

**BASTROP CHARTER REVIEW COMMITTEE  
MINUTES OF MEETING  
MARCH 29, 2010**

The Bastrop Charter Review Committee met on Monday, March 29, 2010 at 6:30 p.m. in the Bastrop City Hall Council Chambers, 904 Main Street. Members present were Chairman Ken Kesselus, Debbie Moore, Brandi Smith, Lisa Tantaksinanukij, Willie DeLaRosa, Camilo Chavez, III and Jeff Yarbrough.

1. CALL TO ORDER AND ROLL CALL.

At 6:45 p.m., Chairman Ken Kesselus called the meeting to order. Mr. Kesselus stated Ms. Pinard was absent tonight due to a prior commitment. City Secretary, Teresa Valdez conducted a silent roll call.

2. APPROVAL OF MINUTES OF MARCH 1, 2010

Debbie Moore moved to approve the Minutes of March 1, 2010. Seconded by Brandi Smith and carried unanimously.

3. DISCUSSION OF THE CHARTER:

A. ARTICLE II POWER OF THE CITY – SECTION 2.03 ANNEXATION

Debbie Moore said she would like an explanation of the annexation process for the City of Bastrop.

City Manager, Mike Talbot explained the annexation process, both voluntary and involuntary, for the City of Bastrop.

B. ARTICLE VI FINANCIAL PROCEDURES – SECTION 6.13 INVESTMENT POLICY

Ms. Moore asked for clarification on the City's procedures regarding the Investment Policy.

Mr. Talbot addressed Ms. Moore's questions.

C. ARTICLE IX ELECTIONS – SECTION 9.06 CONDUCTING & CANVASSING ELECTIONS & SECTION 9.07 ELECTION BY PLURALITY

Ms. Moore stated in the Charter it states: "The returns of each City elections shall be delivered to the City Secretary by the election judge". Ms. Moore stated since the City contracts with the Council Elections Administrator for some elections, possibly not all elections, and the returns are delivered to the Council Elections Administrator, how should this verbiage be corrected.

It was the consensus of the Committee to refer this question to the City Manager and the City Attorney.

Ms. Moore asked if the City should continue to elect by plurality or should it be changed to election by majority vote.

Tom Scott addressed the Committee and suggested the Committee contact a valuable resource for the City, the Institute of Urban Studies at the University of Arlington, to gather information on this.

Discussion was held among the Committee.

It was decided among the Committee that election by majority vote was not an item they would want to propose as a Charter Amendment.

#### D. ARTICLE XII PLANNING - SECTION 12.01 PLANNING AND ZONING COMMISSION

Ms. Moore stated the language used in this section includes the words "Chairman" and this should be changed to "Chair".

It was the consensus of Council that if this is the only change the Committee proposes for a Charter Amendment, they will let it ride for the time being.

#### E. ARTICLE XIII GENERAL PROVISIONS – SECTION 13.04 PROHIBITED ACTIVITIES AND PENALTIES

Ms. Moore stated the Charter states: "No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any City position or appointive City administrative office because of race, gender, age, handicap, religion, country of origin or political affiliation". Ms. Moore stated the word "handicap" should be changed to "disability". Ms. Moore asked if this sentence should also include "sexual orientation".

Discussion was held among the Committee.

It was the consensus of the Committee that these two items be referred to the City Attorney and the City Manager and they check on how Federal Law affects this, that maybe the Charter should simply state: "Whatever Federal Law regulates", that way the Charter would not have to change every time the law changes.

#### F. ARTICLE XIV TRANSITIONAL PROVISIONS

Ken Kesselus stated this Article of the Charter is all done, so should it be kept in the Charter.

It was the consensus of the Committee to refer this to the City Attorney.

Mr. Kesselus asked that the Committee move ahead to Item 4 of the Agenda.

#### 4. DISCUSSION OF TIME TABLE FOR FUTURE WORK OF CHARTER REVIEW COMMISSION BASED ON ELECTION LAW GUIDELINES FOR CONDUCTING A NOVEMBER ELECTION.

Mr. Kesselus asked the City Secretary, Teresa Valdez to review the Election Law calendar & timelines for conducting a November Election

Ms. Valdez stated the City Attorney had prepared a Draft Calendar and they were continuing to fine tune it. Ms. Valdez stated if the City Council wished to call an election in November for Charter Amendments they would have to finalize the exact verbiage for each desired Charter Election ballot provision and finalize a Draft Ordinance regarding such by July 12, 2010.

Ms. Valdez stated this would set the pace for the First Reading of the Calling Election Ordinance for July 13, 2010. Ms. Valdez stated the City has to submit the proposed language for the ballot provisions to the Department of Justice for preclearance of the election. Ms. Valdez stated the statutory "drop dead date" for Council's formal action ordering an election for November 2, 2010 is August 24, 2010.

Discussion was held among the Committee.

It was the consensus of the Committee to continue their work and aim for submitting their proposals to the Council by the end of June, beginning of July.

Mr. Kesselus stated the Committee will meet in April and continue to finish their review of the Charter. The Committee will then meet in May and have a Public Hearing to receive public input and then in June the Committee will finalize their recommendations to Council.

#### G. ARTICLE III CITY COUNCIL

Discussion was held among the Committee in regard to term limits and number of members for the City Council.

It was the consensus of the Committee to continue this discussion when all Committee members were present.

It was the consensus of the Committee to ask the City Manager to check on cities the size of Bastrop and see how many Council Members they have, the rate of compensation for the Council Members and Mayor, and if the number of Council Members is increased to six (6) could the Mayor be given the right to vote.

Discussion was held among the Committee in regard to creating single-member districts within the City of Bastrop.

Tom Scott asked that the Committee be very careful in this area. Mr. Scott stated the City of Bastrop is still a small community and he wants to be able to call all six members of the City Council and hold them accountable for the decisions made.

It was the consensus of Council to continue the discussion of single-member districts when Reverend R.D. Smith was present since he had suggested it.

5. DISCUSSION AND POSSIBLE ACTION OF FUTURE MEETING DATES.

It was the consensus of the Committee that City Secretary, Teresa Valdez will poll the Charter Review Committee Members to select dates for the next meetings.

6. ADJOURNMENT.

At 8:37 p.m., it was the consensus of the Committee to adjourn.

APPROVED:

ATTEST:

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Ken Kesselus, Chairman

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Teresa Valdez, City Secretary