

**Bastrop City Council  
July 26, 2016 at 6:30 pm**



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*In compliance with the requirements of Chapter 551 of the Texas Government Code, the public is hereby provided notice that it is possible that a quorum, or more, of the membership of the Bastrop Economic Development Corporation may be in attendance, to observe and/or participate in the above-referenced meeting of the Bastrop City Council.*

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Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on July 26, 2016, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

**1. CALL TO ORDER**

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*EXECUTIVE SESSION: The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Ch. 551 Govt. Code, Vernon's TX Code, Annotated, the item below will be discussed in closed session.*

**1. SECTION 551.071 – Consultations with Attorney related to legal matters**

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**E. EXECUTIVE SESSION**

E1. The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.*, to discuss the following:

- 1. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney(s) concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, code enforcement matters, subdivision development, and or pending litigation matters concerning 909/ 911 Farm Street, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.

**FOLLOWING THE EXECUTIVE SESSION, AT A TIME NO EARLIER THAN 7:15 P.M., THE COUNCIL WILL RECONVENE IN OPEN SESSION TO CONDUCT THE FOLLOWING BUSINESS.**

E2. The Bastrop City Council will reconvene into open (public) session to discuss, consider and/or take any actions necessary related to the executive session(s) items noted herein, or regular agenda items, noted above, and/or related agenda items.

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION - Council Member Jones**

**4. PRESENTATIONS**

- A. Update on Bastrop Economic Development Corp. – Executive Director, Shawn Kirkpatrick

- B. Presentation and possible discussion from organizations seeking 2017 Hotel Occupancy Funding (HOT Funds) – Chief Financial Officer, Tracy Waldron
- a. Tough Mudder Event Production, Inc.
  - b. Bastrop Opera House
  - c. Bastrop Fine Arts Guild
  - d. Bastrop Family YMCA
  - e. Bastrop Downtown Business Alliance
  - f. Bastrop County Women’s Shelter, dba Family Crisis Center
  - g. Bastrop County Historical Society
  - h. Bastrop Chamber of Commerce

**5. PROCLAMATIONS**

**6. ANNOUNCEMENTS AND INFORMATION**

- A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
- B. Distribution of Items to Council (If Necessary) – Ann Franklin
- C. Items Targeted for Future Meetings.
- D. Communication regarding offer of “BALD KNOB.”

**7. City Manager’s Informational Report for the July 26, 2016 City Council Meeting:**

**I. Meetings and Events Attended:**

- Met with Judge Pape
- DMO Interviews
- City Council 7-12-16
- Comp Plan Steering Committee
- Certified Public Manager Training in Round Rock
- Water Rate and Impact Fees Meeting
- EDC Board Meeting
- Joint City Council/P&Z Meeting
- Chamber of Commerce Board Meeting
- YMCA Meeting
- Bastrop West Developer Meeting
- Pecan Park Developer Meeting
- Open Forum with Citizens about Pecan Park
- Bastrop County Office of Emergency Management
- Numerous Citizen Meetings
- Cemetery Board Meeting
- Numerous staff meetings

**II. Update on City Projects and Issues:**

- Staff Reports

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**Inviting input from the City 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.**

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## 8. CITIZEN COMMENTS

**A. CONSENT AGENDA** - *All of the following items are considered to be self-explanatory by the Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.*

		TAB	PG	REQUESTOR
A.1	Consideration, discussion and possible action regarding approval of minutes from the regular Council Meeting of June 28, 2016.	A.1	PG146	City Secretary, Ann Franklin
A.2	Approval of Bastrop Marketing Corporation's request for reimbursement of funds for June 2016 in accordance with the agreement to be spent on advertising and marketing the City of Bastrop area.	A.2	PG158	Chief Financial Officer, Tracy Waldron
A.3	Consideration, discussion and possible action on acceptance of the unaudited Monthly Financial Reports for the period ending June 30, 2016.	A.3	PG161	Chief Financial Officer, Tracy Waldron
A.4	Appointment by Mayor, subject to confirmation by City Council of Steve Adcock to Place 1 on the Hunters Crossing Local Government Corporation Board.	A.4	PG187	Mayor Kesselus
A.5	Consideration, discussion and possible action regarding the release of the City Attorney's legal fees to the public.	A.5	PG188	Council Member Jones
A.6	Consideration, discussion and possible action on setting the funding available for Community Support Services funded in FY 17 in the amount of \$80,000.	A.6	PG189	Chief Financial Officer, Tracy Waldron
A.7	Consideration, discussion and possible action regarding the revision to correct textual errors in the original ordinance - an ordinance granting a zone change from SF9, single family residential-9 and A/OS - agricultural/open space to PD, residential planned development for approximately 90.91 acres within all Bastrop Town Tract, located north of the railroad tracks on the northwest corner of Riverwood/Hawthorne and Carter Street within the city limits of Bastrop, Texas as part of the Piney Creek Bend; setting out conditions and establishing an effective date.	A.7	PG190	City Attorney, J.C. Brown

- A.8 Consideration, discussion and possible action regarding the approval of the Bastrop Art in Public Places 2017 Transformer Cabinet Mural Project Call To Artist. **A.8** **PG206** Director of Public Works, Parks, Trey Job
- A.9 Consideration, discussion and possible action regarding the approval of the Bastrop Art in Public Places 2017 Sculpture Project Call To Artist **A.9** **PG212** Director of Public Works, Parks, Trey Job

**B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION - NONE**

- B.1 **CONDUCT A PUBLIC HEARING** to receive citizens input on a Replat of Lots 21 and 22-B being +/- 9.8665 acres in Surburbia Estates Subdivision and +/- 3.500 acres out of the Nancy Blakey Survey, Abstract No. 98 located within the Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ). **B.1** **PG221** Director of Planning and Development, Melissa McCollum
- B.2 Discussion, consideration and possible action by the City Council on a Replat of Lots 21 and 22-B being +/- 9.8665 acres in Surburbia Estates Subdivision and +/- 3.500 acres out of the Nancy Blakey Survey, Abstract No. 98 located within the Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ). **B.2** **PG225** Director of Planning and Development, Melissa McCollum

**C. OLD BUSINESS - NONE**

**D. NEW BUSINESS**

- D.1 Consideration, discussion and action regarding the creation of a Charter Review Committee. **D.1** **PG226** Interim City Manager Steve Adcock
- D.2 Discussion, consideration and possible action to approve the Final Plat for Pecan Park Section 5B consisting of 43 residential lots, totaling +/-12.63 acres out of a +/- 311.302 acre tract out of the Mozea Rousseau Survey within the city limits of Bastrop, Texas located west of Perkins Street. **D.2** **PG227** City Engineer, Wesley Brandon

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| D.3 | <b>FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING DEFINITIONS #75 AND #270.1 AND ADDING A NEW DEFINITION #77.1 IN APPENDIX A-3 IN CHAPTER 14 OF THE CITY OF BASTROP ZONING ORDINANCE FOR THE TERM “CUSTOM PERSONAL SERVICE SHOPS” TO INCLUDE DERMAPIGMENTATION SERVICES AS ACCESSORY USE TO BARBER/BEAUTY SHOP USES AND ADD DEFINITION OF DERMAPIGMENTATION (A/K/A PERMANENT MAKEUP); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.</b>  | D.3 | PG245 | Director of Planning and Development, Melissa McCollum |
| D.4 | Consideration, discussion and possible action regarding the vote to accept offer from BEDC to purchase the 921 Main Street property.   | D.4 | PG254 | Council Member Jones                                   |
| D.5 | Consideration, discussion, and possible action on the Council setting the funding amount available for organizations requesting the use of 2017 Hotel Occupancy Tax funds (HOT Funds).   | D.5 | PG255 | Chief Financial Officer, Tracy Waldron                 |
| D.6 | <b>FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING CITY CODE, CHAPTER 7, ARTICLE 7.01, SECTION 7.01.10, RELATED TO MUNICIPAL COURT PROSECUTIONS BY CITY ATTORNEY(S); CHAPTER 9, ARTICLE 9.04, RELATED TO APPOINTMENT AND POWERS AND DUTIES OF THE CITY ATTORNEY; AND CHAPTER 11, ARTICLE 11.04, SECTION 11.04.008, RELATED TO CITY ATTORNEY’S AUTHORITY TO BRING SUIT TO COLLECT THE TAX IMPOSED BY THE CITY; REPEALING CONFLICTING ORDINANCES; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.</b> | D.6 | PG257 | Mayor Kesselus   |
| D.7 | Consideration, discussion and possible action regarding the creation of a Sign Ordinance Committee.  | D.7 | PG266 | Mayor Kesselus   |
| D.8 | Consideration, discussion, and possible action regarding JC Brown, City Attorney.  | D.8 | PG267 | Council Member Jones                                   |
| D.9 | Consideration, discussion, and possible action regarding the process that City will use to search for and select a permanent City Manager.   | D.9 | PG268 | Mayor Kesselus   |

**EXECUTIVE SESSION CONTINUED**

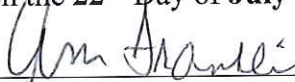
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2. **SECTION 551.072** – Deliberation regarding real property: Regarding the purchase, exchange, lease, disposition, negotiations or value of real property.
3. **Section 551.087** – To discuss, evaluate or deliberate regarding commercial, financial, business or other information that the City has received related to economic development opportunities or prospects in or near the territory of the City, and/or to deliberate the potential offer of economic incentives to a business prospect, as note herein.
4. **SECTION 551.086** – To discuss Certain Public Power Utilities: Competitive Matters – Bastrop Power & Light Budget, and/or related electric public power utility information and matters.
5. **SECTION 551.074** – Personnel Matters - City Manager

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**F. ADJOURNMENT****CERTIFICATION**

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 22<sup>nd</sup> Day of July 2016 at 5:00 pm

  
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NOTICE OF ASSISTANCE AT PUBLIC MEETINGS; THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND A MEETING AND WHO MAY NEED ASSISTANCE ARE ENCOURAGED TO CONTACT THE CITY SECRETARY AT 512-332-8800. PLEASE PROVIDE A FORTY-EIGHT (48) HOUR NOTICE. Confirmed by **TC**