

**January 12, 2010**

The Bastrop City Council met in regular session on January 12, 2010 at 6:00 p.m. at the Council Chambers of City Hall, 904 Main Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Julie Hart, Ken Kesselus, Kay Garcia McAnally and W.L. "Bill" Peterson.

**ANNOUNCEMENTS**

**1. CALL TO ORDER**

At 6:00 p.m. Mayor Terry Orr called the meeting to order with all members present, with the exception of Joe Beal who has a previous commitment.

**2. PLEDGE OF ALLEGIANCE AND INVOCATION**

City Attorney, J.C. Brown led the pledges of allegiance to the U.S. and Texas flags. Reverend R.D. Smith led the invocation.

**3. PRESENTATIONS**

**A. CHARACTER EDUCATION – BASTROP STUDENT**

Ashley Svetlik a fourth grade student at Bluebonnet Elementary School , presented the Character Education character trait "Loyalty" for the month of January.

**4. PROCLAMATIONS**

Mayor Orr proclaimed January 18, 2010 as Dr. Martin Luther King. Jr. and Coretta Scott King Day in the City of Bastrop.

**5. ANNOUNCEMENTS**

Mayor Orr announced that the sales tax for December was 8.3% above the same period last year.

**A. CONSENT AGENDA**

**ALL OF THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY BY THE COUNCIL AND WILL BE ENACTED WITH ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS.**

**A.1 APPROVAL OF MEETING MINUTES OF DECEMBER 7 & 8, 2009.**

A.2 APPROVAL OF BASTROP MARKETING CORPORATION'S REQUEST FOR REIMBURSEMENT OF EXPENSES.

A.3 ACKNOWLEDGMENT OF MONTHLY FINANCIAL REPORTS.

A.4 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE PROPOSED TWO LOT PRELIMINARY PLAT FOR THE SEVENTH DAY ADVENTISTS CHURCH LOCATED NORTH OF STATE HIGHWAY 21 EAST IN THE CITY LIMITS OF BASTROP, TEXAS.

A.5 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST, FOR THE AMENDED PLAT OF LOTS 2-1639, 2-1640 AND 2-1343, BLOCK 16, TAHITIAN VILLAGE, UNIT 2 LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF BASTROP, TEXAS.

A.6 APPROVAL OF SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY BLUEBONNET ELEMENTARY PTA TO HOST "RUN FOR THE BLUEBONNETS" ON SATURDAY, FEBRAURY 27, 2010.

Julie Hart moved to approve the Consent Agenda. Seconded by Kay Garcia McAnally and carried unanimously.

## B. PUBLIC HEARINGS:

### B.1 CITIZEN COMMENTS

Carolyn Banks asked to distribute a "Graffiti Report" she had prepared. Mayor Orr suggested she wait until the next Council meeting.

It was the consensus of Council to move ahead in the Agenda to Item Number 4 under the City Manager's report.

#### 4. DISCUSSION AND POSSIBLE ACTION REGARDING REJECTION OF/CESSATION OF STAFF WORK ON THE "PROPOSED TREE ORDINANCE".

Mayor Orr stated the proposed tree ordinance has never been an actual agenda item. Mayor Orr asked Mr. Talbot to address this item.

City Manager, Mike Talbot gave a brief history of the proposed "Tree Ordinance". Mr. Talbot stated in his opinion the Tree Ordinance is not going to happen and recommends the City cease work on it.

Discussion was held by Council.

Georgia Parmelee, Bob Parmelee, R.E. Edmonson, John Ricke and Clifford Wright voiced comments against the proposed Tree Ordinance.

Mr. Parmelee presented a petition to Council with signatures of persons who were opposed to the proposed Tree Ordinance.

Discussion was held among Council and Mr. Talbot.

Mr. Talbot recommended Council reject the proposed draft Tree Ordinance.

Ken Kesselus moved to reject the proposed draft Tree Ordinance. Seconded by Kay Garcia McAnally and carried unanimously.

#### C. OLD BUSINESS

#### D. NEW BUSINESS

**D.1 DISCUSSION AND POSSIBLE ACTION REGARDING THE FOLLOWING REQUESTS FROM THE PARKS BOARD: 1) AUTHORIZATION BY THE CITY COUNCIL TO PROVIDE IN-KIND SERVICES FROM THE WATER & WASTEWATER DEPARTMENT AND THE ELECTRIC DEPARTMENT FOR THE PROPOSED SPLASH PARK; AND 2) APPROVAL OF A WATER PUMPING SYSTEM TO OPERATE THE SPLASH PARK.**

Judi Hoover, Parks Board Chairperson addressed the Council. Ms. Hoover stated \$29,000 has been raised thus far for the Splash Pad. Ms. Hoover stated they will be submitting a Texas Parks and Wildlife grant application by January 31, 2010. Ms. Hoover gave an update and vision plan for the project. Ms. Hoover stated additional items have been added to the Splash Pad since the meeting with the Langford Community Management Services, Inc. Ms. Hoover stated the Parks Board is requesting in-kind services for water and electric services provided by the City and requesting waiver of impact fees.

Discussion was held among Council.

Julie Hart moved that the City provide in-kind services from the Water Department and the Electric Department and approval of a water pumping system to operate the Splash Park. Seconded by Kay Garcia McAnally.

Discussion was held among Council.

#### EXECUTIVE SESSION

**THE COUNCIL RESERVES THE RIGHT TO CONVENE INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING REGARDING ANY AGENDA**

ITEM. IN COMPLIANCE WITH THE OPEN MEETINGS ACT, CHAPTER 551 GOVERNMENT CODE, VERNON'S TEXAS CODE, ANNOTATED, THE ITEM BELOW WILL BE DISCUSSED IN CLOSED SESSION.

1. SECTION 551.071 – CONSULTATION WITH ATTORNEY

At 7:05 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session in compliance with the Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Code, Annotated, and discussed the following:

1. Section 551.071 – Consultation with Attorney: Agenda Item D.1

At 7:33 p.m., Mayor Orr reconvened the Bastrop City Council into open session.

Julie Hart moved to amend her original motion to: 1) Approve up to \$25,000 in material costs and in-kind labor; 2) Approve the flow-through pump with irrigation as the operating system; and 3) Require the City Manager to review the grant application prior to submission. Seconded by Kay Garcia McAnally and carried unanimously.

ORDINANCES FOR FIRST READING:

D.2 CONSIDER AN ORDINANCE AMENDING CITY OF BASTROP CODE OF ORDINANCES "APPENDIX A: FEE SCHEDULE" TO ADD ARTICLE A.13.08 "UTILITY FEES, RATES AND DEPOSITS"; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Finance Director Karla Stovall addressed the Council and explained the proposed Ordinance.

D.3 CONSIDER AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING AND CLARIFYING ARTICLE 4.09.001 OF THE CITY'S CODE OF ORDINANCES ENTITLED "DRILLING OR MINING." PROHIBITING ANY AND ALL EXCAVATION, MINING AND DRILLING OPERATIONS, WITHIN THE MUNICIPAL LIMITS OF THE CITY OF BASTROP; PROVIDING VARIANCE PROCEDURES; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Mr. Talbot stated the proposed Ordinance will amend and clarify, Article 4.09.001 of the City Code of Ordinances regarding the prohibition of drilling or mining within the City limits of Bastrop.

Discussion was held among Council and City Attorney, J.C. Brown.

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.4 CONSIDER AN ORDINANCE AMENDING CHAPTER 14 APPENDIX “A” (ZONING ORDINANCE) OF THE BASTROP CITY CODE TO INCLUDE “CF” – CIVIC FACILITIES DISTRICT; PROVIDING STANDARDS FOR THE “CF” ZONING DISTRICT; REPEALING CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Ken Kesselus moved to adopt the Ordinance. Seconded by Bill Peterson and carried unanimously.

D.5 CONSIDER AN ORDINANCE GRANTING A REQUEST TO REZONE 11.746 ACRES CONSISTING OF APPROXIMATELY 2.56 ACRES OUT OF BUILDING BLOCK 53 EAST OF WATER STREET, LOCATED SOUTH OF CHESTNUT STREET, WEST OF MARTIN LUTHER KING DRIVE AND NORTH OF PINE STREET; AND APPROXIMATELY 9.186 ACRES OUT OF BUILDING BLOCKS 52, 69 AND 70 EAST OF WATER STREET, LOCATED NORTH OF CHESTNUT STREET, EAST OF FAYETTE STREET, AND SOUTH OF FARM STREET, FROM LIGHT INDUSTRIAL (LI), COMMERCIAL-2 (HEAVY) AND SINGLE FAMILY RESIDENTIAL-7 (SF-7) DISTRICTS TO CIVIC FACILITIES DISTRICT (CF); AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

Discussion was held among Council.

Bill Peterson moved to adopt the Ordinance. Seconded by Kay Garcia McAnally and carried unanimously.

D.6 DISCUSSION AND POSSIBLE ACTION CONCERNING A REQUEST FROM THE PROPERTY OWNER AT 901 MAIN STREET TO GIVE CONSIDERATION TO REMOVING A TREE AT THE NORTH EAST CORNER OF MAIN STREET AND PINE STREET.

Mr. Talbot stated he had received an email from Ms. Kay Wesson, owner of the building at 901 Main Street advising him that the second tree on the north east corner of Pine and Main Streets is causing foundation problems to her building. Mr. Talbot stated his recommendation is to have an Arborist look at the tree and then bring back a recommendation to Council.

D.7 DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A VARIANCE TO THE CITY OF BASTROP SUBDIVISION ORDINANCE SECTION 5.140, SECTION 5.100, SECTION 5.130 AND SECTION 5.110.

Mr. Talbot stated the Texas Conference of Seventh Day Adventists are the owners of the property and are proposing to subdivide it into two lots. Mr. Talbot stated they are requesting the following variances to the Subdivision Ordinance: 1) Section 5.140 – all new electrical lines are to be underground. The tract is in the Bastrop Power and Light service area and the owner is requesting to allow overhead electric for both lots; 2) Section 5.100 – sub-divider shall provide all water lines and the sub-divider shall bear all costs for extending water service. Due to the location of the property and the distance from a City waterline the owner is requesting to not be required to extend waterlines to the lots and the owner is requesting to connect to an Aqua Water line that currently exists at the site; 3) Section 5.130 – sub-divider shall provide all sewer lines and shall bear all costs for extending sewer lines. Due to the location of the property and the distance from a City sewer line the owner is requesting to not be required to extend sewer lines to the lots; and 4) Section 5.110 – septic tanks will not be permitted within a Standard Subdivision. Due to the location of the property and the distance from a City sewer line the owner is requesting to install an onsite septic system.

James Garon addressed the Council and spoke on behalf of the property owner.

Discussion was held among Council and Mr. Talbot.

Bill Peterson moved to: 1) Grant electric variance that will allow for a combination of overhead and underground new electrical service lines in public utility easements benefiting the City as per the approval of the City Manager; 2) Agree to allow applicant to obtain water service from Aqua Water; and 3) Agree to allow applicant to use on site septic system. However, at such time as the City has water and sewer service available to the site, the property owner(s) are required to hook up to City service and the applicant will be required to enter into and file a Letter of Understanding memorializing this requirement). Seconded by Ken Kesselus and carried unanimously.

#### D.8 DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM RIVERSIDE GROVE HOME OWNERS ASSOCIATION REGARDING BEAUTIFICATION TREE PROJECT.

Mr. Talbot gave an overview of the request. Mr. Talbot stated Jim Rebeck, Public Works and Parks Director has reviewed the plan and have given his approval of the plan.

Discussion was held among Council.

Julie Hart moved to approve the Beautification Tree Project. Seconded by Kay Garcia McAnally and carried unanimously.

#### D.9 DISCUSSION AND POSSIBLE ACTION CONCERNING A PRESENTATION BY THE AUSTIN AFFILIATE OF THE SUSAN G. KOMEN FOR THE CURE.

Mr. Talbot introduced Mary Moore Cavanagh, Director of Education and Outreach for the Austin Affiliate of Susan G. Komen for the Cure.

Ms. Cavanagh gave an overview of breast cancer statistics for Bastrop County. Ms. Cavanagh stated the Austin Affiliate of Susan G. Komen for the Cure would like to bring their services at no charge to the under-insured and non-insured women. Ms. Cavanagh stated they would like a Proclamation in October, Breast Cancer Awareness Month. Ms. Cavanagh requested that Council help in getting the word out. Ms. Cavanagh outlined the services available.

Discussion was held among Council.

No action was taken.

**D.10 DISCUSSION AND POSSIBLE ACTION CONCERNING AUTHORIZING THE CITY MANAGER TO PURCHASE A VIDEO CAMERA FOR THE WATER & WASTEWATER DEPARTMENT FOR THE PURPOSE OF VIDEO TAPING OF THE CITY'S WASTEWATER MAINS.**

Mr. Talbot stated the City Council approved in the Fiscal Year 2010 Budget the purchase of a video camera for video taping wastewater mains in the City. Mr. Talbot stated the amount budgeted was \$45,000.00 and the price for the purchase of the camera is \$42,969.00.

Discussion was held among Council.

Kay Garcia McAnally moved to authorize the City Manager to purchase a video camera for the Water & Wastewater Department for the purpose of video taping the City's wastewater mains. Seconded by Bill Peterson and carried unanimously.

**D.11 CONSIDERATION AND ACTION WITH RESPECT TO A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS POSTPONING THE ISSUANCE OF CERTIFICATES OF OBLIGATION.**

Mr. Talbot stated he is requesting the Council postpone the issuance of the Certificates of Obligation for two weeks in order to give him time to verify the amount of various non-construction items such as furniture, IT equipment, etc.

Kay Garcia McAnally moved to adopt the Resolution. Seconded by Ken Kesselus and carried unanimously.

**D.12 DISCUSSION AND POSSIBLE ACTION CONCERNING AWARDED THE BID FOR THE CONSTRUCTION OF THE NEW CONVENTION CENTER.**

**D.13 DISCUSSION AND POSSIBLE ACTION CONCERNING AWARDED THE BID FOR THE CONSTRUCTION OF THE NEW CITY HALL.**

#### D.14 DISCUSSION AND POSSIBLE ACTION CONCERNING AWARDING THE BID FOR THE CONSTRUCTION OF OFF-SITE INFRASTRUCTURE ELEMENTS ASSOCIATED WITH THE NEW CITY HALL AND CONVENTION CENTER PROJECT.

Mr. Talbot addressed Agenda Items D.12, D.13 and D.14 together.

Mr. Talbot stated bids for construction of the new Convention Center were received and opened on January 5, 2010. Mr. Talbot stated 11 bids were received for the Convention Center, 10 bids for the City Hall and 13 bids for the Combined Project Option. Mr. Talbot called the Council's attention to a Memorandum addressing the bids received. Mr. Talbot stated the 10 City Hall bids ranged from \$1,587,617 to \$2,060,100, including all bid alternates. Mr. Talbot stated the 11 Convention Center bids ranged from \$3,806,000 to \$4,743,000, including all bid alternates. Mr. Talbot stated the 13 bids for the Combined Project Option ranged from \$5,408,992 to \$6,806,700, including all bid alternates. Mr. Talbot stated the majority of the bids were below the project estimates. Mr. Talbot stated the sum of the lowest bidders on the City Hall and Convention Center is \$15,375 less than the lowest Combined Project Option; therefore he would recommend that the contracts be awarded to the lowest responsible bidders on each separate project. Mr. Talbot stated the low bidder on the City Hall is Gaeke Construction Company from Giddings with a lowest responsible bid of \$1,587,617, including all bid alternates. Mr. Talbot recommended Gaeke Construction to build the City Hall. Mr. Talbot stated the low bidder on the Convention/Exhibition Center is Collier Construction Company from Brenham, with a lowest responsible bid of \$3,806,000, including all bid alternates. Mr. Talbot stated Collier's bid alternate to construct two pole barns is \$58,000, which can likely be build by a separate contractor for less. Mr. Talbot recommended selecting Collier Construction to build the Convention Center without accepting their alternate for the pole barns, with the winning bid being \$3,806,000 less \$58,000, totaling \$3,748,000.

Mervin Fatter, Architect for the projects, addressed the Council and explained the bid process.

A representative from Collier Construction answered questions from the Council.

Gene Kruppa, BEFCO Engineering, addressed the Council. Mr. Kruppa stated 5 bids were received for the off-site water and storm improvements and they ranged from \$279,813 to \$421,424. Mr. Kruppa stated the lowest responsible bidder was Qro-Mex Construction Company, Inc. from Granite Shoals. Mr. Kruppa recommended the award of bid to Qro-Mex Construction Company, Inc.

Discussion was held among Council

Ms. Hart stated she wanted more time to review this before voting on awarding the bids.

It was the consensus of Council to schedule a Special Council Meeting for January 19, 2010 at 6:00 p.m. and post the discussion and possible action on awarding of the bids for

the Convention Center, City Hall and off-site infrastructure elements associated with the new City Hall and Convention Center.

**D.15 APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL OF COUNCIL REPRESENTATIVE TO MAIN STREET BOARD.**

Mayor Orr stated that Ms. Julie Hart has resigned from this position due to time constraints. Ms. Hart has recommended Ms. Kay Garcia McAnally be appointed to this position. Mayor Orr stated he has spoken with Ms. Kay Garcia McAnally and she is willing to serve as the Council Representative to the Main Street Board. Mayor Orr appointed Ms. Kay Garcia McAnally to the Main Street Board.

Ken Kesselus moved to confirm the Mayor's appointment. Seconded by Julie Hart and carried unanimously.

**D.16 APPOINTMENT BY MAYOR AND CONFIRMATION BY COUNCIL OF MEMBERS TO CEMETERY ADVISORY BOARD.**

Mayor Orr stated letters had been sent to the persons who previously served on the Cemetery Task Force and assisted in the development of the Cemetery Ordinance, asking them if they would be interested in serving on the Cemetery Advisory Board. Mayor Orr stated all of the members of the Cemetery Task Force had responded and are willing to serve on the Cemetery Advisory Board. Mayor Orr appointed the following to the Cemetery Advisory Board: Ted Schaefer, Mary Williams, Carl Spooner, Terry Sanders, Joel Reed and Forrest Chalmers.

Ken Kesselus moved to confirm the Mayor's appointments. Seconded by Julie Hart and carried unanimously.

**D.17 DISCUSSION AND POSSIBLE ACTION ON RATIFICATION OF CITY COUNCIL MEETING SCHEDULE.**

Julie Hart moved to ratify the City Council Meeting Schedule as presented. Seconded by Kay Garcia McAnally and carried unanimously.

**D.18 DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF REPRESENTATIVE FROM THE BASTROP CITY COUNCIL TO SERVE ON THE CAPITAL AREA COUNCIL OF GOVERNMENTS.**

Mayor Orr stated a representative from the City serves on the Capital Area Council of Governments to address transportation issues.

Mayor Orr appointed Julie Hart as the Council Representative to serve on the Capital Area Council of Governments.

Ken Kesselus moved to confirm the Mayor's appointment. Seconded by Kay Garcia McAnally. Motion carried: 3:0.

FOR MOTION: Ken Kesselus, Kay Garcia McAnally and Bill Peterson.

ABSTAIN: Julie Hart

D.19 CITY MANAGER INFORMATIONAL UPDATE REPORT.

A. ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

1. REVIEW AND DISCUSSION WITH CITY MANAGER REGARDING DEPARTMENTAL REPORTS.
2. MEETING WITH COUNTY OFFICIALS REGARDING BASTROP COUNTY JOINING CAMPO.
3. UPDATE ON THE CHESTNUT STREET PROJECT.
4. DISCUSSION AND POSSIBLE ACTION REGARDING REJECTION OF/CESSATION OF STAFF WORK ON THE "PROPOSED TREE ORDINANCE".
5. UPDATE ON THE DEVELOPMENT OF THE NEW WELL AT BOB BRYANT PARK.
6. UPDATE ON THE "UTILITIES POLICY MANUAL".
7. PLANNING & ZONING MEETING OF JANUARY 27, 2010 – HISTORIC PRESERVATION ORDINANCE.
8. PARKS BOARD MEETING OF JANUARY 5, 2010.
9. DOWNTOWN BUSINESS ALLIANCE MEETING OF JANUARY 5, 2010.
10. COMMENTS OR FOLLOW-UP ISSUES REGARDING THE JANUARY 11, 2010 SPECIAL CITY COUNCIL WORKSHOP.
11. DISCUSSION REGARDING THE COLORADO BEND PROJECT.
12. UPDATE ON THE STATUS OF CITY'S WORK RELATED TO THE CVS DEVELOPMENT PROJECT.
13. DISCUSSION REGARDING THE FARMER'S MARKET.
14. UPDATE REGARDING THE PECAN PARK SUBDIVISION.
15. MAIN STREET PLANNING RETREAT – JANUARY 30, 2010.
16. LIGHTS ON THE OLD IRON BRIDGE.
17. UPDATE ON ALLEY B INFRASTRUCTURE IMPROVEMENTS.
18. CITY ELECTIONS.
19. UPDATE ON FAIRVIEW CEMETERY/BASTROP COUNTY.
20. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

Mr. Talbot gave an informational update on the listed items.

It was the consensus of Council for the City Manager to state that the Council will not participate in the Colorado Bend Development Project.

## E. EXECUTIVE SESSION

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, SECTION 551.071(1)(A) AND SECTION 551.071(2) (CONSULTATIONS WITH ATTORNEY); SECTION 551.072 (DELIBERATIONS ABOUT REAL PROPERTY) TO DISCUSS THE FOLLOWING:

1. CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION ; AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBLIITY TO REPORT TO THE GOVERNMENTAL BODY.
2. DELIBERATIONS ABOUT REAL PROPERTY – ACQUISITION OF PROPERTY FOR PUBLIC PURPOSES.

At 10:03 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, Section 551.071(1)(A) and Section 551.071(2) (Consultations with Attorney); Section 551.072 (Deliberations about Real Property) to discuss the following:

1. Consultations with Attorney: (1) threatened and/or contemplated litigation; and (2) matters upon which the attorney had a duty and/or responsibility to report to the governmental body.
2. Deliberations about Real Property – Acquisition of property of public purposes.

2 THE BASTROP CITY COUNCIL WILL RECONVENE INTO OPEN SESSION TO DISCUSS, CONSIDER AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE EXECUTIVE SESSION NOTED HEREIN, OR REGULAR AGENDA ITEMS, NOTED ABOVE, AND/OR RELATED ITEMS.

At 10:40 p.m., Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

Julie Hart moved to direct the City Manager to enter into a Letter Agreement to resolve the Austin Street matter. Seconded by Kay Garcia McAnally and carried unanimously.

## F. ADJOURNMENT

At 10:42 p.m., Julie Hart moved to adjourn. Seconded by Ken Kesselus and carried unanimously.

APPROVED:

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Terry Orr, Mayor

ATTEST:

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Teresa Valdez, City Secretary