

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



April 25, 2017 at 6:30 P.M.

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.

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.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

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

3. INVOCATION

4. PRESENTATIONS

4A. Proclamation recognizing "Air Quality Awareness Week"

4B. Proclamation recognizing "Motorcycle Safety and Awareness Month"

4C. Proclamation recognizing "National Firefighter Day" and declaring May 4, 2017 as Firefighter Appreciation Day for the City of Bastrop.

4D. Councilmembers' Report

4E. Mayor's Report

4F. City Manager's Report

5. WORK SESSION/BRIEFINGS

- 5A. Discuss and receive consensus on an amendment to the Financial Management Policy requiring a reserve balance for the Hotel Occupancy Tax Fund.
- 5B. Discuss and receive feedback regarding changes to Article 4.03, "Taxicabs and Touring Vehicles."
- 5C. Discuss and receive feedback regarding a protocol for Consent Agenda items.

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited monthly financial report for the period ending March 31, 2017.
- 6B. Receive presentation on the Quarterly Investment Report for period ending March 31, 2017.
- 6C. Receive monthly report from Bastrop Economic Development Corporation.

7. 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.

8. CONSENT AGENDA

- 8A. Consider action to approve minutes from the March 28, 2017 and April 11, 2017 regular Council meetings.
- 8B. Consider action to approve the second reading of Ordinance 2017-11 by the City of Bastrop, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., South Texas Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Alliance

adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and providing for an effective date.

- 8C. Consider action to approve Resolution R-2017-18 by the City Council of the City of Bastrop, Texas authorizing the City Manager and consultants to proceed with the establishment of a nonprofit corporation to facilitate the City's destination and marketing functions; preparing any required documents and agreements necessary to effectuate the corporation's organization; and those matters necessary or incidental in connection therewith.
- 8D. Consider action to approve the Budget Planning Calendar for the Fiscal Year 2017-2018.
- 8E. Consider action to approve the second reading of Ordinance No. 2017-12 of the City Council of the City of Bastrop, Texas, continuing the curfew, for minors, as established in Ordinance 2008-26, and providing an effective date.
- 8F. Consider action to approve Resolution No. R-2017-15 of the City Council of the City of Bastrop, Texas, requesting the members of the 85th Legislative Session of the State of Texas to support legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.
- 8G. Consider action to approve Resolution No. R-2017-17 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to execute an application for \$5,800,000 to the Texas Water Development Board for low interest funding available through the State Water Implementation Fund for Texas.
- 8H. Consider action to approve Resolution No. R-2017-20 authorizing reimbursement of legal fees to Council Member Gary Schiff incurred in his defense against Ethics Complaint No. 2016-2; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-13.
- 8I. Consider action to approve Resolution No. R-2017-19 authorizing reimbursement of legal fees to Council Member Deborah Jones incurred in her defense against Ethics Complaint No. 2016-3; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-14.
- 8J. Consider action to approve Resolution No. R-2017-20 approving a Public Decorum Protocol and providing for an effective date.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Hold public hearing and consider action to approve the first reading of Ordinance 2017-13 of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, and providing for an effective date; and move to include on the May 9, 2017 agenda for a second reading.

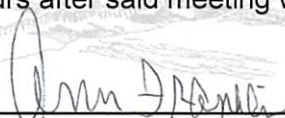
10. EXECUTIVE SESSION

- 10A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding City of Bastrop vs. Vandiver and Hoover claims.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding the appeal of property owners involved in water permit litigation (known as McCall Ranch) and the status of the XS Ranch Development.
- 10C. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to consider the purchase of five (5) parcels of land within the City of Bastrop.

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

12. 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 and said Notice was posted on the following date and time: Friday, April 21, 2017 at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4A

TITLE:
Proclamation recognizing Air Quality Awareness Week

STAFF REPRESENTATIVE:
Lynda Humble, City Manager
Ann Franklin, City Secretary



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ROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, air pollution can threaten our environment, economy, and the health of the residents of Bastrop; and

WHEREAS, while air quality is improving in Central Texas, regional air pollution levels were considered “Moderate” or worse on more than a quarter of the days in 2016, according to the national Air Quality Index; and

WHEREAS, children, older adults, people with lung disease, and people with heart disease, make up about two out of every five residents of Central Texas, and are particularly affected by poor air quality; and

WHEREAS, Bastrop supports public awareness about the quality of local and regional air quality and steps that members of our community can take to reduce their exposure to air pollution and to reduce the emissions that contribute to poor air quality in the region; and

WHEREAS, Bastrop is a member of the Central Texas Clean Air Coalition of the Capital Area Council of Governments (CAPCOG) and supports the Coalition’s efforts to promote regional air quality; and

NOW, THEREFORE, I, Kenneth W. Kesselus, Mayor of the City of Bastrop, do hereby proclaim May 1-May 5, 2017, as:

AIR QUALITY AWARENESS WEEK

and encourage our residents and employees to educate themselves about air quality, including through CAPCOG’s Air Central Texas (ACT) website www.aircentraltexas.org, and to promote air quality and air quality awareness within the community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 25th day of April, 2017.

Kenneth W. Kesselus, Mayor



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4B

TITLE:

Proclamation recognizing “Motorcycle Safety and Awareness” Month

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Ann Franklin, City Secretary



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ROCLAMATION



BASTROPTX
Heart of the Lost Pines / Est. 1832

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related injuries, and most of all, fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, due to their small size, motorcycles may easily be overlooked in the traffic flow, and motorists are encouraged to always be aware of motorcycles at intersections, when performing lane changes, or when passing other vehicles; and

WHEREAS, it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and

WHEREAS, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve.

NOW THEREFORE, I, Kenneth W. Kesselus, Mayor of the City of Bastrop, do hereby proclaim the month of May 2017 as:

MOTORCYCLE SAFETY AND AWARENESS MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 25th day of April, 2017.

Kenneth W. Kesselus, Mayor



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4C

TITLE:

Proclamation recognizing “National Firefighter Day” and declaring May 4, 2017 as Firefighter Appreciation Day for the City of Bastrop.

STAFF REPRESENTATIVE:

Steve Adcock, Public Safety Director

BACKGROUND/HISTORY:

Firefighter Appreciation Day is to honor and celebrate the contributions and sacrifices made by all firefighters in the United States. It pays special recognition to those firefighters who have lost their lives in the line of duty for the safety and protection of others.

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

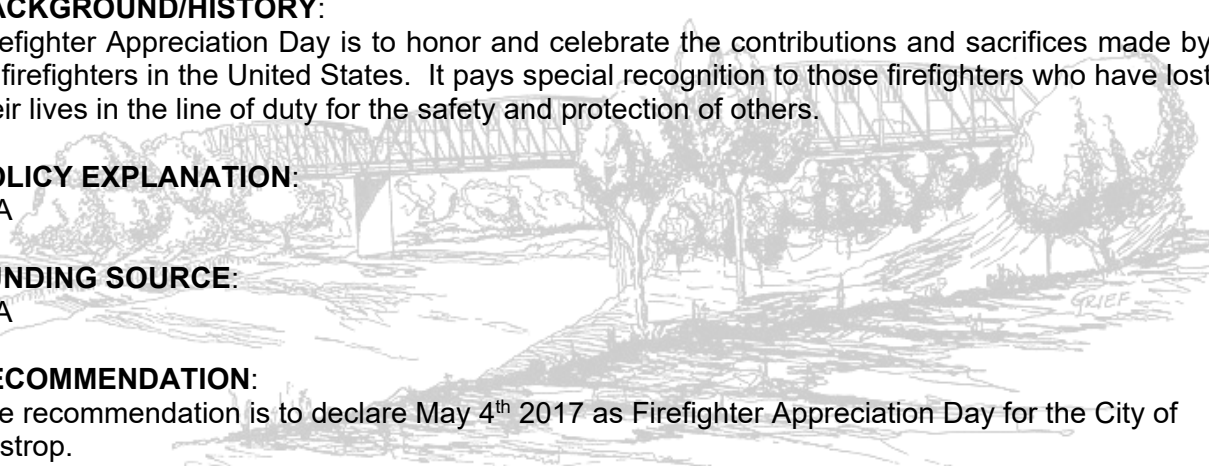
N/A

RECOMMENDATION:

The recommendation is to declare May 4th 2017 as Firefighter Appreciation Day for the City of Bastrop.

ATTACHMENTS:

Proclamation for Firefighter Appreciation Day



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ROCLAMATION



WHEREAS, in June of 2007 the United States Senate passed a resolution creating National First Responder Appreciation Day to honor and celebrate the contributions and sacrifices made by all first responders in the United States; and

WHEREAS, the men and women who serve as firefighters are worthy of recognition for their courage, heroism and concern for the welfare of the communities they serve, regardless of peril or injury to themselves; and

WHEREAS, thousands of firefighters, both career and volunteer, risk their lives every day to make our communities safer through such efforts as search and rescue operations, hazardous materials response, fire prevention and safety education, and responding and treating a variety of life-threatening emergencies; and

WHEREAS, firefighters make the ultimate sacrifice to protect the citizens they serve whether danger is the result of natural or manmade disasters as witnessed by fire suppression deaths and other contributing causes;

NOW, THEREFORE, that I, Mayor Ken Kesselus, do hereby proclaim **May 4th, 2017** as:

FIREFIGHTER DAY IN BASTROP, TEXAS

and publicly salute the service of firefighters in our community and in communities across the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 25th day of April, 2017.

Kenneth W. Kesselus, Mayor



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4D

TITLE:

Councilmembers' Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4E

TITLE:
Mayor's Report

STAFF REPRESENTATIVE:
Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 4F

TITLE:

City Manager's Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 5A

TITLE:

Discuss and receive consensus on an amendment to the Financial Management Policy requiring a reserve balance for the Hotel Occupancy Tax Fund.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The current Financial Management Policy, adopted by Council on October 25, 2016, does not give guidance to financial management for the Hotel Occupancy Tax Fund reserves. Given the importance of tourism to our local economy, staff is seeking input from Council to determine what is reasonable and appropriate to establish as a reserve for use in the event the economy has a down turn.

POLICY EXPLANATION:

Staff is seeking a policy for fund balance reserves for the Hotel Occupancy Tax Fund given the importance of the organizations in the City of Bastrop, who count on funding support from the Hotel Occupancy Fund, and represent an important infrastructure to the success of our tourism economy. Staff is seeking input and consensus on the following proposed amendment:

HOTEL OCCUPANCY TAX FUND – *This fund has a long-term effect on the City's economy and the reserve level needs to be sufficient to allow the fund to operate if a down turn in the economy occurred. Sufficient level of reserves should be a minimum of one year of expenditures to allow the City to ensure continuity of the organizations promoting tourism. Policy makers will need to determine priorities and funding levels should the economic downturn be expected to exceed the current adopted budget plus one-year reserves.*

If Council agrees to move forward with the creation of a reserve policy for the Hotel Occupancy Fund, a resolution will be placed on the May 9th agenda for Council consideration.

FUNDING SOURCE:

NA

RECOMMENDATION:

Discuss and receive consensus on an amendment to the Financial Management Policy requiring a reserve balance for the Hotel Occupancy Tax Fund.

ATTACHMENT:

- Proposed Financial Management Policy

City of Bastrop

Financial Management Policies

Draft for approval

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I. PURPOSE STATEMENT

The overriding goal of the Financial Management Policies is to enable the city to achieve a long-term stable and positive financial condition while conducting its operations consistent with the Council-Manager form of government established in the City Charter. The watchwords of the city's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure.

The purpose of the Financial Management Policies is to provide guidelines for the financial management staff in planning and directing the city's day-to-day financial affairs and in developing recommendations to the City Manager.

The scope of the policies spans accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, cash management, expenditure control and debt management.

II. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

A. ACCOUNTING – The City of Bastrop finances shall be accounted for in accordance with generally accepted accounting principles as established by the Governmental Accounting Standards Board. The fiscal year of the City shall begin on October first of each calendar year and shall end on September thirtieth of the following calendar year. This fiscal year shall also be established as the accounting and budget year. Governmental fund types use the modified accrual basis of accounting, revenues are recognized when susceptible to accrue (i.e., when they are measurable and available. Expenditures are recognized when the related funds liability is incurred, if measurable, except for principle and interest on general long-term debt, which are recorded when due.

Proprietary fund types are accounted for on a full accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred

B. FUNDS – Self-balancing groups of accounts are used to account for city financial transactions in accordance with generally accepted accounting principles. Each fund is created for a specific purpose except for the General Fund, which is used to account for all transactions not accounted for in other funds. Governmental funds are used to account for the government's general government activities and include the General, Special Revenue, Debt Service and Capital Project funds.

C. EXTERNAL AUDITING – The city will be audited annually by outside independent auditors. The auditors must be a CPA firm of national reputation, and must demonstrate that they have the breadth and depth of staff to conduct the city's audit in accordance with generally accepted auditing standards, generally accepted government auditing standards,

and contractual requirements. The auditors' report on the city's financial statements including any federal grant single audits will be completed within 120 days of the city's fiscal year end, and the auditors' management letter will be presented to the city staff within 150 days after the city's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The city staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.

- D. EXTERNAL AUDITORS RESPONSIBLE TO CITY COUNCIL** - The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the city staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.
- E. EXTERNAL AUDITOR ROTATION** – The city will not require external auditor rotation, but will circulate requests for proposal for audit services periodically, normally at five-year intervals or less.
- F. EXTERNAL FINANCIAL REPORTING** – The city will prepare and publish a Comprehensive Annual Financial Report (CAFR). The CAFR will be prepared in accordance with generally accepted accounting principles, and may be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The CAFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing and auditor availability limitations may preclude such timely reporting. In such case, the Chief Financial Officer will inform the City Manager and the City Manager will inform the City Council of the delay and the reasons therefore.

III. INTERNAL CONTROLS

- A. WRITTEN POLICIES & PROCEDURES** – The Finance Department is responsible for developing city-wide written policies & procedures on accounting, cash handling, and other financial matters. The Policies will be reviewed by the City Manager and approved by the City Council. The procedures will only need approval by the City Manager.

The Finance Department will assist department managers as needed in tailoring these written procedures to fit each department's requirements.

- B. INTERNAL AUDIT** – The Finance Department may conduct reviews of the departments to determine if the departments are following the written procedures as they apply to the departments.

Finance will also review the written policies and procedures on accounting, cash handling and other financial matters. Based on these reviews Finance will recommend internal control improvements as needed.

- C. **DEPARTMENT MANAGERS RESPONSIBLE** – Each department manager is responsible to the City Manager to ensure that good internal controls are followed throughout his or her department, that all guidelines on accounting and internal controls are implemented, and that all independent and internal control recommendations are addressed.

IV. OPERATING BUDGET

- A. **PREPARATION** – The city’s “operating budget” is the city’s annual financial operating plan. It consists of governmental and proprietary funds, including the general obligation debt service fund. The budget is prepared by the City Manager with the assistance of the Chief Financial Officer and cooperation of all city departments. The City Manager transmits the document to the City Council. The budget should be enacted by the City Council prior to the fiscal year beginning. The operating budget may be submitted to the GFOA annually for evaluation and possible awarding of the Award for Distinguished Budget Presentation.
- B. **BALANCED BUDGETS** – An operating budget will be balanced, with current revenues, inclusive of beginning resources, greater than or equal to current operating expenditures/expenses.
- C. **PLANNING** – The budget process will begin with each Department Director submitting Expanded Level of Service (ELS) forms accompanied by a summary form ranking their requests by priority. The Chief Financial Officer will use the current budget as a base line and enter all ELS requests into the accounting system. Meetings are scheduled with the City Manager, Chief Financial Officer and Department Directors, to review their draft budgets. A summary of this draft budget is presented to City Council by the City Manager, at a Budget workshop There will be several more Council budget workshops as the City Manager and staff work through estimating revenue and making the necessary expense cuts to prepare a balanced budget for final approval.
- D. **REPORTING** – Periodic financial reports are available within INCODE to enable the department managers to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Summary monthly financial reports will be presented to the City Council within 45 days after the end of each month, if council meetings do not interfere with reporting requirement. Such reports will include current year revenue and expenditure budgets and year-to-date actual figures for all major funds.
- E. **CONTROL** – Operating Expenditure Control is addressed in another section of the Policies.
- F. **PERFORMANCE MEASURES** – Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process.

V. CAPITAL BUDGET

- A. **PREPARATION** – The city’s capital budget will be included in the city’s operating budget. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required city departments.
- B. **APPROPRIATION** – An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned
- C. **CONTROL** – All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.
- D. **ALTERNATE RESOURCES** – Where applicable, assessments, impact fees, or other user-based fees should be used to fund capital projects which have a primary benefit to certain property owners.
- E. **DEBT FINANCING** – Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.
- F. **REPORTING** – Financial reports will be available to enable the department managers to manage their capital budgets and to enable the finance department to monitor the capital budget as authorized by the City Manager.

VI. REVENUE MANAGEMENT

- A. **SIMPLICITY** – The city will strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay.
- B. **CERTAINTY** – An understanding of the revenue source increases the reliability of the revenue system. The city will try to understand its revenue sources, and enact consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.
- C. **EQUITY** – The city will strive to maintain equity in the revenue system structure. It is recognized that public policy decisions may lead to subsidies in certain circumstances, e.g., Over 65 property tax exemptions.

D. ADMINISTRATION – The benefits of revenue will exceed the cost of producing the revenue. The cost of collection will be reviewed annually for cost effectiveness as a part of the indirect cost, and cost of services analysis.

E. REVENUE ADEQUACY – The city will require that there be a balance in the revenue system. That is, the revenue base will have the characteristic of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.

F. COST/BENEFIT OF ABATEMENT – The city will use due caution in the analysis of any tax, fee, or water and wastewater incentives that are used to encourage development. A cost/benefit (fiscal impact) analysis will be performed as a part of such analysis and presented to the appropriate entity considering using such incentive.

G. DIVERSIFICATION AND STABILITY – In order to protect the government from fluctuations in revenue source due to fluctuations in the economy, and variations in weather (in the case of water and wastewater), a diversified revenue system will be sought.

H. NON-RECURRING REVENUES – One-time revenues will not be used for ongoing operations. Non-recurring revenues will be used only for non-recurring expenditures. Care will be taken not to use these revenues for budget balancing purposes.

I. PROPERTY TAX REVENUES – Property shall be assessed at 100% of the fair market value as appraised by the Bastrop Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 97% collection rate will serve as a minimum goal for tax collection, with the delinquency rate of 4% or less. The 97% rate is calculated by dividing total current year tax collections for a fiscal year by the total tax levy for the fiscal year.

All delinquent taxes will be aggressively pursued by being turned over to an attorney, and a penalty assessed to compensate the attorney as allowed by State law, and in accordance with the attorney's contract.

J. USER-BASED FEES – For services associated with a user fee or charge, the direct and indirect costs of that service will be offset by a fee where possible. There will be an annual review of fees and charges to ensure that fees provide adequate coverage of costs and services.

K. GENERAL AND ADMINISTRATIVE CHARGES – A method will be maintained whereby the General Fund can impose a charge to the enterprise/ proprietary funds for general and administrative services (indirect costs) performed on the funds' behalf. The details will be documented and said information will be maintained in the Finance Department.

L. UTILITY RATES – The city will strive to review utility rates annually and, if necessary, adopt new rates to generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of

working capital needs. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects.

M. INTEREST INCOME – Interest earned from investment of available monies that are pooled will be distributed to the funds monthly in accordance with the claim on cash balance of the fund from which monies were provided to be invested.

N. REVENUE MONITORING – Revenues actually received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the appropriate budget report.

VII. EXPENDITURE CONTROL

A. APPROPRIATIONS – The level of budgetary control is the department level budget in all Funds. Transfers between expenditure accounts within a department may occur with the approval of the Chief Financial Officer. City Manager approval is required if transferring from a personnel or capital accounts within a department. When budget adjustments (i.e., amendments), are required between departments and/or funds, these must be approved by the City Council through an Ordinance

B. VACANCY SAVINGS AND CONTINGENCY ACCOUNT – The General Fund Contingency Account will be budgeted at a minimal amount (\$35,000). The contingency account balance for expenditures may be increased quarterly by the amount of available vacancy savings.

C. CONTINGENCY ACCOUNT EXPENDITURES – The City Council must approve all contingency account expenditures over \$50,000. The City Manager must approve all other contingency account expenditures.

D. CENTRAL CONTROL – Significant vacancy (salary) and capital budgetary savings in any department will be centrally controlled by the City Manager.

E. PURCHASING CONTROL– All purchases shall be made in accordance with the city's Purchasing Policy. Authorization levels for appropriations previously approved by the City Council are as follows: below Directors \$1,000 (Directors can request to have this amount raised by submitting a written request to the Finance Department), for Directors up to \$9,999, for Chief Financial Officer up to \$14,999, and with any purchases exceeding \$15,000 to be approved by the City Manager.

F. PROFESSIONAL SERVICES – Professional services will generally be processed through a request for proposals process, except for smaller contracts. The City Manager may execute any professional services contract less than \$50,000 provided there is an appropriation for such contract.

G. PROMPT PAYMENT – All invoices will be paid within 30 days of receipt in accordance with the prompt payment requirements of State law. Procedures will be used to take advantage of all purchase discounts where considered cost effective. However, payments will also be reasonably delayed in order to maximize the city’s investable cash, where such delay does not violate the agreed upon terms.

VIII. ASSET MANAGEMENT

A. INVESTMENTS – The city’s investment practices will be conducted in accordance with the City Council approved Investment Policies.

B. CASH MANAGEMENT – The timing and amount of cash needs and availability shall be systematically projected in order to maximize interest earnings from investments.

C. INVESTMENT PERFORMANCE – A quarterly report on investment performance will be provided by the Chief Financial Officer to the City Council.

D. FIXED ASSETS AND INVENTORY – These assets will be reasonably safeguarded properly accounted for, and prudently insured. The City will perform an annual inventory of all assets with a value greater than \$1,000.

IX. FINANCIAL CONDITION AND RESERVES

A. NO OPERATING DEFICITS – Current expenditures should be paid with current revenues. Deferrals, short-term loans, or one-time sources should be avoided as budget balancing technique. Reserves will be used only for emergencies on non-recurring expenditures, except when balances can be reduced because their levels exceed guideline minimums.

B. OPERATING RESERVES – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted.

1. The General Fund ending fund balance will be maintained at an amount up to three months’ worth of estimated expenditures or at a level of 25% of budgeted operating expenditures.
2. The Enterprise/ Proprietary Funds will be maintained at a minimum level of 35% of budgeted operating expenditures.
3. Fund balances which exceed the minimum level established for each fund may be appropriated for non-recurring capital projects.

C. RISK MANAGEMENT PROGRAM – The city will aggressively pursue every opportunity to provide for the public’s and city employees’ safety and to manage its risks.

D. LOSS FINANCING – All reasonable options will be investigated to finance losses. Such options may include risk transfer, insurance and risk retention. Where risk is retained, reserves will be established based on a calculation of incurred but not reported claims, and actuarial determinations and such reserves will not be used for any purpose other than for financing losses.

E. ENTERPRISE/ PROPRIETARY FUND SELF-SUFFICIENCY – The city's enterprise funds' resources will be sufficient to fund operating and capital expenditures. The enterprise funds will pay (where applicable) their fair share of general and administrative expenses, in-lieu-of-property taxes and/or franchise fees. If an enterprise fund is temporarily unable to pay all expenses, then the City Council may waive general and administrative expenses, in-lieu-of-property taxes and/or franchise fees until the fund is able to pay them.

F. HOTEL OCCUPANCY TAX FUND – This fund has a long-term effect on the City's economy and the reserve level needs to be sufficient to allow the fund to operate if a down turn in the economy occurred. Sufficient level of reserves should be a minimum of one year of expenditures to allow the City to ensure continuity of the organizations promoting tourism. Policy makers will need to determine priorities and funding levels should the economic downturn be expected to exceed the current adopted budget plus one-year reserves.

X. DEBT MANAGEMENT

A. SELF-SUPPORTING DEBT – When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.

B. ANALYSIS OF FINANCING ALTERNATIVES – The city will explore all financing alternatives in addition to long-term debt including leasing, grants and other aid, developer contributions, impact fees, and use of reserves or current monies.

C. VOTER AUTHORIZATION – The city shall obtain voter authorization before issuing General Obligation Bonds as required by law. Voter authorization is not required for the issuance of Revenue Bonds and Certificates of Obligation. However, the city may elect to obtain voter authorization for Revenue Bonds.

D. BOND DEBT – The City of Bastrop will attempt to maintain base bond ratings of AA2(Moody's Investors Service) and AA (Standard & Poor's) on its general obligation debt. In an attempt to keep the debt service tax rate flat, retirement of debt principal will be structured to ensure constant annual debt payments when possible.

E. IRS COMPLIANCE – The City will have a written policy for monitoring compliance with IRS laws and regulations for tax exempt debt.

XI. STAFFING AND TRAINING

- A. ADEQUATE STAFFING** – Staffing levels will be adequate for the fiscal functions of the city to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Workload scheduling alternatives will be explored before adding staff.
- B. TRAINING** – The city will support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial issues. Staff will be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences, and related education efforts.

XII. GRANTS FINANCIAL MANAGEMENT

- A. GRANT SOLICITATION** – The City Manager will be informed about available grants by the departments. The City Council will have final approval over which grants are applied for. The grants should be cost beneficial and meet the city’s objectives.
- B. RESPONSIBILITY** – Departments will oversee the day to day operations of grant programs, will monitor performance and compliance, and will also keep the Finance Department informed of significant grant-related plans and activities. Finance Department staff members will serve as liaisons with grantor financial management personnel, will prepare invoices, and will keep the books of account for all grants.

XIII. ANNUAL REVIEW AND REPORTING

- A.** These Policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.
- B.** The Chief Financial Officer will report annually to the City Manager on compliance with these policies.

Tracy Waldron, CFO

Lynda, Humble, City Manager

History

Approved 9/23/14

Approved 10/25/16



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 5B

TITLE:

Discuss and receive feedback regarding changes to Article 4.03, "Taxicabs and Touring Vehicles."

STAFF REPRESENTATIVE:

Steve Adcock, Director of Public Safety

BACKGROUND/HISTORY:

The intent of Article 4.03 "Taxicabs and Touring Vehicles" of the Bastrop Code of Ordinances was approved to establish regulations of shuttle services including annual inspection provisions and licensing fees in an effort to promote the safety of individuals utilizing taxicabs, shuttles, and touring vehicles. However, the current ordinance includes several provisions that are burdensome to potential licensees, thus causing some providers to choose not to apply for a license with the City.

POLICY EXPLANATION:

Staff will be providing Council with a presentation to discuss the provisions and provide recommendations on how to provide regulations that make sense without being burdensome. By making these proposed changes, licensees will be more likely to follow the ordinance and seek a license to operate legally. By doing so, staff will be provided an opportunity to more pro-actively meet the intent of the ordinance regarding safety of those utilizing these service.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Discuss and receive feedback regarding changes to Article 4.03, "Taxicabs and Touring Vehicles."

ATTACHMENT:

- Current "Taxicab and Touring Vehicle" Ordinance

ORDINANCE No. 2014-13

AN ORDINANCE AMENDING CHAPTER 4 “BASTROP REGULATIONS”; ARTICLE 4.03 “TAXICABS AND TOURING VEHICLES” OF THE BASTROP CODE OF ORDINANCES, TO ADD REGULATIONS RELATED TO SHUTTLE SERVICES AND TO EXPAND THE DEFINITION OF AND REGULATION OF TAXICABS, SHUTTLES AND TOURING VEHICLES; AND AMENDING APPENDIX A4.03.001 – LICENSE, OF THE CODE OF ORDINANCES, CONCERNING INSPECTION AND DRIVERS’ FEES FOR SAME; PROVIDING FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, State and local laws and the City of Bastrop’s (“City”) Home Rule Charter authorize the City to adopt and enforce laws related to transportation to enhance and protect the health, safety and welfare of the citizens of, and visitors to, the Bastrop community; and

WHEREAS, the City Council finds that the regulation of shuttle services and the expansion of the regulation of taxicabs operating in the City, and annual inspection and licensing fees for same, are necessary for the purpose of promoting the safety of individuals utilizing taxicabs, shuttles and touring vehicles, as well as the transportation of water oriented recreational equipment in connection with tubing, kayaking, rafting, or similar water recreation activities upon rivers and streams that flow within or through the City of Bastrop; and

WHEREAS, the City of Bastrop finds that the amendments to Article 4.03 “Taxicabs and Touring Vehicles” related to shuttles and taxicabs, as noted below, and Appendix A, concerning annual inspection and licensing fees for same are necessary and proper and will enhance and protect the health, safety, and welfare of the citizens of the City.

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

PART 1. That Article 4.03 “Taxicabs and Touring Vehicles” of the Bastrop Code of Ordinances is hereby amended to add information regarding “Shuttles”, including the transportation of passengers and water related recreational equipment in the City, and to expand the regulation of taxicabs operating in the City as follows:

ARTICLE 4.03 TAXICABS, SHUTTLES AND TOURING VEHICLES

Division 1. Generally

Sec. 4.03.001 License Required; Exemptions

(a) Required. No person shall operate a taxicab, shuttle or touring vehicle for hire within the city unless such person shall have first obtained from the City Secretary prior to such operation a license to operate the vehicle. Licenses shall expire within 365 days of the issuance thereof. The following exemptions to licensing shall apply:

- (1) Taxicabs, shuttles or touring vehicles that are only temporarily in the City and that have their operating base outside of the City of Bastrop; and
- (2) Touring vehicles that are stopping over in the City for three (3) days or less; and
- (3) Public transit authority vehicles (.e.g., CARTs).

(b) 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, after consulting with the police chief, and any other applicable staff and Directors, shall first determine the applicant is fit, able, and willing to perform the proposed service. If the City Manager finds that the applicant is not fit, able and willing to perform the service the City Manager 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, appeal the City Manager's decision to the City Council.

(c) Application. A written application for a yearly license for the operation of a taxicab, shuttle or touring vehicle within the City shall be signed and sworn to by the applicant or by a duly authorized officer, if the applicant is a corporation and shall be filed with the City Secretary's office on a form provided by the City. Applications for renewal for existing licenses shall be filed annually prior to expiration of the license. Applications for an initial license may be made at any time. The applicant shall provide the following information:

- (1) Name, address, and telephone number of the company;
- (2) If a corporation, name and address of the principal officers and major stockholders of the corporation;
- (3) If a partnership, name and address of the partners;
- (4) If a proprietorship, name and address of the owners;
- (5) Description of the make, vehicle identification, and license number of each vehicle;
- (6) Names, addresses, ages and driver's license numbers for each driver operating a taxicab, shuttle, or touring vehicle for the company. This information shall be updated and immediately provided to the City in the event of any change and must be kept current during the year. The applicants will be required to provide the City with current (i.e., no older than 90 days) driving and criminal history records for each driver of applicant's vehicles that will be operated in the City. No applicant will be permitted to use drivers who have been ticketed for two (2) or more moving violations and/or for one (1) or more chargeable motor vehicle accidents, within the most recent 12-month period. A driver in violation of this section is prohibited to drive a taxicab, shuttle or touring vehicle. Failure to provide such information for each driver operating a taxicab, shuttle or touring vehicle, within the City shall be grounds for revoking the license of the related company; and

- (7) A written sworn statement that no taxicabs, shuttles, or touring vehicles will be operated by any driver that is not identified in the owner's license application.
 - (8) In the event the operation of a taxicab, shuttle or touring vehicle during an event will substantially affect the general public, the proposed route to be used by the taxicab, shuttle or touring vehicle, as well as the hours of operation shall be provided to the Chief of Police and the City Manager. Thereafter, the Police Chief or the City Manager shall identify the location that is safest area for the loading and unloading of passengers, if necessary. A "Substantial Affect" is more than three vehicles in use during an event or more than 50 people being transported by the vehicles.
- (d) **Insurance binder.** Before any license will be issued, or before the annual renewal of a license is granted, applicants shall file with the City Secretary and thereafter keep in full force and effect, a policy of public liability and property damage insurance as prescribed in section 4.03.004. The City Manager 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 the Police Chief may require a meeting with the proposed license holder to determine whether there are any "risk factors" anticipated which may increase the insurance.
- (e) **Standards for vehicles.** In addition to the requirements of state law regarding vehicle safety inspection, and the requirements specified in this article, the City shall have the right to inspect all taxicabs, shuttles, and touring vehicles operating in the City to determine if such vehicles meet the following minimum standards:
- (1) Each vehicle shall be equipped with a fire extinguisher that is in good operating order;
 - (2) Each vehicle shall be reasonably free from dirt or rubbish and shall be otherwise clean and sanitary;
 - (3) The vehicle identification number and license number shall be compared to the numbers listed on the taxicab, shuttle or touring permit or license application to confirm that the numbers are the same; and
 - (4) Each vehicle shall have lettering permanently affixed to the front doors in letters at least 2-1/2 inches high designating the vehicle as a taxicab, shuttle or touring vehicle and identifying the licensee.
- (f) **Fee.** Each application shall be accompanied by payment of license and driver(s) fees, as provided for in section A4.03.001 of the fee schedule in appendix A to this code. Such fees shall be paid prior to the receipt of a license, or in the case of annual license renewal, then, on or before the anniversary date of the issuance of the license. The license fees provided for herein shall be used to defray the expenses incurred in administering and enforcing this article.
- (g) **Taxicab Operation Information.** All taxicab operators licensed under the provisions of this article shall maintain a valid phone number for public use during daytime hours. Current addresses and phone numbers for each taxicab, shuttle, and touring vehicle shall at all times be on file with the city secretary.
- (h) Refusal to grant license.
- (1) If any of the representations in any application filed under this article are found to be false or fraudulent, such application may be refused or rejected by the City.

(i) For purpose of this article “shuttle” means every vehicle or trailer of any type or size used for the transportation for hire of individuals or water oriented recreational equipment for the purpose of transporting such individuals or water oriented recreational equipment to locations in the City, hotels, public events, or in connection with tubing, kayaking, rafting, or similar water recreation activities upon rivers and streams that flow within or through the city limits of Bastrop. A vehicle shall be deemed to be a “shuttle vehicle”: 1) whether or not the vehicle operates on a regular fixed route within the city, 2) whether or not the business operating the vehicle is principally located within the City limits or outside the city limits, so long as the vehicle is operating on the public streets of the City, or 3) regardless of whether there is a separate fee for the transportation service or the transportation is included as a part of any other rental, fee, expense, or use cost paid by the public. Water oriented recreational equipment shall mean tubes, kayaks, rafts, canoes and any other forms of personal watercraft.

Sec. 4.03.002 Vehicle operation requirements

(a) No vehicle for which a permit or license has been issued shall be operated by anyone except the driver(s) listed on the permit application.

(b) No person may drive or operate any taxicab or shuttle unless and until he has provided his name, address, age, driver’s license number and social security number to the City Secretary’s office and a current background check is completed by the Owner/Operator and provided to the City. For good cause, at any time, the Police Chief shall have the discretion to require that an additional background check of any driver or operation of a vehicle in the City be obtained.

(c) No operator, driver or chauffeur of any taxicab or shuttle shall operate a vehicle for more than 12 hours in any 24-hour period.

(d) No person under the age of 19 shall operate a taxicab or shuttle.

(e) No person shall operate a vehicle without an appropriate license issued by the State Department of Public Safety.

(f) No person may drive any taxicab, shuttle or touring vehicle in the City if he or she has been convicted of any alcohol or drug related offense that could affect his ability, capacity or fitness required to perform the duties and discharge the responsibilities of the permitted occupation or poses a threat to public health safety and welfare. In addition to a motor vehicle report, the Chief of Police shall run a criminal background check on every driver of a taxicab, shuttle bus, and touring vehicle operating in the City. Applicants shall provide sufficient information to enable the Police Chief to run a background check on each driver.

(g) No license shall be transferable to any other person, firm or corporation, nor shall such license be used for the operation of any vehicle except the vehicle for which the license is issued.

(h) All taxicabs, shuttles, and touring vehicles shall operate only on the public streets of the City. This specifically includes those vehicles used for transporting individuals or items associated with water oriented recreational equipment. In the event access to a certain area is restricted and cannot be reached by a public street, the licensee shall contact the Chief of Police, the City Manager or the Parks Department to determine appropriate access.

Sec. 4.03.003 Inspection of vehicles

The Chief of Police, or his designee, shall cause inspections to be made at random intervals during each year of every vehicle licensed as a taxicab, shuttle or touring vehicle in the city. Licensees shall cooperate with such inspection requirements by making their vehicles available for inspection at reasonable times. Such inspections shall insure that all taxicabs, shuttles, and touring vehicles are in good operating condition and are equipped with proper brakes, lighting systems, and safety equipment (including fire extinguishers), and are clean, undamaged and in good appearance. 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 Chief of Police.

Sec. 4.03.004 Insurance

(a) Minimum requirements. The applicant and licensee must obtain, and keep in full force and effect, a policy of public liability and property damage insurance issued by a casualty insurance company authorized to do business in the state, in the standard form required pursuant to the laws of the state, with the insured provision of such policy including the city as an additional insured, and the coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of the operation of the vehicle of such applicant, and providing that the amount of recovery on each such vehicle shall be in limits of not less than the following:

- (1) For any one (1) person injured or killed in one (1) accident: \$100,000.00.
- (2) For any number of persons injured or killed in one (1) accident: \$300,000.00.
- (3) For property damage resulting from one (1) accident: \$50,000.00.

(b) Policy cancellation. Such policy shall provide for notice to the City prior to cancellation, and should such policy be cancelled during the term of the license, such license shall automatically terminate therewith.

Section 4.03.005 Cancellation of License

Any license granted under this article shall be subject to cancellation and all rights of the licensee may be forfeited at the will of the City Council for failure to observe any ordinance of the City, any rules set forth herein, for the violation of any law of the state or for the failure of the licensee to secure and file the necessary information. Such license may also be cancelled by the City Council if the licensee (or a driver for the licensee) is found guilty of immoral conduct, or intoxicated to any degree, or should become addicted to the use of any drug that affects the mental or physical powers of such licensee or driver, or is guilty of using obscene vulgar or profane language on the streets of the City or in the presence of a passenger, or if the licensee or driver should engage in any character or conduct deemed improper and detrimental to the best interest of the City by the Council. Before cancelling any license, the Council shall hold a public hearing, notice of which shall be given the licensee at least three (3) days in advance of such hearing.

Section 4.03.006 Restrictions on Operation of Taxicabs.

- (a) Any taxicab driver employed to carry passengers to a definite point shall take the most direct route possible that will carry the passengers safely and expeditiously to their destination.
- (b) There shall be a conspicuous place on the inside of each taxicab a card showing the rates charged for use of the taxicab. It shall be the duty of the driver of the taxicab to post the card. If any owner or driver of any taxicab shall refuse to convey a passenger at the rate specified on the rate card so displayed, or shall demand an amount in excess of the rates so displayed, he shall be guilty of a misdemeanor.

- (c) It shall be the duty of every taxicab operated in the City to render for 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.
- (d) It shall be unlawful for any person to refuse to pay the full fare of any taxicab after having hired the same, and any person who shall hire any taxicab with the intent to defraud the person from whom it is hired shall be guilty of a misdemeanor.

Section 4.03.007 Restriction on Shuttle Operations.

- (a) In the event a shuttle service will substantially affect the public (more than three (3) shuttles or more than 50 people to be transported at one time), the licensee shall provide to the City Manager and the Chief of Police the routes to be used by the shuttles, including stops to let off or pick up persons, so that the safest area for loading and unloading passengers can be identified.
- (b) Shuttles shall only be operated during the dates and times designated on their license, if applicable.
- (c) All shuttles that carry passengers will be equipped with seating for each passenger carried.
- (d) All persons carried by a shuttle operated on streets within the City limits must be seated.
- (e) Persons may not be transported in the City without designated and enclosed seating specifically designed for the safe transportation of such persons.

Section 4.03.008 Criminal Penalty for Violations

- (a) Any person, agent, or business who shall knowingly, intentionally or recklessly violate a provision of this article or who fails to comply therewith shall be deemed guilty of a misdemeanor, in addition to any penalties provided above. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of this article is committed or continued, and upon conviction of the court of jurisdiction for any such violation such person shall be punished in accordance with the Code.
- (b) It shall be an offense to allow the occupancy of more persons in a touring vehicle, taxicab, or shuttle than the number of seats on a vehicle that is operated within the City limits of the City of Bastrop.
- (c) It shall be an offense to allow the transportation of individuals in the City without designated and enclosed seating specifically designed for the safe transportation of such persons.
- (d) The owner of the taxicab, touring bus, and shuttle service, as well as the driver of the vehicle is responsible for compliance with this provision.
- (e) A person found violating this provision shall be punished by a fine of not less than \$300 nor more than \$500.
- (f) A business whose owner or employees have been found guilty of violating this provision two or more times in a given year will have its license revoked for a minimum of three (3) Years.
- (g) Authority to enforce this article is vested in the Bastrop Police Department, the City Manager, the employees of Parks Department and the employees of the Public Works Department.

Sections 4.03.009 – 4.03.030 Reserved

PART 2. That Appendix A4.03.001, entitled “License,” of the Bastrop Code of Ordinances is hereby amended to add information regarding the annual inspection and license fee to include “Shuttles” and “Touring Vehicles,” operating in the City, as follows:

ARTICLE A 4.03 TAXICABS SHUTTLES AND TOURING VEHICLES

Division 1. Generally

Sec. A4.03.001 – License

(f) Fee. Annual license and inspection fee for taxicabs, shuttles and touring vehicles:

Per vehicle: \$25.00.

Additional fee, per driver: \$12.00

PART 3. The City Manager and City Secretary are hereby authorized and directed to make the necessary changes to all records of the City of Bastrop to reflect this amendment.

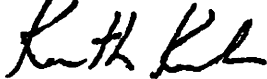
PART 4. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect. If any provision of this Ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity 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.

PART 5. This Ordinance shall be effective upon final approval by the City Council upon the date noted herein below.

READ and APPROVED on First Reading on the 22 day of July 2014.

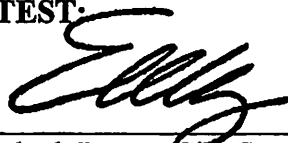
READ and ADOPTED on Second Reading on the 12 day of August 2014

APPROVED:



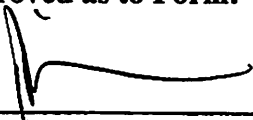
Ken Kesselus, Mayor

ATTEST:



Elizabeth Lopez, City Secretary

Approved as to Form:



Jo-Christy Brown, Esq.
City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 5C

TITLE:

Discuss and receive feedback regarding a protocol for Consent Agenda items.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

BACKGROUND/HISTORY:

Any time new procedures are implemented, there are always opportunities for improvement. Council has established a commitment to open and transparent government. With the implementation of a Consent Agenda, discussion needs to occur to establish a protocol for addressing items on the Consent Agenda.

Traditionally, Councilmembers can request an item to be removed from the Consent Agenda and voted on separately for individual consideration. Given my history in local government using this format, I assumed that this was understood, but it was never stated. Clearly, I did not offer appropriate perspective on the effectiveness of this tool. In addition, conversation needs to occur on how to provide an opportunity for citizens to offer comments on this items also.

As I indicated when the new agenda process was implemented, we need to take an opportunity to provide feedback to ensure the agenda process fits the needs of the City Council of Bastrop while providing the clarity and transparency for citizens.

RECOMMENDATION:

Discuss and receive feedback regarding a protocol for Consent Agenda items.



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 6A

TITLE:

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

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

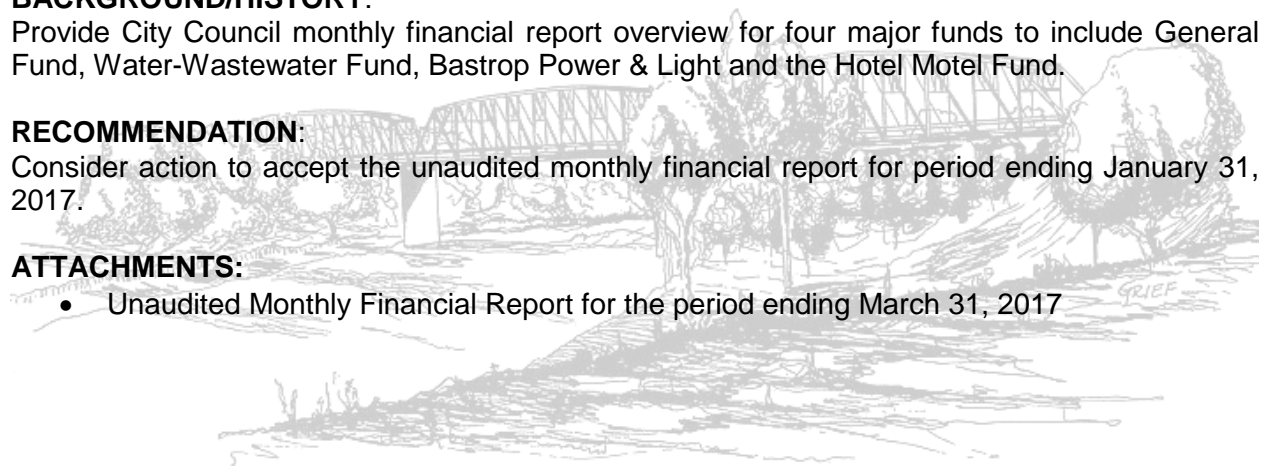
Provide City Council monthly financial report overview for four major funds to include General Fund, Water-Wastewater Fund, Bastrop Power & Light and the Hotel Motel Fund.

RECOMMENDATION:

Consider action to accept the unaudited monthly financial report for period ending January 31, 2017.

ATTACHMENTS:

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



CITY OF BASTROP, TEXAS

MONTHLY FINANCIAL REPORT FOR PERIOD ENDING Mar. 31, 2017



Highlights for this reporting period as of Mar. 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 Mar. 31, 2017

FIRM	CASE	FY14-15	FY15-16	FY16-17
JC BROWN				
	General Legal	\$ 335,518	\$ 279,242	\$ -
	Water permit	\$ 16,698	\$ 39,856	\$ -
	Vandiver	\$ 10,356	\$ 9,275	\$ -
BUNDREN				
	Pine Forest Interlocal	\$ 89,738	\$ 700,800	\$ -
	Vandiver	\$ 3,393	\$ 79,951	\$ -
	Aqua CCN	\$ 13,005	\$ 21,735	\$ -
	Red Light Camera Suit	\$ 5,822	\$ 60,279	\$ -
TERRELL LAW FIRM				
	Water permit	\$ 61,015	\$ 482,815	\$ 31,646
Reimburse Council				
	General Legal	\$ -	\$ -	\$ 6,939
DAVID BRAGG, P.C.				
	General legal	\$ -	\$ 8,603	\$ 19,680
	Vandiver	\$ -	\$ -	\$ 5,980
	Water Permit	\$ -	\$ -	\$ 1,440
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP				
	Red Light Camera Suit	\$ -	\$ 1,246	\$ 432
Total Legal		\$ 535,544	\$ 1,683,801	\$ 66,117

Row Labels	Sum of FY14-15	Sum of FY15-16	Sum of FY16-17
Aqua CCN	\$ 13,005	\$ 21,735	\$ -
General Legal	\$ 335,518	\$ 287,845	\$ 26,619
Pine Forest Interlocal	\$ 89,738	\$ 700,800	\$ -
Red Light Camera Suit	\$ 5,822	\$ 61,525	\$ 432
Vandiver	\$ 13,749	\$ 89,226	\$ 5,980
Water permit	\$ 77,713	\$ 522,671	\$ 33,086
Grand Total	\$ 535,544	\$ 1,683,801	\$ 66,117

CITY OF BASTROP
SUMMARY OF REVENUES AND EXPENDITURES
 AS OF Mar. 31, 2017

Fiscal year 2017 is 6 month or 50% completed

	FY 16-17 Budget*	FY 16-17 YTD Actual	% of Budget
Revenues			
General Fund	\$ 10,297,361	\$ 6,811,452	66%
W/WW Fund	\$ 4,526,200	\$ 2,384,880	53%
Electric Fund	\$ 6,999,250	\$ 3,124,981	45%
Hotel Motel Fund	\$ 2,882,000	\$ 1,169,499	41%
Expenditures			
General Fund	\$ 11,443,257	\$ 5,099,061	45%
W/WW Fund	\$ 5,652,292	\$ 2,023,784	36%
Electric Fund	\$ 7,546,181	\$ 3,048,152	40%
Hotel Motel Fund	\$ 1,774,742	\$ 943,349	53%

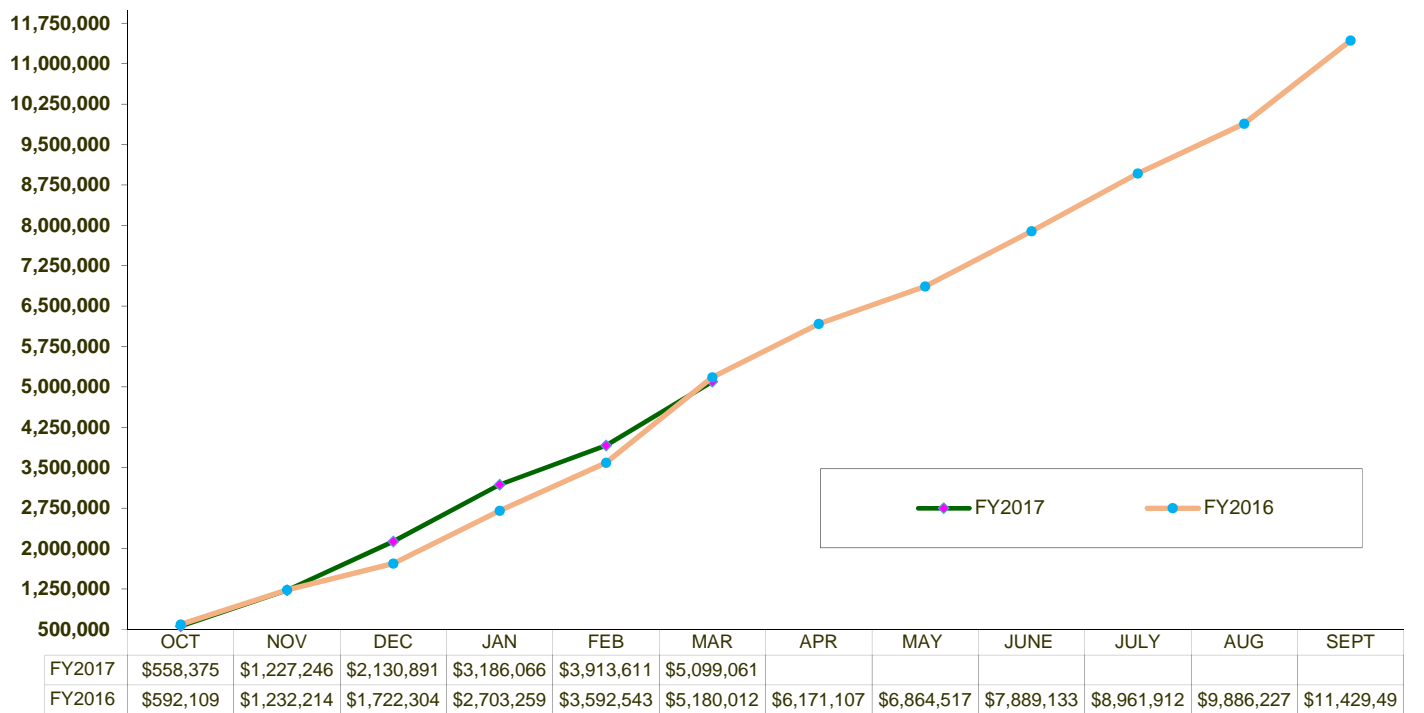
*Budget amounts reflect any budget **amendments** approved by Council during the Fiscal Year

GENERAL FUND REVENUE & EXPENDITURES AS OF Mar. 31, 2017

FY 2016 & 2017 Revenues



FY 2016 & 2017 Expenditures

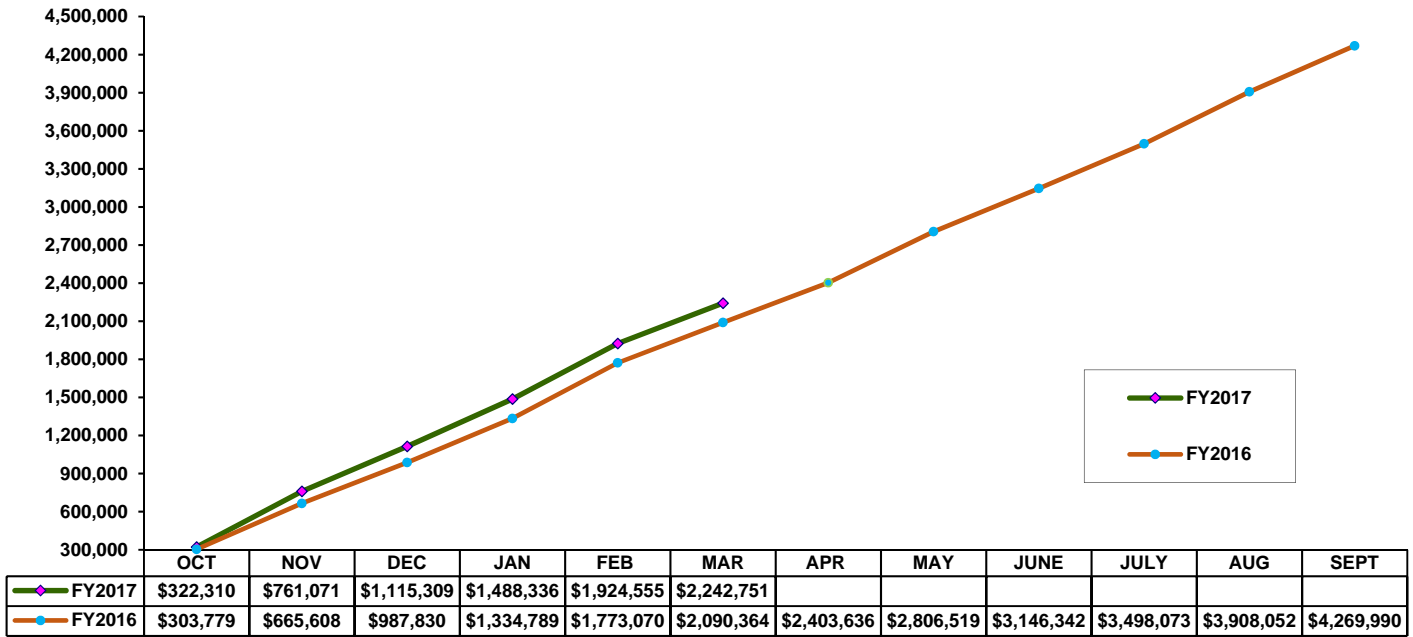


GENERAL FUND REVENUE

AS OF Mar. 31, 2017

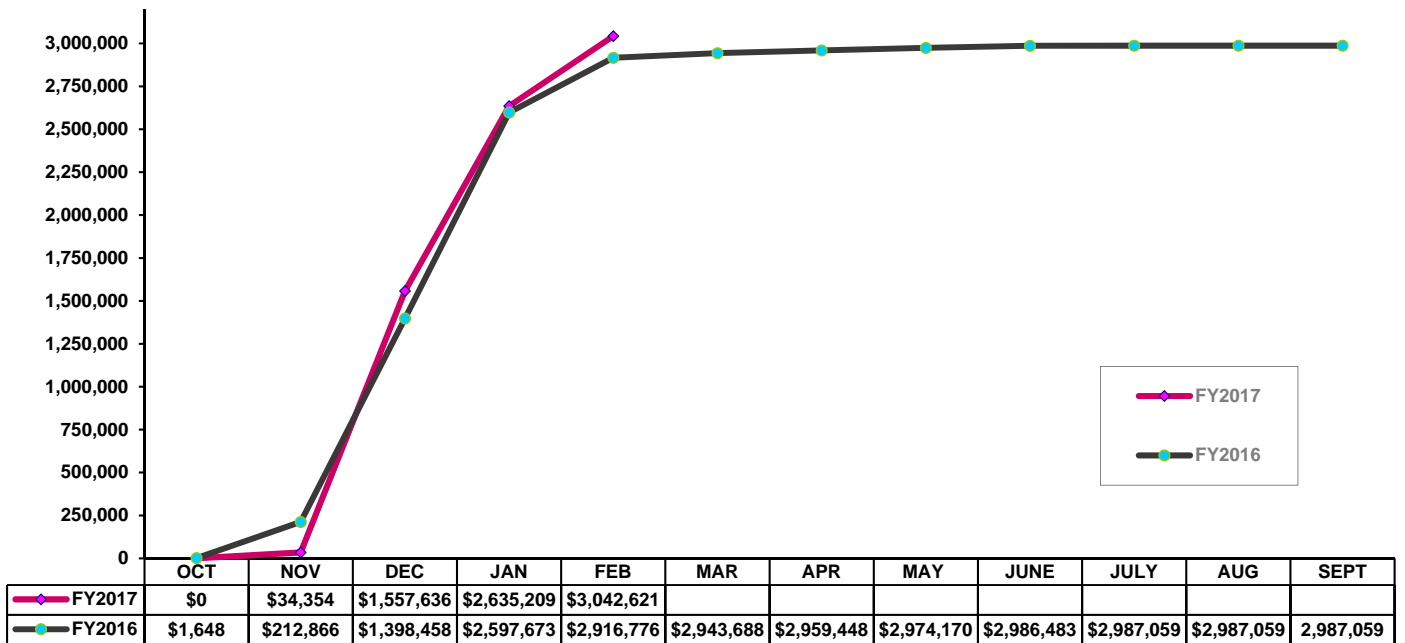
FY2017 Budgeted \$4,456,850

Sales Tax



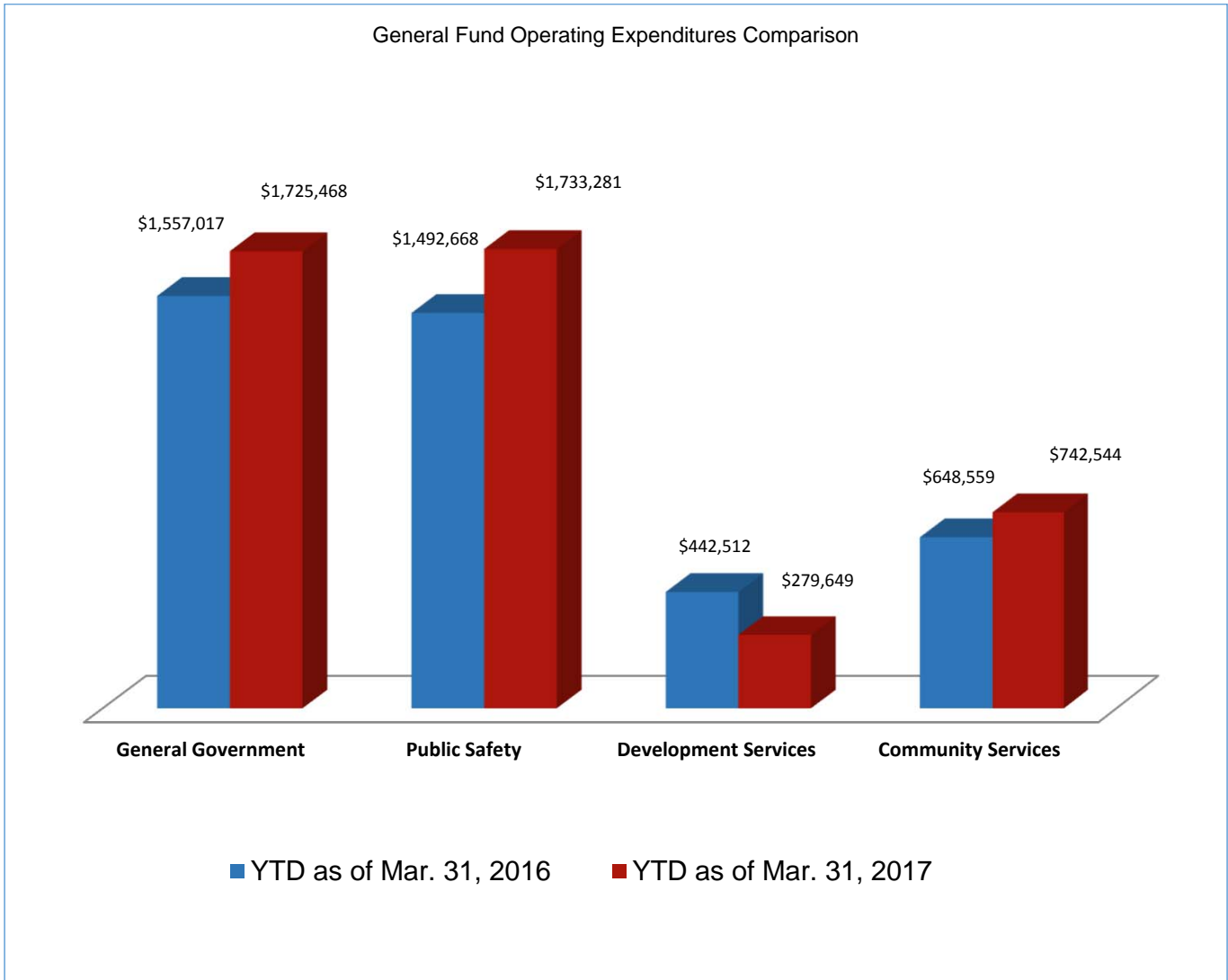
Ad Valorem Taxes

FY2017 Budget \$3,131,361



GENERAL FUND EXPENDITURES

AS OF Mar. 31, 2017

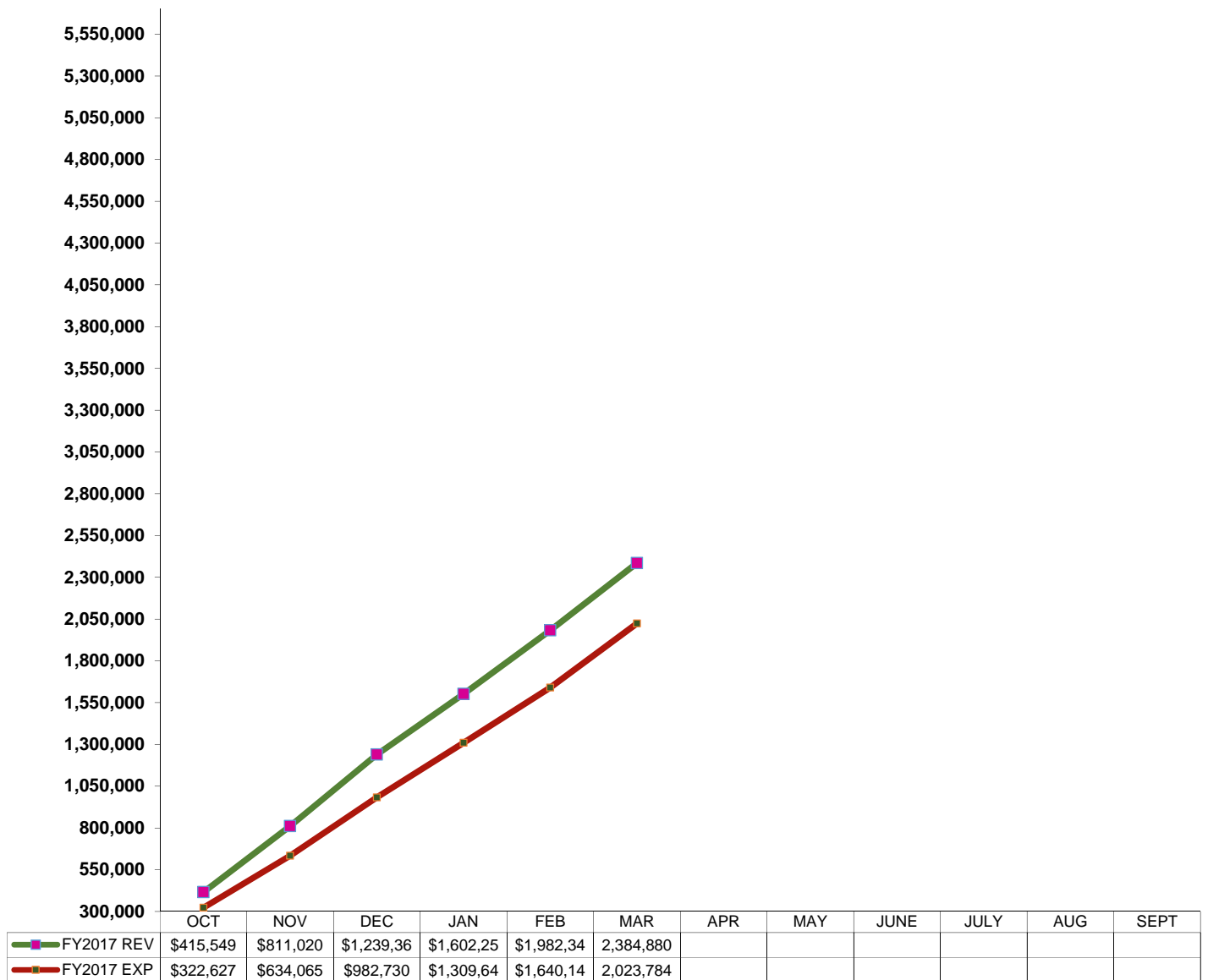


- General Government includes Legislative, Organizational, City Manager, City Secretary, Finance, Human Resources, Information Technology, Public Works, and Building Maintenance
- Public Safety includes Police Department, Fire Department, Health, and Municipal Court
- Development Services includes the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

WATER WASTEWATER FUND REVENUE & EXPENDITURES

AS OF Mar. 31, 2017

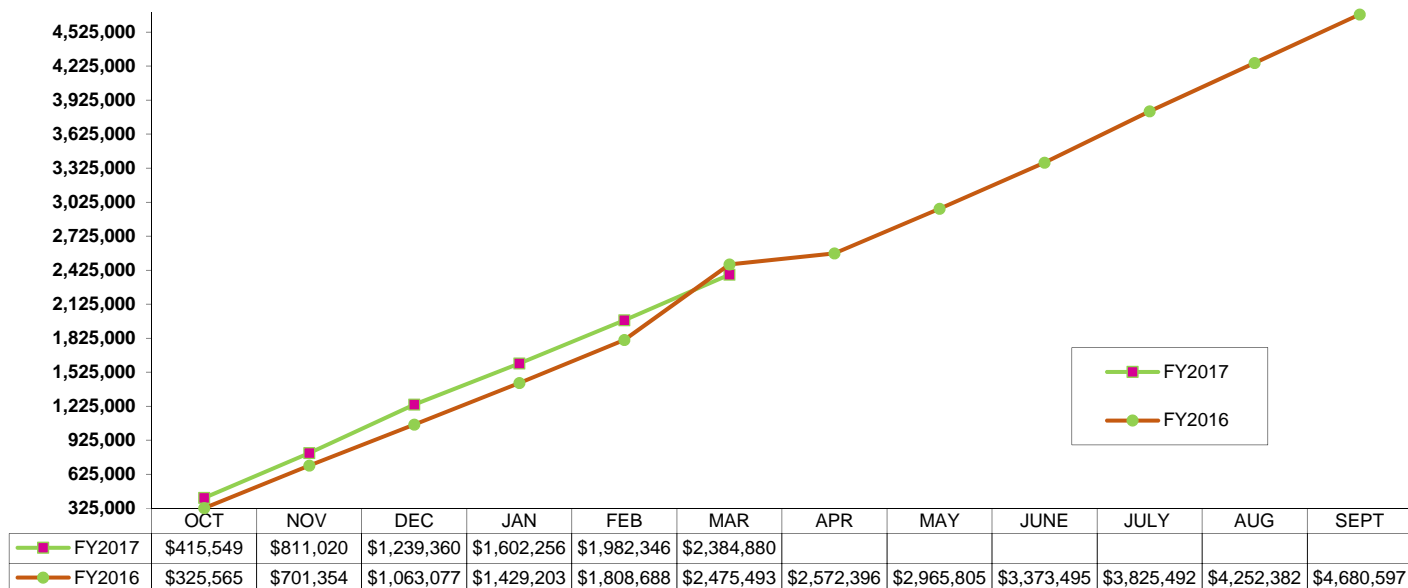
- ❖ Water/ Wastewater Fund Revenues Year-to-date (YTD) as of Mar. 31, 2017 are \$2,384,880 or 53% of the budgeted amount



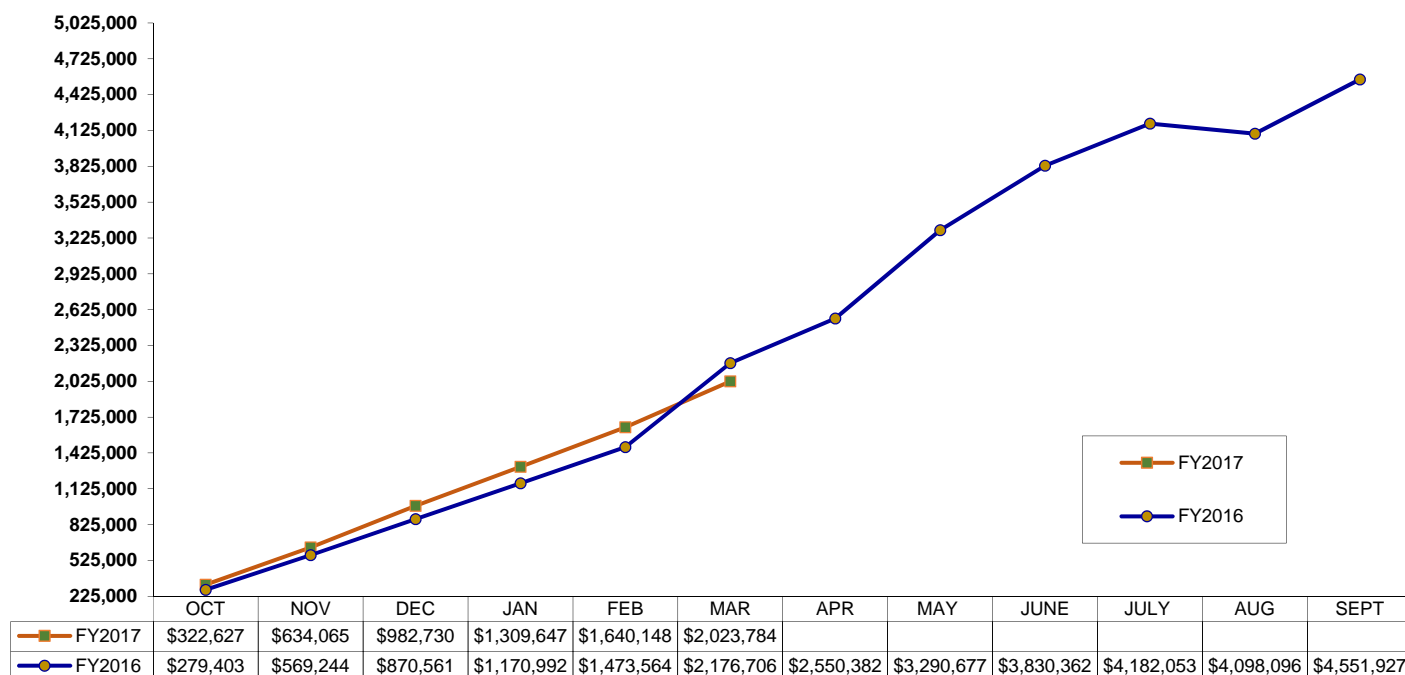
WATER WASTEWATER FUND REVENUE & EXPENDITURES

AS OF Mar. 31, 2017

FY 2016 & 2017 Revenues



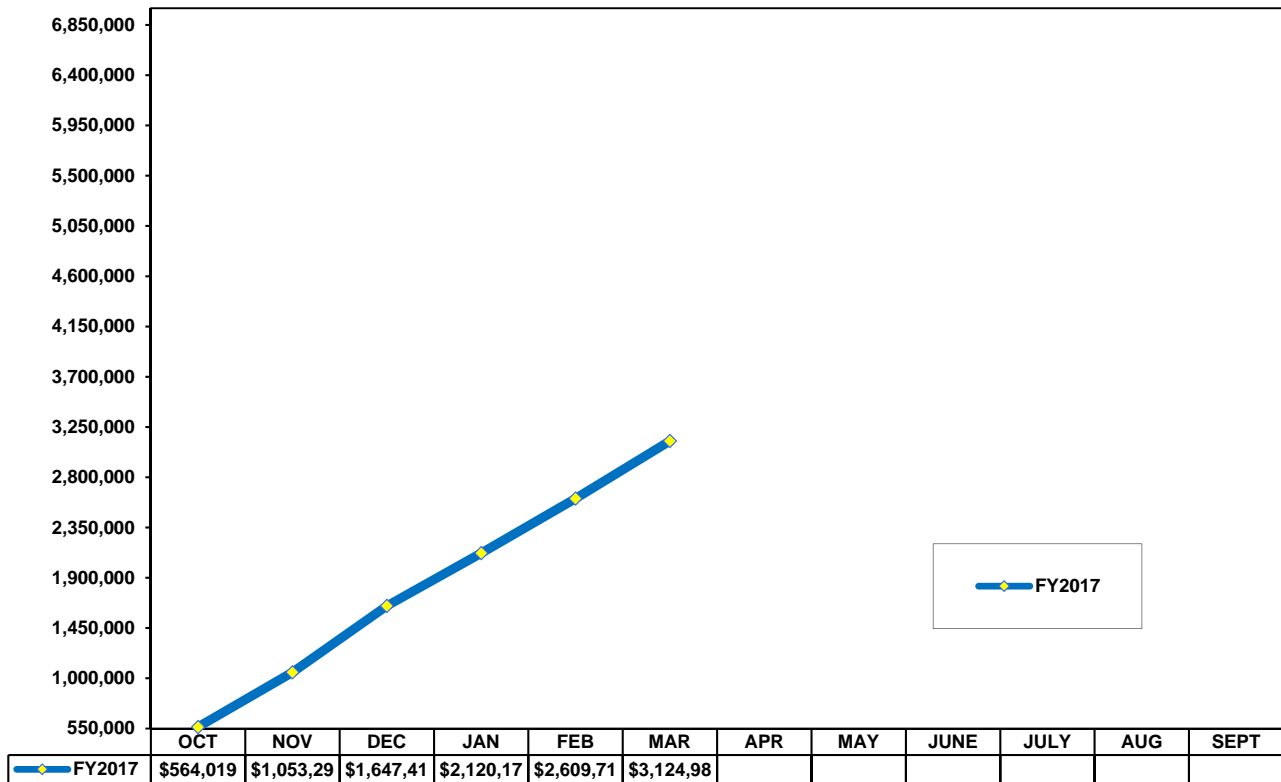
FY 2016 & 2017 Expenditures



BASTROP POWER AND LIGHT / ELECTRIC FUND REVENUE

AS OF Mar. 31, 2017

- ❖ Electric Fund Revenues Year-to-date (YTD) as of Feb. 28, 2017 are \$2,609,710 or 37% of the FY2017 adopted budget.



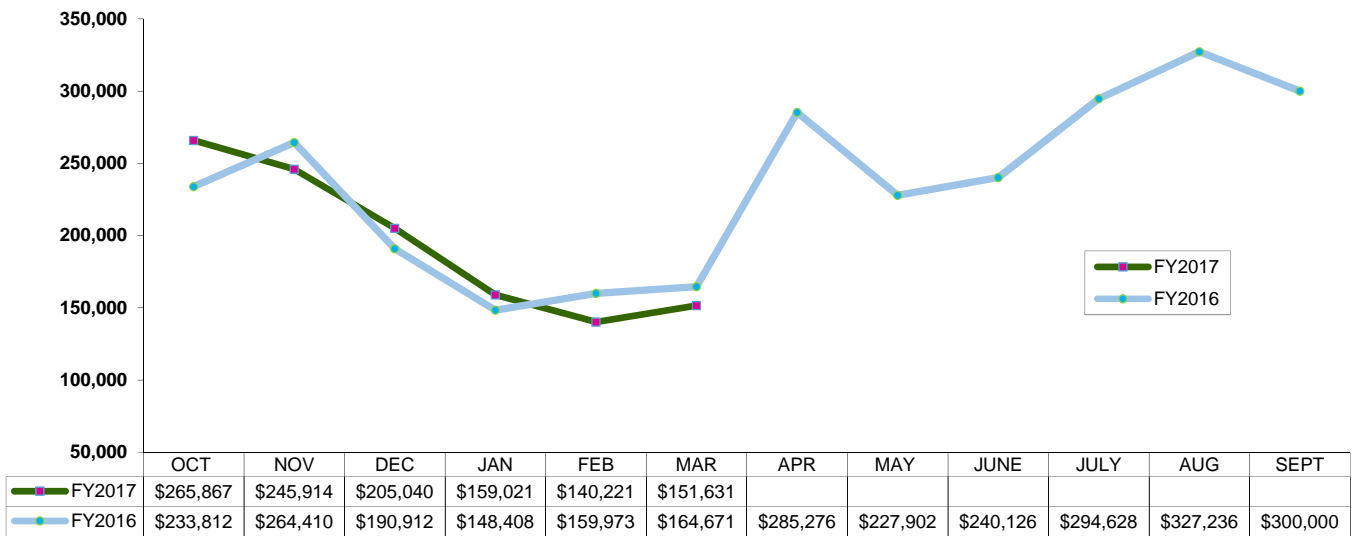
HOTEL MOTEL TAX REVENUE FUND

REVENUE AND EXPENDITURES

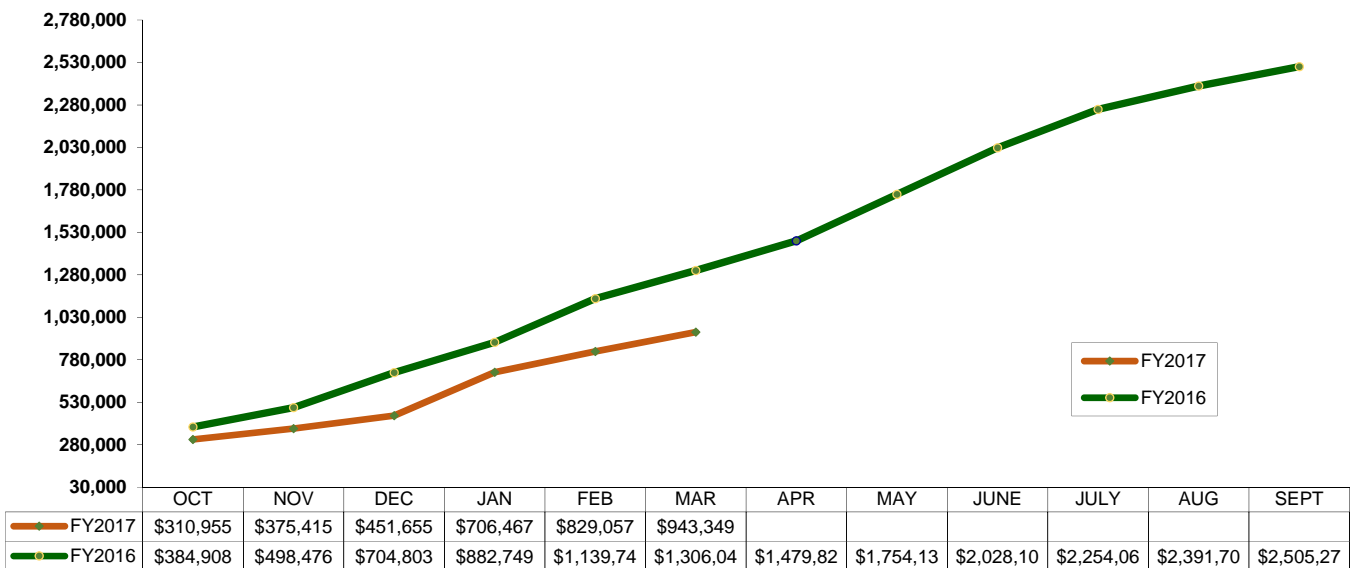
AS OF Mar. 31, 2017

- ❖ Revenues as of Mar. 31, 2017 represent YTD earned revenue of \$1,169,499. 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)



Expenses (YTD comparison)



FINANCIAL STATEMENT REPORTS ARE ATTACHED:

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

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>TAXES & PENALTIES</u>						
00-00-4001 CURRENT TAXES M&O	2,943,686.54	3,131,361.00	48,303.74	3,090,925.07	40,435.93	98.71
00-00-4002 DELINQUENT TAXES M&O	16,195.11	21,000.00	0.00	9,523.47	11,476.53	45.35
00-00-4003 PENALTIES & INTEREST M&O	13,103.00	31,500.00	3,108.14	25,210.22	6,289.78	80.03
00-00-4004 FRANCHISE TAX	173,007.60	454,000.00	32,046.52	160,042.49	293,957.51	35.25
00-00-4006 CITY SALES TAX	2,090,364.11	4,456,850.00	318,196.03	2,242,750.87	2,214,099.13	50.32
00-00-4008 OCCUPATION TAX	3,972.67	8,000.00	90.00	1,025.00	6,975.00	12.81
00-00-4009 MIXED BEVERAGE TAX	12,306.82	48,000.00	0.00	14,873.42	33,126.58	30.99
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	5,206,028.72	8,103,711.00	401,744.43	5,482,546.58	2,621,164.42	67.65
<u>LICENSES & PERMITS</u>						
00-00-4020 BUILDING PERMITS	42,122.53	120,000.00	14,340.26	80,181.25	39,818.75	66.82
00-00-4021 ZONING FEES	2,409.00	3,500.00	913.73	2,365.73	1,134.27	67.59
00-00-4022 PLATTING FEES	46,074.13	40,000.00	900.00	5,990.00	34,010.00	14.98
00-00-4023 SPECIAL EVENT PERMIT FEE	825.00	2,000.00	200.00	1,400.00	600.00	70.00
TOTAL LICENSES & PERMITS	91,430.66	165,500.00	16,353.99	89,936.98	75,563.02	54.34
<u>CHARGES FOR SERVICES</u>						
00-00-4040 ANIMAL SERVICE RECEIPTS	80.00	200.00	15.00	75.00	125.00	37.50
00-00-4043 PARK RENTALS & FEES	1,085.00	5,000.00	2,507.80	4,561.80	438.20	91.24
00-00-4044 PD ACCIDENT REPORTS	700.00	1,800.00	168.00	847.00	953.00	47.06
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	4,554.62	8,000.00	0.00	350.00	7,650.00	4.38
00-00-4051 SANITATION REVENUE	240,134.69	475,000.00	39,395.14	234,086.64	240,913.36	49.28
00-00-4052 SANITATION PENALTIES	3,664.07	7,500.00	629.41	3,705.76	3,794.24	49.41
00-00-4055 FILMING/BROADCASTING FEES	0.00	26,400.00	525.00	525.00	25,875.00	1.99
TOTAL CHARGES FOR SERVICES	258,617.86	548,900.00	43,240.35	250,564.46	298,335.54	45.65
<u>FINES & FORFEITURES</u>						
00-00-4070 MUNICIPAL COURT FINES	153,505.62	245,000.00	38,558.65	173,465.84	71,534.16	70.80
00-00-4076 LIBRARY RECEIPTS	8,406.44	17,000.00	1,748.77	8,434.82	8,565.18	49.62
00-00-4078 JUVENILE CASE MANAGER-M/C	5,071.84	9,000.00	910.20	4,820.25	4,179.75	53.56
00-00-4080 TEEN COURT (MC)	803.32	1,000.00	0.00	0.00	1,000.00	0.00
TOTAL FINES & FORFEITURES	167,787.22	272,000.00	41,217.62	186,720.91	85,279.09	68.65
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	9,548.17	30,000.00	3,526.32	19,720.99	10,279.01	65.74
TOTAL INTEREST INCOME	9,548.17	30,000.00	3,526.32	19,720.99	10,279.01	65.74

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL						
TOTAL						
<u>LEGISLATIVE</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	3,494.56	7,015.00	565.18	3,487.29	3,527.71	49.71
SUPPLIES & MATERIALS	925.88	4,530.00	43.24	161.11	4,368.89	3.56
OCCUPANCY	4,043.88	8,000.00	675.37	4,290.93	3,709.07	53.64
CONTRACTUAL SERVICES	4,474.36	10,900.00	327.50	457.50	10,442.50	4.20
OTHER CHARGES	(9,701.02)	26.00	(294.57)	(4,095.48)	4,121.48	5,751.85-
TOTAL 00-NON-PROGRAM	3,237.66	30,471.00	1,316.72	4,301.35	26,169.65	14.12
TOTAL LEGISLATIVE	3,237.66	30,471.00	1,316.72	4,301.35	26,169.65	14.12
<u>ORGANIZATIONAL</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	20,393.88	53,261.28	9,428.34	23,387.90	29,873.38	43.91
SUPPLIES & MATERIALS	7,207.06	17,290.00	653.65	6,496.02	10,793.98	37.57
MAINTENANCE & REPAIRS	3,565.00	14,500.00	4,014.60	11,160.86	3,339.14	76.97
CONTRACTUAL SERVICES	372,068.32	495,075.00	20,167.78	173,886.46	321,188.54	35.12
OTHER CHARGES	148,543.88	518,548.00	144,088.85	307,143.54	211,404.46	59.23
CONTINGENCY	0.00	11,000.00	0.00	0.00	11,000.00	0.00
CAPITAL OUTLAY	16,317.00	0.00	(63.76)	(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	1,193,095.14	1,147,174.28	178,289.46	559,511.02	587,663.26	48.77
TOTAL ORGANIZATIONAL	1,193,095.14	1,147,174.28	178,289.46	559,511.02	587,663.26	48.77
<u>CITY MANAGER</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	141,784.93	227,645.00	22,065.24	61,883.14	165,761.86	27.18
SUPPLIES & MATERIALS	2,919.00	7,550.00	2,420.83	3,319.11	4,230.89	43.96
OCCUPANCY	4,074.21	9,400.00	650.47	3,960.35	5,439.65	42.13
CONTRACTUAL SERVICES	87.50	94,659.00	15,821.45	91,013.16	3,645.84	96.15
OTHER CHARGES	(93,426.66)	(123,417.00)	(11,194.46)	(66,756.22)	(56,660.78)	54.09
TOTAL 00-NON-PROGRAM	55,438.98	215,837.00	29,763.53	93,419.54	122,417.46	43.28
TOTAL CITY MANAGER	55,438.98	215,837.00	29,763.53	93,419.54	122,417.46	43.28

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>CITY SECRETARY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	42,010.50	99,352.00	11,017.74	47,158.22	52,193.78	47.47
SUPPLIES & MATERIALS	523.91	5,975.00	975.13	4,398.14	1,576.86	73.61
OCCUPANCY	1,264.95	2,190.00	172.65	1,052.14	1,137.86	48.04
CONTRACTUAL SERVICES	0.00	5,600.00	1,454.07	1,584.07	4,015.93	28.29
OTHER CHARGES	(16,626.04)	14,148.00	(471.98)	7,953.58	6,194.42	56.22
TOTAL 00-NON-PROGRAM	<u>27,173.32</u>	<u>127,265.00</u>	<u>13,147.61</u>	<u>62,146.15</u>	<u>65,118.85</u>	<u>48.83</u>
TOTAL CITY SECRETARY	27,173.32	127,265.00	13,147.61	62,146.15	65,118.85	48.83
<u>FINANCE</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	159,732.81	401,106.00	43,977.10	191,838.36	209,267.64	47.83
SUPPLIES & MATERIALS	2,664.60	4,460.00	38.12	1,365.81	3,094.19	30.62
MAINTENANCE & REPAIRS	16,812.44	33,500.00	0.00	23,875.82	9,624.18	71.27
OCCUPANCY	3,325.14	7,550.00	516.91	3,090.47	4,459.53	40.93
CONTRACTUAL SERVICES	33,433.12	55,860.00	7,860.00	29,754.98	26,105.02	53.27
OTHER CHARGES	(110,359.24)	(257,501.00)	(20,843.68)	(129,116.03)	(128,384.97)	50.14
TOTAL 00-NON-PROGRAM	<u>105,608.87</u>	<u>244,975.00</u>	<u>31,548.45</u>	<u>120,809.41</u>	<u>124,165.59</u>	<u>49.31</u>
<u>UTILITY CUSTOMER SERVICE</u>						
PERSONNEL COSTS	121,765.23	218,715.00	23,882.04	106,881.42	111,833.58	48.87
SUPPLIES & MATERIALS	9,251.62	23,640.00	1,755.03	11,748.50	11,891.50	49.70
MAINTENANCE & REPAIRS	4,517.26	23,500.00	157.04	21,853.25	1,646.75	92.99
OCCUPANCY	4,951.77	11,165.00	551.27	4,294.17	6,870.83	38.46
CONTRACTUAL SERVICES	213,872.93	431,040.00	35,631.73	210,516.01	220,523.99	48.84
OTHER CHARGES	(161,027.21)	(258,888.00)	(21,738.01)	(131,464.41)	(127,423.59)	50.78
TOTAL UTILITY CUSTOMER SERVICE	<u>193,331.60</u>	<u>449,172.00</u>	<u>40,239.10</u>	<u>223,828.94</u>	<u>225,343.06</u>	<u>49.83</u>
TOTAL FINANCE	298,940.47	694,147.00	71,787.55	344,638.35	349,508.65	49.65
<u>HUMAN RESOURCE</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	48,537.87	135,751.00	16,015.71	68,074.67	67,676.33	50.15
SUPPLIES & MATERIALS	419.06	3,175.00	0.99	673.84	2,501.16	21.22
OCCUPANCY	1,574.09	3,445.00	263.23	1,490.15	1,954.85	43.26
CONTRACTUAL SERVICES	13.00	325.00	7.00	30.00	295.00	9.23
OTHER CHARGES	(5,768.55)	(17,111.00)	(2,949.17)	(8,421.84)	(8,689.16)	49.22
TOTAL 00-NON-PROGRAM	<u>44,775.47</u>	<u>125,585.00</u>	<u>13,337.76</u>	<u>61,846.82</u>	<u>63,738.18</u>	<u>49.25</u>
TOTAL HUMAN RESOURCE	44,775.47	125,585.00	13,337.76	61,846.82	63,738.18	49.25

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>INFORMATION TECHNOLOGY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	80,454.59	153,251.00	16,880.20	72,954.47	80,296.53	47.60
SUPPLIES & MATERIALS	10,459.86	11,500.00	1,026.05	7,086.44	4,413.56	61.62
MAINTENANCE & REPAIRS	45,408.93	122,800.00	12,794.08	58,791.21	64,008.79	47.88
OCCUPANCY	7,087.86	11,152.00	1,529.71	6,894.63	4,257.37	61.82
CONTRACTUAL SERVICES	1,000.00	34,237.00	1,460.08	3,230.48	31,006.52	9.44
OTHER CHARGES	(55,869.93)	(105,515.00)	(5,344.58)	(51,644.63)	(53,870.37)	48.95
CAPITAL OUTLAY	<u>24,245.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL 00-NON-PROGRAM	<u>112,786.31</u>	<u>227,425.00</u>	<u>28,345.54</u>	<u>97,312.60</u>	<u>130,112.40</u>	<u>42.79</u>
TOTAL INFORMATION TECHNOLOGY	112,786.31	227,425.00	28,345.54	97,312.60	130,112.40	42.79
<u>FILMING/BROADCASTING</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	0.00	32,899.00	3,584.62	15,092.89	17,806.11	45.88
SUPPLIES & MATERIALS	0.00	7,400.00	117.76	3,123.70	4,276.30	42.21
MAINTENANCE & REPAIRS	0.00	5,888.00	43.50	5,502.55	385.45	93.45
OCCUPANCY	0.00	3,000.00	36.48	201.61	2,798.39	6.72
CONTRACTUAL SERVICES	0.00	5,000.00	0.00	0.00	5,000.00	0.00
OTHER CHARGES	<u>0.00</u>	<u>3,000.00</u>	<u>15.00</u>	<u>15.00</u>	<u>2,985.00</u>	<u>0.50</u>
TOTAL 00-NON-PROGRAM	<u>0.00</u>	<u>57,187.00</u>	<u>3,797.36</u>	<u>23,935.75</u>	<u>33,251.25</u>	<u>41.86</u>
TOTAL FILMING/BROADCASTING	0.00	57,187.00	3,797.36	23,935.75	33,251.25	41.86
<u>POLICE</u>						
<u>ADMINISTRATION</u>						
PERSONNEL COSTS	220,603.82	514,695.00	55,833.30	250,178.85	264,516.15	48.61
SUPPLIES & MATERIALS	14,342.63	32,670.00	3,415.07	12,876.41	19,793.59	39.41
MAINTENANCE & REPAIRS	15,105.53	40,819.00	4,702.00	15,856.36	24,962.64	38.85
OCCUPANCY	26,018.76	55,980.00	3,486.19	20,605.11	35,374.89	36.81
CONTRACTUAL SERVICES	95,808.34	350,112.00	9,160.75	172,351.82	177,760.18	49.23
OTHER CHARGES	15,404.31	33,858.00	1,606.08	11,685.49	22,172.51	34.51
CAPITAL OUTLAY	<u>0.00</u>	<u>449,189.00</u>	<u>141,275.68</u>	<u>164,296.56</u>	<u>284,892.44</u>	<u>36.58</u>
TOTAL ADMINISTRATION	387,283.39	1,477,323.00	219,479.07	647,850.60	829,472.40	43.85
<u>CODE ENFORCEMENT</u>						
PERSONNEL COSTS	25,854.62	59,385.00	6,295.51	28,321.76	31,063.24	47.69
SUPPLIES & MATERIALS	760.91	5,125.00	96.04	689.98	4,435.02	13.46
MAINTENANCE & REPAIRS	38.99	3,002.00	0.00	457.21	2,544.79	15.23
CONTRACTUAL SERVICES	160.00	10,370.00	0.00	2,190.00	8,180.00	21.12
OTHER CHARGES	<u>2.07</u>	<u>24,150.00</u>	<u>15.76</u>	<u>1,578.95</u>	<u>22,571.05</u>	<u>6.54</u>
TOTAL CODE ENFORCEMENT	26,816.59	102,032.00	6,407.31	33,237.90	68,794.10	32.58

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>EMERGENCY MANAGEMENT</u>						
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	<u>1,076.89</u>	<u>2,500.00</u>	<u>0.00</u>	<u>570.00</u>	<u>1,930.00</u>	<u>22.80</u>
TOTAL EMERGENCY MANAGEMENT	2,738.35	8,050.00	0.00	738.00	7,312.00	9.17
<u>POLICE-CID</u>						
PERSONNEL COSTS	110,454.01	255,234.00	28,620.33	124,189.56	131,044.44	48.66
SUPPLIES & MATERIALS	868.36	3,910.00	54.50	809.41	3,100.59	20.70
MAINTENANCE & REPAIRS	56.99	3,918.00	0.00	102.98	3,815.02	2.63
CONTRACTUAL SERVICES	0.00	3,704.00	0.00	0.00	3,704.00	0.00
OTHER CHARGES	<u>1,637.65</u>	<u>5,490.00</u>	<u>155.25</u>	<u>1,267.42</u>	<u>4,222.58</u>	<u>23.09</u>
TOTAL POLICE-CID	113,017.01	272,256.00	28,830.08	126,369.37	145,886.63	46.42
<u>POLICE-PATROL</u>						
PERSONNEL COSTS	630,622.45	1,314,435.00	140,110.39	624,571.49	689,863.51	47.52
SUPPLIES & MATERIALS	58,735.26	92,893.00	4,062.12	51,472.90	41,420.10	55.41
MAINTENANCE & REPAIRS	6,875.23	18,460.00	3,391.58	7,767.25	10,692.75	42.08
CONTRACTUAL SERVICES	1,479.15	12,960.00	0.00	3,363.82	9,596.18	25.96
OTHER CHARGES	1,298.99	12,240.00	484.70	3,967.18	8,272.82	32.41
CAPITAL OUTLAY	<u>168,537.38</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL POLICE-PATROL	867,548.46	1,450,988.00	148,048.79	691,142.64	759,845.36	47.63
<u>POLICE-CRIME PREVENTION</u>						
PERSONNEL COSTS	140.09	94,018.00	9,544.73	39,780.53	54,237.47	42.31
SUPPLIES & MATERIALS	609.19	4,225.00	(111.73)	453.78	3,771.22	10.74
MAINTENANCE & REPAIRS	0.00	1,576.00	0.00	35.99	1,540.01	2.28
CONTRACTUAL SERVICES	0.00	1,974.00	0.00	0.00	1,974.00	0.00
OTHER CHARGES	<u>354.00</u>	<u>2,820.00</u>	<u>0.00</u>	<u>383.89</u>	<u>2,436.11</u>	<u>13.61</u>
TOTAL POLICE-CRIME PREVENTION	<u>1,103.28</u>	<u>104,613.00</u>	<u>9,433.00</u>	<u>40,654.19</u>	<u>63,958.81</u>	<u>38.86</u>
TOTAL POLICE	1,398,507.08	3,415,262.00	412,198.25	1,539,992.70	1,875,269.30	45.09
<u>FIRE-VOLUNTEER</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	23,216.78	111,180.00	17,098.02	60,593.07	50,586.93	54.50
SUPPLIES & MATERIALS	22,198.89	96,424.00	6,724.99	50,847.46	45,576.54	52.73
MAINTENANCE & REPAIRS	34,064.71	53,500.00	10,373.65	34,576.84	18,923.16	64.63
OCCUPANCY	12,355.00	39,585.00	1,751.89	11,924.16	27,660.84	30.12
CONTRACTUAL SERVICES	22,596.76	138,107.00	3,686.83	45,475.54	92,631.46	32.93
OTHER CHARGES	9,701.25	26,075.00	2,832.44	10,336.58	15,738.42	39.64
CAPITAL OUTLAY	<u>0.00</u>	<u>44,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>44,000.00</u>	<u>0.00</u>
TOTAL 00-NON-PROGRAM	<u>124,133.39</u>	<u>508,871.00</u>	<u>42,467.82</u>	<u>213,753.65</u>	<u>295,117.35</u>	<u>42.01</u>
TOTAL FIRE-VOLUNTEER	124,133.39	508,871.00	42,467.82	213,753.65	295,117.35	42.01

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>MUNICIPAL COURT</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	104,709.51	227,935.00	25,724.10	111,118.40	116,816.60	48.75
SUPPLIES & MATERIALS	4,685.81	21,400.00	38.31	3,115.17	18,284.83	14.56
MAINTENANCE & REPAIRS	8,026.02	10,150.00	0.00	7,897.80	2,252.20	77.81
OCCUPANCY	4,412.58	10,610.00	587.30	3,889.69	6,720.31	36.66
CONTRACTUAL SERVICES	13,669.75	41,100.00	4,022.89	14,239.61	26,860.39	34.65
OTHER CHARGES	<u>3,061.04</u>	<u>5,575.00</u>	<u>750.81</u>	<u>3,571.00</u>	<u>2,004.00</u>	<u>64.05</u>
TOTAL 00-NON-PROGRAM	<u>138,564.71</u>	<u>316,770.00</u>	<u>31,123.41</u>	<u>143,831.67</u>	<u>172,938.33</u>	<u>45.41</u>
TOTAL MUNICIPAL COURT	138,564.71	316,770.00	31,123.41	143,831.67	172,938.33	45.41
<u>PLANNING & DEVELOPMENT</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	225,890.85	533,356.00	55,766.85	226,146.20	307,209.80	42.40
SUPPLIES & MATERIALS	3,854.45	14,100.00	4,054.82	6,444.01	7,655.99	45.70
MAINTENANCE & REPAIRS	1,744.65	26,450.00	1,131.93	6,094.41	20,355.59	23.04
OCCUPANCY	4,975.86	11,200.00	876.57	4,982.90	6,217.10	44.49
CONTRACTUAL SERVICES	174,300.13	182,350.00	2,363.53	30,351.21	151,998.79	16.64
OTHER CHARGES	31,746.42	(3,860.00)	(3,588.14)	5,629.77	(9,489.77)	145.85-
CAPITAL OUTLAY	<u>0.00</u>	<u>50,000.00</u>	<u>10,845.16</u>	<u>25,762.71</u>	<u>24,237.29</u>	<u>51.53</u>
TOTAL 00-NON-PROGRAM	<u>442,512.36</u>	<u>813,596.00</u>	<u>71,450.72</u>	<u>305,411.21</u>	<u>508,184.79</u>	<u>37.54</u>
TOTAL PLANNING & DEVELOPMENT	442,512.36	813,596.00	71,450.72	305,411.21	508,184.79	37.54
<u>PUBLIC WORKS</u>						
<u>ADMINISTRATION</u>						
PERSONNEL COSTS	281,145.50	729,309.00	69,230.60	313,688.67	415,620.33	43.01
SUPPLIES & MATERIALS	32,633.13	57,810.00	7,450.38	24,222.12	33,587.88	41.90
MAINTENANCE & REPAIRS	75,638.49	289,004.00	27,670.74	68,342.19	220,661.81	23.65
OCCUPANCY	6,255.53	14,010.00	767.86	4,608.54	9,401.46	32.89
CONTRACTUAL SERVICES	32,658.42	75,387.00	7,423.87	22,786.97	52,600.03	30.23
OTHER CHARGES	3,996.73	14,400.00	300.27	1,470.14	12,929.86	10.21
CAPITAL OUTLAY	<u>93,807.98</u>	<u>576,800.00</u>	<u>1,406.00</u>	<u>268,130.14</u>	<u>308,669.86</u>	<u>46.49</u>
TOTAL ADMINISTRATION	526,135.78	1,756,720.00	114,249.72	703,248.77	1,053,471.23	40.03
<u>RECREATION</u>						
PERSONNEL COSTS	0.00	19,045.00	0.00	0.00	19,045.00	0.00
SUPPLIES & MATERIALS	0.00	2,350.00	0.00	199.63	2,150.37	8.49
MAINTENANCE & REPAIRS	0.00	250.00	7.79	7.79	242.21	3.12
OCCUPANCY	0.00	250.00	0.00	0.00	250.00	0.00
CONTRACTUAL SERVICES	9,875.00	44,980.00	10,500.00	10,642.50	34,337.50	23.66
OTHER CHARGES	<u>0.00</u>	<u>17,000.00</u>	<u>1,078.70</u>	<u>7,183.96</u>	<u>9,816.04</u>	<u>42.26</u>
TOTAL RECREATION	9,875.00	83,875.00	11,586.49	18,033.88	65,841.12	21.50

FINANCIAL STATEMENT

AS OF: MARCH 31ST, 2017

101-GENERAL FUND

EXPENDITURES	PRIOR Y-T-D	CURRENT BUDGET	M-T-D ACTUAL	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>PARKS</u>						
PERSONNEL COSTS	226,433.51	664,718.00	54,905.05	281,831.75	382,886.25	42.40
SUPPLIES & MATERIALS	13,224.39	44,110.00	5,802.34	23,161.04	20,948.96	52.51
MAINTENANCE & REPAIRS	42,372.71	91,430.00	4,890.62	38,021.28	53,408.72	41.59
OCCUPANCY	28,674.04	47,740.00	4,455.95	25,931.58	21,808.42	54.32
CONTRACTUAL SERVICES	9,597.98	15,730.00	1,843.84	8,577.61	7,152.39	54.53
OTHER CHARGES	4,566.35	9,750.00	446.00	4,934.25	4,815.75	50.61
CAPITAL OUTLAY	<u>111,349.00</u>	<u>69,000.00</u>	<u>0.00</u>	<u>22,682.56</u>	<u>46,317.44</u>	<u>32.87</u>
TOTAL PARKS	436,217.98	942,478.00	72,343.80	405,140.07	537,337.93	42.99
<u>BUILDING MAINTENANCE</u>						
PERSONNEL COSTS	63,227.06	185,155.00	19,573.21	87,313.45	97,841.55	47.16
SUPPLIES & MATERIALS	6,382.59	15,350.00	2,590.81	10,776.48	4,573.52	70.21
MAINTENANCE & REPAIRS	541.13	3,600.00	45.92	1,623.97	1,976.03	45.11
OCCUPANCY	187.19	1,800.00	55.13	279.80	1,520.20	15.54
CONTRACTUAL SERVICES	742.61	8,350.00	668.16	3,633.95	4,716.05	43.52
OTHER CHARGES	(16,276.96)	(45,607.00)	(3,825.58)	(22,953.48)	(22,653.52)	50.33
TOTAL BUILDING MAINTENANCE	<u>54,803.62</u>	<u>168,648.00</u>	<u>19,107.65</u>	<u>80,674.17</u>	<u>87,973.83</u>	<u>47.84</u>
TOTAL PUBLIC WORKS	1,027,032.38	2,951,721.00	217,287.66	1,207,096.89	1,744,624.11	40.89
<u>LIBRARY</u>						
<u>00-NON-PROGRAM</u>						
PERSONNEL COSTS	242,762.56	555,890.00	61,659.57	270,550.74	285,339.26	48.67
SUPPLIES & MATERIALS	30,140.68	61,012.00	3,722.22	28,685.64	32,326.36	47.02
MAINTENANCE & REPAIRS	5,981.48	15,024.00	53.52	6,731.34	8,292.66	44.80
OCCUPANCY	17,650.60	42,482.00	4,247.77	17,694.32	24,787.68	41.65
CONTRACTUAL SERVICES	11,116.20	25,740.00	1,280.00	10,999.70	14,740.30	42.73
OTHER CHARGES	6,163.04	11,987.00	184.83	7,390.98	4,596.02	61.66
CAPITAL OUTLAY	<u>0.00</u>	<u>99,811.00</u>	<u>0.00</u>	<u>99,811.00</u>	<u>0.00</u>	<u>100.00</u>
TOTAL 00-NON-PROGRAM	<u>313,814.56</u>	<u>811,946.00</u>	<u>71,147.91</u>	<u>441,863.72</u>	<u>370,082.28</u>	<u>54.42</u>
TOTAL LIBRARY	313,814.56	811,946.00	71,147.91	441,863.72	370,082.28	54.42
<u>BEDC ADMINISTRATION</u>						
<u>00-NON-PROGRAM</u>						
TOTAL	_____	_____	_____	_____	_____	_____
TOTAL	_____	_____	_____	_____	_____	_____
*** TOTAL EXPENSES ***	<u>5,180,011.83</u>	<u>11,443,257.28</u>	<u>1,185,461.30</u>	<u>5,099,061.42</u>	<u>6,344,195.86</u>	<u>44.56</u>
REVENUES OVER/(UNDER) EXPENDITURES	953,557.93	(1,145,896.28)	(559,429.13)	1,712,390.97	(2,858,287.25)	149.44-

*** END OF REPORT ***

FINANCIAL STATEMENT

AS OF: MARCH 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
<u>CHARGES FOR SERVICES</u>						
TOTAL						
<u>FINES & FORFEITURES</u>						
TOTAL						
<u>WATER REVENUES</u>						
00-00-4101 WATER SALES-RESIDENTIAL	640,625.73	1,362,500.00	115,387.72	692,230.08	670,269.92	50.81
00-00-4102 WATER SALES-COMMERCIAL	610,916.64	1,250,000.00	107,178.65	627,550.51	622,449.49	50.20
00-00-4150 PENALTIES	17,845.31	35,000.00	2,728.57	18,670.53	16,329.47	53.34
00-00-4152 WATER TAPPING FEES	3,800.00	5,000.00	2,900.00	18,800.00	(13,800.00)	376.00
00-00-4154 WATER SERVICE FEES	8,100.00	22,000.00	1,340.00	9,468.00	12,532.00	43.04
00-00-4156 OTHER	400.00	0.00	0.00	0.00	0.00	0.00
00-00-4161 SPECIAL PROJECT REIMB	0.00	0.00	0.00	13,042.78	(13,042.78)	0.00
TOTAL WATER REVENUES	1,281,687.68	2,674,500.00	229,534.94	1,379,761.90	1,294,738.10	51.59
<u>WASTEWATER REVENUES</u>						
00-00-4201 WASTEWATER SALES-RESIDENTIAL	453,629.99	904,700.00	83,746.44	492,782.20	411,917.80	54.47
00-00-4202 WASTEWATER SALES-COMMERCIAL	372,420.22	745,000.00	70,309.31	377,100.14	367,899.86	50.62
00-00-4210 BY THE WAY CAMPGROUND	0.00	22,000.00	0.00	4,537.26	17,462.74	20.62
00-00-4215 LCRA/WCID	60,705.57	125,000.00	11,345.61	71,339.00	53,661.00	57.07
00-00-4250 PENALTIES	11,595.24	25,000.00	2,088.64	13,084.58	11,915.42	52.34
00-00-4252 SEWER TAPPING FEES	1,200.00	2,500.00	1,500.00	22,545.14	(20,045.14)	901.81
00-00-4256 OTHER	300.00	500.00	0.00	0.00	500.00	0.00
TOTAL WASTEWATER REVENUES	899,851.02	1,824,700.00	168,990.00	981,388.32	843,311.68	53.78
<u>OTHER REVENUE</u>						
TOTAL						
<u>INTEREST INCOME</u>						
00-00-4400 INTEREST RECEIPTS	6,902.24	22,000.00	3,509.36	22,529.94	(529.94)	102.41
TOTAL INTEREST INCOME	6,902.24	22,000.00	3,509.36	22,529.94	(529.94)	102.41
<u>INTERGOVERNMENTAL</u>						
TOTAL						
<u>MISCELLANEOUS</u>						
00-00-4519 BACKFLOW TESTING COST	2,900.00	5,000.00	500.00	1,200.00	3,800.00	24.00
TOTAL MISCELLANEOUS	2,900.00	5,000.00	500.00	1,200.00	3,800.00	24.00

FINANCIAL STATEMENT

AS OF: MARCH 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
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL						
TOTAL						
<u>WATER/WASTEWATER DEPT.</u>						
<u>ADMINISTRATION</u>						
PERSONNEL COSTS	375,425.10	132,425.00	16,286.54	66,201.05	66,223.95	49.99
SUPPLIES & MATERIALS	15,227.24	24,910.00	3,707.93	9,358.45	15,551.55	37.57
MAINTENANCE & REPAIRS	7,355.07	14,430.00	95.35	508.46	13,921.54	3.52
OCCUPANCY	9,494.22	21,000.00	1,328.26	8,160.57	12,839.43	38.86
CONTRACTUAL SERVICES	439,916.50	581,936.00	39,831.03	280,485.89	301,450.11	48.20
OTHER CHARGES	9,862.99	46,810.00	1,222.56	5,264.25	41,545.75	11.25
CONTINGENCY	0.00	10,000.00	0.00	0.00	10,000.00	0.00
DEBT SERVICE	730,154.76	1,425,366.00	118,780.32	712,681.92	712,684.08	50.00
TOTAL ADMINISTRATION	1,587,435.88	2,256,877.00	181,251.99	1,082,660.59	1,174,216.41	47.97
<u>W/WW DISTRIBUT/COLLECT</u>						
PERSONNEL COSTS	0.00	410,208.00	40,837.23	190,256.48	219,951.52	46.38
SUPPLIES & MATERIALS	10,771.63	29,710.00	1,071.41	35,521.93	(5,811.93)	119.56
MAINTENANCE & REPAIRS	34,532.20	82,900.00	3,691.70	32,457.96	50,442.04	39.15
CONTRACTUAL SERVICES	1,809.60	44,296.00	3,331.71	18,165.69	26,130.31	41.01
OTHER CHARGES	497.50	4,000.00	501.00	1,676.00	2,324.00	41.90
CAPITAL OUTLAY	0.00	1,015,000.00	5,778.01	5,778.01	1,009,221.99	0.57
TOTAL W/WW DISTRIBUT/COLLECT	47,610.93	1,586,114.00	55,211.06	283,856.07	1,302,257.93	17.90
<u>WATER PRODUCTION/TREAT</u>						
PERSONNEL COSTS	0.00	257,661.00	28,802.92	108,924.05	148,736.95	42.27
SUPPLIES & MATERIALS	12,997.72	35,000.00	3,802.43	17,669.22	17,330.78	50.48
MAINTENANCE & REPAIRS	153,289.57	356,790.76	19,485.39	71,874.80	284,915.96	20.14
OCCUPANCY	49,210.79	130,000.00	9,165.05	55,318.08	74,681.92	42.55
CONTRACTUAL SERVICES	58,667.00	152,668.70	10,547.71	73,065.86	79,602.84	47.86
OTHER CHARGES	0.00	4,000.00	53.69	633.69	3,366.31	15.84
CAPITAL OUTLAY	0.00	133,004.00	0.00	0.00	133,004.00	0.00
TOTAL WATER PRODUCTION/TREAT	274,165.08	1,069,124.46	71,857.19	327,485.70	741,638.76	30.63
<u>WW TREATMENT PLANT</u>						
PERSONNEL COSTS	0.00	265,969.00	27,717.88	119,220.95	146,748.05	44.83
SUPPLIES & MATERIALS	10,406.74	33,800.00	2,556.91	13,734.11	20,065.89	40.63
MAINTENANCE & REPAIRS	51,047.56	168,965.00	29,593.93	86,539.19	82,425.81	51.22
OCCUPANCY	82,481.74	167,548.00	14,301.86	80,243.97	87,304.03	47.89
CONTRACTUAL SERVICES	30,158.11	60,520.00	441.52	27,974.48	32,545.52	46.22
OTHER CHARGES	0.00	4,000.00	0.00	584.50	3,415.50	14.61
CAPITAL OUTLAY	93,400.00	39,375.00	703.12	1,484.37	37,890.63	3.77
TOTAL WW TREATMENT PLANT	267,494.15	740,177.00	75,315.22	329,781.57	410,395.43	44.55

FINANCIAL STATEMENT

AS OF: MARCH 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
TOTAL WATER/WASTEWATER DEPT.	2,176,706.04	5,652,292.46	383,635.46	2,023,783.93	3,628,508.53	35.80
*** TOTAL EXPENSES ***	2,176,706.04 =====	5,652,292.46 =====	383,635.46 =====	2,023,783.93 =====	3,628,508.53 =====	35.80 =====
REVENUES OVER/(UNDER) EXPENDITURES	298,786.73	(1,126,092.46)	18,898.84	361,096.23	(1,487,188.69)	32.07-

*** END OF REPORT ***

FINANCIAL STATEMENT

AS OF: MARCH 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
<u>NON-DEPARTMENT</u>						
<u>00-NON-PROGRAM</u>						
TOTAL						
TOTAL						
<u>HOTEL/MOTEL TAX FUND</u>						
<u>00-NON-PROGRAM</u>						
CONTRACTUAL SERVICES	527,189.31	475,823.00	17,537.38	351,275.45	124,547.55	73.82
OTHER CHARGES	4,453.24	430,000.00	24,345.22	157,614.22	272,385.78	36.65
TRANSFERS OUT	<u>774,406.50</u>	<u>868,919.00</u>	<u>72,409.91</u>	<u>434,459.47</u>	<u>434,459.53</u>	<u>50.00</u>
TOTAL 00-NON-PROGRAM	<u>1,306,049.05</u>	<u>1,774,742.00</u>	<u>114,292.51</u>	<u>943,349.14</u>	<u>831,392.86</u>	<u>53.15</u>
TOTAL HOTEL/MOTEL TAX FUND	1,306,049.05	1,774,742.00	114,292.51	943,349.14	831,392.86	53.15
*** TOTAL EXPENSES ***	1,306,049.05	1,774,742.00	114,292.51	943,349.14	831,392.86	53.15
	=====	=====	=====	=====	=====	=====
REVENUES OVER/(UNDER) EXPENDITURES	(143,863.31)	1,107,258.00	38,833.18	226,150.21	881,107.79	20.42

*** END OF REPORT ***



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 6B

TITLE:

Receive Presentation on the Quarterly Investment Report for the period ending in March 31, 2017.

STAFF REPRESENTATIVE:

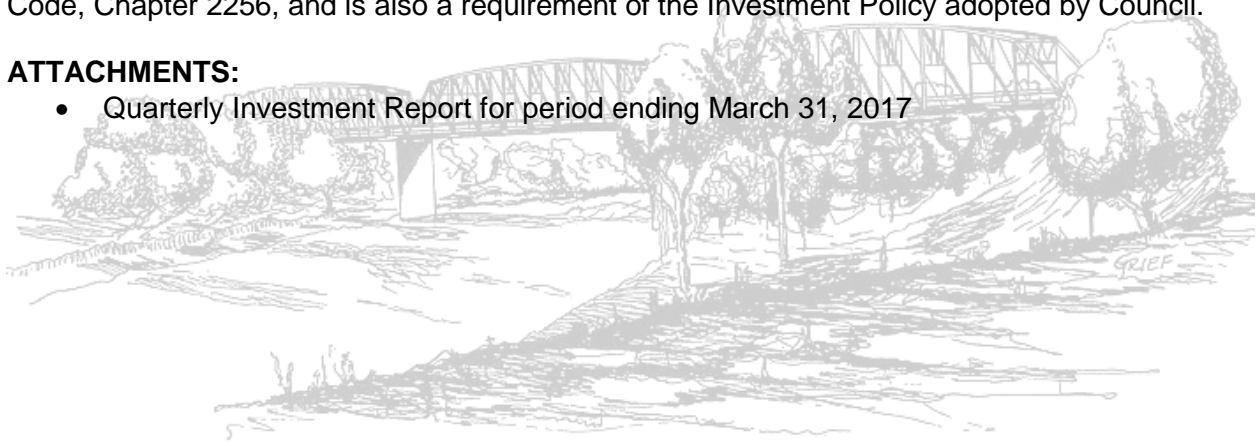
Tracy Waldron, Chief Financial Officer

POLICY EXPLANATION:

This reporting requirement is set forth by the Public Funds Investment Act, Texas Government Code, Chapter 2256, and is also a requirement of the Investment Policy adopted by Council.

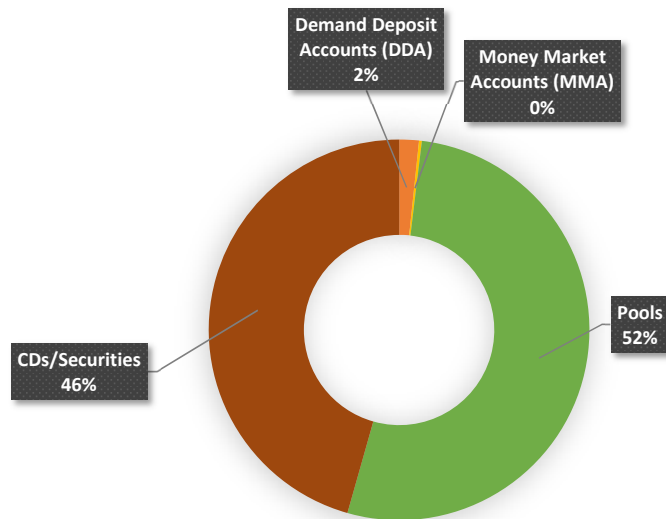
ATTACHMENTS:

- Quarterly Investment Report for period ending March 31, 2017



City of Bastrop
Quarterly Investment Report
Portfolio Summary
 period ending Mar. 31, 2017

Investments Description	March 31, 2017		December 31, 2016		QTD	YTD	Weighted
	Book Value	Market Value	Book Value	Market Value	Interest Earned	Interest Earned	Average Maturity
Demand Deposit Accounts (DDA)	\$ 278,283	\$ 278,283	\$ 490,472	\$ 490,472	\$ -	\$ 1,293	0.02
Money Market Accounts (MMA)	\$ 334,564	\$ 334,564	\$ 72,755	\$ 72,755	\$ 84	\$ 107	0.00
Pools	\$ 14,756,001	\$ 14,756,001	\$ 15,439,696	\$ 15,439,696	\$ 30,567	\$ 51,783	0.52
CDs/Securities	\$ 14,427,159	\$ 14,420,606	\$ 13,417,587	\$ 13,417,587	\$ 19,773	\$ 55,368	58.64
Total Investments	\$ 29,796,007	\$ 29,789,454	\$ 29,420,510	\$ 29,420,510	\$ 50,424	\$ 108,551	59.19



The investment portfolio of the City of Bastrop is in compliance with the Public Investment Act and the Investment Policy and Strategies.

Prepared by:

Tracy Waldron

Tracy Waldron, Chief Financial Officer

City of Bastrop
Detail of Investment Holdings
period ending Mar. 31, 2017

Type	BANK/ BROKER	CUSIP #/ Account #	YIELD	MATURITY DATE	Dec. 31, 2016 Market Value	Purchase/ Adjustments	Sales/Adjust/ Call/Maturity	Mar. 31, 17 Book Value	Mar. 13, 17 Market Value
DDA	FNB-Pooled Cash		0.00%	04/01/2017	\$ 490,472			\$ 278,283	\$ 278,283
MMA	FNB-Escrow Acct			04/01/2017	\$ 50,008			\$ 50,039	\$ 50,039
MMA	FNC-Dreyfus			04/01/2017	\$ 22,747		\$ 245,000	\$ 281,534	\$ 281,534
MMA	MBS-MM Acct			04/01/2017	\$ -	\$ 1,250,000	\$ 1,249,000	\$ 2,991	\$ 2,991
Pools	Texpool			04/01/2017	\$ 5,327,089			\$ 3,645,618	\$ 3,645,618
Pools	Texas Class			04/01/2017	\$ 10,112,607			\$ 5,524,771	\$ 5,524,771
Pools	Texas Term			04/01/2017	\$ -	\$ 5,680,273		\$ 5,585,612	\$ 5,585,612
Security	FHLM	3134GA4M3	1.13%	02/21/2020	\$ -	\$ 499,391		\$ 499,391	\$ 499,390
Security	FHLM	3134GA4T8	1.13%	02/28/2020	\$ -	\$ 499,181		\$ 499,181	\$ 499,715
CD	FNB	74778	0.70%	11/05/2017	\$ 1,500,000			\$ 1,500,000	\$ 1,500,000
CD	FNB	66399	0.80%	04/26/2017	\$ 1,500,000			\$ 1,500,000	\$ 1,500,000
	FNC	70153RHL5	0.70%	03/13/2017	\$ 245,000		\$ 245,000	\$ -	\$ -
CD	FNC	58733ACE7	0.85%	03/23/2017	\$ 245,000		\$ 245,000	\$ -	\$ -
CD	FNC	063248FM5	0.70%	05/05/2017	\$ 245,000			\$ 245,000	\$ 245,017
CD	FNC	07370WYQ3	0.70%	05/10/2017	\$ 245,000			\$ 245,000	\$ 245,002
CD	FNC	34387ABV0	1.00%	06/19/2017	\$ 245,000			\$ 245,000	\$ 245,091
CD	FNC	9497482Y2	1.00%	06/19/2017	\$ 245,000			\$ 245,000	\$ 245,091
CD	FNC	108622ER8	1.00%	09/15/2017	\$ 245,000			\$ 245,000	\$ 245,208
CD	FNC	20361LBQ6	1.00%	09/22/2017	\$ 245,000			\$ 245,000	\$ 245,279
CD	FNC	31985HAK2	0.75%	11/03/2017	\$ 245,000			\$ 245,000	\$ 245,103
CD	FNC	33732TAT9	0.75%	11/14/2017	\$ 245,000			\$ 245,000	\$ 245,103
CD	FNC	69478QDB3	0.75%	11/20/2017	\$ 245,000			\$ 245,000	\$ 245,093
CD	FNC	02587DK31	1.30%	12/18/2017	\$ 245,000		\$ 245,000	\$ -	\$ -
CD	FNC	20033ANZ5	1.30%	01/19/2018	\$ 245,000			\$ 245,000	\$ 245,978
CD	FNC	12738RCW2	1.25%	02/12/2018	\$ 100,000			\$ 100,000	\$ 100,258
CD	FNC	04407RAX9	0.85%	02/13/2018	\$ 245,000			\$ 245,000	\$ 244,998
CD	FNC	06414QXX2	1.00%	02/27/2018	\$ 245,000			\$ 245,000	\$ 244,953
CD	FNC	20786ABK0	1.00%	02/28/2018	\$ 245,000			\$ 245,000	\$ 245,368
CD	FNC	88241TAL4	1.00%	03/12/2018	\$ 245,000			\$ 245,000	\$ 245,184
CD	FNC	32112UCC3	1.00%	03/15/2018	\$ 245,000			\$ 245,000	\$ 244,748
CD	FNC	55266CRV0	0.90%	03/26/2018	\$ 190,000			\$ 190,000	\$ 189,721
CD	FNC	PER200CW7	1.05%	05/04/2018	\$ 200,000			\$ 200,000	\$ 200,901
CD	FNC	465076JH1	1.05%	05/04/2018	\$ 245,000			\$ 245,000	\$ 244,865
CD	FNC	02006LA78	1.00%	05/07/2018	\$ 245,000			\$ 245,000	\$ 244,510
CD	FNC	46176PFA8	1.00%	05/04/2018	\$ 245,000			\$ 245,000	\$ 244,865
CD	FNC	981571CD2	1.10%	05/04/2018	\$ 200,000			\$ 200,000	\$ 199,890
CD	FNC	57116ALT3	1.00%	05/07/2018	\$ 245,000			\$ 245,000	\$ 244,855
CD	FNC	845182AM6	1.00%	05/07/2018	\$ 245,000			\$ 245,000	\$ 244,855
CD	FNC	29266N2A4	0.95%	05/07/2018	\$ 245,000			\$ 245,000	\$ 244,375
CD	FNC	59013JNX3	1.00%	05/10/2018	\$ 245,000			\$ 245,000	\$ 244,846
CD	FNC	49306SWN2	1.00%	05/11/2018	\$ 245,000			\$ 245,000	\$ 244,841
CD	FNC	140420ZA1	1.00%	05/11/2018	\$ 245,000			\$ 245,000	\$ 244,841
CD	FNC	05581WGE9	1.05%	05/25/2018	\$ 245,000			\$ 245,000	\$ 244,512
CD	FNC	466682AF8	0.90%	05/29/2018	\$ 245,000			\$ 245,000	\$ 244,495
CD	FNC	74316VEN1	0.90%	05/31/2018	\$ 245,000			\$ 245,000	\$ 244,486
CD	FNC	69413CES4	0.90%	05/31/2018	\$ 245,000			\$ 245,000	\$ 244,488
CD	FNC	307660KA7	0.90%	06/04/2018	\$ 245,000			\$ 245,000	\$ 244,471
CD	FNC	254672F86	1.00%	08/17/2018	\$ 245,000			\$ 245,000	\$ 243,996
CD	FNC	066519CA5	1.00%	08/27/2018	\$ 245,000			\$ 245,000	\$ 243,733
CD	FNC	06425KBR9	1.00%	09/14/2018	\$ 30,000			\$ 30,000	\$ 29,836
CD	FNC	05580AFE9	1.10%	09/17/2018	\$ 247,000			\$ 247,000	\$ 245,553
CD	FNC	084601GN7	1.25%	11/29/2018	\$ 248,000			\$ 248,000	\$ 247,313
CD	FNC	29976DX62	1.25%	11/30/2018	\$ 248,000			\$ 248,000	\$ 247,308
CD	FNC	58403B5P7	1.40%	12/13/2018	\$ 249,000			\$ 249,000	\$ 248,851
	FNC	68621KAJ0	1.50%	03/18/2019		\$ 248,000		\$ 248,000	\$ 247,789
CD	FNC	508176CH5	1.60%	03/22/2019	\$ -	\$ 249,000		\$ 249,000	\$ 249,247
CD	Frontier	501272	0.95%	05/25/2018	\$ 245,587			\$ 245,587	\$ 245,587

City of Bastrop
Detail of Investment Holdings
period ending Mar. 31, 2017

Type	BANK/ BROKER	CUSIP #/ Account #	YIELD	MATURITY DATE	Dec. 31, 2016 Market Value	Purchase/ Adjustments	Sales/Adjust/ Call/Maturity	Mar. 31, 17 Book Value	Mar. 13, 17 Market Value
CD	FNB	74957	0.80%	06/27/2018	\$ 130,000			\$ 130,000	\$ 130,000
CD	MBS	049060BE5	1.40%	01/14/2019	\$ -	\$ 249,000		\$ 249,000	\$ 249,000
		TOTAL			\$ 29,420,510	\$ 8,674,845	\$ 2,229,000	\$ 29,796,007	\$ 29,789,454

DATES: 1/01/2017- 3/31/2017

		BEGINNING	TOTAL	TOTAL	ENDING	AVERAGE
		BALANCE	DEBITS	CREDITS	BALANCE	DAILY
						BALANCE
WATER/WASTEWATER FUND						
202-00-00-1010	XS RANCH WELL MI	50,007.53	31.18	0.00	50,038.71	50,018.37
FUND 202 TOTAL		50,007.53	31.18	0.00	50,038.71	50,018.37
FAIRVIEW CEMETERY-PERMAN						
526-00-00-1142	CERT OF DEPOSIT-	245,586.66	0.00	0.00	245,586.66	245,586.66
526-00-00-1148	CD - FNB	130,000.00	0.00	0.00	130,000.00	130,000.00
FUND 526 TOTAL		375,586.66	0.00	0.00	375,586.66	375,586.66
2013 COMB REV/TAX BOND						
724-00-00-1100	TEXAS TERM	0.00	2,267,431.06	88,666.70CR	2,178,764.36	1,128,968.98
FUND 724 TOTAL		0.00	2,267,431.06	88,666.70CR	2,178,764.36	1,128,968.98
CO 2014 SERIES						
725-00-00-1100	TEXAS TERM	0.00	3,417,329.45	10,481.25CR	3,406,848.20	1,703,392.74
FUND 725 TOTAL		0.00	3,417,329.45	10,481.25CR	3,406,848.20	1,703,392.74
POOLED CASH FUND						
991-00-00-1000	POOLED CASH ACCO	490,472.22	7,413,816.42	7,626,005.27CR	278,283.37	503,989.40
991-00-00-1100	TEX POOL	5,327,089.21	455,656.46	2,137,127.68CR	3,645,617.99	4,000,902.86
991-00-00-1105	TEXAS CLASS	10,112,607.16	2,542,435.66	7,130,272.30CR	5,524,770.52	8,511,866.00
991-00-00-1135	DREYFUS MM ACCT	22,746.58	259,083.16	296.07CR	281,533.67	31,589.60
991-00-00-1136	MULTI-BANK SECUR	0.00	2,250,563.49	2,247,571.88CR	2,991.61	198,213.00
991-00-00-1140	CERTIFICATE OF D	3,000,000.00	0.00	0.00	3,000,000.00	3,000,000.00
991-00-00-1141	CERTIFICATE OF D	10,042,000.00	498,228.46	736,228.46CR	9,804,000.00	10,039,355.56
991-00-00-1146	CERTIFICATES OF	0.00	249,000.00	0.00	249,000.00	215,800.00
991-00-00-1147	U.S. AGENCY	0.00	1,998,571.88	1,000,000.00CR	998,571.88	11,095.24
FUND 991 TOTAL		28,994,915.17	15,667,355.53	20,877,501.66CR	23,784,769.04	26,512,811.66
REPORT TOTALS		29,420,509.36	21,352,147.22	20,976,649.61CR	29,796,006.97	29,770,778.41
=====						



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 6C

TITLE:

Receive report from Bastrop Economic Development Corporation

STAFF REPRESENTATIVE:

Shawn Kirkpatrick, Executive Director
Bastrop Economic Development Corporation





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 7

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.





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8A

TITLE:

Consider action to approve minutes from the March 28, 2017 and April 11, 2017 Regular Council meetings.

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 March 28, 2017 and April 11, 2017 Regular Council meetings.

ATTACHMENTS:

- March 28, 2017 DRAFT Regular Council Meeting Minutes
- April 11, 2017 DRAFT Regular Council Meeting Minutes

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
MARCH 28, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, March 28, 2017 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Kesselus and Mayor Pro Tem DeLaRosa, and Council Members Peterson, Schiff, Jones and McAnally. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin, and City Attorney David Bragg.

CALL TO ORDER

At 6:30 p.m. Mayor Kesselus called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

Mayor Kesselus led the Pledge of Allegiance

TEXAS PLEDGE OF ALLEGIANCE

Mayor Kesselus led the Texas Pledge of Allegiance

INVOCATION

Mayor Kesselus gave the Invocation.

PRESENTATIONS**4A. Presentation on “Why I Love Bastrop” Video Collection by Debbie Denny.**

Debbie Denny made the presentations. The winner of the “Fan Favorite Video” was Ken Ladd and the winner of the “Overall Video” was Daniel Michalik.

4B. Mayor’s Report

Mayor reported that Seton is bringing a medical center to Bastrop.

4C Councilmembers’ Report

Council Member Peterson stated that the Seton medical center would be a great asset to Bastrop.

Council Member Schiff reported that March 25, 2017 the Friends of Bastrop Public Library and the Lost Pines Garden Club held a joint annual book and plant sale and raised \$11,957 which in part helps fund the Summer Reading program.

Council Member Jones reported:

- Main Street Program will be hosting the First Friday Art Walk on April 7, 2017 from 5:30 p.m. to 8:30 p.m.;
- March 25, 2017 the Inaugural Half Marathon was held and hosted 160 runners;
- The Parks and Recreation will sponsor the YMCA Healthy Kids Day at Fisherman’s Park on Saturday, April 9, 2017 from 11:00 a.m. to 2:00 p.m.;
- The Public Library will hold an Easter Egg Hunt on Wednesday, April 12, 2017, at Bob Bryant Park from 9:30 a.m. to 12:00 p.m.; and
- The YMCA will hold an Easter Egg Hunt on Friday, April 14, 2017 at Bob Bryant Park from 9:00 a.m. to 12:00 p.m.

4D City Manager’s Report -NONE

WORK SESSION/BRIEFINGS

- 5A. Receive presentation by City Manager and provide feedback regarding changes to the Council Agenda and process to provide greater transparency and clarity of policy actions.**
City Manager Lynda Humble explained the new format and contents of the Council agenda.
- 5B. Receive update on meeting with Representative John Cyrier regarding HB 2322 and provide feedback regarding possible future action.**
City Manager Lynda Humble stated that Representative Cyrier called a meeting for March 10, 2017 and she, Mayor Kesselus, Council Member Jones, Trey Job and Shawn Kirkpatrick represented the City and there were representatives from Aqua Water and Judge Pape. There was an agreement between Aqua representatives and City representatives that going forward all of the stakeholders will have a seat at the table for discussion.

STAFF AND BOARD REPORTS

- 6A. Receive update on the process in relation to Council and the Start-Up Board of the DMO and Introduction of DMO Interim Director Dale Lockett.**
City Manager Lynda Humble introduced the Interim DMO Director Dale Lockett. A joint workshop with the Council and the DMO Start Up Board was set for Tuesday, April 4, 2017 at 6:30 p.m.
- 6B. Receive report from Ethics Commission regarding Councilmember Deborah Jones and Councilmember Gary Schiff and receive a statement from Councilmember Jones.**
City Manager Lynda Humble stated that Judge Dugan was unable to attend the Council meeting, but sends his apologies. Judge Dugan asked the City Manager to ask Council to consider a discussion in a future workshop regarding potential changes to the Ethics Ordinance.

City Manager Lynda Humble, the liaison for the Ethics Commission, read into record two letters (Exhibits A&B) submitted by Judge Dugan, Chair for the Ethics Commission of the City of Bastrop.

Council Member Jones read her statement as follows.

“Bastrop is a community in transition and change in this region is inevitable. I was elected to be an agent of change, someone who can guide growth and modernization, while preserving what is great about Bastrop. As expected, a few in this town favor the status quo at City Hall. They oppose my positions on policy and personnel matters, so they stoop to using our Ethics Code as a weapon. The complaint against me was a political ploy. I didn’t violate any rule. The complaint was severely defective and incomplete. The true victors throughout this process are the citizens of Bastrop.”

Council Member Schiff read his statement. (Exhibit C)

Mayor Kesselus recessed the meeting at 7:30 p.m.

Mayor Kesselus called the meeting back to order at 7:31 p.m.

Council Member McAnally attempted to read a statement (Exhibit D); however, the Mayor ruled that Council Member McAnally's statement was out of order.

Council Member McAnally made the motion to override the Mayor’s ruling. The motion died for lack of a second (See Exhibit D).

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9C. Consideration, discussion and possible action concerning reimbursement of Councilmember Deborah Jones for legal expenses incurred in defending against an ethics complaint filed against her that was dismissed.**

Resolution No. R-2017-14 was approved on a motion made by Mayor Pro Tem DeLaRosa, seconded by Council Member Peterson. The motion was approved on a 3-0 vote. Council Member Jones recused herself. Council Member McAnally was off the dais.

- 9D. Consideration, discussion and possible action concerning reimbursement of Council Member Gary Schiff for legal expenses incurred in defending against ethics complaints filed against him that were dismissed.**

Resolution No. R-2017-13 was approved on a motion by Mayor Pro Tem DeLaRosa, seconded by Council Member Peterson. The motion was approved on a 3-0 vote. Council Member Schiff recused himself. Council Member McAnally was off the dais.

STAFF AND BOARD REPORTS CONTINUED

- 6C. Hear presentation of the unaudited Monthly Financial Report for the period ending February 28, 2017.**

Presentation was given by Chief Financial Officer Tracy Waldron.

Mayor Pro Tem DeLaRosa made the motion to approve the unaudited Monthly Financial Report, seconded by Council Member Schiff. The motion was approved on a 4-0 vote. Council Member McAnally was off the dais.

- 6D. Receive report from Bastrop Economic Development Corporation (BEDC).**

BEDC Executive Director Shawn Kirkpatrick gave the report.

CITIZEN COMMENTS

Anne Beck – Ms. Beck asked the Council for the good of Bastrop to not get hung up on all of the negative.

David Perkins – Mr. Perkins announced an online language learning program where eight languages may be offered on line and it will be free of charge. The program should be up by next fall. Mr. Perkins also offered ideas for TV shows. He announced that he would be filming two scenes in Bastrop and would like to use local people.

CONSENT AGENDA

A motion was made by Mayor Pro Tem DeLaRosa to approve items 8A, 8B, 8C, 8D and 8E, listed on the consent agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Schiff, motion was approved on a 5-0 vote.

- 8A. Consider action to approve minutes from the March 14, 2017 meeting.**

- 8B. Consider action to confirm appointment by the Mayor of Lynette Philpot to Place 7 on the Bastrop Art in Public Places with the term ending in June 2019.**

- 8C. Consider action to accept and approve the FY 2018 Hotel Occupancy Tax Funding Calendar and the FY 2018 Community Support Funding Calendar.**

- 8D. Consider action to approve a resolution amending authorized representatives for Texpool/Texpool Prime local investment pool by adding City Manager Lynda Humble as an authorized representative of the City.
- 8E. Consider action to confirm appointment by the Mayor of City Manager Lynda Humble to Place 1 on the Hunters Crossing Local Government Corporation Board.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9A. Consider action to approve the first reading of Resolution No. R-2017-12 of the City Council of the City of Bastrop, TX approving a project to conduct a comprehensive drainage study of the Pine Forest Unit 6 Subdivision using funds provided by the Bastrop Economic Development Corporation in an amount exceeding \$10,000 in accordance to Section 505.158(b) of the Local Government Code and move to include on the April 11, 2017 agenda for a second reading.
Resolution No. R-2017-12 was approved on a motion by Mayor Pro Tem DeLaRosa, seconded by Council Member Peterson. The motion was approved on a 5-0 vote.
- 9B. Consider action to approve the first reading of ordinance No. 2017-10 amending the budget for the Fiscal Year 2017 in accordance with existing statutory requirements, appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date and move to include on the April 11, 2017 agenda for a second reading.
Chief Financial Officer Tracy Waldron gave the presentation.

Ordinance No. 2017-10 was approved on a motion by Council Member Schiff, seconded by Mayor Pro Tem DeLaRosa. The motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:30 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding City of Bastrop vs. Vandiver and Hoover claims.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Pine Forest 6, et al vs. City of Bastrop, et al.

The Bastrop City Council reconvened at 9:07 p.m. into open (public) session.

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.
No Action was taken.

12. ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 9:08 p.m., seconded by Council Member Peterson. The motion was approved on a 5-0 vote.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.

DRAFT

March 27, 2017

The Honorable Deborah Jones
Member, Bastrop City Council
P.O. Box 427
Bastrop, Texas 78602

Re: Ethics Complaint 2016-3

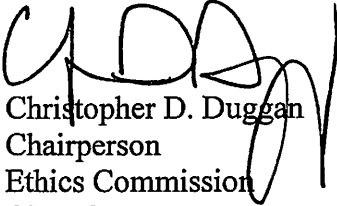
I am writing to you regarding the formal complaint filed against you that the Ethics Commission received from the Bastrop City Attorney David Bragg on October 12, 2016. The complaint alleged that you violated Section 1.15.037(b) of the Code of Ethics (Confidential Information – Improper disclosure or use).

The Bastrop Ethics Commission conducted a closed hearing regarding the complaint on January 17, 2017 and March 23rd, 2017, pursuant to Section 1.15.133 of the Code of Ethics for the City of Bastrop.

The Ethics Commission considered all of the items submitted, including but not limited to, the Attorney General Opinion JM-1071, the letters from the City Attorney of October 19, 2017, and the provisions of the Code of Ethics. The Ethics Commission unanimously found that based on the Attorney General Opinion, JM-1071, and the letters of City Attorney David Bragg from October 19, 2016, confidential government information (under Section 1.15.001) does not include information obtained during an executive session of a Bastrop City Council Meeting. It is the decision of the Commission, therefore, that the complaint against you should be dismissed as a matter of law.

In addition, the Commission unanimously found that under Section 1.15.131(e), the complaint was not brought in bad faith or for the purpose of harassment. Therefore, we are not awarding recovery of legal fees incurred by you, the accused party.

Sincerely,


Christopher D. Duggan
Chairperson
Ethics Commission
City of Bastrop

cc: Honorable Kay McAnally
Member, Bastrop City Council
P.O. Box 427
Bastrop, Texas 78602

Mr. David F. Bragg
City Attorney
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

✓ Ms. Linda Humble
City Manager
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Mr. Alan Bojorquez
Bojorquez Law Firm, PC
12325 Hymeadow Drive
Suite 2-100
Austin, Texas 78750

Commissioner Hines (via email)

Commissioner Tantaksinanuki (via email)

March 27, 2017

The Honorable Gary Schiff
Member, Bastrop City Council
P.O. Box 427
Bastrop, Texas 78602

Re: Ethics Complaint 2016-2

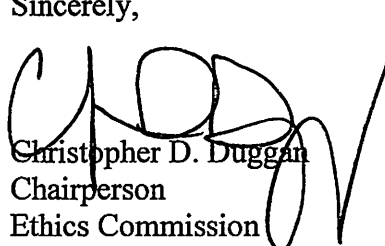
I am writing to you regarding the formal complaint filed against you that the Ethics Commission received from the Bastrop City Attorney David Bragg on October 12, 2016. The complaint alleged that you violated Section 1.15.037(b) of the Code of Ethics (Confidential Information – Improper disclosure or use).

The Bastrop Ethics Commission conducted a closed hearing regarding the complaint on January 17, 2017 and March 23rd, 2017, pursuant to Section 1.15.133 of the Code of Ethics for the City of Bastrop.

The Ethics Commission considered all of the items submitted, including but not limited to, the Attorney General Opinion JM-1071, the letters from the City Attorney of October 19, 2017, and the provisions of the Code of Ethics. The Ethics Commission unanimously found that based on the Attorney General Opinion, JM-1071, and the letters of City Attorney David Bragg from October 19, 2016, confidential government information (under Section 1.15.001) does not include information obtained during an executive session of a Bastrop City Council Meeting. It is the decision of the Commission, therefore, that the complaint against you should be dismissed as a matter of law.

In addition, the Commission unanimously found that under Section 1.15.131(e), the complaint was not brought in bad faith or for the purpose of harassment. Therefore, we are not awarding recovery of legal fees incurred by you, the accused party.

Sincerely,


Christopher D. Duggan
Chairperson
Ethics Commission
City of Bastrop

cc: Honorable Kay McAnally
Member, Bastrop City Council
P.O. Box 427
Bastrop, Texas 78602

Mr. David F. Bragg
City Attorney
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

✓ Ms. Linda Humble
City Manager
City of Bastrop
P.O. Box 427
Bastrop, Texas 78602

Mr. Joe Grady Tuck
Tuck & Kizer Law Group, PLLC
906 Main Street
Bastrop, Texas 78602

Commissioner Hines (via email)

Commissioner Tantaksinanuki (via email)

EXHIBIT C

March 28, 2017

Statement of Council Member Gary Schiff regarding the recent Ethics Commission activities:

I learned at a young age that if you did not have something good to say about someone, you should not say it. So when I was asked by the Mayor if I wished to make a statement about the false charges made against me by Council Member McAnally, I declined the offer.

However, since then I have meditated on the situation and on a passage from the bible: Matthew 18:15. Paraphrased, it states that if a brother sins against you, you are to bring it to their individual attention and if they hear you, you have gained a brother. If he does not hear you, take it to him in the presence of two or three others. If he still does not hear, take it to the church.

I think this passage is very applicable here.

On October 11, 2016 when Council Member McAnally first brought her charge against me, I was devastated that she would do such a thing when surely she knew that I was authorized to do what I did. It wasn't until months later after great anguish to me that I realized Ms. McAnally was absent at the Council executive session when I was encouraged by City Manager Marvin Townsend, with all other Council Members present, to discuss with the party to a City lawsuit, an architectural solution that I devised for settling that case.

When I realized that Ms. McAnally was not present at that executive session, I requested and received from the City Manager a sworn and notarized affidavit stating that I was encouraged during that executive session to help settle the case by talking to the parties involved in the lawsuit. On January 26, 2017 I sent the affidavit to Ms. McAnally, then a day later asked her if she would drop her complaint and she said "No." I asked her why she would not drop her complaint and she said she was "still digging." I wanted to but did not ask "digging for what?" when my evidence was so clear and irrefutable.

On March 7, after almost six weeks of more anguish and legal fees expended by me, Ms. McAnally finally sent me the following email:

Dear Gary,

As previously discussed with you on the telephone I have been collecting information and evaluating the situation surrounding your discussions with representatives of the Vandivers' about which I made a complaint to the Ethics Commission. While I am still very unhappy about Councilmembers getting personally involved in City litigation, I accept the explanation that you were encouraged to do so by the City Manager and have withdrawn the complaint.

Kay

Let the public record state that I believe it was very unfair and unkind for Ms. McAnally to draw out this painful episode that was so clearly settled upon her receipt of the City Manager's affidavit.

I also want to add that the filing of unfounded complaints against council members as a means of political retribution has become a favorite tool of those who could not prevail at the voting booth.

These actions result in public embarrassment to the entire Bastrop community and the attendant necessity of hiring lawyers has become a hurdle which will without a doubt deter many good candidates from serving this city.

Even though all complaints against me and Deborah Jones were dismissed by the ethics commission, I fear the public will remember only their filings, as announced by Ms. McAnally very inappropriately from the dais. In the future, I hope we can deter persons from using the ethics committee for political purposes by:

1. Encouraging complainers, before filing a complaint, to have open and honest discussions with any public official whom they feel has violated the ethics ordinance. This is especially applicable to Council Members who have a public responsibility for keeping order on the dais.
2. Enforcing the rules of decorum that state that Council Members not demean other Council Members from the dais.
3. Requiring complainers to be counselled as to the legal merits of their claims prior to filing. This counselling would not prevent complainers from filing anyway but would at least expose obvious flaws in their complaints before filing.
4. Requiring the Ethics Commission to act more expeditiously in resolving ethics cases so they are not tried and retried in the public forum to the detriment of innocent people. These simple cases took five months to resolve.
5. Drafting and enforcing meaningful sanctions against those who file unfounded complaints.

EXHIBIT D

March 28, 2017

Statement of Council Member Kay McAnally regarding the recent Ethics Commission activities:

Defending Ethics Complaints

From my first Council meeting 8 years ago to now I have believed that what happens in Executive Session is confidential and should not be spoken about outside of City Council. That's what I was told by our previous City Attorney. That's what I was told by our previous City Manager. The Ethics Training we got from the City reinforced that belief.

I understood that the reason we went into Executive Session was to protect the City and the taxpayers. We could only meet behind closed doors in very limited circumstances to talk about things that required attorney client privilege, to discuss litigation by the City or against the City, to discuss buying or selling property. That information was to be kept confidential in order to protect the taxpayer's money.

Over the years there have been times when it appeared individual Council Members spoke about what happened in Executive Session to members of the public. When that happened we got serious warnings from both the City Attorney and the City Manager. In fact I remember we were told that Council Members who broke that rule were putting the City at risk and could possibly even go to jail.

When we got to this council things changed. A member of this council openly talked about disclosing what had been discussed in executive session to people with whom the City was engaged in a lawsuit. The Council member was warned by the previous City Attorney, the previous City Manager, the litigator we hired, and by our current City Attorney to stop doing it.

What has gone on in closed session at times would shock this city. Had I chosen to talk about it, the reasons I have been so frustrated and at times so angry on the dais would have been clear to the public. But I didn't. I finally decided that no amount of talk would make a difference and I chose to go to the Ethics Commission. It was a last resort. I hated having to do it. I'm hating each and every moment of this. The stress and emotional turmoil has been making me physically ill.

I could have withdrawn the complaints at any time, that's true. And I would have, in a heartbeat, if at any stage they said, "OK I get it, we shouldn't be doing this and it's going to stop". But that didn't happen, far from it. They justified their behavior and still do. So the cases went forward and have been adjudicated. The INTENTION of the Ethics Ordinance was pretty clear: Council Members should not disclose Confidential Government Information. Now we discover, however, that nothing a Council Member hears in Executive Session is Confidential Government Information. NOTHING! It's the Wild West.

The Ethics Commission ruled that the behavior I was complaining about was not unlawful and was not a breach of the Code because the way Confidential Government Information is defined in the Ethics Ordinance. The definition of Ethics I have relied on was the one I was given in City training; "Ethical behavior is doing the right thing when no one else is watching – even when doing the wrong thing is legal."

I don't regret bringing these cases but I'm truly sorry I had to. Now the ordinance has been tested and in my opinion it has been found wanting. The public has no protection from it. The City

remains at risk from the behavior of individual council members who can sit in an executive session and then go directly from there to people litigating against the city and tell them what was said, reveal the legal strategy, tell them what each council member thinks about settling or fighting the case. If the City is considering buying or selling a piece of property, a Council member can go out and tell anyone they like. Its crazy.

If the Mayor and members of this Council believe that a Council member is acting in good faith when they do something they have been specifically told not to do by two City Attorneys, a specialist litigator, a City Manager and other Council members because it would hurt the city, then we have a major difference in values. Everyone on this dais was there. Everyone on this dais heard those warnings. Everyone up here knows what went on.

I fell in love with Bastrop when I arrived here. That's why I first agreed to run for council. I have tried, to the very best of my ability, to serve the people who elected me honestly and ethically. Loving Bastrop has meant standing up for what I believed was right and standing against what I believe was wrong. Some of what's going on may be lawful but it's awful and the people shouldn't stand for it.

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
APRIL 11, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, April 11, 2017 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Pro Tem DeLaRosa and Council Members Peterson, Schiff, Jones and McAnally. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney David Bragg.

CALL TO ORDER

At 6:30 p.m. Mayor Pro Tem DeLaRosa called the meeting to order with a quorum being present. Mayor Kesselus was absent.

PLEDGE OF ALLEGIANCE

Council Member Peterson led the Pledge of Allegiance

INVOCATION

Council Member Schiff gave the Invocation.

PRESENTATIONS

- 4A. Presentation of the Guardian Angel Award from the 100 Club to Officer Tamera McIntyre
Chief Steve Adcock gave the presentation.

- 4B. Mayor's Report

Council Member Peterson gave the Main Street Program report.

- Ticket sales for the inaugural table on Main Event will end at midnight on April 16TH. There are still tickets available. The event will take place on Sunday, April 23rd. Tickets are \$100 and proceeds will be used for downtown beautification and promotion efforts.

Council Member Schiff gave the Library report.

- The Library will hold its Easter egg hunt on April 12, at Bob Bryant Park located at 600 Charles Blvd., AT 10:30 AM
- Fun fact – on average the Library checks out 11,550 books per month
- Fun fact – on average 9,600 people visit the Library each month

Council Member Jones gave the Parks and Recreation Department report.

- YMCA'S Easter Egg Hunt will be on Friday, April 14 at Bob Bryant Park from 9:00 AM TO 12:00 PM
- YMCA is sponsoring Home School Field Day at Bob Bryant Park April 20 AT 8:00 AM.
- Bastrop Art in Public Places will hold a public hearing on the Bastrop Culture Walk. Hearing will be on Wednesday, April 19, 2017, at Bob Bryant Park at 5:00 PM.
- Looking ahead, in June there will be another yarn bomb and the theme will be The Wizard of Oz. Movies in The Park will be showing The Wizard of Oz on June 17 at Bob Bryant Park.

Council Member McAnally gave the Bastrop Economic Development Corp. report.

- Bastrop EDC will host Career Day on April 13 from 9:00-12:00 at the Bastrop Performing Art Center located at 1401 Cedar Street. Several City departments will be on hand.

4C Councilmembers' Report - None**4D City Manager's Report**

Regarding Item 10D – The City of Bastrop received a letter on April 11, 2017 from Aleshire, attorney representing Mr. Burt. As a result of this letter the Council will not need to meet in executive session to discuss item 10D. The letter was read into record.

WORK SESSION/BRIEFINGS**5A. Discussion of Public Decorum Protocol**

Presentation was made by City Manager Lynda Humble and Public Safety Director/Chief of Police Steve Adcock. This item will be brought back at the April 25, 2017 meeting in the form of a resolution.

STAFF AND BOARD REPORTS

- 6A. Receive Board, Committee and Commission attendance report from City Manager Lynda Humble
Report was given by City Manager Lynda Humble.**

CITIZEN COMMENTS

David Bryant Perkins – Mr. Perkins stated that he and his daughter attend the film festivals and conduct interviews. He suggested that Bastrop consider having a film festival and to use the various buildings in Bastrop as the film festival.

Deborah Johnson – Announced the Culture walk, Wednesday, April 19, 2017 at 5:00, the Pavilion at Bob Bryant Park.

CONSENT AGENDA

A motion was made by Council Member Schiff to approve items 8A, 8B, 8C and 8D, listed on the consent agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Jones motion was approved on a 4-0 vote. Mayor Kesselus was absent.

- 8A. Consider action to approve minutes from April 4, 2017 Special Workshop.**
- 8B. Consider action to approve the second reading of Ordinance No. 2017-10 amending the budget for the Fiscal Year 2017 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing for an effective date.**
- 8C. Consider action to approve the second reading of Resolution No. R-2017-12 of the City Council of the City of Bastrop, TX approving a project to conduct a comprehensive drainage study of the Pine Forest Unit 6 Subdivision using funds provided by the Bastrop Economic Development Corporation in an amount exceeding \$10,000 in accordance to Section 505.158(b) of the Local Government Code.**

- 8D. Consider action to approve the vacation of the re-subdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1 as recorded May 31, 1994 in Cabinet 2, Page 379-A in the Bastrop County, Texas plat records. The lot to be vacated is 0.516 acres within the city limits of Bastrop, Texas.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9A. Hold public hearing and consider action to approve the first reading of Ordinance No. 2017-12 of the City Council of the City of Bastrop, Texas, continuing the curfew, for minors, as established in Ordinance 2008-26, and providing an effective date and move to include on the April 25, 2017 agenda for a second reading.

The presentation was given by Chief Steve Adcock.

A motion was made by Council Member Schiff to approve the first reading of Ordinance No. 2017-12, seconded by Council Member Peterson, motion was approved on a 4-0 vote. Mayor Kesselus was absent.

- 9B. Consider action to approve Resolution No. R-2017-16 of the City Council of the City of Bastrop, TX authorizing the City Manager to execute agreements allowing certain improvements within the public right-of-way.

The presentation was given by Planning and Engineering Director Wesley

Resolution No. R-2017-16 was approved on a motion by Council Member Schiff, seconded by Council Member Peterson. The motion was approved on a 4-0 vote. Mayor Kesselus was absent.

- 9C. Consider action to approve the first reading of Ordinance 2017-11 by the City of Bastrop, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., South Texas Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Alliance of Centerpoint Municipalities;" determining that the meeting at which the ordinance was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and providing for an effective date; and move to include on the April 25, 2017 agenda for a second reading.

The presentation was given by City Manager Lynda Humble.

A motion was made by Council Member Schiff to approve the first reading of Ordinance No. 2017-11, seconded by Council Member McAnally. The motion was approved on a 4-0 vote. Mayor Kesselus was absent.

EXECUTIVE SESSION

The City Council met at 7:19 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding City of Bastrop vs. Vandiver and Hoover claims.

- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Pine Forest 6, et al vs. City of Bastrop, et al.
This item was withdrawn.
- 10C. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding the appeal of property owners involved in water permit litigation (known as McCall Ranch).
- 10D. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Paul Burt v. City of Bastrop regarding alleged Open Meeting Act violation.
This item was withdrawn.

The Bastrop City Council reconvened at 8:00 p.m. into open (public) session.

- 11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.**
No Action was taken.

12. ADJOURNMENT

Council Member Schiff made the motion to adjourn the meeting at 9:08 p.m., seconded by Council Member Jones. The motion was approved on a 4-0 vote. Mayor Kesselus was absent.

APPROVED:

ATTEST:

Mayor Ken Kesselus

City Secretary Ann Franklin

Minutes were approved on (Mon/Date/Year) by Council Member motion, Council Member second. The motion was approved on a vote.



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8B

TITLE:

Consider action to approve the second reading of Ordinance 2017-11 by the City of Bastrop, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., South Texas Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Alliance of Centerpoint Municipalities;" determining that the meeting at which the ordinance was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and providing for an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

BACKGROUND/HISTORY:

The City is a member of the Alliance of CenterPoint Municipalities (ACM). The ACM group was organized by a number of municipalities served by CenterPoint Energy Resources Corp., South Texas Division ("CenterPoint") and has been represented by the law firm of Herrera & Boyle, PLLC (through Mr. Alfred R. Herrera) to assist in reviewing applications to change rates submitted by CenterPoint.

POLICY EXPLANATION:

"GRIP" RATE APPLICATION

Under Section 104.301 of the Gas Utility Regulatory Act (GURA), a gas utility is allowed to request increases in its rates to recover a return on investments it makes between rate cases. This section of GURA is commonly referred to as the "GRIP" statute, that is, the "Gas Reliability Infrastructure Program."

Under a decision by the Supreme Court of Texas, the Court concluded that a filing made under the GRIP statute permitted gas utilities the opportunity to recover return on capital expenditures made during the interim period between rate cases by applying for interim rate adjustment and that proceedings under the GRIP statute did not contemplate either adjudicative hearings or substantive review of utilities' filings for interim rate adjustments. Instead, the Court concluded, the GRIP statute provides for a *ministerial* review of the utility's filings to ensure compliance with the GRIP statute and the Railroad Commission's rules, and that it is within the Railroad Commission's authority to preclude cities from intervening and obtaining a hearing before the Railroad Commission.

CENTERPOINT’S “GRIP” APPLICATION

On or about March 30, 2017 CenterPoint Energy Resources Corp., South Texas Division (“CenterPoint”) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (‘GRIP”). CenterPoint’s application if approved by the Commission will result in an increase in the monthly customer charges as shown below:

Rate Schedules	Current Customer Charge	2017 “GRIP” Adjustment	Adjusted Charge	Percentage Increase in Cust. Charge
R-2085-GRIP 2017 - Residential	\$21.20 per customer per month	\$2.04 per customer per month	\$23.24 per customer per month	10%
GSS-2085-GRIP 2017 - General Service Small	\$34.74 per customer per month	\$4.13 per customer per month	\$38.87 per customer per month	12%
GSLV-616-GRIP 2017 - General Service Large Volume	\$188.15 per customer per month	\$25.06 per customer per month	\$213.21 per customer per month	13%

In light of the Texas Supreme Court’s opinion, the City’s ability to review and effectuate a change in CenterPoint’s requested increase is limited. Nonetheless, to allow for a limited review of CenterPoint’s GRIP application, it is recommended that the City suspend CenterPoint’s proposed effective date of May 29, 2017 for forty-five days, so that the City may evaluate whether the data and calculations in CenterPoint’s rate application are correctly done.

Therefore, ACM’s Special Counsel, the law firm of Herrera & Boyle, PLLC (through Alfred R. Herrera) recommends that the City adopt an ordinance suspending CenterPoint’s proposed effective date for 45 days. Assuming a proposed effective date of May 29, 2017 CenterPoint’s proposed effective date is suspended until July 13, 2017.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the second reading of Ordinance 2017-11 by the City of Bastrop, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., South Texas Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the City to continue to participate in a coalition of cities known as the "Alliance of Centerpoint Municipalities;" determining that the meeting at which the ordinance was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and providing for an effective date.

ATTACHMENT:

- Ordinance

ORDINANCE 2017-11

AN ORDINANCE BY THE CITY OF BASTROP, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF CENTERPOINT ENERGY RESOURCES CORP., SOUTH TEXAS DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ALLIANCE OF CENTERPOINT MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about March 30, 2017 CenterPoint Energy Resources Corp., South Texas Division ("CenterPoint") filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ("GRIP"), which if approved, results in an increase in the monthly customer charges as follows;

Rate Schedules	Current Customer Charge	2014 "GRIP" Adjustment	Adjusted Charge	Percentage Increase in Cust. Charge
R-2085-GRIP 2017 - Residential	\$21.20 per customer per month	\$2.04 per customer per month	\$23.24 per customer per month	10%
GSS-2085-GRIP 2017 - General Service Small	\$34.74 per customer per month	\$4.13 per customer per month	\$38.87 per customer per month	12%
GSLV-616-GRIP 2017 - General Service Large Volume	\$188.15 per customer per month	\$25.06 per customer per month	\$213.21 per customer per month	13%

and

WHEREAS, the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS, the application to increase rates by CenterPoint is complex; and

WHEREAS, it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in CenterPoint's rate application are correctly done and are in conformity with section 104.301 of the Gas Utility Regulatory Act; and

WHEREAS, the effective date proposed by CenterPoint is May 29, 2017 but a suspension by the City will mean that the rate increase cannot go into effect prior to July 13, 2017.

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

Section 1. That the statements and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by CenterPoint for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

Section 3. The City shall continue to act jointly with other cities that are part of a coalition of cities known as the Alliance of CenterPoint Municipalities ("ACM").

Section 4. The City authorizes the law firm of Herrera & Boyle, PLLC, to act on its behalf in connection with CenterPoint's application to increase rates.

Section 5. To the extent CenterPoint's application to increase rates under section 104.301 of the Gas Utility Regulatory Act (GURA) is considered a ratemaking proceeding, CenterPoint is ordered to reimburse the City's reasonable rate case expenses incurred in response to CenterPoint's rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. A copy of this ordinance shall be sent to Mr. Thomas D. Stevens, Director of Regulatory Affairs, CenterPoint Energy, P.O. Box 2628, Houston, Texas 77252=2628; and to Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Ave., Suite 1250, Austin, Texas 78701.

Section 7. The meeting at which this ordinance was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 8. This ordinance shall take effect immediately after its final passage and publication in accordance with existing statutory requirements.

READ and APPROVED on First Reading on the 11th day of April, 2017.

READ and ADOPTED on Second Reading on the 25th day of April, 2017.

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8C

TITLE:

Consider action to approve Resolution R-2017-18 by the City Council of the City of Bastrop, Texas authorizing the City Manager and consultants to proceed with the establishment of a nonprofit corporation to facilitate the City's destination and marketing functions; preparing any required documents and agreements necessary to effectuate the corporation's organization; and those matters necessary or incidental in connection therewith.

STAFF REPRESENTATIVE:

Sarah O'Brien, Main Street Director
Dale Lockett, Interim DMO Director

BACKGROUND/HISTORY:

Interim DMO Director Dale Lockett has been in contact with Norton, Rose, Fullbright US LLP, a law firm based in San Antonio, Texas, who recently assisted the San Antonio Destination Marketing Organization's transition from a City Department to a separate entity. A letter of engagement has been signed by DMO Start Up Board Chair, Anne Smarzik to retain their services to assist in the incorporation of the Bastrop Texas Destination Marketing Organization, otherwise known as Visit Bastrop as previously approved by the City Council. The letter of engagement was reviewed by City Attorney David Bragg and City Manager Lynda Humble. The resolution presented tonight allows Norton, Rose, Fullbright US LLP, and the DMO Start Up Board to effectuate the corporation's organization.

POLICY EXPLANATION:

At the February 14th City Council meeting, Council Member Jones made a motion to allow the DMO Start Up Board to hire a tax attorney familiar with non-profit corporations and 501 c(6) not for profit associations in order for the board to get the information needed to move forward. The motion was seconded by Council Member Schiff. The motion was approved on a 5-0 vote.

FUNDING SOURCE:

Hotel Occupancy Tax Fund
Not to exceed \$20,000

RECOMMENDATION:

Consider action to approve Resolution R-2017-18 by the City Council of the City of Bastrop, Texas authorizing the City Manager and consultants to proceed with the establishment of a nonprofit corporation to facilitate the City's destination and marketing functions; preparing any required documents and agreements necessary to effectuate the corporation's organization; and those matters necessary or incidental in connection therewith.

ATTACHMENTS:

- Agenda Letter
- Resolution
- Statement & IRS Form



April 10, 2017

Via E-Mail

Norton Rose Fulbright US LLP
300 Convent Street, Suite 2100
San Antonio, Texas 78205-3792
United States

Mr. Dale Lockett
Interim Director
Bastrop, Texas Destination and
Marketing Organization
1311 Chestnut Street
Bastrop, Texas 78602

Lauren Ferrero
Associate
Direct line +1 210 270 7118
lauren.ferrero@nortonrosefulbright.com

Tel +1 210 224 5575
Fax +1 210 270 7205
nortonrosefulbright.com

Re: Bastrop, Texas Destination and Marketing Organization – Moving Forward Resolution

Dear Dale:

I also enclose as Exhibit A to this letter the agenda item to be utilized in preparing the agenda for the April 25, 2017 regular meeting of the City Council. Thank you for coordinating with City officials to ensure that this agenda item is posted in accordance with the provisions of the Texas Open Meetings Act. I also enclose as Exhibit B the suggested motion for this item.

I also enclose a draft copy of the Moving Forward Resolution for inclusion in the City Council's agenda packets. Please send any comments to this Resolution to me as soon as possible so that it may be finalized.

Lastly, I enclose Exhibit A and Exhibit B in Word format for your convenience.

Thank you, in advance, for your prompt attention to this matter. If I can provide any additional assistance concerning this matter, please do not hesitate to contact me.

Very truly yours,



Lauren Ferrero

LF

Enclosures

cc: Ms. Anne Smarzik (Bastrop, Texas Destination and Marketing Organization)
Ms. Sarah O'Brien (Bastrop, Texas Destination and Marketing Organization)
Mr. W. Jeffrey Kuhn (Firm)
Mr. Clay Binford (Firm)
Ms. Stephanie V. Leibe (Firm)
Mr. Arnold Cantu III (Firm)
Mr. Matthew A. Lee (Firm)
Mr. Clay Chrisman (Firm)

RESOLUTION NO. R-2017-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING CITY STAFF AND CONSULTANTS TO PROCEED WITH THE ESTABLISHMENT OF A NONPROFIT CORPORATION TO FACILITATE THE CITY'S DESTINATION AND MARKETING FUNCTIONS; PREPARING ANY REQUIRED DOCUMENTS AND AGREEMENTS NECESSARY TO EFFECTUATE THE CORPORATION'S ORGANIZATION; AND THOSE MATTERS NECESSARY OR INCIDENTAL IN CONNECTION THEREWITH

WHEREAS, the City of Bastrop, Texas (the City) previously examined and determined the City should pursue avenues to effectuate the establishment of an independent destination and marketing organization to further prospective business and economic development initiatives within the City;

WHEREAS, City officials proceeded with accomplishment of the foregoing through creation of a nonprofit corporation (the Corporation) pursuant to Chapter 22, Texas Business and Organizations Code, as amended, and will prospectively apply and receive designation thereof as an exempt organization under section 501(c)(6) of the Internal Revenue Code, and the negotiation of various agreements and processes with interested parties, including the Corporation's advisory board (the DMO Start Up Board), is necessary, desirable, and appropriate to accomplish these objectives; and

WHEREAS, the Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

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

Section 1: City staff and consultants, including Norton Rose Fulbright US LLP (engaged as special counsel to assist the City in this matter) and other consultants determined from time to time by City staff to be necessary or desirable, are authorized to commence and take actions necessary or incidental to accomplish the matters herein described. In connection with the foregoing, appropriate City staff (including the City Manager, City Secretary, the Interim Director of the Corporation, a DMO Start Up Board member, or the designee of any of the foregoing) are authorized to execute and deliver such certificates and instruments, upon the conditions therein described, as deemed necessary or appropriate to facilitate the matters and objectives herein described.

Section 2: All action not inconsistent with provisions of this Resolution heretofore taken by City staff are ratified, approved, and confirmed, and City staff and consultants are authorized to take any and all action necessary to carry out and consummate the actions described herein.

Section 3: Representatives of Norton Rose Fulbright US LLP are hereby authorized to prepare and file the required organizational and ancillary documents, including but not limited to: hotel occupancy tax agreement between the Corporation and the City, State franchise tax exemption and State sales and use tax exemption applications, assumption of the role of third-party designee to obtain an Internal Revenue Service (the Service) employer identification number (attached hereto as Exhibit A), and a Service application to gain federal tax exemption status, with the Texas Comptroller of Public Accounts and the Service, as appropriate, to effectuate the proposed Corporation.

Section 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 5: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 6: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 8: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 9: This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

READ and ADOPTED on the 25th day of April 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney

EXHIBIT A

CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING CITY STAFF AND CONSULTANTS TO PROCEED WITH THE ESTABLISHMENT OF A NONPROFIT CORPORATION TO FACILITATE THE CITY'S DESTINATION AND MARKETING FUNCTIONS; PREPARING ANY REQUIRED DOCUMENTS AND AGREEMENTS NECESSARY TO EFFECTUATE THE CORPORATION'S ORGANIZATION; AND THOSE MATTERS NECESSARY OR INCIDENTAL IN CONNECTION THEREWITH

EXHIBIT A

**CERTIFICATE AUTHORIZING
THIRD PARTY DESIGNEE
TO OBTAIN
IRS EMPLOYER IDENTIFICATION NUMBER**

I, Ann Franklin, the City Secretary, signing on behalf of the City of Bastrop, Texas (the *City*) in order to effectuate the creation of a corporation for privatization of the City's Destination Marketing Organization (the *Corporation*), do hereby certify as follows:

1. On behalf of the Corporation, I have provided information to be submitted online or through fax of IRS Form SS-4 Application for Employer Identification Number (a signed and completed Form SS-4 is attached hereto).

2. I agree and understand that I am authorizing Lauren Ferrero as third party designee to apply for and receive the Employer Identification Number on behalf of the Corporation as well as answer questions about the completion of the form.

IN WITNESS WHEREOF, I have hereunto signed my name this 25th day of April, 2017.

City Secretary

EXHIBIT B

A MOTION BY COUNCILMEMBER _____ AND SECONDED BY
COUNCILMEMBER _____ THAT THE CITY COUNCIL ADOPT A
RESOLUTION AUTHORIZING CITY STAFF AND CONSULTANTS TO
PROCEED WITH THE ESTABLISHMENT OF A NONPROFIT CORPORATION
TO FACILITATE THE CITY'S DESTINATION AND MARKETING FUNCTIONS

Application for Employer Identification Number

(For use by employers, corporations, partnerships, trusts, estates, churches, government agencies, Indian tribal entities, certain individuals, and others.)

OMB No. 1545-0003

EIN

▶ See separate instructions for each line. ▶ Keep a copy for your records.

Type or print clearly.	1 Legal name of entity (or individual) for whom the EIN is being requested				
	2 Trade name of business (if different from name on line 1)	3 Executor, administrator, trustee, "care of" name			
	4a Mailing address (room, apt., suite no. and street, or P.O. box)	5a Street address (if different) (Do not enter a P.O. box.)			
	4b City, state, and ZIP code (if foreign, see instructions)	5b City, state, and ZIP code (if foreign, see instructions)			
	6 County and state where principal business is located				
	7a Name of responsible party	7b SSN, ITIN, or EIN			
8a Is this application for a limited liability company (LLC) (or a foreign equivalent)? <input type="checkbox"/> Yes <input type="checkbox"/> No		8b If 8a is "Yes," enter the number of LLC members ▶			
8c If 8a is "Yes," was the LLC organized in the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No					
9a Type of entity (check only one box). Caution. If 8a is "Yes," see the instructions for the correct box to check.					
<input type="checkbox"/> Sole proprietor (SSN) _____ <input type="checkbox"/> Estate (SSN of decedent) _____ <input type="checkbox"/> Partnership _____ <input type="checkbox"/> Plan administrator (TIN) _____ <input type="checkbox"/> Corporation (enter form number to be filed) ▶ _____ <input type="checkbox"/> Trust (TIN of grantor) _____ <input type="checkbox"/> Personal service corporation _____ <input type="checkbox"/> National Guard <input type="checkbox"/> State/local government _____ <input type="checkbox"/> Church or church-controlled organization _____ <input type="checkbox"/> Farmers' cooperative <input type="checkbox"/> Federal government/military _____ <input type="checkbox"/> Other nonprofit organization (specify) ▶ _____ <input type="checkbox"/> REMIC <input type="checkbox"/> Indian tribal governments/enterprises _____ <input type="checkbox"/> Other (specify) ▶ _____ Group Exemption Number (GEN) if any ▶ _____					
9b If a corporation, name the state or foreign country (if applicable) where incorporated	State	Foreign country			
10 Reason for applying (check only one box)					
<input type="checkbox"/> Started new business (specify type) ▶ _____ <input type="checkbox"/> Banking purpose (specify purpose) ▶ _____ <input type="checkbox"/> Hired employees (Check the box and see line 13.) <input type="checkbox"/> Changed type of organization (specify new type) ▶ _____ <input type="checkbox"/> Compliance with IRS withholding regulations <input type="checkbox"/> Purchased going business _____ <input type="checkbox"/> Other (specify) ▶ _____ <input type="checkbox"/> Created a trust (specify type) ▶ _____ <input type="checkbox"/> _____ <input type="checkbox"/> Created a pension plan (specify type) ▶ _____					
11 Date business started or acquired (month, day, year). See instructions.	12 Closing month of accounting year				
13 Highest number of employees expected in the next 12 months (enter -0- if none). If no employees expected, skip line 14.	14 If you expect your employment tax liability to be \$1,000 or less in a full calendar year and want to file Form 944 annually instead of Forms 941 quarterly, check here. (Your employment tax liability generally will be \$1,000 or less if you expect to pay \$4,000 or less in total wages.) If you do not check this box, you must file Form 941 for every quarter. <input type="checkbox"/>				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; text-align:center;">Agricultural</td> <td style="width:33%; text-align:center;">Household</td> <td style="width:33%; text-align:center;">Other</td> </tr> </table>	Agricultural	Household	Other		
Agricultural	Household	Other			
15 First date wages or annuities were paid (month, day, year). Note. If applicant is a withholding agent, enter date income will first be paid to nonresident alien (month, day, year) ▶					
16 Check one box that best describes the principal activity of your business.					
<input type="checkbox"/> Construction <input type="checkbox"/> Rental & leasing <input type="checkbox"/> Transportation & warehousing <input type="checkbox"/> Health care & social assistance <input type="checkbox"/> Wholesale-agent/broker <input type="checkbox"/> Real estate <input type="checkbox"/> Manufacturing <input type="checkbox"/> Finance & insurance <input type="checkbox"/> Accommodation & food service <input type="checkbox"/> Wholesale-other <input type="checkbox"/> Retail <input type="checkbox"/> _____ <input type="checkbox"/> Other (specify) ▶ _____					
17 Indicate principal line of merchandise sold, specific construction work done, products produced, or services provided.					
18 Has the applicant entity shown on line 1 ever applied for and received an EIN? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If "Yes," write previous EIN here ▶					
Third Party Designee	Complete this section only if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of this form.				
	Designee's name	Designee's telephone number (include area code)			
	Address and ZIP code	Designee's fax number (include area code)			
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.		Applicant's telephone number (include area code)			
Name and title (type or print clearly) ▶		Applicant's fax number (include area code)			
Signature ▶		Date ▶			



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8D

TITLE:

Consider action to approve the Budget Planning Calendar for Fiscal Year 2017-2018

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

Annually, staff provides Council with a calendar outlining the important dates for the upcoming fiscal year's budget process.

POLICY EXPLANATION:

Texas Tax Code

- Chapter 26 Section 26.01 (a) By July 25, the chief appraiser shall prepare and certify to the assessor for each taxing unit participating in the district that part of the tax roll for the district that lists the property taxable by the unit.
- Section 26.05 (d) the governing body of a taxing unit may not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective rate calculated as provided by this chapter until the governing body has held two public hearings on the proposed tax rate.
- Section 26.06 (e) The meeting to vote on the tax increase may not be earlier than the third day or later than the 14th day after the date of the second public hearing.

Texas Local Government Code Chapter 102 Municipal Budget

- 102.0065 (c) Notice under this section shall be published not earlier than the 30th or later than the 10th day before the date of the budget hearing.

Texas Local Government Code Chapter 140.010 Proposed Tax Rate notice for Counties and Municipalities

- 140.010 (f) (1) provide the notice required by Subsection (d) or (e), as applicable, not later than the later of September 1 or the 30th day after the date that the taxing unit has received each applicable certified appraisal roll.

City Charter

- Section 6.02 The City Manager, at least thirty (30) days prior to the commencement of the fiscal year, shall prepare and submit a budget to the Council.
- Section 6.04 At the Council meeting at which time the budget is submitted, the Council shall, in conformance with the requirement of state law, name the date, time and place of a public hearing and shall cause to be published the date, time and place thereof.

RECOMMENDATION:

Consider action to approve the Budget Planning Calendar for Fiscal Year 2017-2018

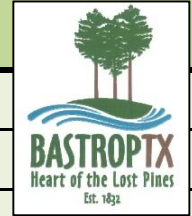
ATTACHMENTS:

- Budget Planning Calendar FY 17-18



City of Bastrop

FY 2017-18 Budget Planning Calendar



May 1	Receive notices of appraised value from Chief Appraiser. (preliminary)
May 15	Budgets due from Departments
May 19	Budget book to City Manager
June 5-9	City Manager and Directors - Management Team Open Discussion on Budgeted Priorities and Plans
June 20	Council Workshop - Discussion on Budget Priorities
July 18	Council Workshop - Discussion on Budget Priorities (if needed)
July 25	Deadline for chief appraiser to certify rolls to taxing units (this date could change to July 10th with S.B. 2)
July 25-27	Preparation of effective and rollback tax rates
Aug. 1	Meeting of governing body to discuss tax rate; if proposed tax rate will exceed the rollback rate or the effective tax rate (whichever is lower), take record vote and schedule public hearing.
Aug. 8	Council Meeting - Distribute Budget to Council in Work Session and highlight major topics Set date, time and place of a public hearing (considered filed with the City Secretary)
Aug. 12	<i>Notice of proposed Tax Rate (must be posted 10 days prior to Public Hearing)</i>
Aug. 22	Council Meeting - First Public hearing on Tax Rate
Aug. 16	Council Workshop - Review the Proposed Budget (General Fund)
Aug. 17	Council Workshop - Review the Proposed Budget (W, WW, BP&L, Hotel Occupancy Tax, etc.)
Aug. 18	Last day for proposed budget to be filed with City Secretary LGC 102.005 Before the 30th day before tax rate adopted. Adoption Date is 9/19/2017. Also City Charter requirement.
Sept. 2	<i>Published Notice of Budget Hearing (must be posted 10 days prior to Public Hearing)</i>
Sept. 12	Council Meeting - Second public hearing on Tax Rate; First Reading of Tax Rate Ordinance
Sept. 12	Council Meeting - Budget Hearing; First Reading Budget Ordinance
Sept. 26	Council Meeting to adopt tax rate and budget. Must adopt budget before tax rate. City Council must take a separate ratification vote to adopt any budget that will raise total property tax revenue.



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8E

TITLE:

Consider action to approve the second reading of Ordinance No. 2017-12 of the City Council of the City of Bastrop, Texas, continuing the curfew, for minors, as established in Ordinance 2008-26, and providing an effective date.

STAFF REPRESENTATIVE:

Steve Adcock, Director of Public Safety

BACKGROUND/HISTORY:

Section 8.03.036 of the City of Bastrop Ordinance requires periodic review of the curfew ordinance every three years. The review must be in a public hearing on the need to continue, abolish or modify the ordinance. It should also include the curfew's effects on the community and on the problems this ordinance was intended to remedy. At the conclusion of the public hearing the Council will vote to continue, modify or abolish the curfew ordinance.

POLICY EXPLANATION:

As discussed above, this ordinance is to continue the curfew ordinance in affect for the City of Bastrop for the public safety, health and welfare of all citizens.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2017-12 of the City Council of the City of Bastrop, Texas, continuing the curfew, for minors, as established in Ordinance 2008-26, and providing an effective date.

ATTACHMENTS:

- Ordinance 2017-12
- Article 8.03 of the Code of Ordinance

ORDINANCE NO. R-2017-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CONTINUING THE CURFEW, FOR MINORS, AS ESTABLISHED IN ORDINANCE 2008-26, 6-24-08, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 8.03.36 of the City's Code of Ordinances requires that the City Council periodically conduct public hearings concerning the efficacy of its regulations related to a curfew for minors in the City of Bastrop, and following the hearing to determine whether, in the judgement of the Council, it is in the best interest of the public safety, health and welfare to either continue, modify or abolish the curfew regulations set out in the City Code.

WHEREAS, at a regularly scheduled meeting of the City Council, held on April 11, 2017, the Council conducted a public hearing and, at the conclusion of the hearing, after considering all information provided and testimony given, the Council found that it is in the best interest of the health, safety and welfare of the citizens of the City, to continue the City's regulations related to a curfew for minors in the City of Bastrop, Texas.

WHEREAS, the City of Bastrop Council finds that adaption of this juvenile curfew ordinance is in the best interest of the City of Bastrop and that this ordinance will promote and provide for the health, safety and welfare of the City.

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

SECTION 1. The public hearing on the date noted above constituted the periodic review of this City regulation, pursuant to City Ordinance, Section 8.03.036 and this Ordinance reflect the Council's decision to continue application and enforcement of the curfew regulations in the City of Bastrop, Texas.

SECTION 2. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect. If any provision of this ordinance or application thereof to any person or circumstances 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. 3. The City Manager and City Secretary are hereby authorized and directed to make the necessary changes to all records of the City of Bastrop to reflect this amendment.

SECTION 4. This ordinance shall take effect immediately from and after its passage, and it is duly resolved.

READ and APPROVED on First Reading on the 11th day of April, 2017.

READ and ADOPTED on Second Reading on the 25th day of April, 2017.

CITY OF BASTROP, TEXAS

APPROVED:

Ken W. Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney

ARTICLE 8.03 - MINORS

DIVISION 1. - GENERALLY

Secs. 8.03.001—8.03.030 - Reserved.

DIVISION 2. - CURFEW⁽¹⁾

Sec. 8.03.031 - Definitions.

In this division:

Curfew hours.

- (1) 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday, until one-half hour before sunrise of the following day; and
- (2) 12:01 a.m. until one-half hour before sunrise on any Friday or Saturday; and
- (3) During school hours on any Monday, Tuesday, Wednesday, Thursday, or Friday when Bastrop Independent School District public schools are in session.

Custodian. A person over the age of 21 who is authorized or designated by a parent, guardian, or court of competent jurisdiction to supervise and control a minor.

Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment. Any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian.

- (1) A person who, under court order, is the guardian of the person of a minor; or
- (2) A public or private agency with whom a minor has been placed by a court.

Minor. Any person:

- (1) Ten years of age or older and under 17 years of age; or
- (2) 17 years of age or older and under 18 years of age.

Operator. Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent. A person who is a natural parent, adoptive parent, or stepparent of the minor (excluding any person whose parental rights have been terminated in accordance with the Texas Family Code).

Public place. Any place in which the public or a substantial group of the public has access, but excluding areas where access is controlled by property owners and/or management by use of signs, policy or personnel. Public places may include but are not limited to, streets, highways, common areas beyond the exterior walls of school buildings, hospitals, apartment houses, office buildings, transport facilities, shops, and shopping centers.

Remain. To:

- (1) Linger or stay; or

- (2) Fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

Serious bodily injury. Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(1995 Code, § 7.201; Ord. No. 2008-26, 6-24-08)

Sec. 8.03.032 - Offenses.

- (a) A minor commits an offense if he knowingly remains, walks, runs, stands, drives, rides, or otherwise is present in, on or upon any public place, or any private place other than his place of residence, or on the premises of any establishment within the city during curfew hours.
- (b) A parent, guardian, or custodian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain, walk, run, stand, drive, ride, or otherwise be present in, on, or upon any public place or on the premises of any establishment within the city during curfew hours.
- (c) The owner, operator, or any other person in control of a public place or establishment commits an offense if he or she knowingly allows or permits a minor to remain upon the premises of the public place or establishment during curfew hours.

(1995 Code, § 7.202)

Sec. 8.03.033 - Defenses.

- (a) It is a defense to prosecution under section 8.03.032 that the minor was:
 - (1) Accompanied by the minor's parent, guardian, or spouse, or custodian;
 - (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (3) In a motor vehicle involved in interstate travel with the consent of the minor's parent, guardian, or custodian;
 - (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
 - (5) Involved in an emergency;
 - (6) On private property at which the minor resides or is present with consent of the parent, guardian, custodian, or spouse;
 - (7) Attending an official school, religious, or other recreational activity supervised by a person over the age of 21 and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by a person over the age of 21 and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
 - (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
 - (9) A minor who has had disabilities of minority removed in accordance with V.T.C.A. Family Code, ch. 31.
- (b) It is a defense to prosecution under section 8.03.032(c) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

- (c) With respect to the school hours curfew only (see section 8.03.031, definition of "curfew hours," subsection (3)), it is a defense that the school which the minor attends was not in session, that the minor is a high school graduate or has equivalent certification, that the minor is on an excused absence from his or her place of schooling, or that the minor is participating in a work-study program which requires the minor to be off campus during school hours.

(1995 Code, § 7.203)

Sec. 8.03.034 - Enforcement procedures.

All enforcement procedures adopted by the police department shall be in compliance with the provisions of the Texas Family Code.

(1995 Code, § 7.204)

Sec. 8.03.035 - Penalties.

- (a) Any minor violating this division shall be guilty of a class C misdemeanor.
- (b) Any other person violating this division shall be guilty of a class C misdemeanor, which shall be punishable by a fine of not less than \$50 nor more than \$500.
- (c) When required by V.T.C.A. Family Code, § 51.08, as amended, the municipal court shall waive original jurisdiction over a minor who violates section 8.03.032 of this division and shall refer the minor to juvenile court.

(1995 Code, § 7.205)

Sec. 8.03.036 - Periodic review of regulations.

Before the third anniversary of the date of the adoption of this division (October 24, 1995), and on every third year thereafter, the City Council shall:

- (1) Review this division's effects on the community and on the problems this division was intended to remedy;
- (2) Conduct public hearings on the need to continue this division; and
- (3) Abolish, continue, or modify this division.

(1995 Code, § 7.206)

Secs. 8.03.037—8.03.060 - Reserved.



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8F

TITLE:

Consider action to approve Resolution No. R-2017-15 of the City Council of the City of Bastrop, Texas, requesting the members of the 85th Legislative Session of the State of Texas to support legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.

STAFF REPRESENTATIVE:

Trey Job, Director of Public Works

BACKGROUND/HISTORY:

The City has a great resource in its local parks and proximity to two Texas State Parks. The fair allocation of sales tax dollars will stabilize and increase funding for state parks and increase available grant funding for local municipalities.

Some examples of these improvements are:

- Bob Bryant park was funded through a Texas Parks and Wildlife grant;
- Walking trails can be funded through these types of grants; and
- The splash pad at Fisherman park was also partially funded with Texas Parks and Wildlife grant funds.

POLICY EXPLANATION:

This resolution, if approved, supports the healthy lifestyle of outdoor recreation and meets the 2015 Parks Master Plan Update goals and objectives to leverage funding to meet the requested amenities of our survey participants. It also increases funding for our State parks that are part of the overall destination theme for the City of Bastrop's future.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-15 of the City Council of the City of Bastrop, Texas, requesting the members of the 85th Legislative Session of the State of Texas to support legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2017-15

A RESOLUTION OF THE CITY OF BASTROP, CITY COUNCIL REQUESTING THE MEMBERS OF THE 85th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES A FAIR AND EQUITABLE DISTRIBUTION OF THE SPORTING GOODS SALES TAX REVENUE FOR LOCAL AND STATE PARKS.

WHEREAS, the Texas Parks & Wildlife Department (“TPWD”) administers the Texas Recreation & Parks Account Local Park Grant Program (“TRPA”) and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 95 State parks, natural areas and historical sites in Texas; and

WHEREAS, TPWD has separate accounts in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

WHEREAS, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

WHEREAS, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1,668 projects of the 3,525 submitted over 30 years delivering over \$800 million to the local Texas economy; and

WHEREAS, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

WHEREAS, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

WHEREAS, the TRPA, Urban Account, and State parks are partially funded from federal dollars used for parks, recreation, open space, trails, and tourism from the United States Department of the Interior Land and Water Conservation Fund (LWCF), the Sport Fish Restoration Boat Access program and the United States Department of Transportation Recreation Trails; and

WHEREAS, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State’s expanding population and extensive tourism industry; and

WHEREAS, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

WHEREAS, funds are needed for major repairs at Local and State parks and for the acquisition and development of parks and facilities; and

WHEREAS, it is the desire of this City Council (County Commission, Limited District Board or Parks and Recreation Commission, etc.) that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 85th Texas Legislature.

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

Section 1: That members of the 85th Legislature of Texas seek support of legislation that provides a fair and equitable distribution of the sporting goods sales tax revenue for Local and State parks and that all funding for TRPA and Urban Account projects be subject to the established TPWD competitive scoring system.

READ and ADOPTED on the 25th day of April 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8G

TITLE:

Consider action to approve Resolution No. R-2017-17 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to execute an application for \$5,800,000 to the Texas Water Development Board for low interest funding available through the State Water Implementation Fund for Texas.

STAFF REPRESENTATIVE:

Trey Job, Director of Public Works

BACKGROUND/HISTORY:

The City of Bastrop has been invited by the Texas Water Development Board to apply for low interest funding in the amount \$5,800,000 for the projects we submitted in the State Water Plan. The State Water Plan included financial assistance for projects, which was passed by the Legislature and approved by Texas voters through a constitutional amendment. The State Water Implementation Fund for Texas (SWIFT) program helps communities develop and optimize water supplies at cost-effective rates. The program provides low-interest loans, extended repayment terms, deferral of loan repayments, and incremental repurchase terms for projects with state ownership aspects.

Some examples of these improvements are:

- A 1,500 gallon per Minute production well;
- The transmission main that will deliver water to the City of Bastrop customers; and
- Ancillary elements of the water plant such as filtration or master meter piping.

POLICY EXPLANATION:

This resolution, if approved, supports the continued implementation of the City of Bastrop's fifty-year water supply goal.

FUNDING SOURCE:

The funding source to repay the low interest loan from the Texas Water Development Board will be supplied by current water rates, and Water-Waste Water Department fund balance.

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-17 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to execute an application for \$5,800,000 to the Texas Water Development Board for low interest funding available through the State Water Implementation Fund for Texas.

ATTACHMENTS:

- Resolution
- SWIFT 2017 abridged applications- Prioritization sheet.
- Texas Water Development Board estimated tax exempt interest rate sheet.



RESOLUTION NO. R-2017-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TX AUTHORIZING THE CITY MANAGER TO EXECUTE AN APPLICATION FOR \$5,800,000 TO THE TEXAS WATER DEVELOPMENT BOARD FOR LOW INTEREST FUNDING AVAILABLE THROUGH THE STATE WATER IMPLEMENTATION FUND FOR TEXAS.

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 City in exercise of its governmental functions, has decided to develop a long-term water supply to ensure the safety, health, and welfare of its residents by developing a water supply that will allow safe growth; and

WHEREAS, funds are available from the state of Texas through the Texas Water Development Board as part of the State Water Plan; and

WHEREAS, the City of Bastrop endeavors to be fiscally responsible, and desires to keep rates as low as practical.

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 an application for a low interest loan to the Texas Water Development Board.

Section 2: That the City Manager is hereby authorized to execute the ancillary obligatory documents to fund the essential water improvements to supply the city of Bastrop with an adequate water supply.

Section 3: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

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

READ and ADOPTED on the 25th day of April 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney

Texas Water Development Board

SWIFT/SWIRFT Estimated Tax Exempt Interest Rates for Third Round Funding

		Tax Exempt Lending Rates as of 03/27/2017 *							
	TWDB Yield to Maturity	Board Participation <i>0% Subsidy</i> (YTM + COI)	Deferred <i>0% Subsidy</i> (YTM + COI)	Low-Interest 20-yr Loan <i>35.00% Subsidy</i> (YTM + COI)	Rural/Agricultural Low-Interest 20-yr Loan <i>50.00% Subsidy</i> (YTM + COI)	Low-Interest 25-yr Loan <i>25.00% Subsidy</i> (YTM + COI)	Rural/Agricultural Low-Interest 25-yr Loan <i>33.50% Subsidy</i> (YTM + COI)	Low-Interest 30-yr Loan <i>20.00% Subsidy</i> (YTM + COI)	Rural/Agricultural Low-Interest 30-yr Loan <i>26.15% Subsidy</i> (YTM + COI)
2018	0.97%	1.01%	1.01%	0.67%	0.53%	0.77%	0.69%	0.82%	0.76%
2019	1.18%	1.22%	1.22%	0.81%	0.63%	0.93%	0.82%	0.98%	0.91%
2020	1.37%	1.41%	1.41%	0.93%	0.73%	1.07%	0.95%	1.14%	1.05%
2021	1.57%	1.61%	1.61%	1.06%	0.83%	1.22%	1.08%	1.30%	1.20%
2022	1.79%	1.83%	1.83%	1.20%	0.94%	1.38%	1.23%	1.47%	1.36%
2023	1.98%	2.02%	2.02%	1.33%	1.03%	1.53%	1.36%	1.62%	1.50%
2024	2.14%	2.18%	2.18%	1.43%	1.11%	1.65%	1.46%	1.75%	1.62%
2025	2.28%	2.32%	2.32%	1.52%	1.18%	1.75%	1.56%	1.86%	1.72%
2026	2.41%	2.45%	2.45%	1.61%	1.25%	1.85%	1.64%	1.97%	1.82%
2027	2.50%	2.54%	2.54%	1.67%	1.29%	1.92%	1.70%	2.04%	1.89%
2028	2.78%	2.82%	2.82%	1.85%	1.43%	2.13%	1.89%	2.26%	2.09%
2029	3.03%	3.07%	3.07%	2.01%	1.56%	2.31%	2.05%	2.46%	2.28%
2030	3.20%	3.24%	3.24%	2.12%	1.64%	2.44%	2.17%	2.60%	2.40%
2031	3.36%	3.40%	3.40%	2.22%	1.72%	2.56%	2.27%	2.73%	2.52%
2032	3.49%	3.53%	3.53%	2.31%	1.79%	2.66%	2.36%	2.83%	2.62%
2033	3.61%	3.65%	3.65%	2.39%	1.85%	2.75%	2.44%	2.93%	2.71%
2034	3.70%	3.74%	3.74%	2.45%	1.89%	2.82%	2.50%	3.00%	2.77%
2035	3.78%	3.82%	3.82%	2.50%	1.93%	2.88%	2.55%	3.06%	2.83%
2036	3.85%	3.89%	3.89%	2.54%	1.97%	2.93%	2.60%	3.12%	2.88%
2037	3.90%	3.94%	3.94%	2.58%	1.99%	2.97%	2.63%	3.16%	2.92%
2038	3.94%	3.98%	3.98%	2.60%	2.01%	3.00%	2.66%	3.19%	2.95%
2039	3.98%	4.02%	4.02%	2.63%	2.03%	3.03%	2.69%	3.22%	2.98%
2040	4.01%	4.05%	4.05%			3.05%	2.71%	3.25%	3.00%
2041	4.03%	4.07%	4.07%			3.06%	2.72%	3.26%	3.02%
2042	4.06%	4.10%	4.10%			3.09%	2.74%	3.29%	3.04%
2043	4.09%	4.13%	4.13%			3.11%	2.76%	3.31%	3.06%
2044	4.11%	4.15%	4.15%			3.12%	2.77%	3.33%	3.08%
2045	4.13%	4.17%	4.17%				2.79%	3.34%	3.09%
2046	4.15%	4.19%	4.19%				2.80%	3.36%	3.10%
2047	4.17%	4.21%	4.21%				2.81%	3.38%	3.12%
2048	4.21%	4.25%							
2049	4.22%	4.26%							
2050	4.23%	4.27%							
2051	4.24%	4.28%							
2052	4.25%	4.29%							

Est. Delivery Date: 10/12/2017

* Lending rates are for illustrative purposes only. Rates are based on anticipated TWDB cost of funds reflecting a AAA bond rating. TWDB bonds are anticipated to include premium bonds and an estimated cost of issuance of .04%. Above rates reflect conversion of TWDB premium bonds to borrower par bonds and are based on level debt service.



State Water Implementation Fund for Texas
2017 Abridged Applications - Prioritization

Score	Entity Name	PIF #	Project Name	Eligible Amount	Low-Interest Loan	Deferred Loan	Board Participation	2017	2018	2019	2020	2021	2022	2023	2024	2025	Agriculture	Conservation	Reuse	Rural
87	North Harris Co Regional WA	12198	NHCRWA Distribution Expansion	\$ 73,000,000	\$ 73,000,000	\$ -	\$ -	\$ 3,150,000	\$ 6,900,000	\$ 62,950,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
85	North Texas MWD	12218	Treatment and Treated Water Distribution	\$ 461,232,600	\$ 461,232,600	\$ -	\$ -	\$ 56,493,860	\$ 404,738,740	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
79	North Texas MWD	12203	Lower Bois d'Arc Creek Reservoir	\$ 715,812,910	\$ 715,812,910	\$ -	\$ -	\$ 482,916,290	\$ 229,789,980	\$ 1,470,410	\$ 1,510,880	\$ 125,350	\$ -	\$ -	\$ -	\$ -				
78	Hays Caldwell Public Utility Agency	12192	Hays/Caldwell PUA Project	\$ 213,364,730	\$ 122,311,510	\$ 22,053,220	\$ 69,000,000	\$ 31,928,620	\$ -	\$ 85,880,000	\$ -	\$ 95,556,110	\$ -	\$ -	\$ -	\$ -				
78	West Harris Co Regional WA	12202	Northeast Water Purification Plant Expansion	\$ 50,000,000	\$ 50,000,000	\$ -	\$ -	\$ 50,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
77	Brushy Creek Regional UA	12191	Brushy Creek RUA Water Supply - Phase I	\$ 16,995,000	\$ 16,995,000	\$ -	\$ -	\$ 16,995,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
72	Corpus Christi	12193	Seawater Desalination and Variable Salinity Program	\$ 2,750,000	\$ -	\$ 2,750,000	\$ -	\$ 2,750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
72	Central Harris Co Regional WA	12214	Northeast Water Purification Plant Expansion	\$ 4,900,000	\$ 4,900,000	\$ -	\$ -	\$ 4,900,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
53	Bastrop	12206	Water Well and Transmission Line	\$ 5,800,000	\$ 5,800,000	\$ -	\$ -	\$ 5,800,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				X
30	Junction	12210	Dredge River Intake	\$ 4,000,000	\$ 4,000,000	\$ -	\$ -	\$ 400,000	\$ 400,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 500,000	\$ -	\$ -	\$ -				X
23	Justin	12199	Enhanced Water Loss Control and Conservation	\$ 12,000,000	\$ 12,000,000	\$ -	\$ -	\$ 2,400,000	\$ -	\$ 2,400,000	\$ -	\$ 2,400,000	\$ -	\$ 2,400,000	\$ -	\$ 2,400,000	X			X
22	Springtown	12204	Springtown New Wells in Trinity Aquifer	\$ 1,390,000	\$ 1,390,000	\$ -	\$ -	\$ 1,390,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				X
22	Azle	12196	Main Street Water Line Replacement	\$ 1,350,000	\$ 1,350,000	\$ -	\$ -	\$ 1,350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		X		
20	Booker	12197	Develop Ogallala Aquifer Supplies	\$ 1,269,314	\$ 1,269,314	\$ -	\$ -	\$ 1,269,314	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				X
15	Junction	12209	Develop Edwards - Trinity Plateau Aquifer Supplies	\$ 3,200,000	\$ 3,200,000	\$ -	\$ -	\$ 100,000	\$ 450,000	\$ 450,000	\$ 900,000	\$ 900,000	\$ 400,000	\$ -	\$ -	\$ -				X
14	Junction	12211	Water Audit and Leak Repairs	\$ 1,300,000	\$ 1,300,000	\$ -	\$ -	\$ 50,000	\$ 160,000	\$ 170,000	\$ 180,000	\$ 180,000	\$ 180,000	\$ 190,000	\$ 190,000	\$ -		X		X
Total				\$ 1,568,364,554	\$ 1,474,561,334	\$ 24,803,220	\$ 69,000,000	\$ 661,893,084	\$ 642,438,720	\$ 154,220,410	\$ 3,490,880	\$ 100,061,460	\$ 1,080,000	\$ 2,590,000	\$ 190,000	\$ 2,400,000	0	3	0	7

Existing Multi-Year Commitments	\$ 973,035,000	\$ 1,010,145,000	\$ 523,455,000	\$ 178,630,000	\$ 119,345,000	\$ 73,275,000	\$ 38,100,000	\$ 24,190,000	\$ 14,740,000
Net Requested Changes to Multi-Year Commitments	\$ 50,760,000	\$ (31,765,000)	\$ 6,855,000	\$ (13,550,000)	\$ (8,525,000)	\$ (3,775,000)	\$ -	\$ -	\$ -
Updated Multi-Year Commitments	\$ 1,023,795,000	\$ 978,380,000	\$ 530,310,000	\$ 165,080,000	\$ 110,820,000	\$ 69,500,000	\$ 38,100,000	\$ 24,190,000	\$ 14,740,000

Grand Total of All Proposed Commitments by Year **\$ 1,685,688,084** **\$ 1,620,818,720** **\$ 684,530,410** **\$ 168,570,880** **\$ 210,881,460** **\$ 70,580,000** **\$ 40,690,000** **\$ 24,380,000** **\$ 17,140,000**

* Tie scores are priority ranked according to the conservation scoring criteria.

The SWIFT program includes two funds, the State Water Implementation Fund for Texas (SWIFT) and the State Water Implementation Revenue Fund for Texas (SWIRFT). Revenue bonds for the program are issued through SWIRFT.



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8H

TITLE:

Consider action to approve Resolution No. R-2017-20 authorizing reimbursement of legal fees to Council Member Gary Schiff incurred in his defense against Ethics Complaint No. 2016-2; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-13.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
David Bragg, City Attorney

POLICY EXPLANATION:

Article 1.15.130 (a) of the Code of Ethics states that the City Attorney shall serve as legal counsel and staff liaison to the Ethics Commission. Article 1.15.130 (b) states that the City Attorney shall serve as ethics advisory, only, to city employees and city officials, and **shall not represent employees or city officials before the Ethics Commission and may not represent any person or party in any proceeding, as legal counsel, to the Ethics Commission.**

Therefore, when Council Member Kay McAnally filed an ethics complaint with the City of Bastrop Ethics Commission against Council Member Gary Schiff, Council Member Schiff hired personal legal counsel for representation during the proceedings of the Ethics Commission because the City Attorney is prohibited by ordinance from representing members of Council or Staff as noted above.

In addition, Section 3.07 of the City's charter says "Council Members may receive reimbursement for necessary expenses incurred in the performance of their duties of office, according to policies to be determined by the Council."

Ethics violations alleged against Councilmember Schiff were dismissed by the Ethics Commission on March 23, 2017. Councilmember Schiff incurred legal expenses, which were paid personally, to defend himself against these charges.

FUNDING SOURCE:

General Fund, Organization Department, Legal Fees

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-20 authorizing reimbursement of legal fees to Council Member Gary Schiff incurred in his defense against Ethics Complaint No. 2016-2; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-13.

RESOLUTION NO. R-2017-20

A RESOLUTION AUTHORIZING REIMBURSEMENT OF LEGAL FEES TO COUNCIL MEMBER GARY SCHIFF INCURRED IN HIS DEFENSE AGAINST ETHICS COMPLAINT NO. 2016-2; PROVIDING A PRECEDENCE FOR FUTURE REIMBURSEMENTS OF LEGAL FEES RELATED TO ETHICS COMPLAINTS OF COUNCIL MEMBERS OR STAFF WHERE THERE ARE NO VIOLATION(S) FOUND; AND REPEALING RESOLUTION R-2017-13.

WHEREAS, under Article 1.15.130 (a) of the Code of Ethics states that the City Attorney shall serve as legal counsel and staff liaison to the Ethics Commission; and

WHEREAS, when complaints related to the violations of this article are filed relating to the Mayor, City Councilmembers, City Manager, City Attorney, City Prosecutor, or Municipal Court Judge, independent legal counsel may be utilized to advise the Ethics Commission; and

WHEREAS, Article 1.15.130 (b) states that the City Attorney shall serve as ethics advisory, only, to city employees and city officials, and shall not represent employees or city officials before the Ethics Commission and may not represent any person or party in any proceeding, as legal counsel, to the Ethics Commission.

WHEREAS, Council Member Kay McAnally filed an ethics complaint with the City of Bastrop Ethics Commission against Council Member Gary Schiff, which complaint were assigned case numbers 2016-2 by the Commission; and

WHEREAS, Council Member Schiff hired personal legal counsel for representation during the proceedings of the Ethics Commission; and

WHEREAS, the Commission ruled that the conduct alleged in Complaint No. 2016-2 was not illegal conduct and that there was no violation of the Ethics Ordinance by Council Member Schiff and that the complaint was not brought in bad faith or for the purpose of harassment by Council Member McAnally; and

WHEREAS, the City Council finds that a very significant public interest is served by this resolution because without it, individuals who may desire to run for Mayor or the City Council or accept an appointment to any of the City's Boards and Commissions will be reluctant to consider such service because of the risk of having to pay for personal legal counsel to defend against ethics charges; and

WHEREAS, under Section 3.07 of the Bastrop City Charter, "[c]ouncil members may receive reimbursement for necessary expenses incurred in the performance of their duties of office;" and

WHEREAS, the Attorney General of Texas has ruled repeatedly that the legal expenses of city officials and council members may be reimbursed under the common law when there is no violation found against the city official or council member; and

WHEREAS, the City Council finds that Council Member Schiff has incurred legal fees defending against the ethics complaints in the amount of \$3,362.50 and that these fees are reasonable; and

WHEREAS, the City Council finds that the legal expenses incurred by Council Member Gary Schiff were necessary expenses incurred in the performance of his duties of office;

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

1. The City Manager is authorized to cause a reimbursement check to be issued, payable to Council Member Gary Schiff in the amount of \$3,362.50 for his necessary legal fees in defending against Ethics Complaint No 2.
2. Resolution 2017-13 is repealed and replaced with this Resolution, which will serve as precedence for future reimbursements of legal fees.
3. The provisions of this Resolution are intended to be and are severable which means that if any part or provision is found to be illegal or improper, all other parts and provisions will remain in full force and effect.

PASSED AND APPROVED this 25th day of April, 2017.

Kenneth Kesselus, Mayor
City of Bastrop, Texas

ATTEST:

Ann Franklin, City Secretary
City of Bastrop, Texas

APPROVED AS TO FORM:

David F. Bragg, Bastrop City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8I

TITLE:

Consider action to approve Resolution No. R-2017-19 authorizing reimbursement of legal fees to Council Member Deborah Jones incurred in her defense against Ethics Complaint No. 2016-3; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-14.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
David Bragg, City Attorney

POLICY EXPLANATION:

Article 1.15.130 (a) of the Code of Ethics states that the City Attorney shall serve as legal counsel and staff liaison to the Ethics Commission. Article 1.15.130 (b) states that the City Attorney shall serve as ethics advisory, only, to city employees and city officials, and **shall not represent employees or city officials before the Ethics Commission and may not represent any person or party in any proceeding, as legal counsel, to the Ethics Commission.**

Therefore, when Council Member Kay McAnally filed an ethics complaint with the City of Bastrop Ethics Commission against Council Member Deborah Jones, Council Member Jones hired personal legal counsel for representation during the proceedings of the Ethics Commission because the City Attorney is prohibited by ordinance from representing members of Council or Staff as noted above.

In addition, Section 3.07 of the City's charter says "Council Members may receive reimbursement for necessary expenses incurred in the performance of their duties of office, according to policies to be determined by the Council."

Ethics violations alleged against Councilmember Jones were dismissed by the Ethics Commission on March 23, 2017.

FUNDING SOURCE:

General Fund, Organization Department, Legal Fees

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-19 authorizing reimbursement of legal fees to Council Member Deborah Jones incurred in her defense against Ethics Complaint No. 2016-3; providing a precedence for future reimbursements of legal fees related to Ethics Complaints of Council Members or Staff where there are no violation(s) found; and repealing Resolution R-2017-14.

RESOLUTION NO. R-2017-19

A RESOLUTION AUTHORIZING REIMBURSEMENT OF LEGAL FEES TO COUNCIL MEMBER DEBORAH JONES INCURRED IN HER DEFENSE AGAINST ETHICS COMPLAINT NO. 2016-3; PROVIDING A PRECEDENCE FOR FUTURE REIMBURSEMENTS OF LEGAL FEES RELATED TO ETHICS COMPLAINTS OF COUNCIL MEMBERS OR STAFF WHERE THERE ARE NO VIOLATION(S) FOUND; AND REPEALING RESOLUTION R-2017-14.

WHEREAS, under Article 1.15.130 (a) of the Code of Ethics states that the City Attorney shall serve as legal counsel and staff liaison to the Ethics Commission; and

WHEREAS, when complaints related to the violations of this article are filed relating to the Mayor, City Councilmembers, City Manager, City Attorney, City Prosecutor, or Municipal Court Judge, independent legal counsel may be utilized to advise the Ethics Commission; and

WHEREAS, Article 1.15.130 (b) states that the City Attorney shall serve as ethics advisory, only, to city employees and city officials, and shall not represent employees or city officials before the Ethics Commission and may not represent any person or party in any proceeding, as legal counsel, to the Ethics Commission.

WHEREAS, Council Member Kay McAnally filed an ethics complaint with the City of Bastrop Ethics Commission against Council Member Deborah Jones, which complaint was assigned case number 2016-3 by the Commission; and

WHEREAS, Council Member Deborah Jones hired personal legal counsel for representation during the proceedings of the Ethics Commission; and

WHEREAS, the Commission ruled that the conduct alleged in Complaint No. 2016-3 was not illegal conduct and that there was no violation of the Ethics Ordinance by Council Member Jones and that the complaint was not brought in bad faith or for the purpose of harassment by Council Member McAnally; and

WHEREAS, the City Council finds that a very significant public interest is served by this resolution because without it, individuals who may desire to run for Mayor or the City Council or accept an appointment to any of the City's Boards and Commissions will be reluctant to consider such service because of the risk of having to pay for personal legal counsel to defend against ethics charges; and

WHEREAS, under Section 3.07 of the Bastrop City Charter, "[c]ouncil members may receive reimbursement for necessary expenses incurred in the performance of their duties of office;" and

WHEREAS, the Attorney General of Texas has ruled repeatedly that the legal expenses of city officials and council members may be reimbursed under the common law when there is no violation found against the city official or council member; and

WHEREAS, the City Council finds that Council Member Jones has incurred legal fees defending against the ethics complaint in the amount of \$3,576.42 and that these fees are reasonable; and

WHEREAS, the City Council finds that the legal expenses incurred by Council Member Deborah Jones were necessary expenses incurred in the performance of her duties of office;

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

1. The City Manager is authorized to cause a reimbursement check to be issued, payable to Council Member Deborah Jones in the amount of \$3,576.42 for her necessary legal fees in defending against Ethics Complaint No. 2016-3.
2. Resolution 2017-14 is repealed and replaced with this Resolution, which will serve as precedence for future reimbursements of legal fees.
3. The provisions of this Resolution are intended to be and are severable which means that if any part or provision is found to be illegal or improper, all other parts and provisions will remain in full force and effect.

PASSED AND APPROVED this 25th day of April, 2017.

Kenneth Kesselus, Mayor
City of Bastrop, Texas

ATTEST:

Ann Franklin, City Secretary
City of Bastrop, Texas

APPROVED AS TO FORM:

David F. Bragg, Bastrop City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 8J

TITLE:

Consider action to approve Resolution R-2017-20 approving a Public Decorum Protocol and providing for an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager
Steve Adcock, Director of Public Safety

BACKGROUND/HISTORY:

During the work session portion of the April 11, 2017 Council meeting, the City Manager and Public Safety Director / Chief of Police indicated a commitment to ensuring that the Bastrop Police Department continues to accomplish its mission in a fair, professional, and consistent manner without becoming involved in the political process. A Public Decorum Protocol was discussed.

POLICY EXPLANATION:

Consensus was reached by Council to formally adopt the following procedures in order to accomplish this goal:

City Council and Board Member Disruptions

When members of the City Council or other Board Members become engaged in heated discussions that could be construed as not following parliamentary procedures; it will be the responsibility of the Presiding Officer (Mayor or Board Chair) to restore order to the meeting. In the event that order cannot be immediately restored, the Presiding Officer should call for a recess. When the recess is called, a sufficient number of the City Council or Board Members should depart the room so that a quorum is no longer present. Information Technology personnel will ensure that the microphones and audio for the television channel are turned off. The Presiding Officer will determine what action to take and will resume the meeting, when appropriate. Law enforcement personnel will not become involved unless a crime (i.e. assault, terroristic threat, etc.) is committed.

Audience Disruptions

If a member of the audience (gallery) becomes disruptive, the Presiding Officer will inform that person that their conduct is not permissible and to cease. If that person receives a second warning, the Chief of Police or his/her designee will position themselves in proximity to that person. On the third warning (when appropriate), the Presiding Officer will inform the person that their actions are disrupting this lawful meeting and they must depart immediately. The Chief of Police or his/her designee will escort the person out of the chambers and off of City property. In the event the person does not leave the chambers, the person will be subjected to arrest under

Section 42.05 of the Texas Penal Code (TPC). The person will be subject to arrest under Section 30.05 TPC if the person does not leave the property. In the event the same person comes to a subsequent meeting and disrupts that meeting to the point they are requested to leave again, a criminal trespass warning can be issued.

It should be noted that case law has determined that only using profane language in a public place does not rise to the level of Disorderly Conduct as defined in Section 42.01 TPC. The utterance of this language should rise to the level that a fight is imminent.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve Resolution R-2017-20 approving a Public Decorum Protocol.



RESOLUTION NO. R-2017-20

A RESOLUTION OF THE CITY OF BASTROP, CITY COUNCIL APPROVING A PUBLIC DECORUM PROTOCOL AND APPROVING AN EFFECTIVE DATE.

WHEREAS, during the work session portion of the April 11, 2017 Council meeting, the City Manager and Public Safety Director / Chief of Police indicated a commitment to ensuring that the Bastrop Police Department continues to accomplish its mission in a fair, professional, and consistent manner without becoming involved in the political process by establishing a Public Decorum Protocol; and

WHEREAS, consensus was reached by Council to formally adopt a Public Decorum Protocol for City Council and Board Member disruptions as well as audience disruptions.

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

Section 1: *City Council and Board Member Disruptions:*

When members of the City Council or other Board Members become engaged in heated discussions that could be construed as not following parliamentary procedures; it will be the responsibility of the Presiding Officer (Mayor or Board Chair) to restore order to the meeting. In the event that order cannot be immediately restored, the Presiding Officer should call for a recess. When the recess is called, a sufficient number of the City Council or Board Members should depart the room so that a quorum is no longer present. Information Technology personnel will ensure that the microphones and audio for the television channel are turned off. The Presiding Officer will determine what action to take and will resume the meeting, when appropriate. Law enforcement personnel will not become involved unless a crime (i.e. assault, terroristic threat, etc.) is committed.

Section 2: *Audience Disruptions:*

If a member of the audience (gallery) becomes disruptive, the Presiding Officer will inform that person that their conduct is not permissible and to cease. If that person receives a second warning, the Chief of Police or his/her designee will position themselves in proximity to that person. On the third warning (when appropriate), the Presiding Officer will inform the person that their actions are disrupting this lawful meeting and they must depart immediately. The Chief of Police or his/her designee will escort the person out of the chambers and off of City property. In the event the person does not leave the chambers, the person will be subjected to arrest under Section 42.05 of the Texas Penal Code (TPC). The person will be subject to arrest under Section 30.05 TPC if the person does not leave the property. In the event the same person comes to a subsequent meeting and disrupts that meeting to the point they are requested to leave again, a criminal trespass warning can be issued.

Section 3: It should be noted that case law has determined that only using profane language in a public place does not rise to the level of Disorderly Conduct as defined in Section 42.01 TPC. The utterance of this language should rise to the level that a fight is imminent.

Section 4: This resolution shall become effective immediately upon passage.

READ and ADOPTED on the 25th day of April 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney



STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 9A

TITLE:

Hold public hearing and consider action to approve the first reading of Ordinance 2017-13 of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, and providing for an effective date; and move to include on the May 9, 2017 agenda for a second reading.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The City started the study of its Impact Fees in Dec. 2015. This process involved many of the Cities staff to collect data on consumption, capital projects and history on revenue and expenditures. The findings of this study were presented to the Impact Fee Advisory Committee on March 30, 2017. A letter from Lisa Patterson, Chair of the Impact Fee Advisory Committee, is attached for Council's review. The findings of this study will be presented as a part of this public hearing process.

POLICY EXPLANATION:

Texas Local Government Code chapter 395.052 requires a political subdivision imposing an impact fee to update the land use assumptions and capital improvements plan at least every five years. The last Impact Fee study was adopted on August 9, 2011. The initial five-year period begins on the day the capital improvements plan is adopted.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the first reading of Ordinance 2017-13 by the City of Bastrop, Texas updating and amending City of Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions and capital improvement plan, and amending impact fees for water and wastewater utilities, and providing for an effective date; and move to include on the May 9, 2017 agenda for a second reading.

ATTACHMENTS:

- Ordinance
- Letter from Impact Fee Advisory Committee
- Impact Fee Presentation

ORDINANCE NO. 2017-13

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS
UPDATING AND AMENDING BASTROP CODE OF
ORDINANCES, CHAPTER 10, ARTICLE 10.02, ENTITLED
"IMPACT FEES", UPDATING THE LAND USE
ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN AND
AMENDING IMPACT FEES FOR WATER AND WASTEWATER
UTILITIES, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Bastrop is responsible for and committed to the provision of public facilities and services (including water and wastewater service) at levels necessary to cure any existing public service deficiencies in already developed areas; and

WHEREAS, such facilities and service levels shall be provided by the City of Bastrop utilizing funds allocated in the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein; and

WHEREAS, new residential and nonresidential development causes and imposes increased demands upon Bastrop public facilities and services, including water and wastewater facilities, that would not otherwise occur; and

WHEREAS, planning projections indicate that such development will continue and will place ever-increasing demands on the City to provide necessary public facilities; and

WHEREAS, the development potential and value of properties is strongly influenced and encouraged by City policy as expressed in the Comprehensive Plan and as implemented via the City zoning ordinance and map; and

WHEREAS, to the extent that such new development places demands upon the public facility infrastructure, those demands should be satisfied by more equitably assigning responsibility for financing the provision of such facilities from the public at large to the developments actually creating the demands for them; and

WHEREAS, the amount of the impact fee to be imposed shall be determined by the cost of the additional public facilities needed to support such development, which public facilities shall be identified in a capital improvements

program; and

WHEREAS, the City Council, after careful consideration of the matter, hereby finds and declares that impact fees imposed upon residential and nonresidential development to finance specified major public facilities, the demand for which is created by such development, is in the best interests of the general welfare of the City and its residents, is equitable, and does not impose an unfair burden on such development;

WHEREAS, in 1987 the Texas Legislature adopted Senate Bill 336, now Chapter 395 of the Texas Local Government Code, and subsequently amended said Chapter from time to time; and

WHEREAS, the City Council finds that in all things the City has complied with said statute in the notice, adoption, promulgation and methodology necessary to adopt Impact Fees;

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

Part 1: CHAPTER 10, ARTICLE 10.02 - IMPACT FEES, SHALL BE AMENDED AS FOLLOWS:

DIVISION 1. - GENERALLY

Sec. 10.02.001 - Short Title.

No changes.

Sec. 10.02.002 - Intent.

No changes.

Sec. 10.02.003 - Authority.

No changes.

Sec. 10.02.004 - Definitions.

No changes.

Sec. 10.02.005 - Applicability.

No changes.

Sec. 10.02.006 - Impact Fees as Conditions of Development Approval.

No changes.

Sec. 10.02.007 - Establishment of Water and Wastewater Service Areas.

A. The water and wastewater service areas are established as shown on the Service Area Map which is Exhibit A to Ordinance 2017-13.

B. *No changes.*

Sec. 10.02.008 - Land Use Assumptions.

Land use assumptions used in the development of the impact fees are contained in Exhibit B to Ordinance 2017-13. These assumptions may be revised by the City Council according to the procedure set forth in V.T.C.A. Local Government Code, chp. 395 and its successors.

Sec. 10.02.009 - Service Units.

No changes.

Sec. 1.02.010 - Impact Fees Per Service Unit.

A. The maximum impact fee per service unit for each service area shall be computed by dividing the growth-related capital construction cost of service in the service area identified in the capital improvements plan for that category of capital improvements, by the total number of projected service units anticipated within the service area which are necessitated by and attributable to new development, based on the land use assumptions for that service area, and adjusted by subtracting credits in the form of future rate or tax contributions to water and/or wastewater CIP funding and adding any additional amount as may be yielded in the inflation-escalator portion of the fee assessment formula set forth in Sec. 10.02.011. Maximum impact fees per service unit for each service area shall be established by category of capital improvements and shall be

set forth in Exhibit C to Ordinance 2017-13.

- B. Exhibit C to Ordinance 2017-13 may be amended by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.
- C. The effective impact fees per service unit may be amended from time to time by the City Council through ordinance amendment to any amount less than that set forth in Exhibit C to Ordinance 2017-13.

Sec. 10.02.011 - Assessment.

- A. *No changes.*
- B. Assessment of the impact fee for any new development shall be made as follows:
 - 1. *No changes.*
 - 2. For new development, which has received final plat approval prior to the effective date of this article and for which no replatting is necessary prior to the issuance of a building permit, assessment shall be upon the issuance of a building permit, and shall be the value of the effective impact fee per service unit set forth in Exhibit C to Ordinance 2017-13.
 - 3. For new development, which occurs or is proposed to occur without platting, assessment shall be upon the issuance of a building permit, and shall be the value of the effective impact fee per service unit set forth in Exhibit C to Ordinance 2017-13.
 - 4. *No changes.*
 - 5. *No changes.*
- C. *No changes.*
- D. *No changes.*

Sec. 10.02.012 - Calculation of Impact Fees.

No changes

Sec. 10.02.013 - Collection of Impact Fees.

No changes.

Sec. 10.02.014 - Offsets Against Impact Fees.

No changes.

Sec. 10.02.015 - Establishment of Accounts and Records.

No changes.

Sec. 10.02.016 - Use of Proceeds of Impact Fee Accounts.

No changes.

Sec. 10.02.017 – Appeals.

No changes.

Sec. 10.02.018 – Refunds.

No changes.

Sec. 10.02.019 - Updates to Plan and Revision of Fees.

No changes.

Sec. 10.02.020 - Functions of Advisory Committee.

No Changes.

Sec. 10.02.021 - Agreement for Capital Improvements.

No changes.

Sec. 10.02.022 - Use of Other Financing Mechanisms.

No changes.

Sec. 10.02.023 - Impact Fees as Additional and Supplemental Regulation.

No changes.

Sec. 10.02.024 - Relief Procedures.

No changes.

Sec. 10.02.025 - Exemptions.

No changes.

Sec. 10.02.026 - Certification of Compliance Required.

No changes.

Secs. 10.02.027 – 10.02.060 Reserved

DIVISION 2. – WATER FACILITIES

Sec. 10.02.061 - Service Area.

A. There is hereby established a water service area as depicted on Exhibit A to Ordinance 2017-13 and incorporated herein by reference.

B. *No changes.*

Sec. 10.02.062 - Improvements Plan.

A. The Water Improvements Plan for the City is hereby adopted as Exhibit D to Ordinance 2017-13 and incorporated by reference herein.

B. *No changes.*

Sec. 10.02.063 - Impact Fees.

A. The maximum impact fee values per service unit for water facilities are hereby adopted and incorporated in Exhibit C to Ordinance 2017-13 and made a part hereof by reference.

B. *No changes.*

Secs. 10.02.064-10.02.090 – Reserved.

DIVISION 3. - WASTEWATER FACILITIES

Sec. 10.02.091 - Service Area.

- A. There is hereby established a wastewater service area as depicted on Exhibit A to Ordinance 2017-13 and incorporated herein by reference.
- B. *No changes.*

Sec. 10.02.092 - Improvements Plan.

- A. The Wastewater Improvements Plan for the City is hereby adopted as Exhibit E to Ordinance 2017-13 hereto and incorporated by reference herein.
- B. *No changes.*

Sec. 10.02.093 - Impact Fees.

- A. The maximum impact fee values per service unit for wastewater facilities are hereby adopted and incorporated in Exhibit C to Ordinance 2017-13 and made a part hereof by reference.
- B. *No changes.*

PART 2. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

PART 3: If any sentence, section, subsection, clause, phrase, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

PART 4: The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance

of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

PART 5: Any violation of this ordinance can be enjoined by a suit filed in the name of the City in court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City.

PART 6: This Ordinance shall take effect immediately upon passage of the second reading.

READ and APPROVED on First Reading on the 25th day of April, 2017.

READ and ADOPTED on Second Reading on the 9th day of May, 2017.

APPROVED:

ATTEST:

Ken Kesselus, Mayor

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney

EXHIBIT A

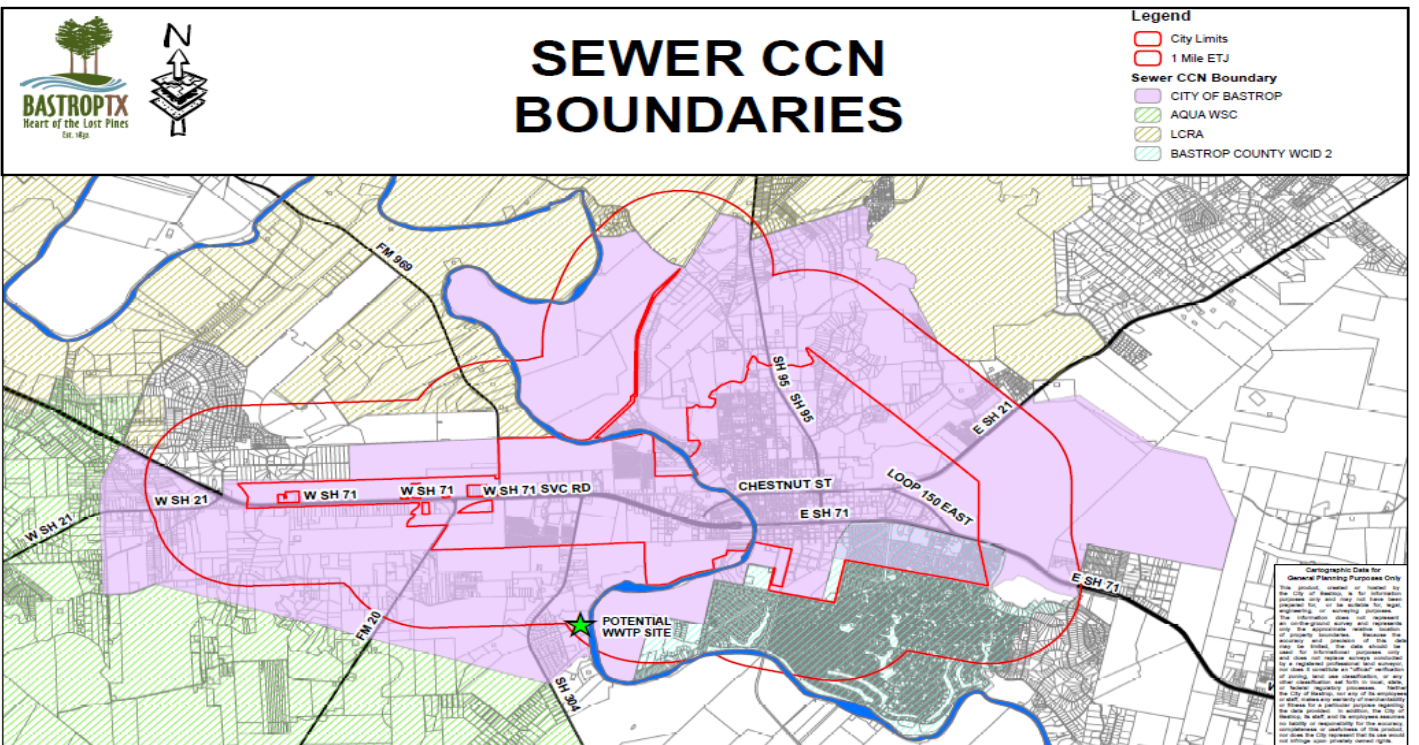
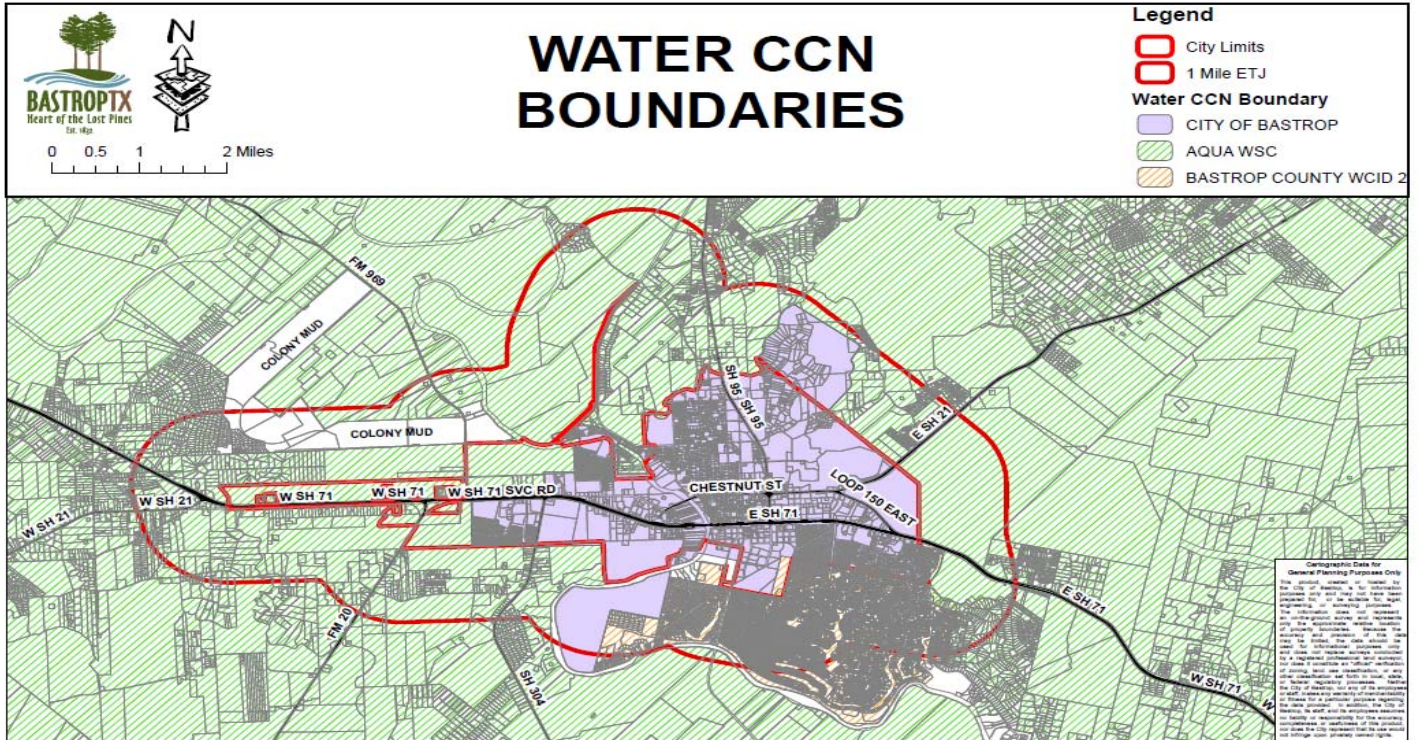


EXHIBIT B

Table 3: Future Land Use Assumptions, Acres Developed

Land Use (Acres)	2016	2026	Build Out
Single Family Residential	1,697	2,476	3,616
Retail/Office	96	140	211
Commercial	1,181	1,723	2,274
Industrial	174	254	459
Parks and Open Space and Agriculture	748	748	748
TOTAL Developed ACREAGE	3,896	5,341	7,307

Table 4: Future Land Use Assumptions, Service Unit Equivalents and Population

	2016	2026	2055
Population	10,581	13,596	17,700
Water Service Population	8,130	11,145	15,249
Sewer Service Population	7,960	10,975	15,079
Water SUEs	4,877	6,686	9,147
Sewer SUEs	5,676	7,826	10,752
Water Service Population per Acre (Total Acres)	2.09		

EXHIBIT C
MAXIMUM AND EFFECTIVE IMPACT FEES

METER	METER		MAXIMUM IMPACT FEE			EFFECTIVE IMPACT FEE		
TYPE	SIZE	MULTIPLIER	WATER	SEWER	BOTH	WATER	SEWER	BOTH
SIMPLE	5/8" x 3/4"	1.0	\$ 1,353.00	\$ 3,554.00	\$ 4,907.00	\$ 1,353.00	\$ 3,554.00	\$ 4,907.00
SIMPLE	3/4"	1.0	\$ 1,353.00	\$ 3,554.00	\$ 4,907.00	\$ 1,353.00	\$ 3,554.00	\$ 4,907.00
SIMPLE	1"	2.5	\$ 3,382.50	\$ 8,885.00	\$ 12,267.50	\$ 3,382.50	\$ 8,885.00	\$ 12,267.50
SIMPLE	1 1/2"	5.0	\$ 6,765.00	\$ 17,770.00	\$ 24,535.00	\$ 6,765.00	\$ 17,770.00	\$ 24,535.00
SIMPLE	2"	8.0	\$ 10,824.00	\$ 28,432.00	\$ 39,256.00	\$ 10,824.00	\$ 28,432.00	\$ 39,256.00
COMPOUND	2"	8.0	\$ 10,824.00	\$ 28,432.00	\$ 39,256.00	\$ 10,824.00	\$ 28,432.00	\$ 39,256.00
TURBINE	2"	10.0	\$ 13,530.00	\$ 35,540.00	\$ 49,070.00	\$ 13,530.00	\$ 35,540.00	\$ 49,070.00
COMPOUND	3"	16.0	\$ 21,648.00	\$ 56,864.00	\$ 78,512.00	\$ 21,648.00	\$ 56,864.00	\$ 78,512.00
TURBINE	3"	24.0	\$ 32,472.00	\$ 85,296.00	\$ 117,768.00	\$ 32,472.00	\$ 85,296.00	\$ 117,768.00
COMPOUND	4"	25.0	\$ 33,825.00	\$ 88,850.00	\$ 122,675.00	\$ 33,825.00	\$ 88,850.00	\$ 122,675.00
TURBINE	4"	42.0	\$ 56,826.00	\$ 149,268.00	\$ 206,094.00	\$ 56,826.00	\$ 149,268.00	\$ 206,094.00
COMPOUND	6"	50.0	\$ 67,650.00	\$ 177,700.00	\$ 245,350.00	\$ 67,650.00	\$ 177,700.00	\$ 245,350.00
TURBINE	6"	92.0	\$ 124,476.00	\$ 326,968.00	\$ 451,444.00	\$ 124,476.00	\$ 326,968.00	\$ 451,444.00
COMPOUND	8"	80.0	\$ 108,240.00	\$ 284,320.00	\$ 392,560.00	\$ 108,240.00	\$ 284,320.00	\$ 392,560.00
TURBINE	8"	160.0	\$ 216,480.00	\$ 568,640.00	\$ 785,120.00	\$ 216,480.00	\$ 568,640.00	\$ 785,120.00
COMPOUND	10"	115.0	\$ 155,595.00	\$ 408,710.00	\$ 564,305.00	\$ 155,595.00	\$ 408,710.00	\$ 564,305.00
TURBINE	10"	250.0	\$ 338,250.00	\$ 888,500.00	\$ 1,226,750.00	\$ 338,250.00	\$ 888,500.00	\$ 1,226,750.00
TURBINE	12"	330.0	\$ 446,490.00	\$ 1,172,820.00	\$ 1,619,310.00	\$ 446,490.00	\$ 1,172,820.00	\$ 1,619,310.00

**EXHIBIT D
WATER CAPITAL IMPROVEMENT PLAN
INVENTORY**

City of Bastrop, Texas
Water and Wastewater Department
Impact Fee Study



Schedule 1
Water Capital Improvement Plan Inventory

Water Supply	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
Willow Street Plant (Wells C-G)		\$ 781,865	3,319,200	Average Gpd	3,319,200	3,319,200	3,319,200
Bob Bryan Park Site Phase 1 (Wells H and I)		\$ 424,853	1,224,000	Average Gpd	1,224,000	1,224,000	1,224,000
Bob Bryan Park Side Phase 2		\$ 1,462,720	1,152,000	Average Gpd	1,152,000	1,152,000	1,152,000
Future Facilities							
Additional water supply*	2017	\$ 1,000,000	1,058,400	Average Gpd	-	1,058,400	1,058,400
TOTAL WATER SUPPLY			6,753,600		5,695,200	6,753,600	6,753,600
Capacity Required					5,358,096	10,049,703	-
Percent Used					94%	149%	0%

*Per City, combined additional water supply and New River Crossing to provide supplies for 2500 SUEs. Used gpd water supply requirements per SUE to convert to average day capacity provided.

Water Pumping	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
Willow High Service 1		\$ 9,962	720,000	Peak Hour	720,000	720,000	720,000
Willow High Service 2		\$ 9,962	720,000	Peak Hour	720,000	720,000	720,000
Willow High Service 3		\$ 9,962	720,000	Peak Hour	720,000	720,000	720,000
Willow High Service 4		\$ 19,638	768,000	Peak Hour	768,000	768,000	768,000
Willow High Service 5		\$ 19,638	768,000	Peak Hour	768,000	768,000	768,000
Willow High Service 6		\$ 19,638	768,000	Peak Hour	768,000	768,000	768,000
Bob Bryant High Service 1		\$ 74,815	1,344,000	Peak Hour	1,344,000	1,344,000	1,344,000
Bob Bryant High Service 2		\$ 74,815	1,344,000	Peak Hour	1,344,000	1,344,000	1,344,000
Bob Bryant Transfer Pump 1		\$ 20,000	384,000	Peak Hour	384,000	384,000	384,000
Bob Bryant Transfer Pump 2		\$ 20,000	384,000	Peak Hour	384,000	384,000	384,000
Loop 150 Tank Yard Pump 1		\$ 4,862	384,000	Peak Hour	384,000	384,000	384,000
Loop 150 Tank Yard Pump 2		\$ 4,862	384,000	Peak Hour	384,000	384,000	384,000
				Peak Hour	-	-	-
				Peak Hour	-	-	-
TOTAL WATER PUMPING			8,688,000		8,688,000	8,688,000	8,688,000

City of Bastrop, Texas
 Water and Wastewater Department
 Impact Fee Study



Schedule 1
 Water Capital Improvement Plan Inventory

Ground Storage	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
Bob Bryant (Tank 4)		\$ 263,080	285,000	Gallons	285,000	285,000	285,000
GST Re-Use at WWTP		\$ 128,762	40,000		40,000	40,000	40,000
Tank 1 at Willow Street		\$ 350,000	500,000		500,000	500,000	500,000
Tank 2 at Willow Street		\$ 350,000	500,000	Gallons	500,000	500,000	500,000
Future Facilities							
				Gallons	-	-	-
TOTAL GROUND STORAGE			1,325,000		1,325,000	1,325,000	1,325,000

Elevated Storage	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
EST at Loop 150		\$ 375,000	250,000	Gallons	250,000	250,000	250,000
Standpipe at Loop 150		\$ 700,000	1,000,000	Gallons	1,000,000	1,000,000	1,000,000
GST at Loop 150		\$ 140,000	225,000	Gallons	225,000	225,000	225,000
Future Facilities							
Elevated tower west at HWY 20 (supply)	2017	\$ 3,800,000	1,000,000	Gallons	-	1,000,000	1,000,000
TOTAL ELEVATED STORAGE			2,475,000		1,475,000	2,475,000	2,475,000



Schedule 1
 Water Capital Improvement Plan Inventory

Transmission Lines	Year Planned	Total Construction		Units	2016	2026	2055
		Cost	Total SUEs				
Existing Facilities							
8-inch line on Old Austin Hwy		\$ 146,590	1,000		1,000	1,000	1,000
12-inch line on Perkins/Higgins		\$ 96,491	1,000		1,000	1,000	1,000
12-inch line on Eskew/Loop 150		\$ 48,904	1,000		1,000	1,000	1,000
Hunters Crossing Blvd (16-inch)		\$ 100,160	1,200		1,200	1,200	1,200
Downtown Feeder (8"-inch)		\$ -	450		450	450	450
Willow/Wilson Connection (6-inch)		\$ -	250		250	250	250
Loop 150 Standpipe Feeder (10, 12-inch)		\$ -	1,000		1,000	1,000	1,000
SH 95 North (12-inch)		\$ -	1,000		1,000	1,000	1,000
Hoffman Road (8-inch)		\$ -	450		450	450	450
Loop 150 West Feeder (12-inch)		\$ -	1,000		1,000	1,000	1,000
SH 71 (North Line) (12-inch)		\$ -	1,000		1,000	1,000	1,000
SH 71 (South Line) (12-inch)		\$ -	1,000		1,000	1,000	1,000
Hasler Blvd (12-inch)		\$ -	1,000		1,000	1,000	1,000
Agnes Street (12-inch)		\$ -	1,000		1,000	1,000	1,000
SH 71 (West Line) (12-inch)		\$ -	1,000		1,000	1,000	1,000
Hunters Point Drive (12, 16-inch)		\$ -	1,200		1,200	1,200	1,200
Elevated Tank Feeder (12, 16-inch)		\$ -	1,200		1,200	1,200	1,200
SH 71 East/Buc-ee's (12-inch)		\$ -	1,000		1,000	1,000	1,000
Ground Storage Tank Feeder (12-inch)		\$ -	1,000		1,000	1,000	1,000
Loop 150 River Crossing (8-inch)		\$ -	450		450	450	450
Bob Bryant Feeder (12-inch)		\$ -	1,000		1,000	1,000	1,000
Blair Avenue (12-inch)		\$ -	1,000		1,000	1,000	1,000
Future Facilities							
Phase II Infrastructure for Well & Transmissi	2017	\$ 5,800,000	2,500			2,500	2,500
16" watermain crossing under river	2017	\$ 1,200,000	250			250	250
Watermain Replacement Pine Street Size In	2017	\$ 250,000	100			100	100
Carter & Mesquite Water Line Extensions	2018	\$ 700,000	250			250	250
Riverwood Waterline Improvements (Size Ir	2018	\$ 1,000,000	250			250	250
Transmission Main Extension Hunters Cross	2018	\$ 1,200,000	250			250	250
Watermain ext. piney ridge Hoffman to end	2019	\$ 350,000	250			250	250
Additional Water Main ext. to Pineforest	2019	\$ 850,000	250			250	250
Watermain ext. Tahitian drive to McAllister	2019	\$ 650,000	250			250	250
Water main ext. Arena Dr to Pitt	2020	\$ 350,000	250			250	250
Watermain ext (hwy 21) east to City Limits	2020	\$ 350,000	250			250	250
Tahitian Dr. Deadend to Mahalua Dr.	2020	\$ 250,000	250			250	250
Mahalua Dr. to Hulu Ct	2020	\$ 250,000	250			250	250
Water Main Ext SH304 to WWTP 3	2021	\$ 800,000	250			250	250
Watermain ext. Blakey Ln (Deadend to Char	2021	\$ 350,000	250			250	250

**EXHIBIT E
WASTEWATER CAPITAL IMPROVEMENT PLAN
INVENTORY**

City of Bastrop, Texas
Water and Wastewater Department
Impact Fee Study



Schedule 2
Wastewater Capital Improvement Plan Inventory

Wastewater Treatment	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
WWTP No. 1		\$ 505,014	1,060,000	Average Gallons per Day	1,060,000	1,060,000	1,060,000
WWTP No. 2		\$ 654,392	340,000	Average Gallons per Day	340,000	340,000	340,000
Future Facilities							
1 MGD WWTP # 3 Construction/Design	2018	\$ 10,553,000	1,000,000	Average Gallons per Day	-	1,000,000	1,000,000
TOTAL WASTEWATER TREATMENT			2,400,000		1,400,000	2,400,000	2,400,000

Wastewater Pumping	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
Home Depot LS		\$ 70,000	115,200	Gallons per Day	115,200	115,200	115,200
Riverside Grove LS		\$ 69,500	662,400	Gallons per Day	662,400	662,400	662,400
Old Austin LS		\$ 52,000	180,000	Gallons per Day	180,000	180,000	180,000
Central LS		\$ 255,730	1,339,200	Gallons per Day	1,339,200	1,339,200	1,339,200
Hunters Crossing LS		\$ 100,000	751,680	Gallons per Day	751,680	751,680	751,680
River LS		\$ 100,000	648,000	Gallons per Day	648,000	648,000	648,000
North Pecan LS		\$ 66,500	475,200	Gallons per Day	475,200	475,200	475,200
Lincoln LS		\$ 50,000	48,960	Gallons per Day	48,960	48,960	48,960
Wilson LS 1		\$ 15,000	72,000	Gallons per Day	72,000	72,000	72,000
Wilson LS 2		\$ 15,000	72,000	Gallons per Day	72,000	72,000	72,000
Fisherman Park LS		\$ 225,930	329,000	Gallons per Day	329,000	329,000	329,000
Main Street LS		\$ 100,000	648,000	Gallons per Day	648,000	648,000	648,000
Mauna LOA SL		\$ 250,000	432,000	Gallons per Day	432,000	432,000	432,000
WWTP		\$ 50,000	1,080,000	Gallons per Day	1,080,000	1,080,000	1,080,000
Industrial		\$ 200,000	662,400	Gallons per Day	662,400	662,400	662,400
Gills Branch LS		\$ 250,000	648,000	Gallons per Day	648,000	648,000	648,000
Future Facilities							
				Gallons per Day	-	-	-
				Gallons per Day	-	-	-
				Gallons per Day	-	-	-
TOTAL WASTEWATER PUMPING			8,164,040		8,164,040	8,164,040	8,164,040



Schedule 2
 Wastewater Capital Improvement Plan Inventory

Major Collection Lines	Year Planned	Total Construction Cost	Total Facility Capacity	Units	2016	2026	2055
Existing Facilities							
MLK Street Gravity Main		\$ 146,590	3,192,000	Gallons	3,192,000	3,192,000	3,192,000
Pecan Street Gravity Main		\$ 171,255	3,192,000	Gallons	3,192,000	3,192,000	3,192,000
Central LS Force Main		\$ 143,956	1,762,000	Gallons	1,762,000	1,762,000	1,762,000
North Pecan LS Force Main		\$ 5,775	282,000	Gallons	282,000	282,000	282,000
Existing Facilities							
Highway 71 Pipe Bursting Project (Expansion from 10" to 15")		\$ 659,000	1,117	SUEs	1,117	1,117	1,117
Fayette St Improvement (Expansion from 12" to 18")		\$ 230,837	1,502	SUEs	1,502	1,502	1,502
Future Facilities							
24" wastewater main installation for WWTP #	2017	\$ 750,000	3,941	SUEs		3,941	3,941
Trunk line # 1 36" Wastewater main install (ca	2017	\$ 1,223,000	636	SUEs		636	636
Trunk line # 2 WBV to 304 (capacity)	2017	\$ 735,000	5,506	SUEs		5,506	5,506
Trunk line # 3 FM 304 (capacity)	2017	\$ 1,822,000	1,584	SUEs		1,584	1,584
WW main ext Hwy 71 City Limits to Home De	2017	\$ 800,000	1,650	SUEs		1,650	1,650
Trunk line # 4 FM 304 & WWTP # 3 connectior	2018	\$ 1,100,000	6,747	SUEs		6,747	6,747
WW main ext Hay 21/Loop 150	2019	\$ 300,000	1,650	SUEs		1,650	1,650
WW main ext. HSH 71 McAllister to Tahitian C	2019	\$ 600,000	1,010	SUEs		1,010	1,010
Carter & Mesquite WW Main ext	2019	\$ 600,000	560	SUEs		560	560
WW Main ext. SH 71 (Duff dr. to SH 21)	2020	\$ 1,000,000	1,650	SUEs		1,650	1,650
wastewater main ext. Blakey Ln. (deadend to	2021	\$ 450,000	1,010	SUEs		1,010	1,010
Trunk line # 4 FM 304 & WWTP # 3 connection	2018	\$ 1,100,000	22,400	SUEs		22,400	22,400
12" Force Main and Central Lift Station	2018	\$ 208,000	3,500			3,500	3,500

The Honorable Mayor Kenneth Kesselus and Members of the City Council
1311 Chestnut Street
Bastrop, Texas & 8602



RE: Proposed Update to the Impact Fees

Dear Mayor Kesselus and City Councilmembers:

As you may be aware, the Impact Fee Advisory Committee met on March 30, 2017 for a presentation by Ms. Nelisa Heddin of Heddin Consulting regarding possible updates to and revisions of the current Water and Wastewater Impact Fees assessed by the City of Bastrop. Ms. Heddin covered the following topics in her report "Water and Wastewater Impact Fees" (Attached):

- I. LAND USE ASSUMPTIONS;
 - A. Service Area Definition
 - B. Service Unit Equivalents (SUEs)
 - C. Future SUEs

- II. CAPITAL IMPROVEMENTS PLAN
 - A. Capacity Requirements Assumptions
 - B. Capacity Requirements Projections
 - C. Capital Improvements Plan and Capacity Projections
 - D. Capital Improvements Plan and Cost Allocation

- III. DETERMINATION OF MAXIMUM ALLOWABLE FEE

The Advisory Committee reviewed the information provided by Ms. Neddin and voted to make the following recommendations to the City Council:

1. Impact Fees should be charged based on a 50% credit from the maximum allowable fee; and
2. In June of each year, the Impact Fee Advisory Committee should review the Impact Fees being assessed to determine whether said fees should be adjusted to reflect any changed circumstances encountered by the City, such as population growth, fee revenues, and infrastructure costs.

It is the belief of the Impact Fee Advisory Committee that these recommendations will enable the City of Bastrop to address the growth our community is expected to encounter in a responsible and efficient manner. The Committee thanks you for your consideration of these recommendations and looks forward to working with the Council regarding this matter.

It is a pleasure to serve as the Chair of the Impact Fee Advisory Committee. If I may be of any assistance regarding this or any other matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Patterson". The signature is fluid and cursive, with a large initial "L" and "P".

Lisa Patterson

Chair, Impact Fee Advisory Committee

Cc: City Manager
Director of Public Works
Director of Planning
Director of Finance

City of Bastrop, TX

Impact Fee Study Water and Wastewater Utility

April 12, 2017



Nelisa Heddin Consulting, LLC
(512) 589-1028
nheddin@nelisaheddinconsulting.com

Overview

- Introduction
- Background
- Methodology
- Findings
- Moving Forward

“When the well is dry, we learn the worth of water.”

- Ben Franklin -



Impact Fees

“A charge or assessment imposed by a municipality on new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development”



Methodology

- Development of Land Use Assumptions
- Determination of Capital Improvements Necessary for LUA
- Allocation of CIP to Impact Fees
- Development of Impact Fees



Land Use Assumptions

	2016	2026	2055
Population	10,581	13,596	17,700
Water Service Population (3)	8,130	11,145	15,249
Sewer Service Population (3)	7,960	10,975	15,079
Water SUEs	6,202	8,502	11,632
Sewer SUEs	5,676	7,826	10,752
Water Service Population per Acre (Total Acres)	2.09		



Capital Improvement Plan

Water Supply Facilities	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$2,669,438			
Future Facilities					
Additional water supply	2017	\$1,000,000			
TOTAL WATER SUPPLY		\$3,669,438	79%	21%	-



Capital Improvement Plan

Water Pumping Facilities	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$288,154			
Future Facilities					
TOTAL WATER PUMPING		\$288,154	62%	23%	15%



Capital Improvement Plan

Ground Storage	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$1,091,842			
Future Facilities					
TOTAL GROUND STORAGE		\$1,091,842	47%	17%	36%



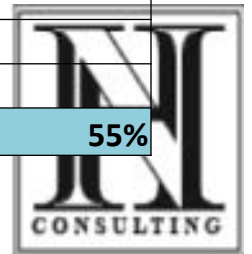
Capital Improvement Plan

Elevated Storage	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities					
EST at Loop 150		\$375,000			
Standpipe at Loop 150		\$700,000			
GST at Loop 150		\$140,000			
Future Facilities					
Elevated tower west at HWY 20 (supply)	2017	<u>\$3,800,000</u>			
TOTAL ELEVATED STORAGE		\$5,015,000	25%	9%	66%



Capital Improvement Plan

Transmission Lines	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$5,734,495			
Future Facilities					
Phase II Infrastructure for Well & Transmission main	2017	\$5,800,000			
16" watermain crossing under river	2017	\$1,200,000			
Watermain Replacement Pine Street Size Increase	2017	\$250,000			
Carter & Mesquite Water Line Extensions	2018	\$700,000			
Riverwood Waterline Improvements (Size Increase)	2018	\$1,000,000			
Transmission Main Extension Hunters Crossing to ET	2018	\$1,200,000			
Watermain ext. piney ridge Hoffman to end of CCN	2019	\$350,000			
Additional Water Main ext. to Pineforest	2019	\$850,000			
Watermain ext. Tahitian drive to McAllister	2019	\$650,000			
Water main ext. Arena Dr to Pitt	2020	\$350,000			
Watermain ext (hwy 21) east to City Limits	2020	\$350,000			
Tahitian Dr. Deadend to Mahalua Dr.	2020	\$250,000			
Mahalua Dr. to Hulu Ct	2020	\$250,000			
Water Main Ext SH304 to WWTP 3	2021	\$800,000			
Watermain ext. Blakey Ln (Deadend to Charles)	2021	\$350,000			
TOTAL Transmission Lines		\$20,084,495	31%	14%	55%



Capital Improvement Plan

Wastewater Treatment Facilities	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$1,159,406			
Future Facilities					
1 MGD WWTP # 3 Construction/Design	2018	\$10,553,000			
TOTAL WASTEWATER TREATMENT		\$12,871,812	34%	22%	43%



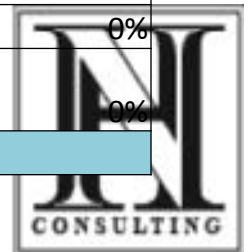
Capital Improvement Plan

Wastewater Pumping	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities		\$1,869,660			
Future Facilities					
TOTAL WASTEWATER PUMPING		\$1,869,660	61%	23%	16%



Capital Improvement Plan

Major Collection Lines	Year Planned	Total Construction Cost	Percent Allocation Current	Percent Allocation 2016-2026	Percent Allocation Beyond 2024
Existing Facilities					
Highway 71 Pipe Bursting Project (Expansion from 10" to 15")		\$659,000	50%	50%	0%
Fayette St Improvement (Expansion from 12" to 18")		\$230,837	67%	33%	0%
Future Facilities					
24" wastewater main installation for WWTP # 3 (capacity)	2017	\$750,000	0%	16%	84%
Trunk line # 1 36" Wastewater main install (capacity)	2017	\$1,223,000	0%	100%	0%
Trunk line # 2 WBV to 304 (capacity)	2017	\$735,000	0%	29%	71%
Trunk line # 3 FM 304 (capacity)	2017	\$1,822,000	0%	100%	0%
WW main ext Hwy 71 City Limits to Home Depot	2017	\$800,000	0%	100%	0%
Trunk line # 4 FM 304 & WWTP # 3 connection (Capacity)	2018	\$1,100,000	0%	32%	68%
WW main ext Hay 21/Loop 150	2019	\$300,000	0%	100%	0%
WW main ext. HSH 71 McAllister to Tahitian Dr	2019	\$600,000	0%	100%	0%
Carter & Mesquite WW Main ext	2019	\$600,000	0%	100%	0%
WW Main ext. SH 71 (Duff dr. to SH 21)	2020	\$1,000,000	0%	100%	0%
wastewater main ext. Blakey Ln. (deadend to Charles)	2021	\$450,000	0%	100%	0%
TOTAL WASTEWATER Collection Lines		\$9,819,837			



Findings

	Maximum Allowable Fee	50% Ad Valorem Tax Credit
Water Impact Fee	\$2,706	\$1,353
Wastewater Impact Fee	\$7,107	\$3,554

Current Impact Fees:

Water	\$1,871.87
Wastewater	\$2,107.32

This would be a total increase of \$928 for a 5/8" X 3/4" residential meter





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 10A

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding City of Bastrop vs. Vandiver and Hoover claims.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 10B

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding the appeal of property owners involved in water permit litigation (known as McCall Ranch) and the status of the XS Ranch Development.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 10C

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to consider the purchase of five (5) parcels of land within the City of Bastrop.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: April 25, 2017

AGENDA ITEM: 11

TITLE:

Take any necessary or appropriate action on matters posted for consideration in closed/executive session

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

