto and incorporated herein by reference (“Property”).

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years.

Grantor, and Grantor’s heirs, successors and assigns, hereby expressly reserve and retain from conveyance for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 919 Main Street, Bastrop, Texas and being owned by the Grantor, and Grantor’s heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of three (3) parking spaces upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that

such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

No responsibility for validity of real estate title assumed by attorney preparing this instrument unless a written title opinion rendered.

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
Raymah Davis

---

Acknowledgement

THE STATE OF TEXAS            §  
  §  
COUNTY OF \_\_\_\_\_        §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_ 2017, by Raymah Davis for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

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**AGREED AND ACCEPTED:**

**CITY OF BASTROP, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

After recordation please return to:   City of Bastrop  
Attn: Lynda K. Humble, City Manager  
P.O. Box 427,  
Bastrop, Texas 78602

**EXHIBIT A**

**[Insert Survey]**

STATE OF TEXAS  
COUNTY OF BASTROP

RAYMAH DAVIS  
TRACT "1"  
1,663 SQUARE FEET

All that certain tract or parcel of land containing **1,663 square feet** situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.352 acre in a deed from Clyde Stephens to Kenneth Cruise dated December 3, 2003 and recorded in Volume 1390, Page 956 of the Official Records of Bastrop County, said **1,663 square foot** tract being more particularly described by metes and bounds as follows:

Commencing at a concrete nail found 0.30 feet West of the East margin of Main Street (55.56 foot wide right-of-way) for witness to the Northwest corner of said (original) 0.352 acre Cruise tract and the Southwest corner of Lot 1 of "921 Main Street Subdivision" (Plat Cabinet 6, Slide 41B Bastrop County Plat Records), said point having a coordinate value of North = 10,016,664.27 feet and East = 3,249,337.29 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence North 87 degrees 14 minutes 03 seconds East, departing said Main Street along the common line between said "921 Main Street Subdivision" and said (original) 0.352 acre Cruise tract, at 154.97 feet passing a 1/2" iron rod found for a common corner of Lots 1 and 2 of said subdivision, and continuing for a total distance of 172.12 feet to a 1/2" iron rod set for the Northwest corner of the tract herein described and the **PLACE OF BEGINNING;**

Thence **North 87 degrees 14 minutes 03 seconds East**, continuing along said common line, **24.19 feet** to a 1/2" iron rod found for the Northwest corner of the (called) 0.253 acre City of Bastrop tract (County Clerk's File #201415185 B.C.O.R.), the Northeast corner of said (original) 0.352 acre Cruise tract and the Northeast corner of the tract herein described;

Thence **South 02 degrees 28 minutes 34 seconds East, 69.78 feet** along the common line between said City of Bastrop tract and said Cruise tract to a 1/2" iron rod found for the Northeast corner of the (called) 0.048 acre City of Bastrop tract (Vol. 1546, Pg. 599 B.C.O.R.) and the Southeast corner of the tract herein described;

RAYMAH DAVIS  
TRACT "1" - 1,663 SQUARE FEET  
PAGE 2 OF 3

Thence **South 88 degrees 09 minutes 20 seconds West, 23.62 feet** along the North line of said (called) 0.048 acre City of Bastrop tract to a 1/2" iron rod set for the Southwest corner of the tract herein described;

Thence **North 02 degrees 57 minutes 03 seconds West**, departing said North line and severing said (original) 0.352 acre Cruise tract, **69.40 feet** to the **PLACE OF BEGINNING** and containing **1,663 square feet**.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96). Convergence = +01 degree 33 minutes 07 seconds. Combined factor = 0.99999309.

STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.  
Firm No. 10001700  
Consulting Engineering & Land Surveying



Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
May 22, 2017  
BEFCO Job No. 17-6940(1)



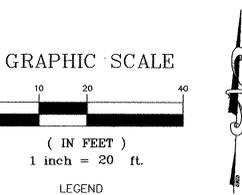
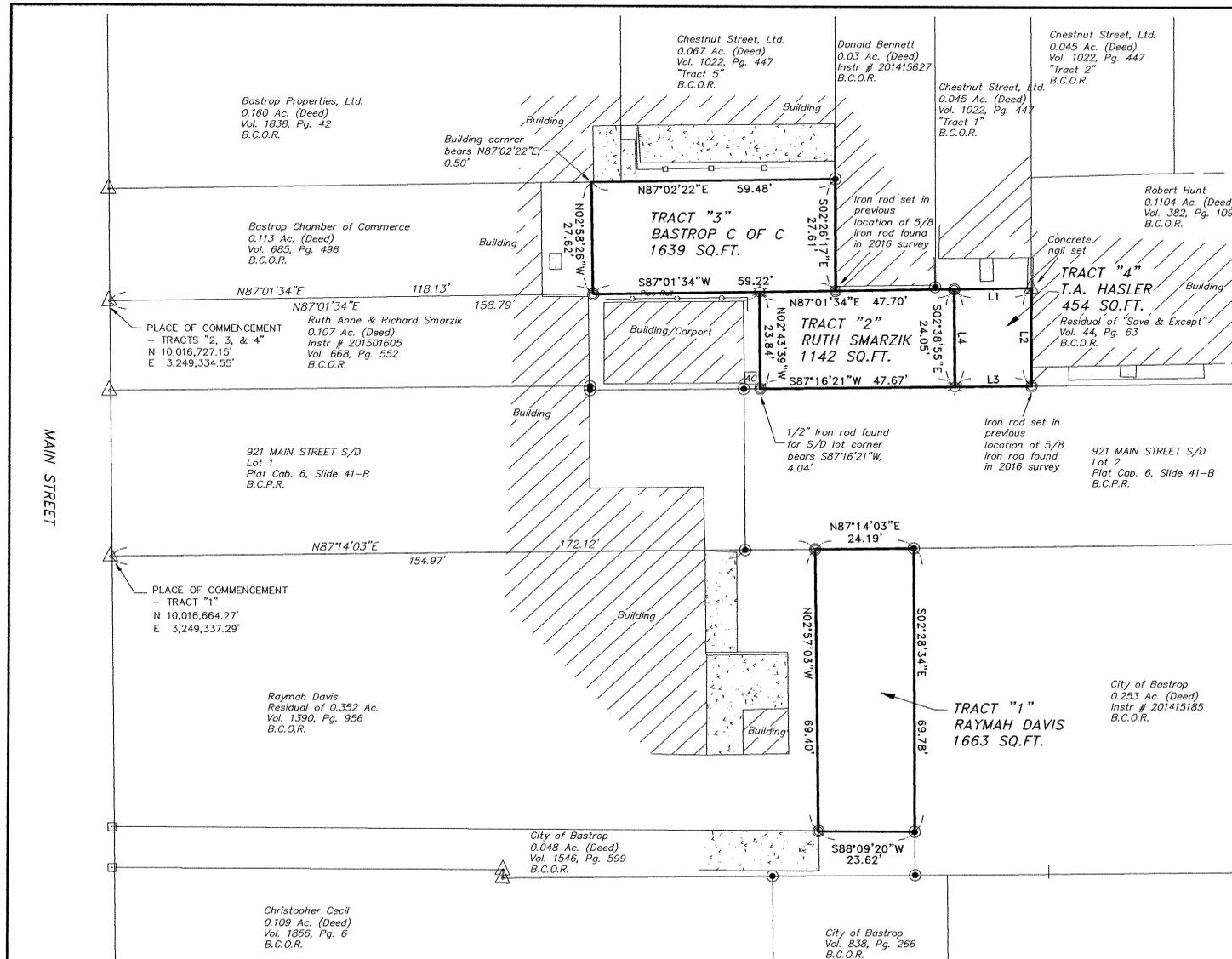
PLAT SHOWING THE SURVEY OF 4 TRACTS SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, SAID 4 TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "1" - RAYMAH DAVIS - 1,663 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.352 ACRE IN A DEED FROM CLYDE STEPHENS TO KENNETH CRUISE DATED DECEMBER 3, 2003 AND RECORDED IN VOLUME 1390, PAGE 956 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "2" - RUTH & RICHARD SMARZIK - 1,142 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.107 ACRE IN A DEED FROM VIOLET JOHN, ET AL, TO RUTH ANNE SMARZIK AND RICHARD SMARZIK DATED FEBRUARY 6, 2015 AND RECORDED IN COUNTY CLERK'S FILE #201501605 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING BEEN ORIGINALLY DESCRIBED IN A DEED FROM JACK GRIESENBECK, ET UX, TO MARY OGDEN SCHULTZ DATED JUNE 1, 1993 AND RECORDED IN VOLUME 668, PAGE 552 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "3" - BASTROP CHAMBER OF COMMERCE - 1,639 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.113 ACRE IN A DEED FROM JACK GRIESENBECK, ET UX, TO BASTROP CHAMBER OF COMMERCE DATED NOVEMBER 2, 1993 AND RECORDED IN VOLUME 685, PAGE 498 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "4" - T.A. HASLER - 454 SQUARE FEET, BEING THE RESIDUAL OF THAT TRACT RESERVED TO T.A. HASLER AS A "SAVE AND EXCEPT" IN A DEED FROM T.A. HASLER, ET UX, TO MAGGIE OLIVE DATED SEPTEMBER 28, 1908 AND RECORDED IN VOLUME 44, PAGE 63 OF THE DEED RECORDS OF BASTROP COUNTY.



- LEGEND
- - 1/2" Iron rod found (or as noted)
  - - 1/2" Iron rod set
  - △ - Concrete nail found (or as noted)
  - ⊠ - Chiseled "X" found in concrete
  - ☆ - Cotton spindle set
- Field Book 505

Bearings, distances and coordinates shown hereon are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83 (CORS 96).  
Convergence = +01'33"07"  
Combined Factor = 0.99999309

NOTE: Subject tract is designated unshaded ZONE "X" (areas outside the 0.2% annual chance flood) according to F.E.M.A. Flood Insurance Rate Map No. 48021C0355E revised January 19, 2006.

NOTE: At the time of this survey, utility and parking lot construction project was in progress on the subject tracts and adjoining tracts. Therefore, these improvements are not shown on this survey.

THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT. SUBJECT TRACT MAY BE SUBJECT TO ANY CONDITIONS, EASEMENTS, RESTRICTIONS OR EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MIGHT DISCLOSE.

LINE	BEARING	DISTANCE
L1	N87°01'34"E	18.91'
L2	S02°20'39"E	24.13'
L3	S87°16'21"W	18.78'
L4	N02°38'55"W	24.05'

STATE OF TEXAS  
COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of the survey, and that this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category IB Land Survey.

*Kevin Von Minden*  
Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
BEFCO ENGINEERING, INC.  
Firm No. 10001700  
La Grange, Texas  
979-968-6474  
May 22, 2017



REVISION:


DRAWN BY: JCP  
 CHECKED BY: GK  
 BEFCO JOB NO: 16-6565  
 PLOT SCALE: 1" = 20'

SHEET TITLE

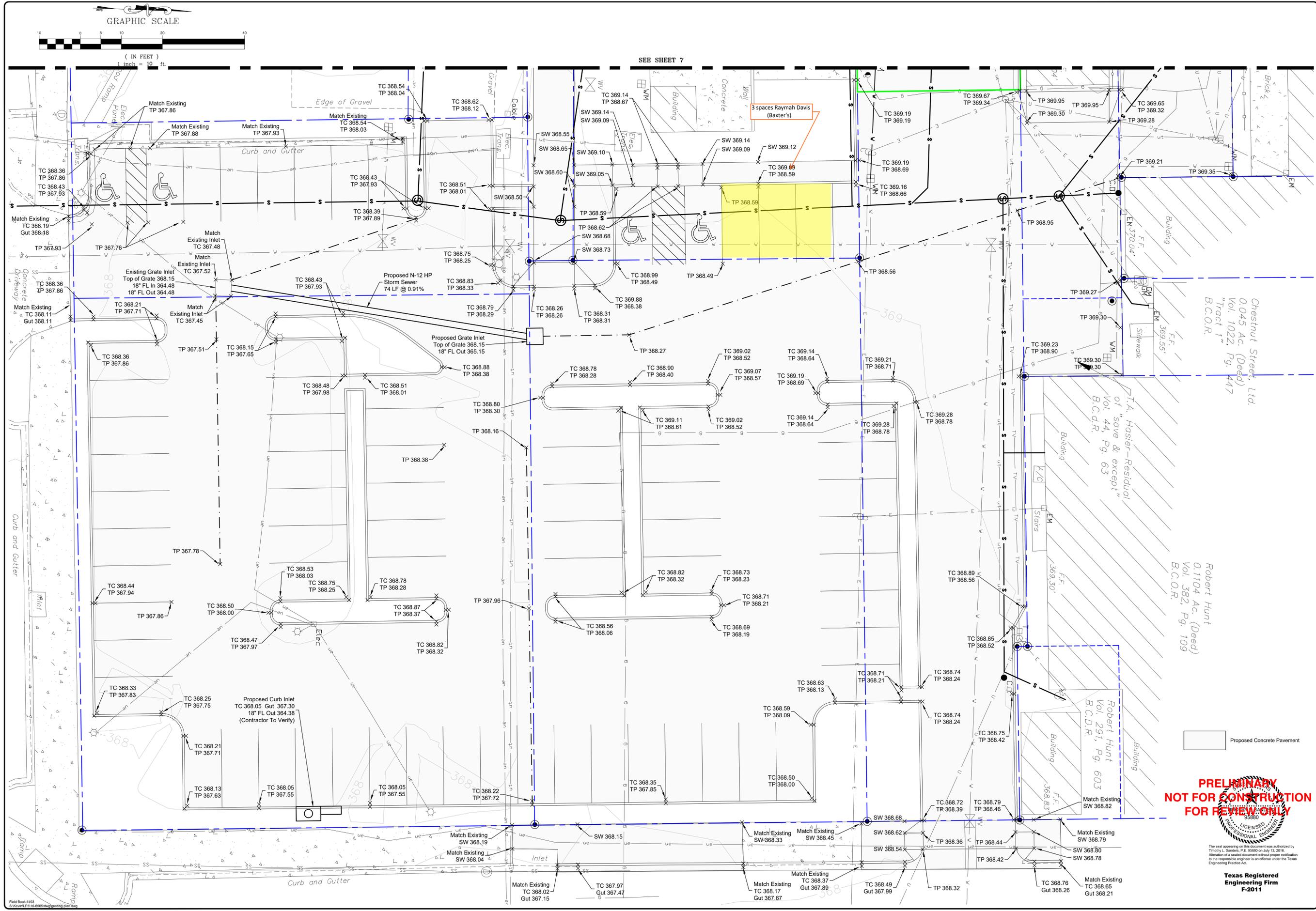
GRADING PLAN

DATE ISSUED: 07/13/16

SHEET

**6**

OF 8



**PRELIMINARY  
 NOT FOR CONSTRUCTION  
 FOR REVIEW ONLY**

PROFESSIONAL ENGINEER  
 LICENSE NO. 98980

The seal appearing on this document was authorized by  
 Timothy S. Sanders, P.E. 95980 on July 13, 2016.  
 Alteration of a sealed document without proper notification  
 to the responsible engineer is an offense under the Texas  
 Engineering Practice Act.

Texas Registered  
 Engineering Firm  
**F-2011**



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11F

**TITLE:**

Consider action to approve Resolution No. R-2017-43 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,142 square feet in the amount of Fourteen Thousand Two Hundred Seventy-Five Dollars and 00 Cents (\$14,275.00) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 925 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager  
Trey Job, Managing Director of Public Works and Leisure Services

**BACKGROUND/HISTORY:**

The City is re-building a parking lot in the area known as Alley D at the corners of Pine and Pecan Streets. The parking lot improvements include moving the utilities to underground, fixing drainage, and paving all of the parking lot.

**POLICY EXPLANATION:**

Given the public investment in improvements into this parking lot, there is a public purpose for the City to own and control the entire parking lot. Article II, Section 3 of the Texas Constitution does not allow public funds to be invested for private purpose, and paving property that is currently unpaved constitutes public investment. The property being acquired is used by each property owner for parking and has value attached to their building. In addition to acquiring the land, the City will be granting exclusive use of parking spaces to each building for a period of 99 years or until the building or need for public parking is eliminated.

There are four (4) pieces of property that the City needs to acquire in order to complete this project:

- 1,663 square feet from Raymah Davis in the amount of \$20,787.50 with three (3) parking spaces.

- 1,142 square feet from Ruth and Richard Smarzik in the amount of \$14,275.00 with three (3) parking spaces.
- 1,639 square feet from the Bastrop Chamber of Commerce in the amount of \$20,487.50 with four (4) parking spaces.
- 454 square feet from the Chestnut Street Limited in the amount of \$0.00 through the execution of a Deed without Warranty and the use of one (1) parking space.

**FUNDING SOURCE:**

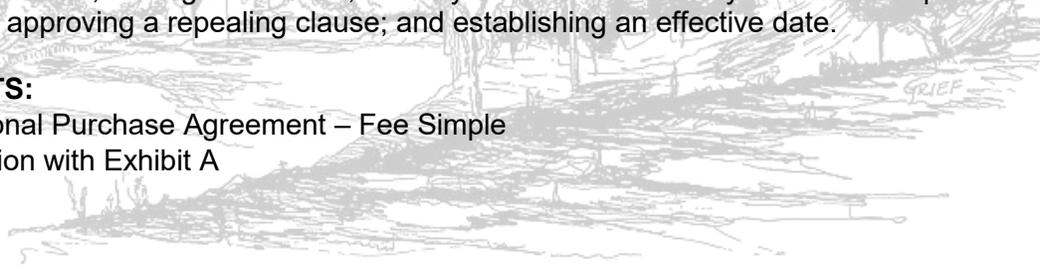
724-00-00-6712 (Bond account for Alley D Parking Project)

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-43 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,142 square feet in the amount of Fourteen Thousand Two Hundred Seventy-Five Dollars and 00 Cents (\$14,275.00) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County; granting the use of three (3) parking spaces for exclusive use to the building located at 925 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**ATTACHMENTS:**

- Conditional Purchase Agreement – Fee Simple
- Resolution with Exhibit A



**RESOLUTION NO. R-2017-43**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE PURCHASE OF A PARCEL OF LAND CONTAINING 1,142 SQUARE FEET IN THE AMOUNT OF FOURTEEN THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS AND 00 CENTS (\$14,275.00) SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, AND BEING A PART OF THAT TRACT DESCRIBED AS 0.107 ACRE IN A DEED FROM VIOLET JOHN, ET AL, TO RUTH ANNE SMARZIK AND RICHARD SMARZIK DATED FEBRUARY 6, 2015 AND RECORDED IN COUNTY CLERK'S FILE #201501605 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING ORIGINALLY BEEN DESCRIBED IN A DEED FROM JACK GRIESENBECK, ET UX, TO MARY OGDEN SCHULTZ DATED JUNE 1, 1993 AND RECORDED IN VOLUME 668, PAGE 552 OF THE OFFICIAL RECORDS OF BASTROP COUNTY; GRANTING THE USE OF THREE (3) PARKING SPACES FOR EXCLUSIVE USE TO THE BUILDING LOCATED AT 925 MAIN STREET FOR A TERM OF NINETY-NINE (99) YEARS UNLESS THE BUILDING OR PARKING LOT IS DEMOLISHED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT, CLOSING DOCUMENTS, AND ANY DOCUMENT NECESSARY TO FINALIZE THE PURCHASE OF THE PROPERTY; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop, Texas is re-building a parking lot in an area known as Alley D; and

**WHEREAS**, the City of Bastrop, Texas is making improvements including paving, relocation of utilities and drainage; and

**WHEREAS**, the City of Bastrop, Texas needs to purchase 1,142 square feet of property from Ruth and Richard Smarzik in order to own and control the property for public purpose; and

**WHEREAS**, the City of Bastrop, Texas recognizes that the property being purchased is currently used for private parking and adds value to the main structure located at 925 Main Street for which exclusive parking spaces will be provided as a part of this transaction.

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

**Section 1:** That the City of Bastrop, Texas will purchase a parcel of land containing 1,142 square feet from Ruth and Richard Smarzik in the amount of Fourteen Thousand Two Hundred Seventy-Five Dollars and 00 Cents (\$14,275.00) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County as shown in Exhibit A.

**Section 2:** That the City of Bastrop, Texas will grant three (3) permanent parking places to exclusive use to the building located at 925 Main Street for a term of Ninety-Nine (99) years unless the building or parking lot is demolished first.

**Section 3:** That the City of Bastrop, Texas City Council authorizes the City Manager to execute all necessary documents to complete this transaction.

**Section 4:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

STATE OF TEXAS                   §  
  §  
COUNTY OF BASTROP           §

**CONDITIONAL PURCHASE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **RUTH ANNE SMARZIK AND RICHARD SMARZIK**, hereinafter referred to as “**SELLER**”, for and in consideration of the agreed purchase price of **FOURTEEN THOUSAND TWO HUNDRED AND SEVENTY-FIVE DOLLARS AND NO/100 (\$14,275.00) DOLLARS** (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL and CONVEY** by General Warranty Deed to the **CITY OF BASTROP, TEXAS**, a Texas home rule municipality, hereinafter referred to as “**PURCHASER**”, a good, marketable title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described property (the “Property”) in the City of Bastrop, Bastrop County, Texas, to-wit:

**PROPERTY:** As more fully described in metes and bounds in **EXHIBIT “A”** attached hereto, the Property is described as follows:

All that certain tract or parcel of land containing 1,142 square feet situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County, Texas.

Together with all improvements incident or belonging thereto.

**Purchase and Sale Agreement:** **SELLER** agrees to sell and convey the Property to **PURCHASER**, and **PURCHASER** conditionally agrees to buy and pay **SELLER** for the Property. The promises by **PURCHASER** and **SELLER** stated in this contract are the consideration for the formation of this contract.

**Offer Conditional:** **PURCHASER’S** obligation to buy or convey the real property described in this agreement is conditional and shall not be effective until such action is approved by the City Council of the City of Bastrop, Texas.

**SELLER** hereby agrees to furnish **PURCHASER** a Release, Partial Release or Subordination of Lien, if applicable.

**Special Conditions:** **PURCHASER AND SELLER** acknowledge and agree to the following:

(1) **SELLER**, and **SELLER’S** heirs, successors and assigns shall reserve from conveyance, for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 925 Main Street, Bastrop, Texas and being owned by the **SELLER**, his heirs,

successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of three (3) parking spaces upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

The **PURCHASER**, without expense to the **SELLER**, shall prepare the General Warranty Deed document and shall bear the expense of all closing costs.

**INDEPENDENCE TITLE COMPANY** shall act as **Agent**, and the **SELLER** agrees that closing shall occur at a mutually agreeable time and day at the **Agent's** office located at **301 Highway 71 West, Suite 106, Bastrop, Texas** and **SELLER** shall appear at **Agent's** office at said time to execute a **GENERAL WARRANTY DEED** in substantially similar form as **EXHIBIT "B"** and other conveyance documents reasonably required by **Agent**.

Until title has been conveyed to the **PURCHASER**, loss or damage to the Property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Property. This shall be **SELLER'S** sole remedy in the event of **PURCHASER'S** determination not to proceed to proceed with closing. This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager, or other designated official. Such acceptance shall be acknowledged by the City Manager, or other designated official's execution of this contract. This contract contains the entire consideration for the purchase and conveyance of the Property, it being agreed and understood that there is no valid other written or parole agreement regarding the Property between **SELLER** and the City, or any officer or employee of the City.

This Agreement shall remain binding on the Parties for a period of 180 days after execution by the City Manager, or other designated city official. After such period should the sale that is the subject of this contract not close, such failure shall be deemed as **PURCHASER'S** decision not to proceed with closing.

The **PURCHASER** may take possession of the Property immediately upon the **SELLER'S** execution of this contract.

**EXECUTED** this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**SELLER:**

---

Ruth Anne Smarzik

---

Richard Smarzik

**PURCHASER:**

**CITY OF BASTROP,**  
a Texas home rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**EXHIBIT A**

[Insert Survey]

**EXHIBIT B**

**[Form of General Warranty Deed]**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**GENERAL WARRANTY DEED**

THE STATE OF TEXAS           §  
  §  
COUNTY OF BASTROP         §

KNOW ALL MEN BY THESE PRESENTS: That **RUTH ANNE SMARZIK AND RICHARD SMARZIK** (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF BASTROP, TEXAS**, a home-rule municipality located in Bastrop County, Texas (“Grantee”), whose mailing address is P.O. Box 427, Bastrop, Bastrop County, Texas 78602, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on **EXHIBIT“ A”**, attached hereto and incorporated herein by reference (“Property”).

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years.

Grantor, and Grantor’s heirs, successors and assigns, hereby expressly reserve and retain from conveyance for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 925 Main Street, Bastrop, Texas and being owned by the Grantor, and Grantor’s heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of three (3) parking spaces upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation

and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

No responsibility for validity of real estate title assumed by attorney preparing this instrument unless a written title opinion rendered.

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
Ruth Anne Smarzik

\_\_\_\_\_  
Richard Smarzik

---

---

Acknowledgement

THE STATE OF TEXAS            §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_ 2017,  
by Ruth Anne Smarzik for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

Acknowledgement

THE STATE OF TEXAS            §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_ 2017,  
by Richard Smarzik for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

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**AGREED AND ACCEPTED:**

**CITY OF BASTROP, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

After recordation please return to:   City of Bastrop  
Attn: Lynda K. Humble, City Manager  
P.O. Box 427,  
Bastrop, Texas 78602

**EXHIBIT A**

**[Insert Survey]**

STATE OF TEXAS  
COUNTY OF BASTROP

RUTH & RICHARD SMARZIK  
TRACT "2"  
1,142 SQUARE FEET

All that certain tract or parcel of land containing **1,142 square feet** situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.107 acre in a deed from Violet John, et al, to Ruth Anne Smarzik and Richard Smarzik dated February 6, 2015 and recorded in County Clerk's File #201501605 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, et ux, to Mary Ogden Schultz dated June 1, 1993 and recorded in Volume 668, Page 552 of the Official Records of Bastrop County, said **1,142 square foot** tract being more particularly described by metes and bounds as follows:

Commencing at a concrete nail found 0.10 feet West of the East margin of Main Street (55.56 foot wide right-of-way) for witness to the Northwest corner of said Smarzik tract and the Southwest corner of the (called) 0.113 acre Bastrop Chamber of Commerce tract (Vol. 685, Pg. 498 B.C.O.R.), said point having a coordinate value of North = 10,016,727.15 feet and East = 3,249,334.55 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence North 87 degrees 01 minutes 34 seconds East, departing said Main Street along the common line between said Smarzik and Bastrop Chamber of Commerce tracts, 158.79 feet to a cotton spindle set for the Northwest corner of the tract herein described and the **PLACE OF BEGINNING**;

Thence **North 87 degrees 01 minutes 34 seconds East**, continuing along said common line, at 18.57 feet passing a 1/2" iron rod set (at the previous location of a 5/8" iron rod found in a 2016 survey) for the Southeast corner of said Bastrop Chamber of Commerce tract and the Southwest corner of the Donald Bennett tracts (County Clerk's File #201415627), at 43.07 feet passing the Southeast corner of said Bennett tracts and the Southwest corner of the (called) 0.045 acre Chestnut Street, Ltd. "Tract 1" (Vol. 1022, Pg. 447 B.C.O.R.), being 0.61 feet South of a 5/8" iron rod found, and continuing for a total distance of **47.70 feet** to a 1/2" iron rod set for the original Northeast

RUTH AND RICHARD SMARZIK  
TRACT "2" - 1,142 SQUARE FEET  
PAGE 2 OF 3

corner of said Smarzik tract, the Northwest corner of that tract reserved to T.A. Hasler as a "save and except" in a deed from T.A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Deed Records of Bastrop County and the Northeast corner of the tract herein described;

Thence **South 02 degrees 38 minutes 55 seconds East, 24.05 feet** along the common line between said original Smarzik tract and said Hasler "reserve" tract to a cotton spindle set in the North line of Lot 2 of "921 Main Street Subdivision" (Plat Cabinet 6, Slide 41B - Bastrop County Plat Records) for the Southwest corner of said Hasler tract, the Southeast corner of said Smarzik tract and the Southeast corner of the tract herein described;

Thence **South 87 degrees 16 minutes 21 seconds West, 47.67 feet** along the common line between said "921 Main Street Subdivision" and said Smarzik tract to a 1/2" iron rod set for the Southwest corner of the tract herein described, from which a 1/2" iron rod found for the Northwest corner of said Lot 2 bears South 87 degrees 16 minutes 21 seconds West, 4.04 feet;

Thence **North 02 degrees 43 minutes 39 seconds West**, departing said common line and severing said Smarzik tract, **23.84 feet** to the **PLACE OF BEGINNING** and containing **1,142 square feet**.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96). Convergence = +01 degree 33 minutes 07 seconds. Combined factor = 0.99999309.

STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.  
Firm No. 10001700  
Consulting Engineering & Land Surveying



Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
May 22, 2017  
BEFCO Job No. 17-6940(2)



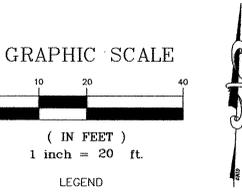
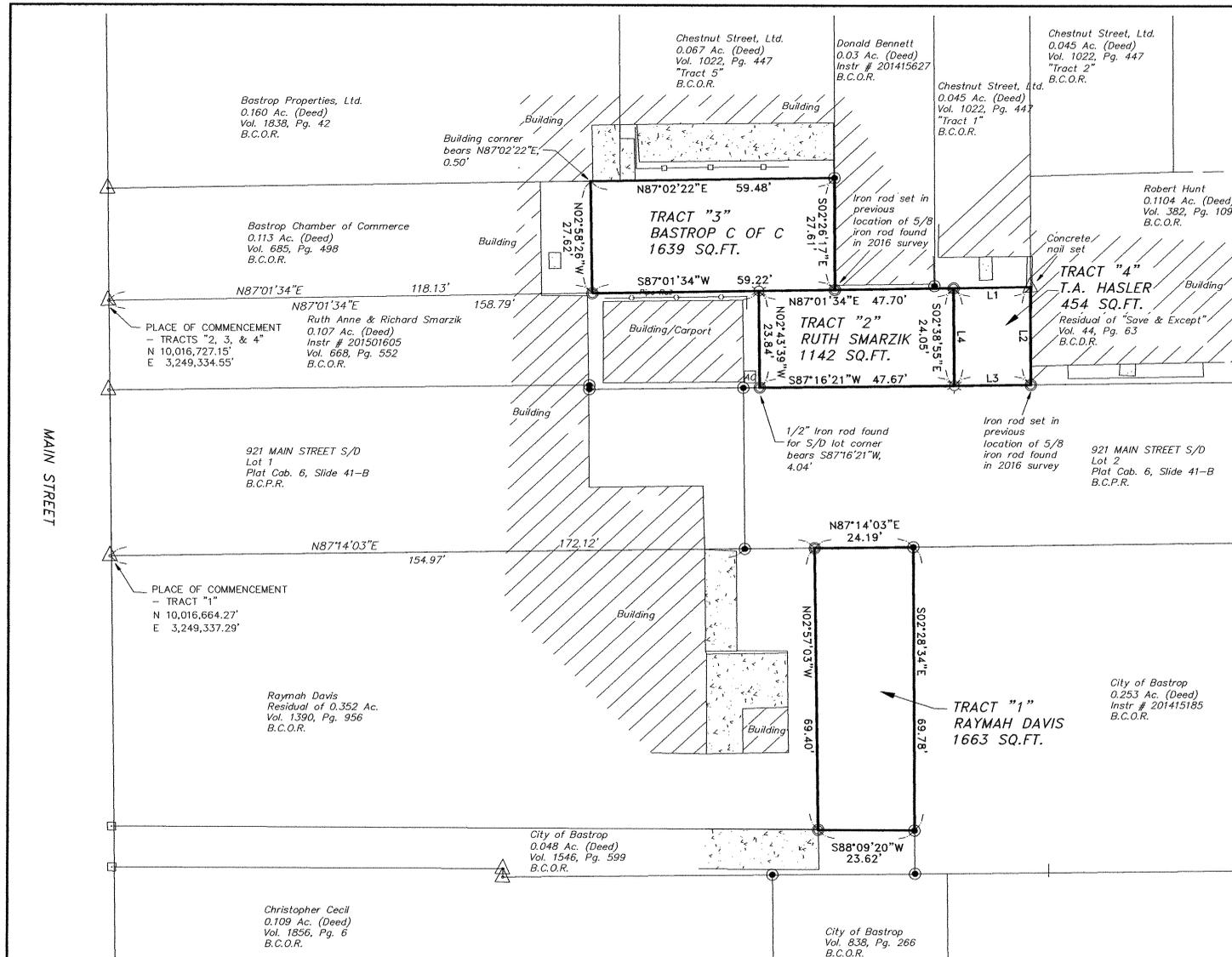
PLAT SHOWING THE SURVEY OF 4 TRACTS SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, SAID 4 TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "1" - RAYMAH DAVIS - 1,663 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.352 ACRE IN A DEED FROM CLYDE STEPHENS TO KENNETH CRUISE DATED DECEMBER 3, 2003 AND RECORDED IN VOLUME 1390, PAGE 956 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "2" - RUTH & RICHARD SMARZIK - 1,142 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.107 ACRE IN A DEED FROM VIOLET JOHN, ET AL, TO RUTH ANNE SMARZIK AND RICHARD SMARZIK DATED FEBRUARY 6, 2015 AND RECORDED IN COUNTY CLERK'S FILE #201501605 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING BEEN ORIGINALLY DESCRIBED IN A DEED FROM JACK GRIESENBECK, ET UX, TO MARY OGDEN SCHULTZ DATED JUNE 1, 1993 AND RECORDED IN VOLUME 668, PAGE 552 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "3" - BASTROP CHAMBER OF COMMERCE - 1,639 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.113 ACRE IN A DEED FROM JACK GRIESENBECK, ET UX, TO BASTROP CHAMBER OF COMMERCE DATED NOVEMBER 2, 1993 AND RECORDED IN VOLUME 685, PAGE 498 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "4" - T.A. HASLER - 454 SQUARE FEET, BEING THE RESIDUAL OF THAT TRACT RESERVED TO T.A. HASLER AS A "SAVE AND EXCEPT" IN A DEED FROM T.A. HASLER, ET UX, TO MAGGIE OLIVE DATED SEPTEMBER 28, 1908 AND RECORDED IN VOLUME 44, PAGE 63 OF THE DEED RECORDS OF BASTROP COUNTY.



Bearings, distances and coordinates shown hereon are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83 (CORS 96).  
Convergence = +01'33"07"  
Combined Factor = 0.99999309

NOTE: Subject tract is designated unshaded ZONE "X" (areas outside the 0.2% annual chance flood) according to F.E.M.A. Flood Insurance Rate Map No. 46021C0355E revised January 19, 2006.

NOTE: At the time of this survey, utility and parking lot construction project was in progress on the subject tracts and adjoining tracts. Therefore, these improvements are not shown on this survey.

THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT. SUBJECT TRACT MAY BE SUBJECT TO ANY CONDITIONS, EASEMENTS, RESTRICTIONS OR EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MIGHT DISCLOSE.

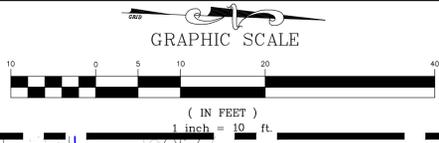
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°01'34"E	18.91'
L2	S02°20'39"E	24.13'
L3	S87°16'21"W	18.78'
L4	N02°38'55"W	24.05'

STATE OF TEXAS  
COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of the survey, and that this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category IB Land Survey.

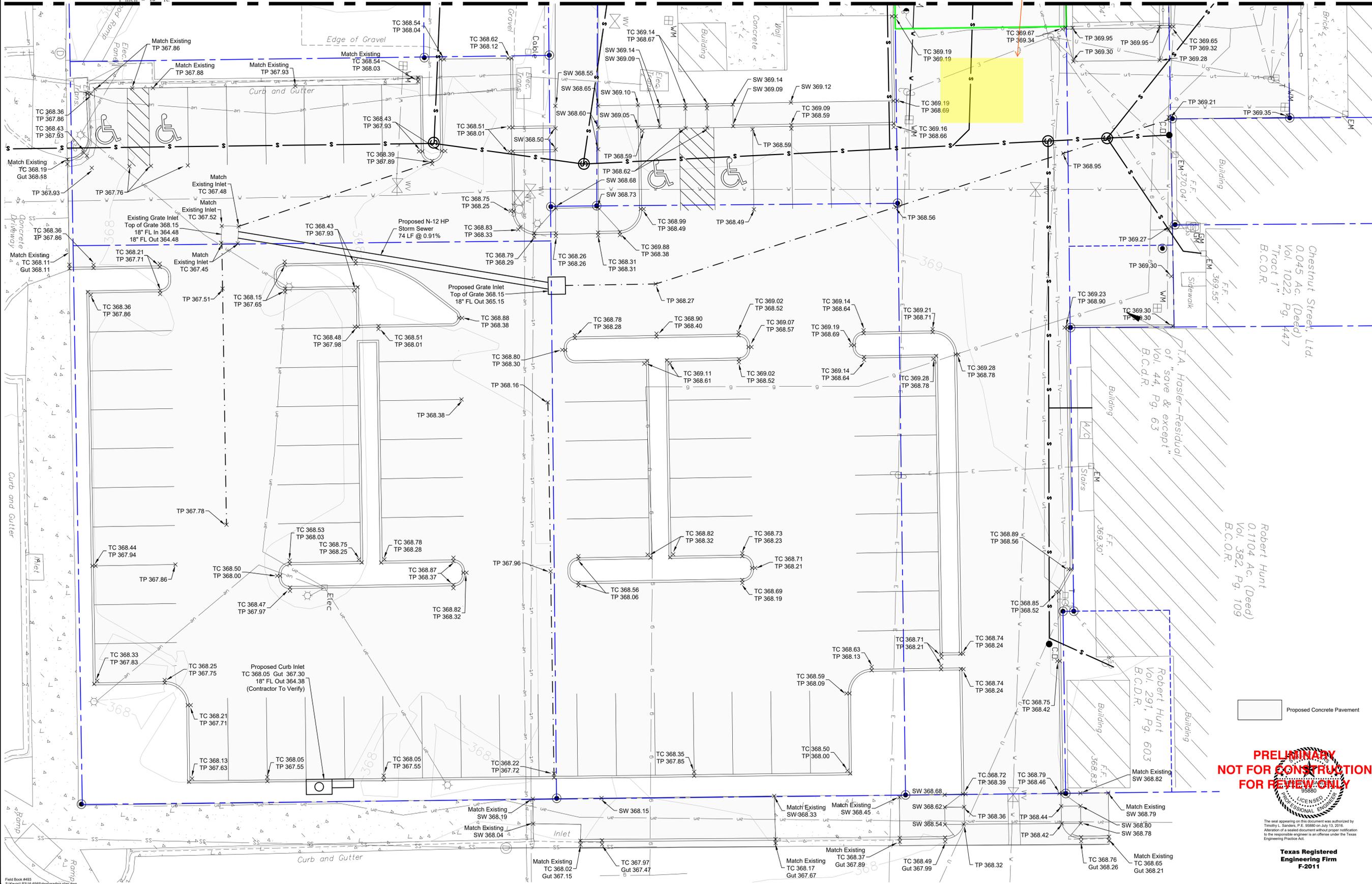
*Kevin Von Minden*  
Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
BEFCO ENGINEERING, INC.  
Firm No. 10001700  
La Grange, Texas  
979-368-6474  
May 22, 2017





SEE SHEET 7

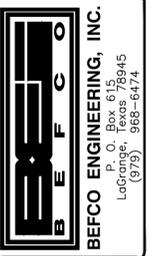
3 Spaces Richard & Ann Smarzik behind 921 Main street



**PRELIMINARY  
NOT FOR CONSTRUCTION  
FOR REVIEW ONLY**



Texas Registered  
Engineering Firm  
F-2011



CITY OF BASTROP  
ALLEY "D"  
PARKING LOT IMPROVEMENTS

REVISION:


DRAWN BY: JCP  
CHECKED BY: GK  
BEFCO JOB NO: 16-6565  
PLOT SCALE 1" = 20'

SHEET TITLE  
GRADING PLAN  
DATE ISSUED: 07/13/16  
SHEET

6



# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11G

**TITLE:**

Consider action to approve Resolution No. R-2017-44 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,639 square feet in the amount of Twenty Thousand Four Hundred Eighty-Seven Dollars and Fifty Cents (\$20,487.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.113 acre in a deed from Jack Griensenbeck, et ux, to Bastrop Chamber of Commerce dated November 2, 1993 and recorded in Volume 685, Page 498 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck,; granting the use of four (4) parking spaces for exclusive use to the building located at 927 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date. **S**

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager  
Trey Job, Managing Director of Public Works and Leisure Services

**BACKGROUND/HISTORY:**

The City is re-building a parking lot in the area known as Alley D at the corners of Pine and Pecan Streets. The parking lot improvements include moving the utilities to underground, fixing drainage, and paving all of the parking lot.

**POLICY EXPLANATION:**

Given the public investment in improvements into this parking lot, there is a public purpose for the City to own and control the entire parking lot. Article II, Section 3 of the Texas Constitution does not allow public funds to be invested for private purpose, and paving property that is currently unpaved constitutes public investment. The property being acquired is used by each property owner for parking and has value attached to their building. In addition to acquiring the land, the City will be granting exclusive use of parking spaces to each building for a period of 99 years or until the building or need for public parking is eliminated.

There are four (4) pieces of property that the City needs to acquire in order to complete this project:

- 1,663 square feet from Raymah Davis in the amount of \$20,787.50 with three (3) parking spaces.
- 1,142 square feet from Ruth and Richard Smarzik in the amount of \$14,275.00 with three (3) parking spaces.

- 1,639 square feet from the Bastrop Chamber of Commerce in the amount of \$20,487.50 with four (4) parking spaces.
- 454 square feet from the Chestnut Street Limited in the amount of \$0.00 through the execution of a Deed without Warranty and the use of one (1) parking space.

**FUNDING SOURCE:**

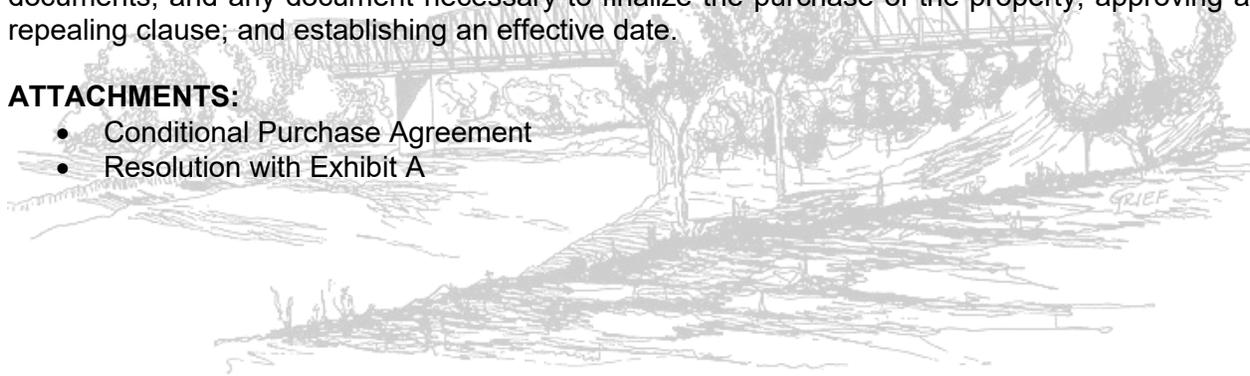
724-00-00-6712 (Bond account for Alley D Parking Project)

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-44 of the City Council of the City of Bastrop, Texas authorizing the purchase of a parcel of land containing 1,639 square feet in the amount of Twenty Thousand Four Hundred Eighty-Seven Dollars and Fifty Cents (\$20,487.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.113 acre in a deed from Jack Griensenbeck, et ux, to Bastrop Chamber of Commerce dated November 2, 1993 and recorded in Volume 685, Page 498 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck,; granting the use of four (4) parking spaces for exclusive use to the building located at 927 Main Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**ATTACHMENTS:**

- Conditional Purchase Agreement
- Resolution with Exhibit A



**RESOLUTION NO. R-2017-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE PURCHASE OF A PARCEL OF LAND CONTAINING 1,639 SQUARE FEET IN THE AMOUNT OF TWENTY THOUSAND FOUR HUNDRED EIGHTY-SEVEN DOLLARS AND FIFTY CENTS (\$20,487.50) SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, AND BEING A PART OF THAT TRACT DESCRIBED AS 0.113 ACRE IN A DEED FROM JACK GRIENSENBECK, ET UX, TO BASTROP CHAMBER OF COMMERCE DATED NOVEMBER 2, 1993 AND RECORDED IN VOLUME 685, PAGE 498 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING ORIGINALLY BEEN DESCRIBED IN A DEED FROM JACK GRIENSENBECK,; GRANTING THE USE OF FOUR (4) PARKING SPACES FOR EXCLUSIVE USE TO THE BUILDING LOCATED AT 927 MAIN STREET FOR A TERM OF NINETY-NINE (99) YEARS UNLESS THE BUILDING OR PARKING LOT IS DEMOLISHED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT, CLOSING DOCUMENTS, AND ANY DOCUMENT NECESSARY TO FINALIZE THE PURCHASE OF THE PROPERTY; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop, Texas is re-building a parking lot in an area known as Alley D; and

**WHEREAS**, the City of Bastrop, Texas is making improvements including paving, relocation of utilities and drainage; and

**WHEREAS**, the City of Bastrop, Texas needs to purchase 1,639 square feet of property from Bastrop Chamber of Commerce in order to own and control the property for public purpose; and

**WHEREAS**, the City of Bastrop, Texas recognizes that the property being purchased is currently used for private parking and adds value to the main structure located at 927 Main Street for which exclusive parking spaces will be provided as a part of this transaction.

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

**Section 1:** That the City of Bastrop, Texas will purchase a parcel of land containing 1,639 square feet from Bastrop Chamber of Commerce in the amount of Twenty Thousand Four Hundred Eighty-Seven Dollars and Fifty Cents (\$20,487.50) situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.113 acre in a deed from Jack Griensenbeck, et ux, to Bastrop Chamber of Commerce dated November 2, 1993 and recorded in Volume 685, Page 498 of the Official Records of Bastrop County, said Smarzik tract having originally been described in a deed from Jack Griesenbeck, as shown in Exhibit A.

**Section 2:** That the City of Bastrop, Texas will grant four (4) permanent parking places to exclusive use to the building located at 927 Main Street for a term of Ninety-Nine (99) years unless the building or parking lot is demolished first.

**Section 3:** That the City of Bastrop, Texas City Council authorizes the City Manager to execute all necessary documents to complete this transaction.

**Section 4:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

STATE OF TEXAS                   §  
   §  
COUNTY OF BASTROP           §

**CONDITIONAL PURCHASE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **THE BASTROP CHAMBER OF COMMERCE**, a Texas non-profit organization, hereinafter referred to as “**SELLER**”, for and in consideration of the agreed purchase price of **TWENTY THOUSAND FOUR HUNDRED AND EIGHTY-SEVEN DOLLARS AND 50/100 (\$20,487.50) DOLLARS** (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL and CONVEY** by General Warranty Deed to the **CITY OF BASTROP, TEXAS**, a Texas home rule municipality, hereinafter referred to as “**PURCHASER**”, a good, marketable title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described property (the “Property”) in the City of Bastrop, Bastrop County, Texas, to-wit:

**PROPERTY:** As more fully described in metes and bounds in **EXHIBIT “A”** attached hereto, the Property is described as follows:

All that certain tract or parcel of land containing 1,639 square feet situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a part of that tract described as 0.113 acre in a deed from Jack Griesenbeck, et ux, to Bastrop Chamber of Commerce dated November 2, 1993 and recorded in Volume 685, Page 498 of the Official Records of Bastrop County, Texas.

Together with all improvements incident or belonging thereto.

**Purchase and Sale Agreement:** **SELLER** agrees to sell and convey the Property to **PURCHASER**, and **PURCHASER** conditionally agrees to buy and pay **SELLER** for the Property. The promises by **PURCHASER** and **SELLER** stated in this contract are the consideration for the formation of this contract.

**Offer Conditional:** **PURCHASER’S** obligation to buy or convey the real property described in this agreement is conditional and shall not be effective until such action is approved by the City Council of the City of Bastrop, Texas.

**SELLER** hereby agrees to furnish **PURCHASER** a Release, Partial Release or Subordination of Lien, if applicable.

**Special Conditions:** **PURCHASER AND SELLER** acknowledge and agree to the following:

(1) **SELLER**, and **SELLER’S** heirs, successors and assigns shall reserve from conveyance, for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 927 Main Street, Bastrop, Texas and being owned by the **SELLER**, his heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of four (4) parking spaces upon the Property with right of access; said

reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

(2) SELLER shall file a **Certificate of Interested Parties (TEC Form 1295)**. SELLER acknowledges that for contracts needing City Council approval, the City may not accept or enter into a contract until it has received from the SELLER a completed, signed, and notarized TEC Form 1295 complete with a certificate number assigned by the Texas Ethics Commission ("TEC"), pursuant to Texas Government Code § 2252.908 and the rules promulgated thereunder by the TEC. The SELLER understands that failure to provide said form complete with a certificate number assigned by the TEC will prohibit the City from entering into the Contract.

Pursuant to the rules prescribed by the TEC, the TEC Form 1295 must be completed online through the TEC's website, assigned a certificate number, printed, signed and notarized, and provided to the City. The TEC Form 1295 must be provided to the City prior to contract execution. SELLER acknowledges that the City does not have the ability to verify the information included in a TEC Form 1295, and further has no obligation nor undertakes responsibility for advising the SELLER with respect to the proper completion of the TEC Form 1295.

The **PURCHASER**, without expense to the **SELLER**, shall prepare the General Warranty Deed document and shall bear the expense of all closing costs.

**INDEPENDENCE TITLE COMPANY** shall act as **Agent**, and the **SELLER** agrees that closing shall occur at a mutually agreeable time and day at the **Agent's** office located at **301 Highway 71 West, Suite 106, Bastrop, Texas** and **SELLER** shall appear at **Agent's** office at said time to execute a **GENERAL WARRANTY DEED** in substantially similar form as **EXHIBIT "B"** and other conveyance documents reasonably required by **Agent**.

Until title has been conveyed to the **PURCHASER**, loss or damage to the Property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Property. This shall be **SELLER'S** sole remedy in the event of **PURCHASER'S** determination not to proceed to proceed with closing. This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager, or other designated official. Such acceptance shall be acknowledged by the City Manager, or other designated official's execution of this contract. This contract contains the entire consideration for the purchase and conveyance of the Property, it being agreed and understood that there is no valid other written or parole agreement regarding the Property between **SELLER** and the City, or any officer or employee of the City.

This Agreement shall remain binding on the Parties for a period of 180 days after execution by the City Manager, or other designated city official. After such period should the sale that is the subject

of this contract not close, such failure shall be deemed as **PURCHASER'S** decision not to proceed with closing.

The **PURCHASER** may take possession of the Property immediately upon the **SELLER'S** execution of this contract.

**EXECUTED** this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**SELLER:**

\_\_\_\_\_  
Becki Womble, IOM, President and CEO

**PURCHASER:**

**CITY OF BASTROP,**  
a Texas home rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**EXHIBIT A**

[Insert Survey]

**EXHIBIT B**

**[Form of General Warranty Deed]**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**GENERAL WARRANTY DEED**

THE STATE OF TEXAS            §  
  §  
COUNTY OF BASTROP         §

KNOW ALL MEN BY THESE PRESENTS: That **The Bastrop Chamber of Commerce**, a Texas non-profit organization, acting by and through its duly authorized official (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF BASTROP, TEXAS**, a home-rule municipality located in Bastrop County, Texas (“Grantee”), whose mailing address is P.O. Box 427, Bastrop, Bastrop County, Texas 78602, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on **EXHIBIT “A”**, attached hereto and incorporated herein by reference (“Property”).

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof except, however, that this conveyance is made subject to the liens securing payment of ad valorem taxes for the current and all subsequent years.

Grantor, and Grantor’s heirs, successors and assigns, hereby expressly reserve and retain from conveyance for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 927 Main Street, Bastrop, Texas and being owned by the Grantor, and Grantor’s heirs, successors and assigns is demolished or abandoned, whichever

occurs first, an exclusive parking easement consisting of four (4) parking spaces upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

No responsibility for validity of real estate title assumed by attorney preparing this instrument unless a written title opinion rendered.

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
Becki Womble, IOM, President and CEO of the  
Bastrop Chamber of Commerce

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Acknowledgement

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_ 2017, by Becki Womble, IOM, President and CEO of the Bastrop Chamber of Commerce for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

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**AGREED AND ACCEPTED:**

**CITY OF BASTROP, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

After recordation please return to:   City of Bastrop  
Attn: Lynda K. Humble, City Manager  
P.O. Box 427,  
Bastrop, Texas 78602

**EXHIBIT A**

**[Insert Survey]**

STATE OF TEXAS  
COUNTY OF BASTROP

T.A. HASLER  
TRACT "4"  
454 SQUARE FEET

All that certain tract or parcel of land containing **454 square feet** situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T.A. Hasler as a "save and except" in a deed from T.A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 if the Deed Records of Bastrop County, said **454 square foot** tract being more particularly described by metes and bounds as follows:

Commencing at a concrete nail found 0.10 feet West of the East margin of Main Street (55.56 foot wide right-of-way) for witness to the Northwest corner of the (called) 0.107 acre Ruth and Richard Smarzik tract (County Clerk's File #201501605 - Vol. 668, Pg. 552 B.C.O.R.) and the Southwest corner of the (called) 0.113 acre Bastrop Chamber of Commerce tract (Vol. 685, Pg. 498 B.C.O.R.), said point having a coordinate value of North = 10,016,727.15 feet and East = 3,249,334.55 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence North 87 degrees 01 minutes 34 seconds East, departing said Main Street along the common line between said Smarzik and Bastrop Chamber of Commerce tracts, at 177.35 feet passing a 1/2" iron rod set (at the previous location of a 5/8" iron rod found in a 2016 survey) for the Southeast corner of said Bastrop Chamber of Commerce tract and the Southwest corner of the Donald Bennett tracts (County Clerk's File #201415627 B.C.O.R.), at 201.86 feet passing the Southeast corner of said Bennett tracts and the Southwest corner of the (called) 0.045 acre Chestnut Street, Ltd. "Tract 1" (Vol. 1022, Pg. 447 B.C.O.R.), being 0.61 feet South of a 5/8" iron rod found, and continuing for a total distance of 206.49 feet to a 1/2" iron rod set for the original Northeast corner of said Smarzik tract, the Northwest corner of said Hasler "reserve" tract, the Northwest corner of the tract herein described and the **PLACE OF BEGINNING;**

Thence **North 87 degrees 01 minutes 34 seconds East**, continuing along the common line between said Hasler "reserve" tract and said (called) 0.045 acre Chestnut Street, Ltd. tract, **18.91 feet**

T.A. HASLER  
TRACT "4" - 454 SQUARE FEET  
PAGE 2 OF 3

to a concrete nail set in the West line of the (called) 0.1104 acre Robert Hunt tract (Vol. 382, Pg. 109 B.C.O.R.) for the Southeast corner of said Chestnut Street, Ltd. tract and the Northeast corner of the tract herein described;

Thence **South 02 degrees 20 minutes 39 seconds East, 24.13 feet** along the West line of said Hunter tract and severing said original Hasler "reserve" tract to a 1/2" iron rod set (at the previous location of a 5/8" iron rod found in a 2016 survey) in the North line of Lot 2 of "921 Main Street Subdivision" (Plat Cabinet 6, Slide 41B - Bastrop County Plat Records) for the Southwest corner of said Hunter tract and the Southeast corner of the tract herein described;

Thence **South 87 degrees 16 minutes 21 seconds West, 18.78 feet** along the common line between said "921 Main Street Subdivision" and said Hasler "reserve" tract to a cotton spindle set for the Southeast corner of said Smarzik tract, the Southwest corner of said Hasler "reserve" tract and the Southwest corner of the tract herein described, from which a 1/2" iron rod found for the Northwest corner of said Lot 2 bears South 87 degrees 16 minutes 21 seconds West, 51.71 feet;

Thence **North 02 degrees 38 minutes 55 seconds West, 24.05 feet** along the original common line between said Smarzik tract and said Hasler "reserve" tract to the **PLACE OF BEGINNING** and containing **454 square feet**.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96). Convergence = +01 degree 33 minutes 07 seconds. Combined factor = 0.99999309.

STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.  
Firm No. 10001700  
Consulting Engineering & Land Surveying



Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
May 22, 2017  
BEFCO Job No. 17-6940(4)



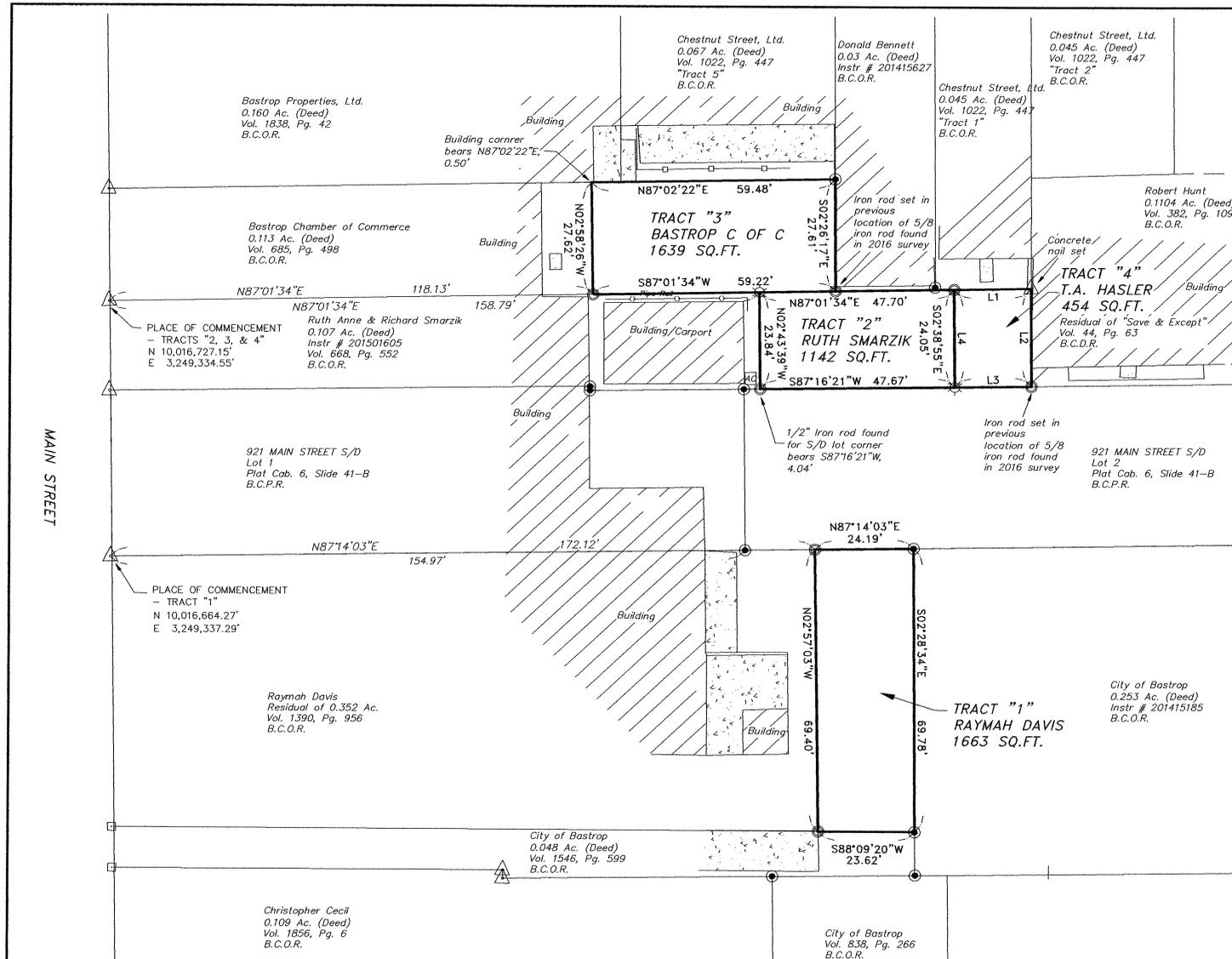
PLAT SHOWING THE SURVEY OF 4 TRACTS SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, SAID 4 TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "1" - RAYMAH DAVIS - 1,663 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.352 ACRE IN A DEED FROM CLYDE STEPHENS TO KENNETH CRUISE DATED DECEMBER 3, 2003 AND RECORDED IN VOLUME 1390, PAGE 956 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "2" - RUTH & RICHARD SMARZIK - 1,142 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.107 ACRE IN A DEED FROM VIOLET JOHN, ET AL, TO RUTH ANNE SMARZIK AND RICHARD SMARZIK DATED FEBRUARY 6, 2015 AND RECORDED IN COUNTY CLERK'S FILE #201501605 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING BEEN ORIGINALLY DESCRIBED IN A DEED FROM JACK GRIESENBECK, ET UX, TO MARY OGDEN SCHULTZ DATED JUNE 1, 1993 AND RECORDED IN VOLUME 668, PAGE 552 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "3" - BASTROP CHAMBER OF COMMERCE - 1,639 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.113 ACRE IN A DEED FROM JACK GRIESENBECK, ET UX, TO BASTROP CHAMBER OF COMMERCE DATED NOVEMBER 2, 1993 AND RECORDED IN VOLUME 685, PAGE 498 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "4" - T.A. HASLER - 454 SQUARE FEET, BEING THE RESIDUAL OF THAT TRACT RESERVED TO T.A. HASLER AS A "SAVE AND EXCEPT" IN A DEED FROM T.A. HASLER, ET UX, TO MAGGIE OLIVE DATED SEPTEMBER 28, 1908 AND RECORDED IN VOLUME 44, PAGE 63 OF THE DEED RECORDS OF BASTROP COUNTY.



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

LEGEND

- - 1/2" Iron rod found (or as noted)
- - 1/2" Iron rod set
- △ - Concrete nail found (or as noted)
- - Chiseled "X" found in concrete
- ☆ - Cotton spindle set

Field Book 505

Bearings, distances and coordinates shown hereon are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83 (CORS 96).

Convergence = +01'33.07"  
Combined Factor = 0.99999309

NOTE: Subject tract is designated unshaded ZONE "X" (areas outside the 0.2% annual chance flood) according to F.E.M.A. Flood Insurance Rate Map No. 48021C0355E revised January 19, 2006.

NOTE: At the time of this survey, utility and parking lot construction project was in progress on the subject tracts and adjoining tracts. Therefore, these improvements are not shown on this survey.

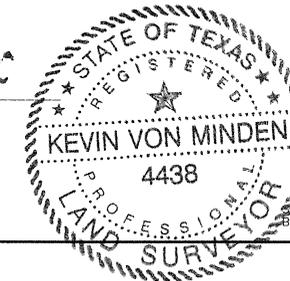
THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT. SUBJECT TRACT MAY BE SUBJECT TO ANY CONDITIONS, EASEMENTS, RESTRICTIONS OR EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MIGHT DISCLOSE.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°01'34"E	18.91'
L2	S02°20'39"E	24.13'
L3	S87°16'21"W	18.78'
L4	N02°38'55"W	24.05'

STATE OF TEXAS  
COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of the survey, and that this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category IB Land Survey.

*Kevin Von Minden*  
Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
BEFCO ENGINEERING, INC.  
Firm No. 10001700  
La Grange, Texas  
979-968-6474  
May 22, 2017







# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 11H

**TITLE:**

Consider action to approve Resolution No. R-2017-45 of the City Council of the City of Bastrop, Texas authorizing the purchase of land containing 454 square feet from Chestnut Street LTD situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T. A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Official Records of Bastrop County; granting the use of one (1) parking space for exclusive use to the building located at 707 Chestnut Street Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager  
Trey Job, Managing Director of Public Works and Leisure Services

**BACKGROUND/HISTORY:**

The City is re-building a parking lot in the area known as Alley D at the corners of Pine and Pecan Streets. The parking lot improvements include moving the utilities to underground, fixing drainage, and paving all of the parking lot.

**POLICY EXPLANATION:**

Given the public investment in improvements into this parking lot, there is a public purpose for the City to own and control the entire parking lot. Article II, Section 3 of the Texas Constitution does not allow public funds to be invested for private purpose, and paving property that is currently unpaved constitutes public investment. The property being acquired is used by each property owner for parking and has value attached to their building. In addition to acquiring the land, the City will be granting exclusive use of parking spaces to each building for a period of 99 years or until the building or need for public parking is eliminated.

There are four (4) pieces of property that the City needs to acquire in order to complete this project:

- 1,663 square feet from Raymah Davis in the amount of \$20,787.50 with three (3) parking spaces.
- 1,142 square feet from Ruth and Richard Smarzik in the amount of \$14,275.00 with three (3) parking spaces.
- 1,639 square feet from the Bastrop Chamber of Commerce in the amount of \$20,487.50 with four (4) parking spaces.

- 454 square feet from the Chestnut Street Limited in the amount of \$0.00 through the execution of a Deed without Warranty and the use of one (1) parking space.

**FUNDING SOURCE:**

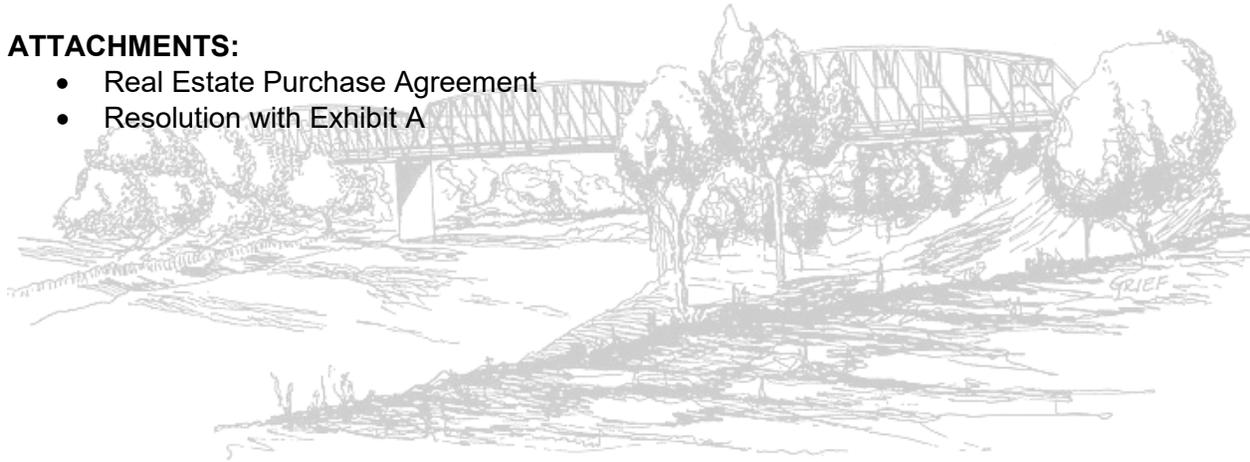
724-00-00-6712 (Bond account for Alley D Parking Project)

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-45 of the City Council of the City of Bastrop, Texas authorizing the purchase of land containing 454 square feet from Chestnut Street LTD situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T. A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Official Records of Bastrop County; granting the use of one (1) parking space for exclusive use to the building located at 707 Chestnut Street Street for a term of Ninety-Nine (99) Years unless the Building or Parking Lot is demolished; authorizing the City Manager to execute a purchase agreement, closing documents, and any document necessary to finalize the purchase of the property; approving a repealing clause; and establishing an effective date.

**ATTACHMENTS:**

- Real Estate Purchase Agreement
- Resolution with Exhibit A



**RESOLUTION NO. R-2017-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE PURCHASE OF LAND CONTAINING 454 SQUARE FEET FROM CHESTNUT STREET LTD SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, AND BEING A THE RESIDUAL OF THAT TRACT RESERVED TO T. A. HASLER, ET UX, TO MAGGIE OLIVE DATED SEPTEMBER 28, 1908 AND RECORDED IN VOLUME 44, PAGE 63 OF THE OFFICIAL RECORDS OF BASTROP COUNTY; GRANTING THE USE OF ONE (1) PARKING SPACE FOR EXCLUSIVE USE TO THE BUILDING LOCATED AT 707 CHESTNUT STREET FOR A TERM OF NINETY-NINE (99) YEARS UNLESS THE BUILDING OR PARKING LOT IS DEMOLISHED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT, CLOSING DOCUMENTS, AND ANY DOCUMENT NECESSARY TO FINALIZE THE PURCHASE OF THE PROPERTY; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop, Texas is re-building a parking lot in an area known as Alley D; and

**WHEREAS**, the City of Bastrop, Texas is making improvements including paving, relocation of utilities and drainage; and

**WHEREAS**, the City of Bastrop, Texas needs to acquire 454 square feet of property from Chestnut Street LTD in order to own and control the property for public purpose; and

**WHEREAS**, the City of Bastrop, Texas recognizes that the property being purchased is currently used for private parking and adds value to the main structure located at 707 Main Street for which exclusive parking spaces will be provided as a part of this transaction.

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

**Section 1:** That the City of Bastrop, Texas authorizes the execution of a Deed without Warranty containing 454 square feet from Chestnut Street LTD situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T. A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Official Records of Bastrop County as shown in Exhibit A.

**Section 2:** That the City of Bastrop, Texas will grant one permanent parking place for exclusive use to the building located at 707 Chestnut Street for a term of Ninety-Nine (99) years unless the building or parking lot is demolished first.

**Section 3:** That the City of Bastrop, Texas City Council authorizes the City Manager to execute all necessary documents to complete this transaction.

**Section 4:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney

STATE OF TEXAS                   §  
   §  
COUNTY OF BASTROP           §

**CONDITIONAL PURCHASE AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **CHESTNUT STREET, LTD**, a Texas limited company, hereinafter referred to as “**SELLER**”, for and in consideration of the agreed purchase price of **ZERO DOLLARS AND NO/100 (\$0.00) DOLLARS** and other good and valuable consideration accepted (the “Purchase Price”) and upon the terms and conditions hereof, contracts to **GRANT, SELL** and **CONVEY** by Deed without Warranty to the **CITY OF BASTROP, TEXAS**, a Texas home rule municipality, hereinafter referred to as “**PURCHASER**”, title to the following described property (the “Property”) in the City of Bastrop, Bastrop County, Texas, to-wit:

**PROPERTY:** As more fully described in metes and bounds in **EXHIBIT “A”** attached hereto, the Property is described as follows:

All that certain tract or parcel of land containing 454 square feet situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T.A. Hasler as a "save and except" in a deed from T.A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 if the Deed Records of Bastrop County, Texas.

Together with all improvements incident or belonging thereto.

**Purchase and Sale Agreement:** **SELLER** agrees to sell and convey the Property to **PURCHASER**, and **PURCHASER** conditionally agrees to buy and pay **SELLER** for the Property. The promises by **PURCHASER** and **SELLER** stated in this contract are the consideration for the formation of this contract.

**Offer Conditional:** **PURCHASER’S** obligation to buy or convey the real property described in this agreement is conditional and shall not be effective until such action is approved by the City Council of the City of Bastrop, Texas.

**Special Conditions:** **PURCHASER AND SELLER** acknowledge and agree to the following:

- (1) **SELLER**, and **SELLER’S** heirs, successors and assigns shall reserve from conveyance, for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 707 Chestnut Street, Bastrop, Texas and being owned by the **SELLER**, his heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of one (1) parking space upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor’s use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee’s use may interrupt Grantor’s reserved rights for limited periods of

time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

(2) SELLER shall file a **Certificate of Interested Parties (TEC Form 1295)**. SELLER acknowledges that for contracts needing City Council approval, the City may not accept or enter into a contract until it has received from the SELLER a completed, signed, and notarized TEC Form 1295 complete with a certificate number assigned by the Texas Ethics Commission (“TEC”), pursuant to Texas Government Code § 2252.908 and the rules promulgated thereunder by the TEC. The SELLER understands that failure to provide said form complete with a certificate number assigned by the TEC will prohibit the City from entering into the Contract.

Pursuant to the rules prescribed by the TEC, the TEC Form 1295 must be completed online through the TEC’s website, assigned a certificate number, printed, signed and notarized, and provided to the City. The TEC Form 1295 must be provided to the City prior to contract execution. SELLER acknowledges that the City does not have the ability to verify the information included in a TEC Form 1295, and further has no obligation nor undertakes responsibility for advising the SELLER with respect to the proper completion of the TEC Form 1295.

The **PURCHASER**, without expense to the **SELLER**, shall prepare the Deed without Warranty document and shall bear the expense of all closing costs.

**INDEPENDENCE TITLE COMPANY** shall act as **Agent**, and the **SELLER** agrees that closing shall occur at a mutually agreeable time and day at the **Agent’s** office located at **301 Highway 71 West, Suite 106, Bastrop, Texas** and **SELLER** shall appear at **Agent’s** office at said time to execute a **DEED WITHOUT WARRANTY** in substantially similar form as **EXHIBIT “B”** and other conveyance documents reasonably required by **Agent**.

Until title has been conveyed to the **PURCHASER**, loss or damage to the Property by fire or other casualty, except that caused by **PURCHASER**, shall be at the risk of the **SELLER** and the amount thereof shall be deducted from the Purchase Price. In the event this purchase fails to close through no fault of **SELLER**, **PURCHASER** shall repair any damage caused by **PURCHASER’S** entry on the Property. This shall be **SELLER’S** sole remedy in the event of **PURCHASER’S** determination not to proceed to proceed with closing. This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager, or other designated official. Such acceptance shall be acknowledged by the City Manager, or other designated official’s execution of this contract. This contract contains the entire consideration for the purchase and conveyance of the Property, it being agreed and understood that there is no valid other written or parole agreement regarding the Property between **SELLER** and the City, or any officer or employee of the City.

This Agreement shall remain binding on the Parties for a period of 180 days after execution by the City Manager, or other designated city official. After such period should the sale that is the subject of this contract not close, such failure shall be deemed as **PURCHASER’S** decision not to proceed with closing.

The **PURCHASER** may take possession of the Property immediately upon the **SELLER’S** execution of this contract.

**EXECUTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**SELLER:**

\_\_\_\_\_  
Becki Womble, IOM, President and CEO

**PURCHASER:**

**CITY OF BASTROP,**  
a Texas home rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**EXHIBIT A**

[Insert Survey]

**EXHIBIT B**

**[Form of Deed without Warranty]**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**DEED WITHOUT WARRANTY**

THE STATE OF TEXAS            §  
  §  
COUNTY OF BASTROP         §

KNOW ALL MEN BY THESE PRESENTS: That **Chestnut Street, LTD.**, a Texas limited company, acting by and through its duly authorized official (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF BASTROP, TEXAS**, a home-rule municipality located in Bastrop County, Texas (“Grantee”), whose mailing address is P.O. Box 427, Bastrop, Bastrop County, Texas 78602, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on **EXHIBIT “A”**, attached hereto and incorporated herein by reference (“Property”).

This conveyance is expressly made subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, mineral reservations and royalty reservations, and other matters of record, if any, affecting the Property. FURTHER, THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS - WHERE IS, WITH ALL FAULTS".

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; WITHOUT WARRANTY AND SUBJECT TO ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.

Grantor, and Grantor’s heirs, successors and assigns, hereby expressly reserve and retain from conveyance for a period of ninety-nine (99) years or until such time as the building adjacent to the Property and being located at 707 Chestnut Street, Bastrop, Texas and being owned by the

Grantor, and Grantor's heirs, successors and assigns is demolished or abandoned, whichever occurs first, an exclusive parking easement consisting of one (1) parking space upon the Property with right of access; said reservation shall be exclusive for parking purposes, but Grantee shall possess all other rights to occupy and use said easement, but only to the extent that such occupation and use does not materially interfere with Grantor's use of the easement. Grantor and Grantee acknowledge and agree, however, that Grantee's use may interrupt Grantor's reserved rights for limited periods of time as necessary to construct improvements and/or install utilities on the Property and such interruptions shall not be considered a material interference.

No responsibility for validity of real estate title assumed by attorney preparing this instrument unless a written title opinion rendered.

EXECUTED effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
[Name/Title on behalf of Chestnut Street, LTD.]

---

Acknowledgement

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_ 2017, by [Name/Title] on behalf of Chestnut Street, Ltd. for the purposes stated herein.

\_\_\_\_\_  
Notary Public's Signature

---

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**AGREED AND ACCEPTED:**

**CITY OF BASTROP, TEXAS,**  
a Texas home-rule municipality

By: \_\_\_\_\_  
Lynda K. Humble, City Manager

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

After recordation please return to:   City of Bastrop  
Attn: Lynda K. Humble, City Manager  
P.O. Box 427,  
Bastrop, Texas 78602

**EXHIBIT A**

**[Insert Survey]**

STATE OF TEXAS  
COUNTY OF BASTROP

T.A. HASLER  
TRACT "4"  
454 SQUARE FEET

All that certain tract or parcel of land containing **454 square feet** situated in Building Block 4 West of Water Street, according to the plat of the City of Bastrop, Texas recorded in Plat Cabinet 1, Slide 23A of the Plat Records of Bastrop County, and being a the residual of that tract reserved to T.A. Hasler as a "save and except" in a deed from T.A. Hasler, et ux, to Maggie Olive dated September 28, 1908 and recorded in Volume 44, Page 63 of the Deed Records of Bastrop County, said **454 square foot** tract being more particularly described by metes and bounds as follows:

Commencing at a concrete nail found 0.10 feet West of the East margin of Main Street (55.56 foot wide right-of-way) for witness to the Northwest corner of the (called) 0.107 acre Ruth and Richard Smarzik tract (County Clerk's File #201501605 - Vol. 668, Pg. 552 B.C.O.R.) and the Southwest corner of the (called) 0.113 acre Bastrop Chamber of Commerce tract (Vol. 685, Pg. 498 B.C.O.R.), said point having a coordinate value of North = 10,016,727.15 feet and East = 3,249,334.55 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence North 87 degrees 01 minutes 34 seconds East, departing said Main Street along the common line between said Smarzik and Bastrop Chamber of Commerce tracts, at 177.35 feet passing a 1/2" iron rod set (at the previous location of a 5/8" iron rod found in a 2016 survey) for the Southeast corner of said Bastrop Chamber of Commerce tract and the Southwest corner of the Donald Bennett tracts (County Clerk's File #201415627 B.C.O.R.), at 201.86 feet passing the Southeast corner of said Bennett tracts and the Southwest corner of the (called) 0.045 acre Chestnut Street, Ltd. "Tract 1" (Vol. 1022, Pg. 447 B.C.O.R.), being 0.61 feet South of a 5/8" iron rod found, and continuing for a total distance of 206.49 feet to a 1/2" iron rod set for the original Northeast corner of said Smarzik tract, the Northwest corner of said Hasler "reserve" tract, the Northwest corner of the tract herein described and the **PLACE OF BEGINNING;**

Thence **North 87 degrees 01 minutes 34 seconds East**, continuing along the common line between said Hasler "reserve" tract and said (called) 0.045 acre Chestnut Street, Ltd. tract, **18.91 feet**

T.A. HASLER  
TRACT "4" - 454 SQUARE FEET  
PAGE 2 OF 3

to a concrete nail set in the West line of the (called) 0.1104 acre Robert Hunt tract (Vol. 382, Pg. 109 B.C.O.R.) for the Southeast corner of said Chestnut Street, Ltd. tract and the Northeast corner of the tract herein described;

Thence **South 02 degrees 20 minutes 39 seconds East, 24.13 feet** along the West line of said Hunter tract and severing said original Hasler "reserve" tract to a 1/2" iron rod set (at the previous location of a 5/8" iron rod found in a 2016 survey) in the North line of Lot 2 of "921 Main Street Subdivision" (Plat Cabinet 6, Slide 41B - Bastrop County Plat Records) for the Southwest corner of said Hunter tract and the Southeast corner of the tract herein described;

Thence **South 87 degrees 16 minutes 21 seconds West, 18.78 feet** along the common line between said "921 Main Street Subdivision" and said Hasler "reserve" tract to a cotton spindle set for the Southeast corner of said Smarzik tract, the Southwest corner of said Hasler "reserve" tract and the Southwest corner of the tract herein described, from which a 1/2" iron rod found for the Northwest corner of said Lot 2 bears South 87 degrees 16 minutes 21 seconds West, 51.71 feet;

Thence **North 02 degrees 38 minutes 55 seconds West, 24.05 feet** along the original common line between said Smarzik tract and said Hasler "reserve" tract to the **PLACE OF BEGINNING** and containing **454 square feet**.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96). Convergence = +01 degree 33 minutes 07 seconds. Combined factor = 0.99999309.

STATE OF TEXAS

COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.  
Firm No. 10001700  
Consulting Engineering & Land Surveying



Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
May 22, 2017  
BEFCO Job No. 17-6940(4)



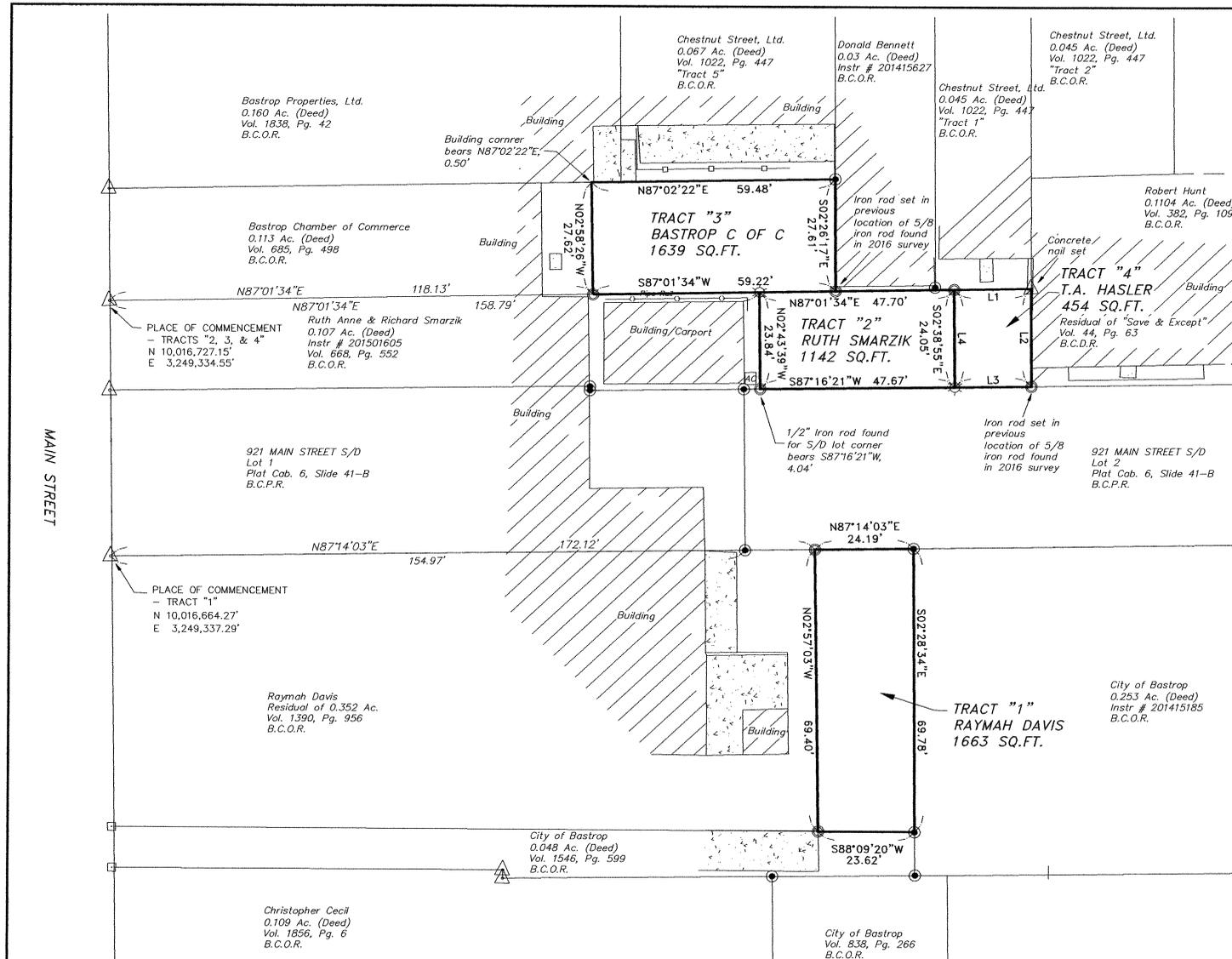
PLAT SHOWING THE SURVEY OF 4 TRACTS SITUATED IN BUILDING BLOCK 4 WEST OF WATER STREET, ACCORDING TO THE PLAT OF THE CITY OF BASTROP, TEXAS RECORDED IN PLAT CABINET 1, SLIDE 23A OF THE PLAT RECORDS OF BASTROP COUNTY, SAID 4 TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "1" - RAYMAH DAVIS - 1,663 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.352 ACRE IN A DEED FROM CLYDE STEPHENS TO KENNETH CRUISE DATED DECEMBER 3, 2003 AND RECORDED IN VOLUME 1390, PAGE 956 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "2" - RUTH & RICHARD SMARZIK - 1,142 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.107 ACRE IN A DEED FROM VIOLET JOHN, ET AL, TO RUTH ANNE SMARZIK AND RICHARD SMARZIK DATED FEBRUARY 6, 2015 AND RECORDED IN COUNTY CLERK'S FILE #201501605 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, SAID SMARZIK TRACT HAVING BEEN ORIGINALLY DESCRIBED IN A DEED FROM JACK GRIESENBECK, ET UX, TO MARY OGDEN SCHULTZ DATED JUNE 1, 1993 AND RECORDED IN VOLUME 668, PAGE 552 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "3" - BASTROP CHAMBER OF COMMERCE - 1,639 SQUARE FEET, BEING A PART OF THAT TRACT DESCRIBED AS 0.113 ACRE IN A DEED FROM JACK GRIESENBECK, ET UX, TO BASTROP CHAMBER OF COMMERCE DATED NOVEMBER 2, 1993 AND RECORDED IN VOLUME 685, PAGE 498 OF THE OFFICIAL RECORDS OF BASTROP COUNTY;

TRACT "4" - T.A. HASLER - 454 SQUARE FEET, BEING THE RESIDUAL OF THAT TRACT RESERVED TO T.A. HASLER AS A "SAVE AND EXCEPT" IN A DEED FROM T.A. HASLER, ET UX, TO MAGGIE OLIVE DATED SEPTEMBER 28, 1908 AND RECORDED IN VOLUME 44, PAGE 63 OF THE DEED RECORDS OF BASTROP COUNTY.



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

LEGEND

- - 1/2" Iron rod found (or as noted)
- - 1/2" Iron rod set
- △ - Concrete nail found (or as noted)
- - Chiseled "X" found in concrete
- ☆ - Cotton spindle set

Field Book 505

Bearings, distances and coordinates shown hereon are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83 (CORS 96).

Convergence = +01'33.07"  
Combined Factor = 0.99999309

NOTE: Subject tract is designated unshaded ZONE "X" (areas outside the 0.2% annual chance flood) according to F.E.M.A. Flood Insurance Rate Map No. 48021C0355E revised January 19, 2006.

NOTE: At the time of this survey, utility and parking lot construction project was in progress on the subject tracts and adjoining tracts. Therefore, these improvements are not shown on this survey.

THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT. SUBJECT TRACT MAY BE SUBJECT TO ANY CONDITIONS, EASEMENTS, RESTRICTIONS OR EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MIGHT DISCLOSE.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°01'34"E	18.91'
L2	S02°20'39"E	24.13'
L3	S87°16'21"W	18.78'
L4	N02°38'55"W	24.05'

STATE OF TEXAS  
COUNTY OF BASTROP

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of the survey, and that this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category IB Land Survey.

*Kevin Von Minden*  
Kevin Von Minden, R.P.L.S.  
Registration No. 4438  
BEFCO ENGINEERING, INC.  
Firm No. 10001700  
La Grange, Texas  
979-968-6474  
May 22, 2017







# STAFF REPORT

**MEETING DATE:** June 27, 2017

**AGENDA ITEM:** 111

**TITLE:**

Consider action to approve Resolution No. R-2017-41 of the City Council of the City of Bastrop, Texas confirming all board and commission appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

**STAFF REPRESENTATIVE:**

Lynda K. Humble, City Manager

**BACKGROUND/HISTORY:**

Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

**POLICY EXPLANATION:**

Mayor Connie Schroeder has reviewed all applications and has made her appointments to all City boards and commissions. In an effort to be open and transparent, Mayor Schroeder has prepared a detailed memorandum outlining her appointments. The memorandum is attached as Exhibit A to the Resolution seeking confirmation of Council as required by the Charter.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION:**

Consider action to approve Resolution No. R-2017-41 of the City Council of the City of Bastrop, Texas confirming all board and commission appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

**ATTACHMENTS:**

- Resolution
- Images



**RESOLUTION NO. R-2017-41**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS  
CONFIRMING ALL BOARD AND COMMISSION APPOINTMENTS OF THE  
MAYOR, AS REQUIRED IN SECTION 3.08 OF THE CITY'S CHARTER, AS  
OUTLINED IN EXHIBIT A; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

**WHEREAS**, Mayor Connie Schroeder has completed her review process of all applications to the City's boards and commissions and has made her appointments to each board and commission as outlined in Exhibit A; and

**WHEREAS**, City Council must confirm these appointments as required by the City Charter.

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

**Section 1:** That Mayor Connie Schroeder appointed the following members to each Board and Commission of the City:

**Bastrop Art in Public Places (term ends 2020)**

Place 3: Matt Hart (ETJ – Circle D)

Place 5: Diana Yens (Downtown)

*Individuals recommended by BAIPP Board on June 8, 2017*

**Construction Standards Board (Term ends 2019)**

Place 3: Joel Bauman – (Hunters Crossing) Alternate to this Board last year

Place 5: Cliff Copeland – (Piney Ridge) HVAC business owner

**Economic Development Board (Term ends 2019)**

Place 1: Sam Kier (ETJ – Tahitian Village) Retired Director and Chief Accountant for Ricoh/IBM joint venture, Business development expertise in mergers and acquisitions and business process expert.

Place 3: Richard Kindred (Riverside Grove) Planning and Zoning Commissioner for nine (9) years, work experience in municipal and state regulatory law and active in Bastrop community.

Place 5: Ron Spencer (ETJ – The Colony) Recent graduate of BEST Leadership class, retired from Dell Computer, and has over 20 years of experience in Economic Development with various cities and port authorities, both in the United States and Internationally.

Place 7: Kathryn Nash (Downtown) Works for Fortune 500 Company as Corporate Social Responsibility lead in North America. Skilled in program management, corporate branding and public relations. Active in community most recently as key member of BAIPP.

*Note: As Mayor I have chosen not to have a seat nor appoint a council member to BEDC, instead I will serve the Council liaison.*

**Ethics Commission (Term ends 2020)**

Place 1: Judge Chris Duggan (Downtown) – Reappointment; Key to Ethics Ordinance Revision

*Note: Ethics Ordinance under review and currently includes recommendation to increase number of Board Members to five (5). Once the revised ordinance is adopted by Council, additional appointments, if required, will be made and submitted to Council for confirmation.*

**Historic Landmark Commission (Term ends 2020)**

Place 4: Blake Kaiser – (Hunters Crossing) Real Estate Professional

Place 7: Pat Crawford – (Downtown) Owns Residential Historic Structure, has served on BEDC

**Housing Authority (Term ends 2019)**

Place 1: Debra Thorne Francis (East Bastrop) – 20 years of community resource experience

Place 2: Bernie Jackson – (Riverside Grove) Experience with Housing Authority, Family Crisis Center

**Hunter’s Crossing LGC (Terms to be addressed by Board)**

Place 2: Brian Rider – Developer representative

Place 3: Rick Womble – Commercial representative; Roscoe State Bank

Place 4: Christopher Conrad - Resident

Place 5: (HOA Board Member)

Place 6: Council Member Lyle Nelson

*Note: Hunter’s Crossing Home Owner’s Association will name the Board Member to serve in their designated position.*

**Library Board (Term ends 2020)**

Place 1: Rebecca Bennett – (Downtown) Reappointment

Place 4: Barbara Clemons – (Downtown) Reappointment

**Main Street Advisory Board (Term ends 2020)**

Place 4: Naseem Khonsari (Downtown)

Place 8: Shanda Hernandez (County)

*Note: Recommended by Main Street Nominating Committee and unanimously approved by its Board, summary of organization committee recommendation has been included.*

**Parks Board/Public Tree Advisory Board (Term ends 2020 unless otherwise noted)**

Place 2: Dorothy Skarnulis (Pecan Park) Term ends 2019; Past involvement with Main Street, KBCB

Place 3: Kelly Dawson (Hunters Crossing) Avid athlete, desire to serve community

Place 5: Barbara Wolanski (Riverside Grove) Reappointment

Place 6: Josh Gordon (Downtown) Reappointment

**Planning and Zoning Commission (Term ends 2020 unless otherwise noted)**

Place 3: Sue Fruge (Downtown) Term ends 2018;

Place 4: Richard Gartman (Hunters Crossing) Term ends 2019; Engineer,

Place 6: Matt Lassen (Downtown) Recent projects in commercial and residential, business owner

Place 8: Dianna Rose (Downtown) Reappointment; Certified Home Inspector

Place 9: Alyssa Halle-Schramm (East Bastrop) Reappointment; Masters in Urban Planning

**Zoning Board of Adjustment/Municipal Sign Review Board (Term ends 2019)**

Place 1 Jimmy Crouch (Downtown) General Contractor, has served on two City Boards

**Section 2:** That the City Council of the City of Bastrop confirms Mayor Schroeder's appointments to all of the City's boards and commission as outlined in Exhibit A.

**Section 3:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of June, 2017.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David F. Bragg, City Attorney



# MEMORANDUM

To: Honorable Council Members

From: Mayor Connie Schroeder

Date: June 23, 2017

**RE: Board, Commission and Task Force Appointments “Boards”**

One of the cornerstones of my campaign was providing open and inclusive government. City Council, Staff, and Boards together all play a vital role in order for the City to operate and set the future. My goal is to narrow the distance between the City and its citizens through improved communication and increased community engagement in the decisions before us. One of the best avenues to achieve this goal is through our Boards. In that light, appointments to City Boards are among the most consequential responsibilities of the Mayor. With this in mind, I have spent countless hours reviewing applications and visiting with citizens encouraging their participation in this process.

I strongly believe our Boards should be a reflection of our community; diverse and rich with knowledge, experience and a desire to serve. We are a community of nearly 8,500 citizens in our City limits with several thousand more in our extraterritorial jurisdiction (ETJ). I am confident we have a wealth of qualified individuals whose service will enhance citizen engagement and strengthen our City. It is my intent to have individuals serve on only one Board, except in the case where a Board's bylaws specifically require representation by a member of another Board.

There are 15 City Boards including commissions and tasks forces. Together they have a total of 107 places and four (4) alternate places. At the time I became Mayor, there were four (4) place vacancies and three (3) alternate vacancies and 104 places occupied. These 104 places were filled by 89 individuals.

Several people served on multiple Boards; specifically, 10 people filled 22 positions, more than 20 percent (20%) of places. Most Board terms are three years and the seats are staggered to provide continuity and fresh ideas. Most Boards do not have limits on the number of terms a person can serve. While the lack of term limits may strengthen continuity, sustained reappointment may undermine the infusion of fresh ideas and perspectives regarding our evolving community.

As I mentioned at the City Council meeting on June 13<sup>th</sup>, I requested Staff provide the summary of residency requirements for each Board. As noted in City Manager Humble's presentation, residency requirements vary. The majority of Boards require the appointees to reside in our ETJ and several require appointees to live within the City limits. There are a few exceptions where an even larger geographic area is defined.

I set guidelines for myself prior to reviewing the applications:

- Maximize the number of citizen voices to be heard and limit service to one Board.

- Enhance diversification on the Boards (inclusive of geography, gender, age and race) to more closely reflect the community it represents.
- Confirm purpose and scope of each Board.
- Focus on the skills and knowledge needed to most effectively fulfill each Board's mission.
- Relieve citizens of serving who have had attendance issues.
- Follow recommendation of Board nominating committee as defined in bylaws.
- Solicit input from Staff Liaison and/or Executive Director of each Board regarding specific skills needed.

Below you will find my appointments, along with my rationale, to each of the Boards:

**Bastrop Art in Public Places (term ends 2020)**

Place 3: Matt Hart (ETJ – Circle D)

Place 5: Diana Yens (Downtown)

*Individuals recommended by BAIPP Board on June 8, 2017*

**Construction Standards Board (Term ends 2019)**

Place 3: Joel Bauman – (Hunters Crossing) Alternate to this Board last year

Place 5: Cliff Copeland – (Piney Ridge) HVAC business owner

**Economic Development Board (Term ends 2019)**

Place 1: Sam Kier (ETJ – Tahitian Village) Retired Director and Chief Accountant for Ricoh/IBM joint venture, Business development expertise in mergers and acquisitions and business process expert.

Place 3: Richard Kindred (Riverside Grove) Planning and Zoning Commissioner for nine (9) years, work experience in municipal and state regulatory law and active in Bastrop community.

Place 5: Ron Spencer (ETJ – The Colony) Recent graduate of BEST Leadership class, retired from Dell Computer, and has over 20 years of experience in Economic Development with various cities and port authorities, both in the United States and Internationally.

Place 7: Kathryn Nash (Downtown) Works for Fortune 500 Company as Corporate Social Responsibility lead in North America. Skilled in program management, corporate branding and public relations. Active in community most recently as key member of BAIPP.

*Note: As Mayor I have chosen not to have a place nor appoint a council member to BEDC, instead I will serve as the Council liaison.*

**Ethics Commission (Term ends 2020)**

Place 1: Judge Chris Duggan (Downtown) – Reappointment; Key to Ethics Ordinance Revision

*Note: Ethics Ordinance under review and currently includes recommendation to increase number of Board Members to five (5). Once the revised ordinance is adopted by Council, additional appointments, if required, will be made and submitted to Council for confirmation.*

**Historic Landmark Commission (Term ends 2020)**

Place 4: Blake Kaiser – (Hunters Crossing) Real Estate Professional

Place 7: Pat Crawford – (Downtown) Owns Residential Historic Structure

**Housing Authority (Term ends 2019)**

- Place 1: Debra Thorne Francis (East Bastrop) – 20 years of community resource experience
- Place 2: Bernie Jackson – (Riverside Grove) Experience with Housing Authority, Family Crisis Center

**Hunter’s Crossing LGC (Terms to be addressed by Board)**

- Place 2: Brian Rider – Developer representative
- Place 3: Rick Womble – Commercial representative; Roscoe State Bank
- Place 4: Christopher Conrad – Resident
- Place 5: (HOA Board Member)
- Place 6: Council Member Lyle Nelson

*Note: Hunter’s Crossing Home Owner’s Association will name the Board Member to serve in their designated position.*

**Library Board (Term ends 2020)**

- Place 1: Rebecca Bennett – (Downtown) Reappointment
- Place 4: Barbara Clemons – (Downtown) Reappointment

**Main Street Advisory Board (Term ends 2020)**

- Place 4: Naseem Khonsari (Downtown)
- Place 8: Shanda Hernandez (County)

*Note: Recommended by Main Street Nominating Committee and unanimously approved by its Board, summary of organization committee recommendation has been included.*

**Parks Board/Public Tree Advisory Board (Term ends 2020 unless otherwise noted)**

- Place 2: Dorothy Skarnulis (Pecan Park) Term ends 2019; Past involvement with Main Street, KBCB
- Place 3: Kelly Dawson (Hunters Crossing) Avid athlete, desire to serve community
- Place 5: Barbara Wolanski (Riverside Grove) Reappointment
- Place 6: Josh Gordon (Downtown) Reappointment

**Planning and Zoning Commission (Term ends 2020 unless otherwise noted)**

- Place 3: Sue Fruge (Downtown) Term ends 2018, Has P&Z Commission experience
- Place 4: Richard Gartman (Hunters Crossing) Term ends 2019; Engineer
- Place 6: Matt Lassen (Downtown) Recent projects in commercial and residential, business owner
- Place 8: Dianna Rose (Downtown) Reappointment; Certified Home Inspector
- Place 9: Alyssa Halle-Schramm (East Bastrop) Reappointment; Masters in Urban Planning

**Zoning Board of Adjustment/Municipal Sign Review Board (Term ends 2019)**

- Place 1 Jimmy Crouch (Downtown) General Contractor, has served on two City Boards

**Looking to the Future**

I have asked the City Manager to schedule a workshop with the full Council in the near future to discuss several revisions to the appointment process of Boards. Even though the appointment process is the responsibility of the Mayor, as per the charter, I believe the City can develop a much more open and inclusive process to encourage participation and educate citizens on the

available opportunities. Details will be provided at a later date, but I did want to share an outline of items to be discussed:

- Application form will be revised to focus on background/skillset and purpose in applying.
- Application form can be filed electronically.
- Board Fair Day to be held at Convention Center to allow citizens to learn about each Board.
- Full Council will interview each candidate prior to appointments being made.
- Appointments shifting to October in order to align with adoption of budget and work plan.
- Identify a Council Member liaison for each Board.

**Special Boards:**

**Charter Review Committee:**

I will be asking Council to discuss timing and composition of a Charter Review Committee in the near future.

**Form Base Code – North Side Task Force**

I am grateful for the Form Base Code – North Side Task Force. They last met in August of 2016 and have provided a summary of feedback from citizens. The Form Base Code has been adopted into the Planning and Zoning Commission's scope of authority for implementation. Therefore, no appointments are required.

**Bastrop Vision Task Force**

The Vision Task Force has provided many beneficial items, most notably in my opinion, obtaining Council engagement in the Comprehensive Plan process. However, at this time, I do not believe there is a need for this Board and they did not put forward a list of nominations as outlined in bylaws. Therefore, I am not making any appointments. I believe the City Council is tasked with the vision, strategy and policy for the City.

In closing, I respectfully request the City Council confirm the appointments listed as required by Section 3.08 of the City Charter.