

**MINUTES OF SPECIAL WORKSHOP MEETING
BASTROP CITY COUNCIL
JUNE 21, 2016**

The Bastrop City Council met in a Special Workshop Meeting on Tuesday, June 21, 2016 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Ken Kesselus, Mayor Pro Tem DeLaRosa and Council Members Peterson, McAnally and Jones.

CALL TO ORDER

At 6:53 p.m. Mayor Kesselus called the Meeting to order with a Quorum being present. Council Member Schiff was absent. (Council Member Schiff's absence was approved by Council as excused.)

B. EXECUTIVE SESSION

B1. The Bastrop City Council met at 6:55 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq.*, to discuss the following:

1. **SECTION 551.071(1)(A) & SECTION 551.071(2)** – Consultation with Attorneys, by video conference, telephone and/or in person concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to pending City permits, status of settlement(s) and court actions in pending lawsuit(s), threatened or potential litigation, or claims, and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. **SECTION 551.072** - Deliberations concerning Real Property related to potential acquisition, sales, or lease by or to the City.

B2. The Bastrop City Council reconvened at 9:06 p.m. 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.

ACTION ITEMS FROM EXECUTIVE SESSION (If any are needed.)

City Manager Mike Talbot explained that the City is in three separate litigations:

- 1) **Case Number 1: Out of Forth Worth it involves the City's Red Light Camera District. The City of Bastrop along with several other cities installed cameras at lights and there is a lawsuit that says those are unconstitutional. The litigation is now in the court in which it started and this is a rather complex issue. The City Manager's recommendation was that a motion to instruct Mr. Charles Bundren, the litigator to continue with the activities in the class action case remanded back to the Tarrant County State Court reference Red Camera Light suit and to notify the company that the contract with the City for this program that the indemnification provision in the contract with the City is being triggered.**
- 2) **Case Number 2: The City is in with the other taxing entities, Bastrop County and Bastrop Independent School District. The Council received an update as to where the litigation is since the District Judge's ruling back in May. There are a few outstanding items, at this time the wait is to see what is filed with the judge.**

- 3) **Case Number three: City of Bastrop vs. Rhonda VanDiver, pending in State Court it is on hold and a mediation settlement has been in the works but not able to resolve as of yet.**

B2.1 SECTION 551.071(1)(A) & SECTION 551.071(2) – Consultation with Attorneys, by video conference, telephone and/or in person concerning: (1) potential, pending, threatened, and/or contemplated litigation or claims, including but not limited to pending City permits, status of settlement(s) and court actions in pending lawsuit(s), threatened or potential litigation, or claims, and/or (2) matter upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.

Mayor Pro Tem DeLaRosa made the motion to instruct Mr. Bundren to continue with the litigation, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

Council Member Jones made the motion to instruct Charles Bundren, Attorney to contact Ms. VanDiver’s attorney to instruct him that the City is open to any recommendation that Ms. VanDiver has for Council to hear and determine a decision to finalize this case and Council Member Jones asked to be allowed to work with Mr. Bundren to facilitate as a Council Member. This motion died for lack of a second.

Council Member Jones made the motion to instruct Charles Bundren, Attorney, to contact Ms. VanDiver’s attorney to find out where the offer stands and to inform him that the City is open to hear any recommendation that Ms. VanDiver has, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

B2.2 SECTION 551.072 - Deliberations concerning Real Property related to potential acquisition, sales, or lease by or to the City.

C. WORKSHOP SESSION


- C.1. Discussion regarding the Capital Budget – Bond Election.
This item was withdrawn.
- C.2. 2016-2017 Budget – A review and discussion with the City Manager regarding the Development of the FY 2017 Budget regarding a review and discussion.
This item was withdrawn.

ADJOURNMENT

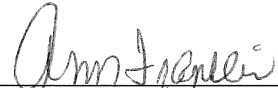
Mayor Pro Tem DeLaRosa made the motion to adjourn the meeting at 9:20 p.m., seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Council Member Schiff was absent.

APPROVED:

ATTEST:



Mayor Ken Kesselus



City Secretary Ann Franklin