

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



July 9, 2019 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.

PLEASE NOTE: ANYONE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE – Mount Rose Youth

TEXAS PLEDGE OF ALLEGIANCE

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

3. INVOCATION – Cliff Sparks, Police Chaplain

4. PRESENTATIONS

4A. Mayor's Report

4B. Councilmembers' Report

4C. City Manager's Report

5. WORK SESSION/BRIEFINGS

5A. Update and Discussion on Easement Acquisition on Main Street Rehabilitation Project.

6. STAFF AND BOARD REPORTS

- 6A. Receive an update from MWM DesignGroup regarding the Main Street Rehabilitation Project.
- 6B. Receive Presentation and Update from the YMCA of Austin/Bastrop Branch.
- 6C. Receive Presentation and Update from the Bastrop Opera House.
- 6D. Receive Presentation and Update from the Bastrop County Historical Society.
- 6E. Receive Quarterly Presentation 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 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 start of the meeting.

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

The following may be acted upon in one motion. A Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 8A. Consider action to approve City Council minutes from June 25, 2019, Regular meeting.
- 8B. Consider action to approve Resolution No. R-2019-59 of the City Council of the City of Bastrop, Texas, approving the Schain Subdivision Final Plat, being 0.273 acres out of the Bastrop Town Tract A-11, located at 304 Industrial Boulevard, within the city limits of Bastrop, Texas, as shown in Exhibit A; granting a Subdivision Variance to the one acre minimum lot requirement; providing for a repealing clause; and establishing an effective date.
- 8C. Consider action to approve Resolution No. R-2019-60 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the replacement of an enclosed accessory structure with one that is 40 square feet larger, located at 108 Hasler Street, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

- 8D. Consider action to approve Resolution No. R-2019-61 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the addition of a screened in porch, located at 326 Belinda Court, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.
- 8E. Consider action to approve the second reading of Ordinance No. 2019-23 of the City Council of the City of Bastrop, Texas, authorizing the City of Bastrop to convey to Garments to Go, Inc. that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, as set forth in volume 908, page 275 of the deed records of Bastrop County, Texas; and providing for the following: findings of fact; repealer; severability; proper notice and meeting.
- 8F. Consider action to approve the second reading of Ordinance No. 2019-16 of the City Council of the City of Bastrop, Texas, repealing emergency Ordinance No. 2018-1 [Temporary Moratorium] and implementing enhanced permit review measures to continue a heightened level of evaluation for certain building, construction and development permits; and providing for legislative findings of fact, repealer, enactment, duration, extension, severability, enforcement, proper notice and meeting, effective date, applicability, alternate approvals, appeals, and definitions.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

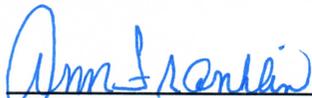
- 9A. Consider action to approve the second reading of Ordinance No. 2019-21 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.
- 9B. Consider action to approve Resolution R-2018-62 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date.

10. EXECUTIVE SESSION – NONE

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, July 5, 2018 at 10:00 a.m. and remained posted for at least two hours after said meeting was convened.



 Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 4A

TITLE:

Mayor's Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

ATTACHMENTS:

- Power Point Presentation

Mayor's Report
July 9, 2019



Latest Activities

June 12 – June 27

Events in 2019: 161



CNU27.Louisville



Feedback on B3 Codes



Chief Bunch - BISD



BISD Board of Trustees



Leo's Italian Grill



Planned Events

June 28 – July 9

- June 28 – TML Board Meeting
- June 29 – Patriotic Festival
- July 4 – City Offices Closed
- July 9 –
 - Joint P&Z Workshop
 - Council Meeting



Upcoming Events & City Meetings

- July 11 – Special Council Budget Workshop
- July 12 – TCRFC Annual Board Meeting
- July 15 – BEDC Board Meeting
- July 16 – Board and Commission Volunteer Fair
- July 18 – FCI Quarterly Community Luncheon
- July 19 thru 21 – Corvette Invasion
- July 23 –
 - Reception for Becca Sexton; Librarian
 - City Council Meeting





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 4B

TITLE:

Councilmembers' Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 4C

TITLE:

City Manager's Report

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 5A

TITLE:

Update and Discussion on Easement Acquisition on Main Street Rehabilitation Project.

STAFF REPRESENTATIVE:

Rebecca Gleason, Main Street Manager

BACKGROUND/HISTORY:

In June 2018, a presentation was made to the Council concerning the “Main Street Road Project”. It provided a history of the Main Street Rehabilitation Project going back to the 2014 City Bond. This presentation will provide an update to that Project concerning the status of signed/unsigned easements.

The Main Street Manager was brought onto this project at the end of April 2019. The easement standings were as follows at that time:

TOTAL EASEMENTS	54
TOTAL OWNERS	40
SIGNED EASEMENTS	30
SIGNED OWNERS	22
UNSIGNED EASEMENTS	24
UNSIGNED OWNERS	18
PERCENTAGE SIGNED	55.56%
PERCENTAGE MISSING	44.44%

To use the Building Bastrop Pop-Up as a catalyst event to bring positive forward movement to the signing of easements, the Main Street Manager wrote a personal note to each of the unsigned property owners with a Pop-Up Invitation. Many of the property owners that had not signed attended, and the consensus was overwhelmingly positive. City Staff is currently working with the City Attorney’s Office to prepare the remaining easements for signature. The Main Street Manager has continued to meet with property owners in an attempt to create positivity and excitement around the project. The following is an update of the current outlook:

UNSIGNED	24
Meeting Complete	18
Pending Meeting	3
Unable to Make Contact	3

*Note that numbers are as of Staff Report date of 7/2/19

ATTACHMENT:

- PowerPoint Presentation



Easement Acquisition on Main Street Rehabilitation Project



Easement Acquisition Prior to Pop-Up

TOTAL EASEMENTS	54
TOTAL OWNERS	40
SIGNED EASEMENTS	30
SIGNED OWNERS	22
UNSIGNED EASEMENTS	24
UNSIGNED OWNERS	18
PERCENTAGE SIGNED	55.56%
PERCENTAGE MISSING	44.44%



Easement Acquisition Post Pop-Up

UNSIGNED	24
Meeting Complete	18
Pending Meeting	3
Unable to Make Contact	3





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 6A

TITLE:

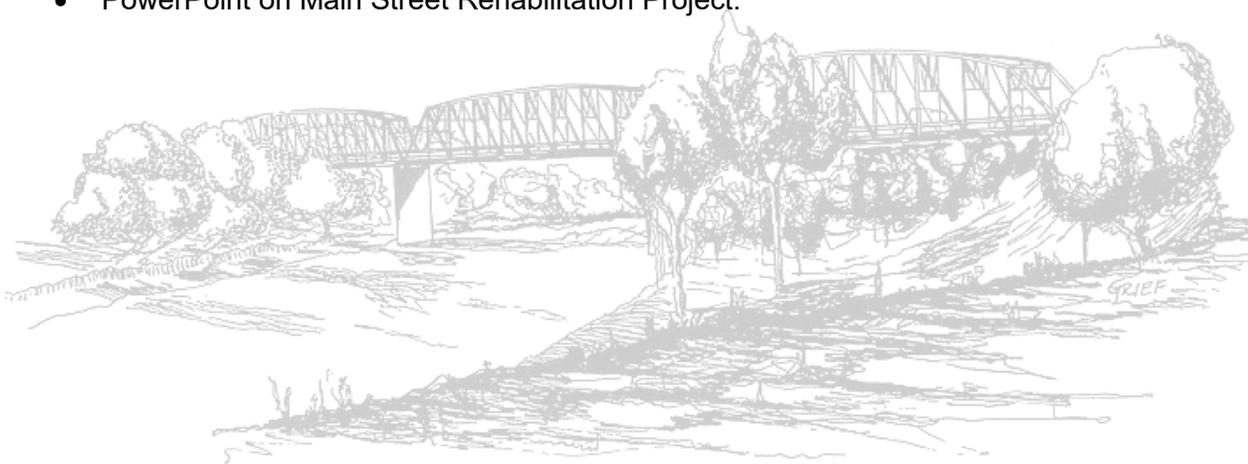
Receive an update from MWM DesignGroup regarding the Main Street Rehabilitation Project.

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works and Leisure Services

ATTACHMENTS:

- PowerPoint on Main Street Rehabilitation Project.





OVERVIEW OF IMPROVEMENTS

Farm → Spring:

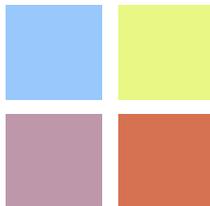
- 15.5' Lanes
- 9' Parallel parking on both sides
- ~8' wide sidewalks
- Trees in bulb-outs
- No Street Improvements

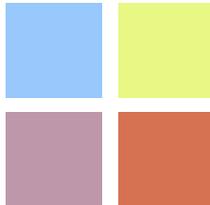
Spring → Pine:

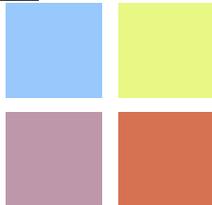
- 11' Lanes
- 9' Parallel parking on both sides
- ~8' wide sidewalks
- 6' wide Streetscape (Trees at 30' + Benches)
- Complete Street Mill/Overlay

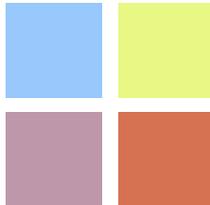
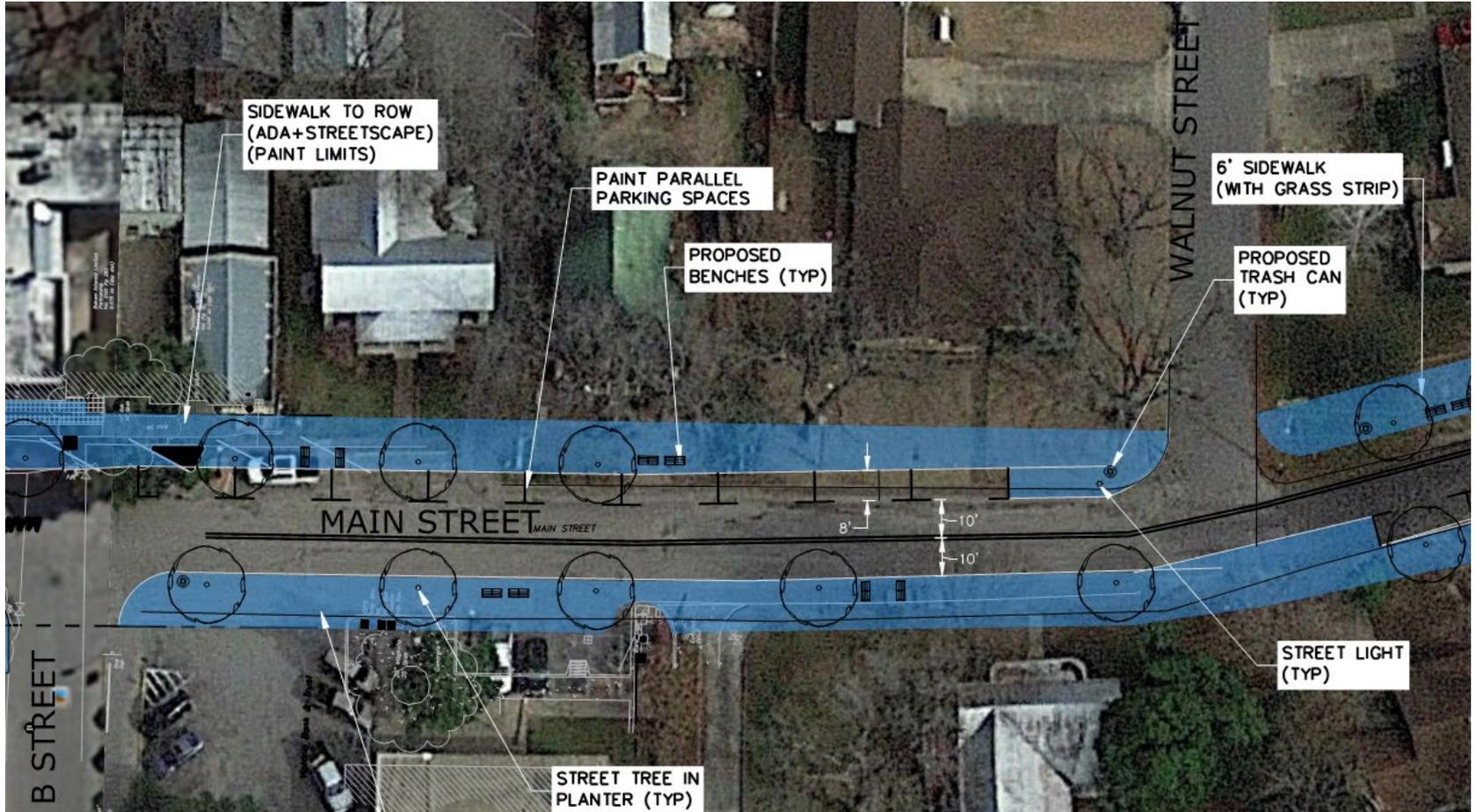
Pine → Water:

- 10' Lanes
- 8' Parallel parking on one side
- ~8.5' wide sidewalks
- 5' wide Streetscape (Trees at 30' + Benches)
- Complete Street Mill/Overlay/Relocation





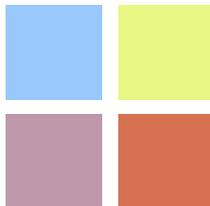






FIELD ENGINEERING

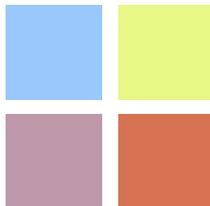
- Exhibits prepared to convey improvements to Bidders
- Exhibits are general in nature with aerial backgrounds
- Bidders are also provided with standard specifications and construction details
- Bids are for unit prices based on estimated quantities
- Contractor is paid for what is installed at unit price bid
- Detailed design direction provided in the field by field-engineer
- Able to address individual issues/concerns with property owners
- Close coordination allows for fewer, if any, change orders





SCHEDULE

- Finalize Exhibits/Prepare Project Manual: 1-2 months
- Advertisement/Bidding Phase: 2 months
- Construction Phase: 9 months





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 6B

TITLE:

Receive Presentation and Update from the YMCA of Austin/Bastrop Branch.

STAFF REPRESENTATIVE:

James Altgelt, Director of Public Safety/Chief of Police

Terry Moore, YMCA of Austin/Bastrop Branch Executive Director

BACKGROUND/HISTORY:

On November 13, 2018, City Council approved a Community Support Service Agreement with the YMCA of Austin/Bastrop Branch (YMCA) to provide recreational services and operate the Bastrop State Park Pool in the amount of Seventy-Nine Thousand Eight Hundred and 00/100 Dollars (\$79,800) for FY 2018-2019. The Community Support Service Agreement requires that the YMCA attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement.

The Bastrop YMCA provides quality recreational programs for the community in partnership with the City of Bastrop. The FY 2018-2019 Community Support Service Agreement requires that recreational programs and activities be designed to benefit and include persons of all backgrounds. The following services are required to be provided during this agreement period:

- Youth sports such as soccer, tennis, and volleyball
- Monthly enrichment programs such as art and nutrition
- Weekly health and wellness programs
- Operate and manage the State Park Pool with aquatic activities including swim lessons, water fitness, open and public swim, and youth job opportunities
- Family park events, including but not limited to Safety Month, Field Days, Halloween Bash, Happy Healthy New Year's Bash, and Movies in the Park
- Outreach programs such as youth summer programming, pickleball, teen events, and senior programming

POLICY EXPLANATION:

The City Council's focus areas of Economic Vitality, Fiscal Responsibility, Organizational Excellence, and Unique Environment are supported through this partnership for recreational services and through the programs offered to our customers by the YMCA. The services outlined in the Community Support Service Agreement with the YMCA also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 3.1:** *Provide adequate and appropriate public facilities and services to maintain the safety and quality of life of residents, visitors, and workers in Bastrop*
- **Goal 3.3:** *Engage in partnerships with other public entities to maximize the utility of, and access to public buildings and grounds.*

- *Objective 3.3.1: Maintain and/or engage in inter-local agreements with other public or nonprofit entities to enable joint program development*
- **Goal 7.3:** *Meet future recreational demand through adjustments to the City's operational capacity*

ATTACHMENTS:

- Power Point Presentation





**FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

3rd QUARTER REPORT

EVERYONE GETS TO PLAY AT



2019 MEMBERSHIP

- Apr-Jun is up 64% over 2018/ 13% over 2017
- Membership as of 6/30/19 is at 464 Units

OUTREACH

- Hand Up High Ministry
- Friendship Bible Baptist Summer Camp

Membership For All - Financial Assistance Program

At the Y, strengthening community is our cause. Every day, we work side-by-side with our neighbors to make sure that everyone, regardless of age, income or background, has the opportunity to learn, grow and thrive. Each year, we provide over two million dollars in financial assistance locally, thanks to generous gifts from our members and donors through our annual giving campaign, grants and special events.





FAMILY COMMUNITY TOGETHER

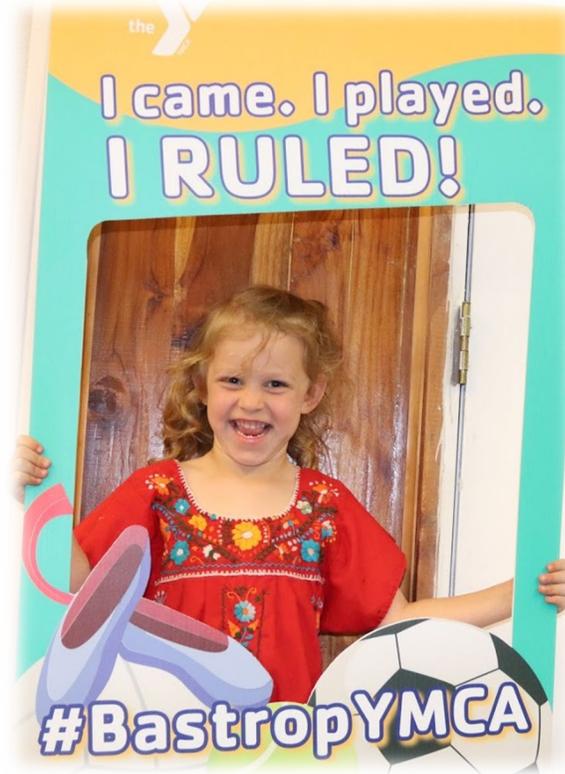
- Healthy Kids Day
- Movies in the Park
- Summer in the City
- International Yoga Day



LEARN PLAY GROW



Programming this quarter included:
Nature Hike – Art Camp – Sports Clinic
Preschool Creative Movement
Swim Lessons – Swim League – Splashball
Theme All Day Camp – Dance Camp
Management of the Pool
Lifeguard training
Science Explorers
Water Fitness
Quick Cook
Boot Camp
Gymnastics
Swimming
Fitness Classes



ACTIVE SOCIAL FUN

Fitness Classes

- AOA Fitness
- CT AOA
- Hatha Flow Yoga
- Gentle Yoga
- Chair Yoga
- Cardio Dance
- And more....

Weekly Socials

Kerr Center

Every Monday at 1:30

1st Monday – Let's Dance!

2nd Monday – Let's Play!

3rd Monday – Let's Be Creative!

4th Monday – Let's Celebrate!

5th Monday - BINGO!

Weekly Hikes at 8:30

The Y welcomes:

- Silver Sneakers
- AARP Renew
- Silver Renew Active



LOOKING AHEAD

- Big Game Day
- Youth Track
- Women's Self Defense
- The Great Transit Adventure
- Beginner Yoga Workshop
- CPR/AED Certification
- Youth & Government
- Tennis Clinic
- Gymnastics
- Teen Strength
- Quick Cook
- Splashball
- Swim Lessons
- Water Aerobics



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 6C

TITLE:

Receive Presentation and Update from the Bastrop Opera House.

STAFF REPRESENTATIVE:

James Altgelt, Director of Public Safety/Chief of Police
Lisa Holcomb, Bastrop Opera House Executive Director

BACKGROUND/HISTORY:

On November 13, 2018, City Council approved a Community Support Service Agreement with the Bastrop Opera House to provide services associated with operating, marketing, and providing cultural art and theater services in the amount of Ninety-Two Thousand Five Hundred and 00/100 Dollars (\$92,500) for FY 2018-2019. The Community Support Service Agreement requires that the Bastrop Opera House attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement. Those services include:

- Presenting an annual season of theater performances and productions designed to enrich the authentic Bastrop experience
- Increase overnight visitation by appealing to out of town visitors.

POLICY EXPLANATION:

Chapter 351.101 of the Texas Local Government Code authorizes the use of Hotel Occupancy Tax (HOT) revenue for the encouragement, promotion, improvement, and application of the arts. The statute also allows for advertising and conducting of promotional programs to encourage tourists to visit preserved historic sites. The services outlined in the Community Support Service Agreement with the Bastrop Opera House also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 8.1:** *Leverage existing downtown assets to spur additional business activity*
 - *Objective 8.1.4:* Create multiple downtown destination events that rely on Bastrop's cultural assets
- **Goal 8.3:** *Bolster family and heritage tourism assets*
 - *Objective 8.3.1:* Diversify family-orientated tourism offerings
 - *Objective 8.3.3:* Solicit support for historical structures and landmarks

ATTACHMENTS:

- Power Point Presentation

Bastrop Opera House House Quarterly Report





DRACULA: The Musical?
March 29th – April 13th, 2019

Bastrop County Bar Association presents

The Disappearance of Little John Henry Owens

Hill's Prairie, Texas 1876

Starring:

MATTHEW MCKNABB as John Henry Owens, DANNE ABSHER as Sheriff W. E. Jenkins,
DOCK JACKSON as Will Duvall, HARIL WALPOLE as Henry Owens,
LISA HOLCOMB as Mary Owens, CHRISTOPHER DUGGAN as Judge L. W. Moore,
SAM DAMON as Squirrelhunter, SCOTT HOWARD as District Attorney J. M. Bethany,
DEREK VAN GILDER as Defense Attorney J. P. Fowler, TERRY BEATTIE as George Veal,
MAURICE COOK as the Bailiff, BRYAN MCDANIEL as Burrill Jackson,
CHASE MCDONALD as B. M. Hubbard, and DANIELLE HUBER as Elisabeth Black.

Directed by CHESTER EITZE and SARAH LOUCKS

Come sit on the jury in

The State of Texas vs. Henry Owens

Friday	Saturday	Sunday
April 26, 2019	April 27, 2019	April 28, 2019
Dinner Theater	Dinner Theater	Matinee
Dinner: 6:00 p.m.	Dinner: 6:00 p.m.	Performance: 2:00
Performance: 7:00 p.m.	Performance: 7:00 p.m.	Tickets: \$1
Tickets: \$75	Tickets: \$75	

Ten year old John Henry Owens disappeared while on his way to
McDonald's store in Hill's Prairie to get some sewing thread.

The disappearance set in motion a horrible chain of events that
everyone in Bastrop County shaken to their core.

This play was inspired by the true story of Little John Henry Owens.

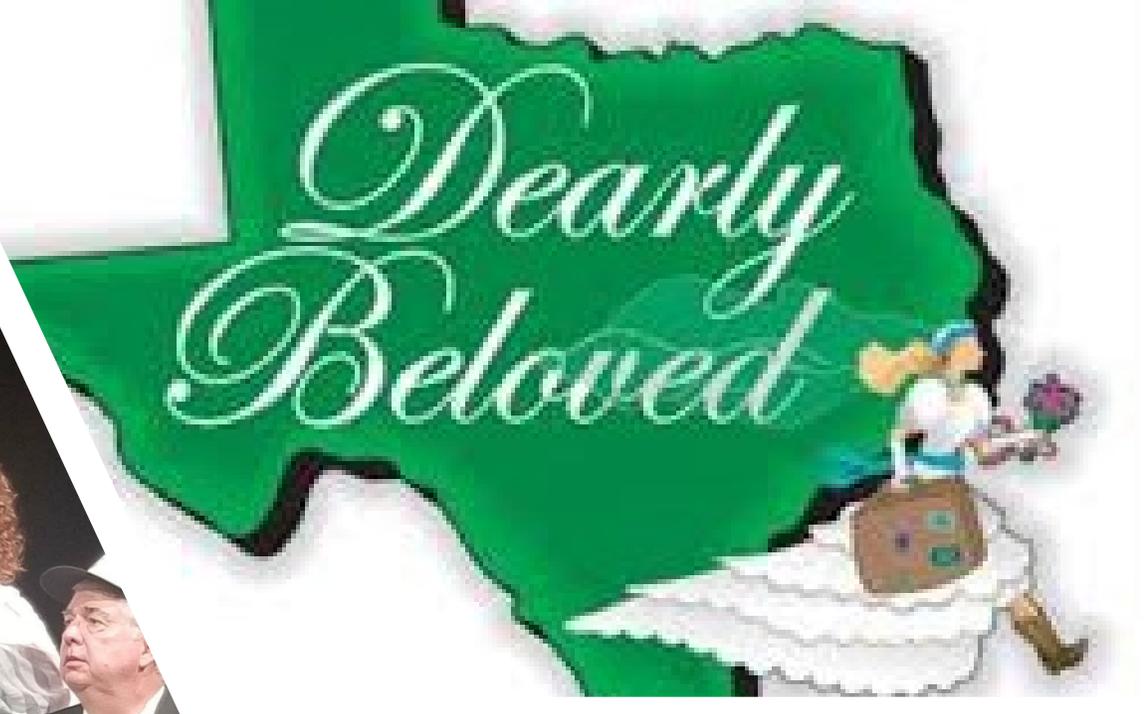


Bastrop Opera House

711 Spring Street

April 26, 27, 28

May 17, 18, 24, 25, 26, 31 & June 1





Bastrop Opera House Theatre Academy's
Production of
Midsummer Night's Dream & King Lear



Actor Games

May 10th & 11th



Alice
June 7, 8, 9

Hogg Foundation – April 23

City of Bastrop - May 9th

Bastrop High School Tennis Team Award Ceremony – May 20

Bastrop Co. Leadership – May 23

City of Bastrop – June 26

May Field Trips:

Emile Elementary

Calvary Episcopal

Ticket Sales April-May 2019

Total Tickets – 1,585

Total Tickets sold to patrons from outside of Bastrop - 960

Total Tickets sold to patrons within Bastrop – 625

Total tickets sold from September 2018 – June 2019 : 6,562

Volunteer Hours April-May 2019

423 Volunteer Hours

Includes:

Box office/concession

Tech/Lights /Sound

Stage Managing/Set Design



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 6D

TITLE:

Receive Presentation and Update from the Bastrop County Historical Society.

STAFF REPRESENTATIVE:

James Altgelt, Director of Public Safety/Chief of Police
Kaye Sapikas, Bastrop County Historical Society Director

BACKGROUND/HISTORY:

On November 13, 2018, City Council approved a Community Support Service Agreement with the Bastrop County Historical Society to provide services associated with operating, marketing, and providing museum and visitor center services in the amount of One Hundred Forty-Six Thousand Nine-Hundred Thirty-Seven and 00/100 Dollars (\$146,937) for FY 2018-2019. The Community Support Service Agreement requires that the Bastrop County Historical Society attend a regular meeting of the City Council on a quarterly basis to make a public presentation on their progress related to the Scope of Services identified in the agreement. The funds were awarded to the Bastrop County Historical Society according to the different functions the organization provides, as outlined in the Scope of Services. Those services and amounts include:

- \$115,000 for the operation of the Bastrop County Historical Society Museum and Visitor Center
- \$34,893 for historic preservation efforts
- \$9,944 for the annual Holiday Tour of Homes

POLICY EXPLANATION:

Chapter 351.101 of the Texas Local Government Code authorizes the use of Hotel Occupancy Tax (HOT) revenue for the operation of visitor information centers as well as historical preservation activities and promotional programs to encourage tourist visits. The services outlined in the Community Support Service Agreement with the Bastrop County Historical Society also support the following goals and objectives of the City of Bastrop Comprehensive Plan 2036:

- **Goal 8.1:** *Leverage existing downtown assets to spur additional business activity*
 - *Objective 8.1.3:* Enhance the offerings available at the Bastrop Museum and Visitor Center
 - *Objective 8.1.4:* Create multiple downtown destination events that rely on Bastrop's Cultural Assets
- **Goal 8.3:** *Bolster family and heritage tourism assets*
 - *Objective 8.3.1:* Diversify family-orientated tourism offerings
 - *Objective 8.3.3:* Solicit support for historical structures and landmarks

ATTACHMENTS:

- Power Point Presentation



Bastrop City Council – July, 2019

HOT Fund Presentation



Visitor Center – 3rd Quarter Highlights

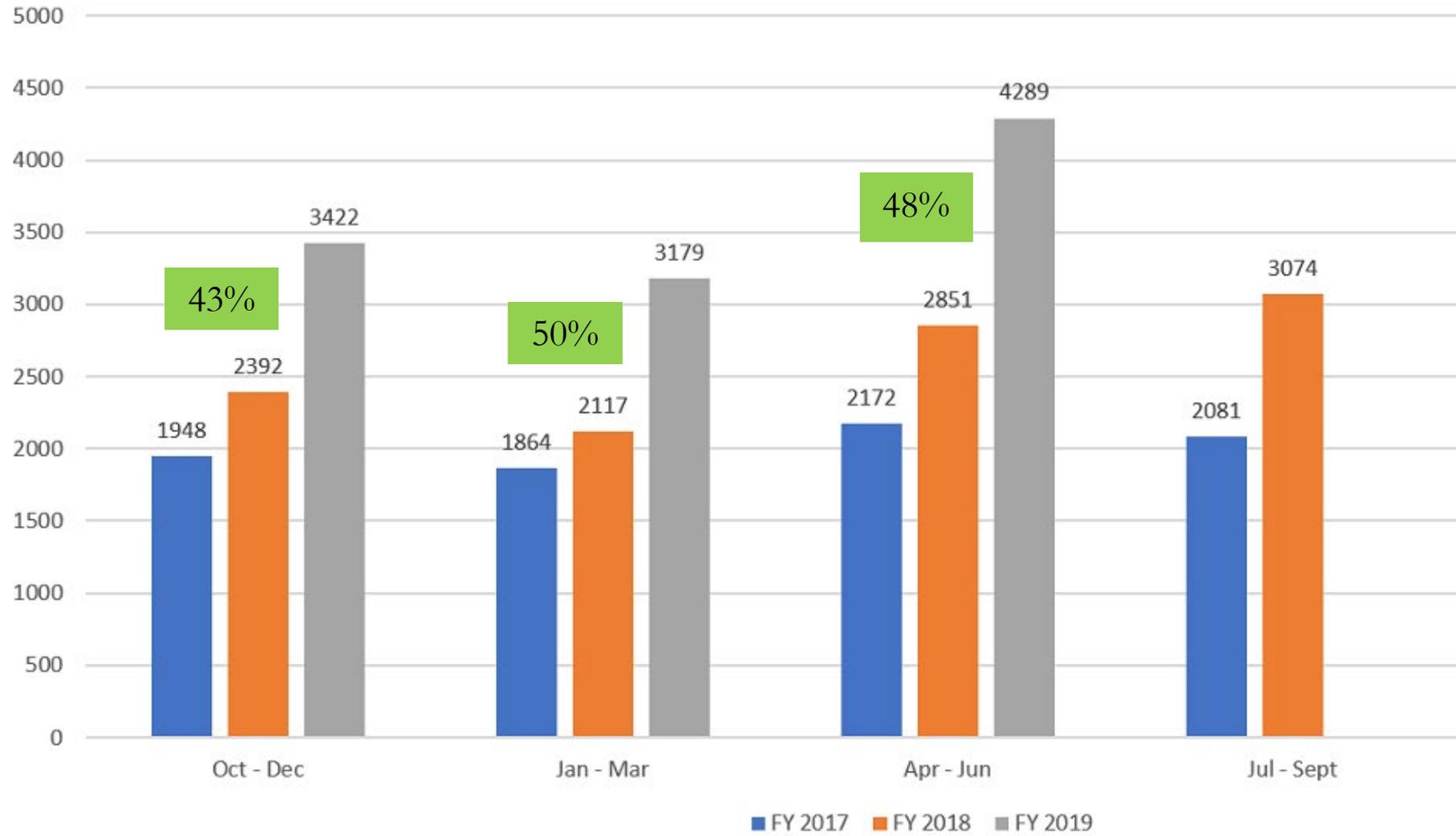
Music Festival, Summer in the City, First Fridays, Saturday Walking Tours



Visitor Center – 3rd Quarter Highlights

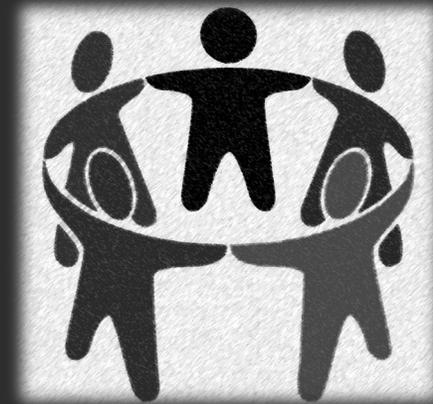
Music Festival, Summer in the City, First Fridays, Saturday Walking Tours, Bus Tours

Total Visitors



Volunteer Hours

- Visitor Center 249
- Dollar Value = \$5,727 (\$23 hr.)



Museum Highlights

Life on the River

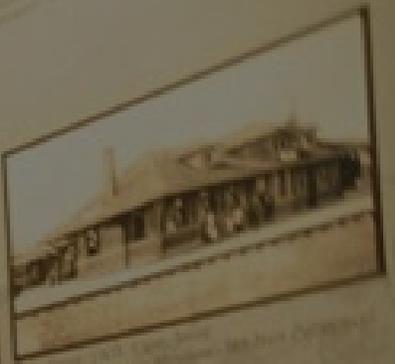
The Leonard River Ferry

The Last Pines

1910 - 1970



1880 - 1910



1850 - 1880

The first major newspaper began publication that contained 4,000 by 1857, a third being slaves, as the economy expanded. Bastropians voted against secession from the Union and Texas in fighting for the Confederacy. Texas slavery ended on June 19, 1865, a celebration known thereafter as Juneteenth. Bastrop in 1862. One of several historic floods occurred in 1862.

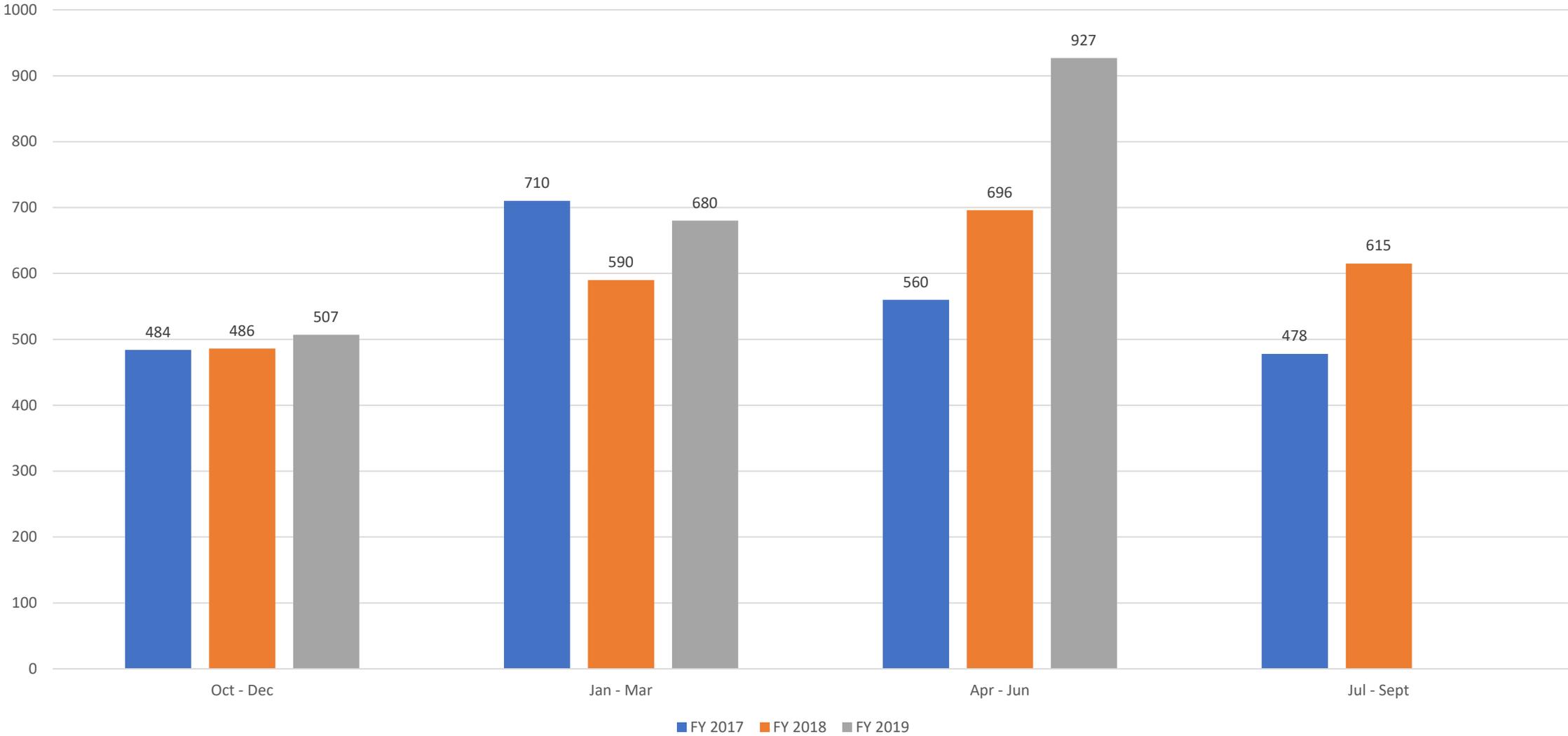
1836 - 1850



The Republic of Texas era saw rapid growth in saw mills, ferries, and businesses. Small general stores. In 1845, Texas became a state. Local Cedar and Longleaf Pine timber industry and rural construction in Bastrop. State Capitol in Austin.

Earliest Times

Museum Admissions





Special Exhibits

Sankofa is an African word from a Ghanaian tribe, the Akans. When broken down, “san” means to “return,” “ko” means “go,” and “fa” means “look, see, and take.”

The literal translation of “Sankofa” is “it is not taboo to fetch what is at risk of being left behind.”



Freedom Colonies of Bastrop County

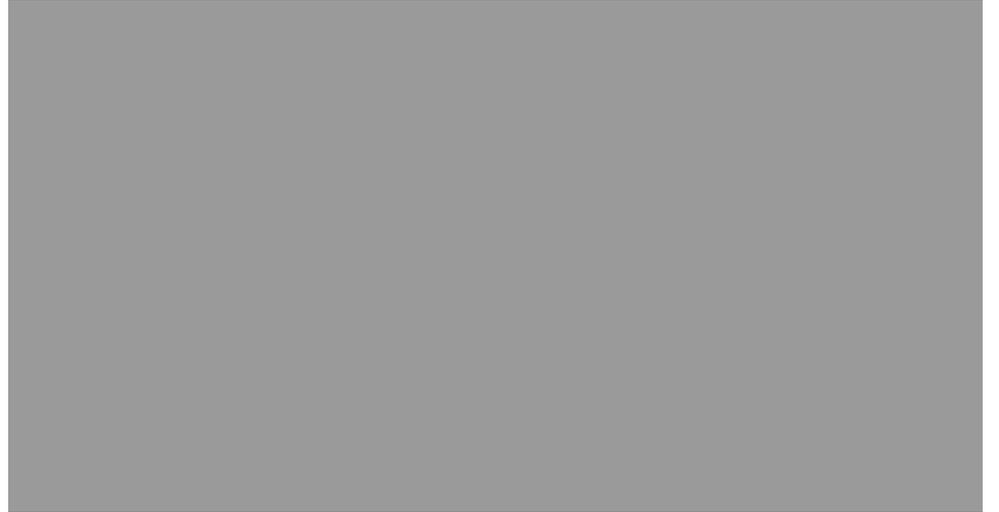
Special Exhibit



- 41 researchers
- 99 attendees at opening
- Articles in Elgin Courier, Bastrop County Insider, Bastrop Advertiser, Statesman
- Went from 13 known colonies to 25

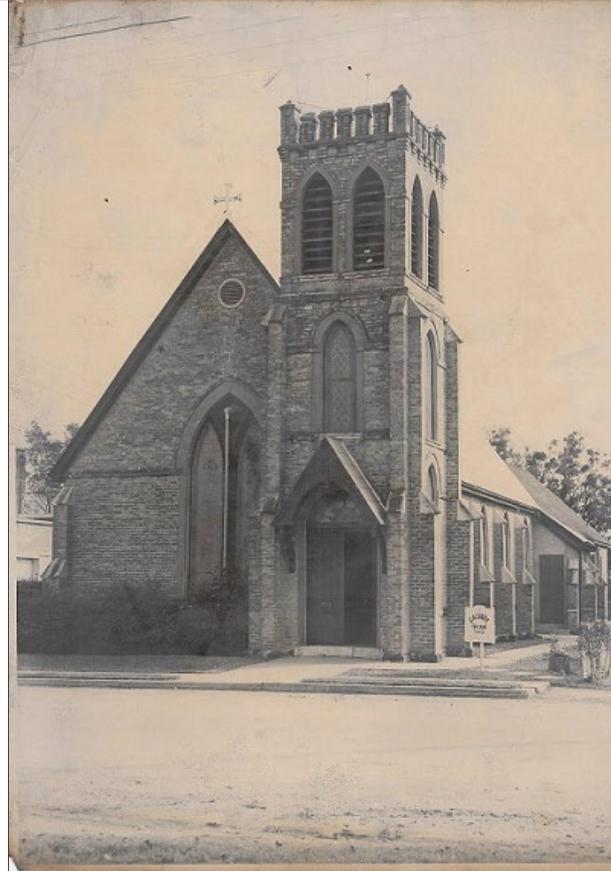
Freedom Colonies of Bastrop County





Opening Night –
June 7th





Quarterly Speaker Meetings

Genealogy Meets DNA (October), Research Success Stories (January), Episcopal Church (April), Toys of Yesteryear

Preservation & Promotion

- **Freedom Colonies**

- Exhibit opening was well attended, with several articles in the newspaper.
- We are still receiving material from Freedom Colony descendants relative to their families and the settlements established between 1865 and 1920. Michal Hubbard will continue to add material to the exhibit as it is received, and our archivist, Carol Kysar, will start cataloging the material for use by future researchers.

- **Building Block Six:**

- Bobby Poole has completed his research on Building Block Six. We will begin the process of entering the information into PastPerfect and sharing with DowntownTX.

Preservation & Promotion

- **Collection Maintenance**

- We are working to implement the suggestions from the UT assessment project. Recommendations around shelving and filing were made to improve our preservation efforts.
- We are also looking for a few collections we might be able to acquire from the Brisco Center, and others, that will add to our overall collection.

Volunteer Hours

- Museum
 - 944*
- Dollar Value = \$21,712



*These do not include the hours contributed by our dedicated Board of Trustees or Museum Curator throughout the year.

THANK YOU!



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 6E

TITLE:

Receive Quarterly Presentation from Bastrop Economic Development Corporation.

STAFF REPRESENTATIVE:

Phallan Davis, Interim Executive Director

ATTACHMENTS:

- PowerPoint Presentation





BASTROPTX

Economic Development
Corporation

Project Updates

- Agnes I: This project is in the final stages and due to be completed in July.
- 921 Main: Design phase has begun.
- Downtown Trail: Met with City, Bowman, and TxDOT to establish project timelines to correlate with the new frontage road overpasses and additional Main Street improvement projects.
- Technology Drive: Working with the City and Bowman to finalize details on the roadway. The Interlocal Agreement is also being finalized with the City, County, and the EDC.



ACTIVITY REPORT



Youth Career Day 2019

“Bastrop’s Youth Career Day, an enormous success, showcased the skills needed for the next generation of our workforce to take advantage of future exciting careers awaiting them,” said **TWC Commissioner Representing Labor Julian Alvarez**. “It is important that we continue to educate and support the future of our state by providing students with resources like career fairs. It is my hope that other cities see the value and success of career fairs and host similar events in their towns.”



Jean Riemenschneider, Bastrop EDC project manager and education workforce coordinator; Mayor Connie Schroeder, City of Bastrop; Commissioner Julian Alvarez III, Texas Workforce Commission; and Paul Fletcher



Strategic Plan

- Focus groups convened
- E-survey
- Business targets
- Final report draft



WEBSITE ANALYTICS MAY 2019

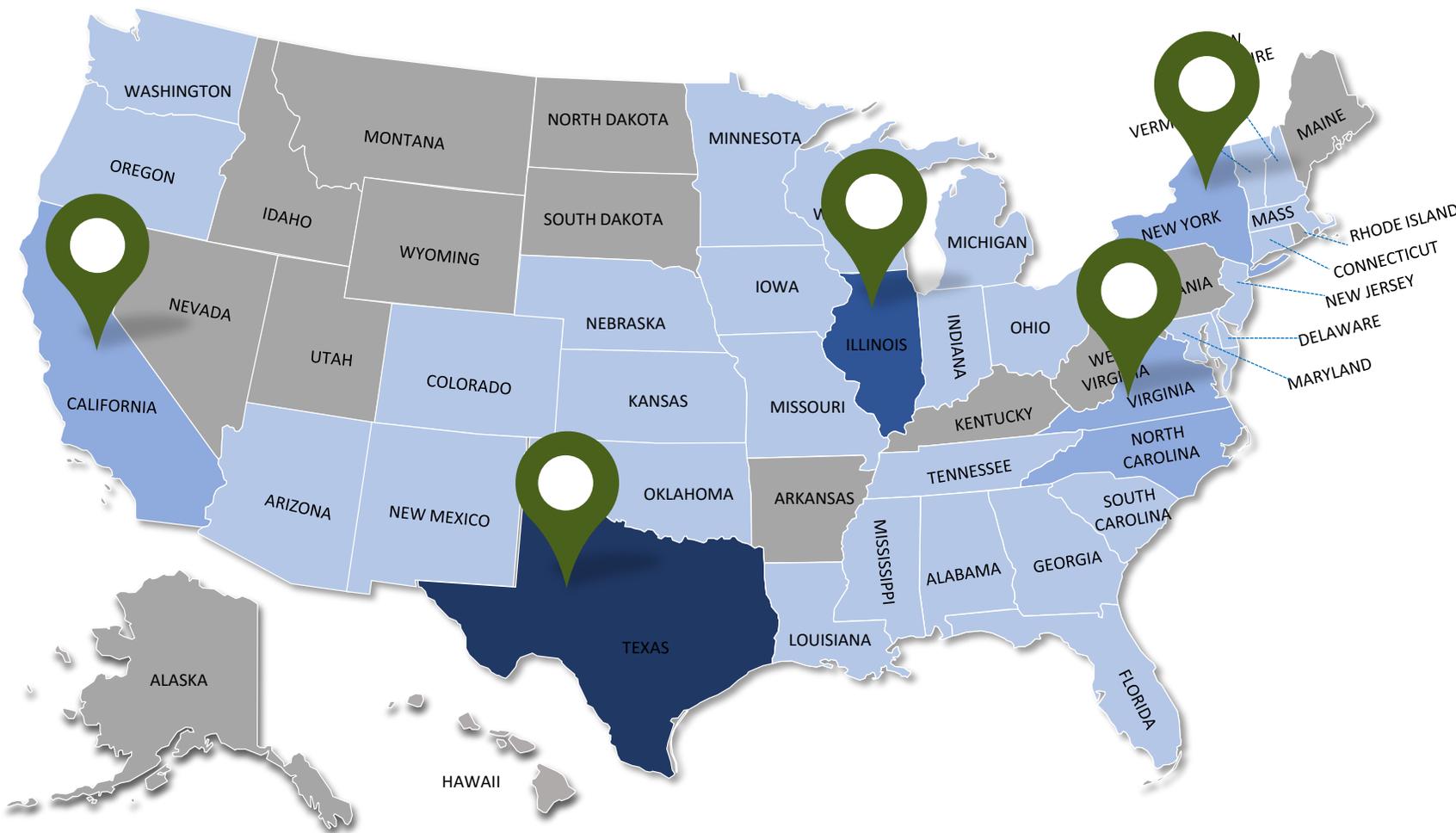


- **1,292 Unique Users; 3,108 Page Views**
- **79.7% New vs. 20.3% Returning Users**
- **40 States & 31 Countries** represented by website visits in May
- **Top Pages Visited:** Blog, Community History, News, Meet the Staff, Major Employers
- **49%** found the website organically through search engines; **29.7%** visited directly using URLs; **19%** visited via social media, and **2.3%** were referred.



WEBSITE ANALYTICS MAY 2019

Users visiting website by state comparison



TOP 5 WITH MOST VISITORS

States:

Texas – 815
Illinois – 80
Virginia – 72
California – 35
New York – 22

Countries:

United States – 1,184
China – 13
India – 9
Canada – 18
Japan – 7



OWNED MEDIA

Social Media Engagement

	May 2018	May 2019
TOTAL LIKES/FOLLOWERS	3,771	5,376
Facebook Page Likes	3,771	3,949
Twitter Followers	Unknown	1,138
LinkedIn Followers	Unknown	177



Earned Media



TEXAS' OLDEST WEEKLY NEWSPAPER SINCE MARCH 1, 1853 | SEMI-WEEKLY SINCE SEPT. 5, 1977

The Bastrop Advertiser

Thursday, April 25, 2019 An edition of the Austin American-Statesman | \$1

CALENDAR
April 25

Bastrop County Historical Society meeting: 6:30 p.m. at Calvary Heritage Hall, 1020 Main St. Bastrop. Ken Kesselus will tell the story of Calvary Episcopal Church, one of the first four congregations in Bastrop.

April 26-28

"The Disappearance of Little John Henry Owens": 6 p.m. April 26-27 and 2 p.m. April 28 at the Bastrop Opera House, 711 Spring St. The play tells the story about 10-year-old John Henry Owens, who disappeared while on his way to McDonald's store in Hill's Prairie to get some sewing thread for his mother. Proceeds will benefit the Bobby Jenkins Scholarship Fund, a project of the Bastrop County Bar Association. Tickets are \$75 for the April 26-27 show and include a dinner. The April 28 matinee is \$15. For tickets, visit bastropoperahouse.com.

April 26

TGIF Movie: 1 p.m. at the Elgin Public Library, 404 N. Main St. The library will screen "April in the Rain" at 1 p.m.

Zoho's office in Chennai, India. Founded in India in 1996, software firm Zoho is moving its headquarters from Pleasanton, Calif. to Austin, adding hundreds of jobs in the metro area. (COURTESY OF ZOHOO)

Zoho Corp's recent move bolsters Texas 71 corridor

BEDC: Decision shows area is a 'proven place' to do business

By Brandon Mulder
bmulder@statesman.com

When Zoho Corp. announced earlier this month that it was moving its headquarters to a campus along Texas 71 in eastern Travis County, fortune smiled on Bastrop.

Economic development experts have forecast that the Texas 71 corridor between

that (projection) is accurate." The California-based software company has plans to build a 100,000-square-foot building near the intersection of Kellam Road and Texas 71, about 5 miles east of Austin-Bergstrom International Airport and about three miles west of the Bastrop County line. The building, which is expected to open in 2021, will eventually house 500 employees hired over the next several years. Some of those employees, Kamerlander said, are

"clustering" effect in the area, which could spark other companies to locate in the corridor into Bastrop County and the city of Bastrop. "Other companies like them, or other companies that support Zoho's operations look to this and say, 'Zoho said it works for them, we know it's going to work for us too,'" Kamerlander said. "That leads to clustering and it gets us over the hurdle of trying to market our location as a good place to do business. ... We can point to this as a proven place to do

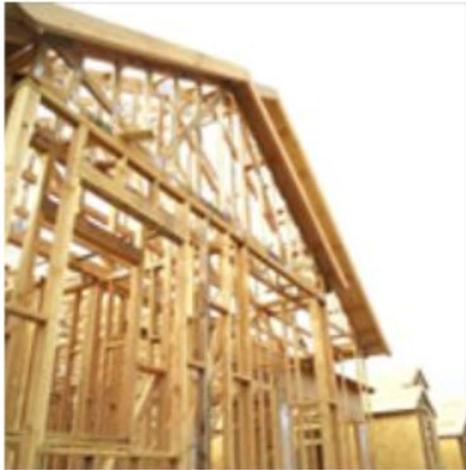
School district pays \$125K to end dispute with contractor

Money settles contract dispute with maintenance company

By Andy Sevilla
asevilla@acnnewspepers.com

The Bastrop school district last month agreed to pay \$125,000 to GCA K12 Education Services/ABM Education, the district's maintenance contractor, to settle a dispute over early termination of their contract. In a letter dated July 6, 2018, obtained by the Bastrop Advertiser through an open records request, Bastrop schools Superintendent Barry Edwards gave a 30-day notice to the contractor notifying it of the district's intent to terminate its custodial and maintenance contract with GCA due to ongoing service deficiencies. "The same deficiencies that you attempted to address in your letter to Mr. Steve Murray, former district superintendent, dated October 17, 2017, continue to exist," Edwards said in his letter to GCA/ABM. "...

Bastrop Economic Development Corp. Executive Director Mike Kamerlander said it was important to make sure Bastrop's future growth wasn't hindered by outdated land use regulations — "by something we could have controlled if we got it right." [#BastropMeansBusiness](#)



BIZJOURNALS.COM

Bastrop ready to build again - Austin Business Journal

Bastrop and builders weigh the lessons learned from a...

[Learn More](#)

i





GOVERNOR'S

2019 | SMALL
BUSINESS
WORKSHOP

CENTRAL
TEXAS



TexasEconDev

SAVE THE DATE!

BASTROP
SEPTEMBER 12

GOV.TEXAS.GOV/BUSINESS/EVENTS

Governor's
Small
Business
Workshop



When:

- September 12, 2019 8:00 am – 12:00 pm

Where:

- City Bastrop Convention Center

About the Event:

- The Governor's Small Business Workshops provide small business owners and aspiring entrepreneurs an opportunity to interact with small business resource providers, such as business lenders, business-oriented non-profits, and local, regional, state and federal agencies. Small business owners and entrepreneurs are invited to attend the Workshops to receive interactive, hands-on assistance from the resource providers and gather the information needed to start and strengthen their businesses.
- Registration Fee is \$10. Parking is provided.

Governor's Small Business Workshop



THANK YOU





STAFF REPORT

MEETING DATE: July 9, 2019

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.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

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.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8A

TITLE:

Consider action to approve City Council minutes from the June 25, 2019, Regular meeting.

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 City Council minutes from the June 25, 2019, Regular meeting.

ATTACHMENTS:

- June 25, 2019, DRAFT Regular Meeting Minutes.

BASTROP CITY COUNCIL

June 25, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, June 25, 2019, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Jackson, Ennis, Rogers and Peterson. Officers present were City Manager, Lynda Humble, Deputy City Secretary, Traci Chavez; City Secretary, Ann Franklin(remotely) and City Attorney, Alan Bojorquez.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Audrey Chan and Aden Chan, Bastrop Public Library led the pledges.

INVOCATION

Dale Burke, Police Chaplain gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4C. City Manager's Report

5. WORK SESSION/BRIEFINGS

- 5A. Review and Update on International Building Codes - Construction Standards Review Process and Impact from HB 2439.
Review was provided by Director of Planning and Development, Matt Jones.
- 5B. Review Rules of Procedure for the City Council of the City of Bastrop, Texas.
Review was provided by Mayor Schroeder.
- 5C. Provide an update on the Chicken Relocation Project in Downtown Bastrop, Texas.
Update was provided by City Manager, Lynda Humble.

STAFF AND BOARD REPORTS

- 6A. Receive Monthly Development Update.
Presentation was made by Director of Planning and Development, Matt Jones.
- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending May 31, 2019.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 6C. Update on Main Street Advisory Board.
Presentation was made by Main Street Manager, Rebecca Gleason.

CITIZEN COMMENTS - NONE**CONSENT AGENDA**

A motion was made by Mayor Pro Tem Nelson to approve Items 8A and 8C listed on the Consent Agenda after being read into the record by Deputy City Secretary, Traci Chavez. Seconded by Council Member Jackson, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the June 11, 2019, Regular meeting and June 18, 2019, Special meeting.
- 8C. Consider action to approve the second reading of Ordinance No. 2019-22 of the City Council of the City of Bastrop, Texas, amending the Bastrop City Code of Ordinances, Appendix A, Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges", Sections A13.02.002 Wastewater Service Charge and A13.02.004 Water Service Charge, adding new Subsections A13.02.002(c) and Subsection A13.02.004(b), as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, effective date, codification, and proper notice and meeting.

CONSENT AGENDA CONTINUED

- 8B. Consider action to approve the second reading of Ordinance No. 2019-21 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.
- A motion was made by Council Member Ennis to place this item on the Individual Consideration of the July 9, 2019 agenda, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve the first reading of Ordinance No. 2019-23 of the City Council of the City of Bastrop, Texas, authorizing the City of Bastrop to convey to Garments to Go, Inc. that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, as set forth in volume 908, page 275 of the deed records of Bastrop County, Texas; and providing for the following: findings of fact; repealer; severability; proper notice and meeting; and move to include on the July 9, 2019 Consent Agenda for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-23 and include on the July 9, 2019 Consent Agenda for a second reading, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9B. Consider action to approve the first reading to amend Ordinance No. 2019-16 of the City Council of the City of Bastrop, Texas, Attachment A (1) a - No Impact Projects

(Enhanced Permitting Process); and providing for legislative findings of fact, repealer, enactment, duration, extension, severability, enforcement, proper notice and meeting, effective date, applicability, alternate approvals, appeals, definitions, and move to include on the July 9, 2019 Consent Agenda for second reading.

Presentation was made by Director of Planning and Development, Matt Jones.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-16 and include on the July 9, 2019 Consent Agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:18 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 Sections 551.071, .072, and .087 of the Texas Government Code to discuss the Visit Bastrop contract with the City Attorney.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

The Bastrop City Council reconvened at 8:37 p.m. into open (public) session.

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

- 10B. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

A motion was made by Mayor Pro Tem Nelson as follows, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

The motion was to approve the purchase of .367 acres of land in Bastrop County to be used as an asset to Fairview Cemetery and authorize the City Manager to execute the purchase contract and related documents in accordance with terms discussed in Executive Session.

ADJOURNMENT

Adjourned at 8:38 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on July 9, 2019, by Council Member _____'s motion, Council Member _____'s second. The motion was approved on a _____ vote.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8B

TITLE:

Consider action to approve Resolution No. R-2019-59 of the City Council of the City of Bastrop, Texas, approving the Schain Subdivision Final Plat, being 0.273 acres out of the Bastrop Town Tract A-11, located at 304 Industrial Boulevard, within the city limits of Bastrop, Texas, as shown in Exhibit A; granting a Subdivision Variance to the one acre minimum lot requirement; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

ITEM DETAILS:

Site Address: 304 Industrial Boulevard (Attachment 1)
Total Acreage: 0.273 acres
Legal Description: 0.273 acres out of Bastrop Town Tract A-11
Property Owner: Howard J. Schain
Agent Contact: James Garon & Associates/Rachel Hartzler
Existing Use: Industrial/Vacant
Existing Zoning: Industrial Park
Future Land Use: Industry

BACKGROUND/HISTORY:

This is an existing parcel that was not properly divided in accordance with the Subdivision Ordinance. The primary building on the site had extensive fire damage several years ago, resulting in the building needing to be demolished. The subdivision plat for the Schain Subdivision will bring the parcel into compliance with the Subdivision Ordinance and allow the owner to proceed with the demolition and a new Site Development Plan for a new structure.

The Industrial Park Zoning District requires lots within a subdivision to be one acre or greater. In this instance, the proposed lot dimensions have been restricted by prior deed divisions, so a Subdivision Variance has been requested to allow the plat to be processed with the 0.273-acre lot.

Traffic Impact and Streets

This property takes access from Industrial Boulevard, has 50-feet of right-of-way with a paved width of approximately 40 feet. No other right-of-way dedications or improvements are required.

Utilities

The property is currently served by a 6-inch water line and an 8-inch wastewater line along the front of the property, as well as a 4-inch wastewater line at the rear. No utility improvements are required at this time.

Drainage

The site currently has 67 percent impervious cover on the lot and no changes are anticipated at this time. A Site Development Plan will be required for any future development on the site. Any necessary drainage improvements will be designed and constructed per the Drainage Plan requirements at that time.

PUBLIC COMMENTS:

Notifications to five adjacent property owners within 200 feet were mailed on June 12, 2019 (Attachment 3).

POLICY EXPLANATION:

All Short Form Final Plats must be reviewed by the Planning & Zoning Commission and are then forwarded to City Council for approval.

Compliance with the Enhanced Permit Review

This application met the requirements for an Exemption under Emergency Ordinances 2018-1 and 2018-2 for the moratorium. If future site development goes over the existing 67 percent, the new Drainage Ordinance and Enhanced Permit Review will apply to the Site Development Plan review.

Compliance with 2036 Comprehensive Plan:

- Future Land Use Plan - Industry: The Industry character area supports light industrial, warehousing and distribution land uses that may or may not require outdoor storage or heavy vehicles. Manufacturing uses may be supported if nuisances are mitigated.

This final plat complies with the Future Land Use Plan. This site is zoned Industrial Park and has contained uses that include storage, equipment rental, and automotive service.

Local Government Code

- Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

Bastrop adopted subdivision regulations in 1981. The Code of Ordinances, Chapter 10 – Subdivisions outlines the requirements for plats within the Bastrop city limits and Extra Territorial Jurisdiction (ETJ).

Section 212.004 Plat Required

- (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

The applicant is completing the one lot plat to comply with Subdivision requirements that should have been observed when the property was divided from the parent tract.

• Sec. 212.010. Standards for Approval

- (a) The municipal authority responsible for approving plats shall approve a plat if:
- (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

The final plat, with the subdivision variance to allow a smaller lot size, conforms to the Future Land Use Plan, which is designated Industry for this area.

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

The plat conforms to the adopted Transportation Master Plan. The subdivision plat does not create any additional impact to the transportation network.

- (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

No improvements are required.

- (4) it conforms to any rules adopted under Section 212.002.

The final plat, with the approval of the requested Subdivision Variance, complies with the requirements of the adopted Subdivision Ordinance.

Code of Ordinances Chapter 10 – Subdivisions

• Section 4.30 – Short Form Procedure – Final Plat

4.30.1 General: The short form procedure may be followed for the approval of an Amending Plat, replat or a subdivision when the land proposed to be subdivided or resubdivided.

Prior to the plat being placed before the Commission for consideration, the plat must be accepted as administratively complete by the Director of Planning and Development. A plat that contains the detailed information set forth in paragraphs 4.30.2 and 4.30.3 is considered administratively complete.

Planning and Engineering staff have reviewed the Schain Subdivision Final Plat for compliance with subdivision and utility standards and have deemed the plat administratively complete.

PLANNING & ZONING COMMISSION REPORT:

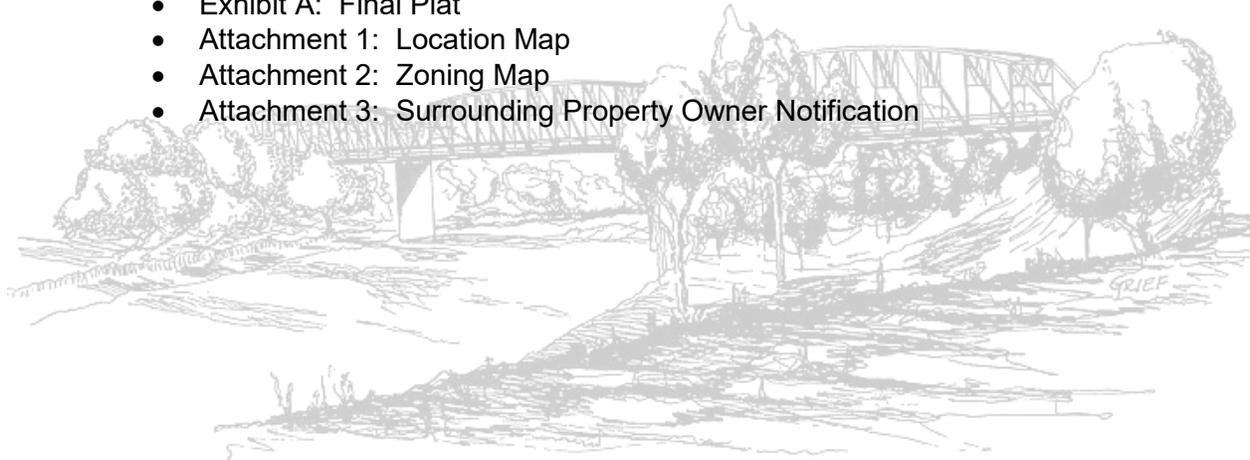
The P&Z reviewed this application at their regular meeting on June 27, 2019 and recommended approval of the Final Plat by a vote of 7 to 0.

STAFF RECOMMENDATION:

Consider action to approve Resolution No. R-2019-59 of the City Council of the City of Bastrop, Texas, approving the Schain Subdivision Final Plat, being 0.273 acres out of the Bastrop Town Tract A-11, located at 304 Industrial Boulevard, within the city limits of Bastrop, Texas, as shown in Exhibit A; granting a Subdivision Variance to the one acre minimum lot requirement; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution No. R-2019-59
- Exhibit A: Final Plat
- Attachment 1: Location Map
- Attachment 2: Zoning Map
- Attachment 3: Surrounding Property Owner Notification



RESOLUTION NO. R-2019-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE SCHAIN SUBDIVISION FINAL PLAT, BEING 0.273 ACRES OUT OF THE BASTROP TOWN TRACT A-11, LOCATED AT 304 INDUSTRIAL BOULEVARD, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; GRANTING A SUBDIVISION VARIANCE TO THE ONE ACRE MINIMUM LOT REQUIREMENT; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Texas Local Government Code Section 212 and the City of Bastrop Subdivision Ordinance, the City Council is required to take action regarding certain plats; and

WHEREAS, Howard J. Schain (“the Applicant”) has submitted a Final Plat through the Short Form process for Schain Subdivision, a subdivision containing one industrial lot; and

WHEREAS, the Final Plat is consistent with the Comprehensive Plan designation of Industry; and

WHEREAS, a Subdivision Variance is being approved with the Final Plat for a lot size below the required one acre minimum for an Industrial Park zoned lot due to the lot dimensions having been defined by prior deed divisions; and

WHEREAS, the Short Form Final Plat for Schain Subdivision was recommended for approval by the Planning & Zoning Commission on June 27, 2019; and

WHEREAS, the Bastrop Planning and Development Department has reviewed the above-referenced Final Plat and found it is in compliance with the Subdivision Ordinance; and

WHEREAS, notice of the subdivision was sent in accordance with the Subdivision Ordinance to notify the public.

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

Section 1: The Final Plat known as Schain Subdivision, being 0.273 acres of Bastrop town Tract, A-11, located at 304 Industrial Boulevard, within the city limits of Bastrop, Texas is hereby approved, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 2: A Subdivision Variance is granted to allow a 0.273 acre lot when a one acre lot minimum is required for an Industrial Park zoned parcel.

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: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 9th day of July, 2019.

APPROVED:

Connie B. Schroeder, Mayor

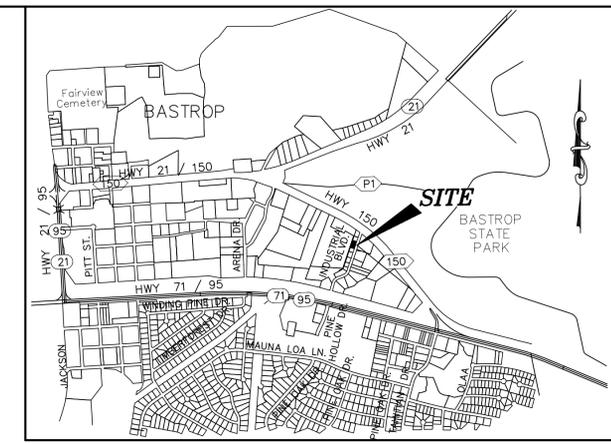
ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

SCHAIN SUBDIVISION FINAL PLAT



LOCATION MAP
N.T.S.



SCALE: 1" = 20'

LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP
- POWER POLE
- E— OVERHEAD ELECTRIC LINE
- D— DOWN GUY
- ⊕ FIRE HYDRANT
- P.U.E.— PUBLIC UTILITY EASEMENT (R.C.)
- (BRG.-DIST.)— RECORD CALL
- WW— WASTEWATER LINE
- W— WATER LINE

OWNER: HOWARD J. SCHAIN
 ADDRESS: 304 INDUSTRIAL BLVD., BASTROP, TEXAS 78602
 ACREAGE: 0.273 ACRE
 SURVEY: BASTROP TOWN TRACT A-11
 NUMBER OF LOTS: 1
 PROPOSED USE: COMMERCIAL
 CURRENT ZONING: INDUSTRIAL PARK
 DATE: SEPTEMBER 25, 2018
 SURVEYOR: JAMES E. GARON
 PHONE: 512-303-4185 FAX: 512-321-2107

STATE OF TEXAS }
 COUNTY OF BASTROP }

I, JAMES E. GARON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BASTROP, TEXAS.

JAMES E. GARON
 REGISTERED PROFESSIONAL LAND SURVEYOR
 REG. NO. 4303
 185 McALLISTER ROAD
 BASTROP, TEXAS 78602
 PH. 512-303-4185 FAX 512-321-2107
 JAMESEGARON.COM

APPROVED THIS _____ DAY OF _____, 2019 BY THE
 CITY COUNCIL OF THE CITY OF BASTROP, TEXAS.

APPROVED: _____ ATTEST: _____
 CONNIE B. SCHROEDER, MAYOR CITY SECRETARY

LEGAL DESCRIPTION:

BEING 0.273 ACRE OF LAND LYING IN AND SITUATED OUT OF BASTROP TOWN TRACT, ABSTRACT NO. 11, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 0.272 ACRE OF LAND CONVEYED TO HOWARD J. SCHAIN BY DEED RECORDED IN VOLUME 828, PAGE 55, OFFICIAL RECORDS, BASTROP COUNTY, TEXAS; SAID 0.273 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2" iron rod set on the westerly right-of-way line of Industrial Drive for the northeast corner hereof and said Schain 0.272 acre tract, the southeast corner of that certain Lot 1, Resubdivision of Dean's Subdivision, recorded in Plat Cabinet No. 2, Page 329A, Plat Records, Bastrop County, Texas;

THENCE S 19°38'58" W a distance of 144.35 feet to a 1/2" iron rod set for the southeasterly corner hereof and said Schain 0.272 acre tract, the northeasterly corner of that certain Lot 7, Block A, Industrial Park Subdivision, recorded in Plat Cabinet No. 2, Page 364B, Plat Records, Bastrop County, Texas;

THENCE S 70°19'31" W a distance of 82.24 feet to a 1/2" iron rod found for the southwesterly corner hereof and said Schain 0.272 acre tract, being in the easterly line of that certain 2.068 acre tract (Tract 3) of land conveyed to HJ Schain Holding Properties, LP by deed recorded in volume 1965, page 346 of said official records;

THENCE N 19°37'50" E a distance of 82.29 feet to the POINT OF BEGINNING, containing 0.273 acre of land.

PLAT NOTES CONTINUED:

18. No portion of this tract is within a flood hazard area as shown on the Flood Insurance Rate Map Panel # 48021C0360E, Community # 480022 for The City of Bastrop, effective January 19, 2006 and is in zone "X".
19. FLOOD WARNING The degree of flood protection required by the City of Bastrop Flood Damage Prevention Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. Acceptance of this plat by the City Council does not imply that land outside of the areas of special flood hazard areas will be free from flooding or flood damages. Nor shall acceptance of this plat create liability on the part of the City of Bastrop or any official or employee thereof for any flood damages that result from the reliance on the information contained within this plat or any administration decision lawfully made hereunder.
20. All easements of record as indicated on the most recent title run dated July 17, 2012, conducted by Bastrop Abstract Company for the property are shown on this Plat.
21. Temporary and permanent easements to be provided, as required at the City's sole discretion for off-site water, wastewater and drainage improvements.
22. The electric utility has the right to prune and/or remove trees, shrubbery vegetation and other obstructions to the extent necessary to keep the easements clear. The owner/developer of this subdivision/lot shall provide the City of Bastrop electric utility department with any easement and/or access required, in addition to those indicated, for the installation and ongoing maintenance of overhead and underground electric facilities.
23. The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection for electric utility work required to provide electric service to the project.
24. Prior to construction of any improvements on Lots in this subdivision, building permits will be obtained from the City of Bastrop.
25. Sidewalks shall be constructed in accordance with the Subdivision Ordinance of the City of Bastrop.
26. It is the responsibility of each builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the structure, from his structure to the drainage system constructed by the subdivision developer.
27. Public utility and drainage easements where shown and/or described hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainage ways; including, but not limited to, sanitary sewers, force mains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
28. A subdivision variance to allow a lot size smaller than the required one acre was approved by City Council on _____, 2019.

CONSERVATION SUBDIVISION NOTES:

THIS PROJECT IS LOCATED WITHIN THE AREA OF "KNOWN AND POTENTIAL HABITAT" OF THE ENDANGERED HOUSTON TOAD AS DETERMINED BY THE U.S. FISH AND WILDLIFE SERVICE. AS AUTHORIZED UNDER BASTROP COUNTY'S FEDERAL FISH AND WILDLIFE-ISSUED ENDANGERED SPECIES - INCIDENTAL TAKE PERMIT NUMBER TE-113500-0, PROPERTY OWNERS SHOULD CONTACT THE LOST PINES HABITAT CONSERVATION PLAN (LPHCP) ADMINISTRATOR AT THE BASTROP COUNTY DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT ACTIVITY.

SINCE NO FURTHER FRAGMENTATION OF POTENTIAL HOUSTON TOAD HABITAT OCCURS FROM THIS SUBDIVISION, IT HAS NO EFFECT TO THE LPHCP.

ACCORDING TO THE LPHCP, A SUBDIVISION PLAT RECORDED AFTER OCTOBER 1, 2003 THAT DOES NOT COMPLY WITH THE CONSERVATION SUBDIVISION DEVELOPMENT GUIDELINES DESCRIBED IN THE PLAN DOES NOT COVER INCIDENTAL TAKE OF THE HOUSTON TOAD RESULTING FROM THE CONSTRUCTION OF SINGLE-FAMILY RESIDENCES. THESE TRACTS DO NOT MEET THE REQUIREMENTS SET FORTH IN THE CONSERVATION SUBDIVISION GUIDELINES, AND THUS CANNOT BE DEVELOPED AS A CONSERVATION SUBDIVISION. AS A RESULT, ANY DEVELOPMENT APPLICATION RECEIVED FOR THESE PLATTED LOTS WILL BE REFERRED TO THE US FISH AND WILDLIFE SERVICE FOR INDIVIDUAL CONSULTATION.

STATE OF TEXAS }
 COUNTY OF BASTROP }

I, ROSE PIETSCH, COUNTY CLERK OF BASTROP COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2019, A.D., AT _____ O'CLOCK _____ M., IN THE PLAT RECORDS OF BASTROP COUNTY, TEXAS IN PLAT CABINET _____, PAGE _____

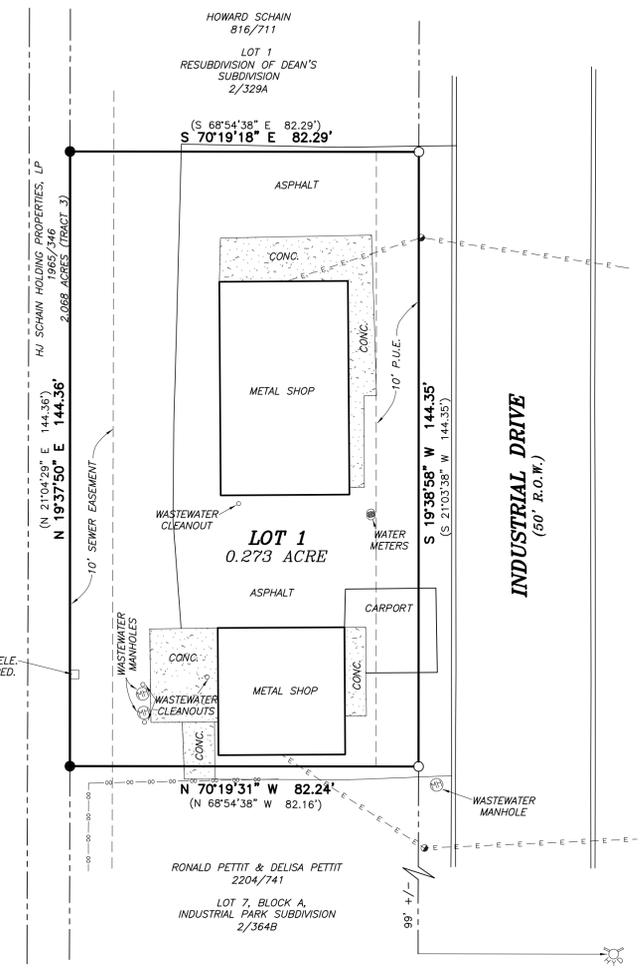
FILED FOR RECORD ON THE _____ DAY OF _____, 2019, A.D.

DEPUTY _____ ROSE PIETSCH
 COUNTY CLERK
 BASTROP COUNTY, TEXAS

SCHAIN SUBDIVISION
 FINAL PLAT

FIELD BOOK: B-
 S:\Co\Bastrop\Surveys\Bastrop Town Tract A-11\28418-SDP\28418-Plat.dwg

JAMES E. GARON & ASSOC.
 PROFESSIONAL LAND SURVEYORS
 Firm Reg. #10058400
 185 McAllister Road
 Bastrop, Texas 78602
 (512) 303-4185
 jgaron@austin.rr.com
 www.jamesegaron.com



STATE OF NEW YORK }
 COUNTY OF KINGS }

KNOW ALL MEN BY THESE PRESENTS:

THAT I, HOWARD J. SCHAIN, BEING THE OWNER OF 0.272 ACRES ACRE OUT OF THE BASTROP TOWN TRACT, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS AND AS CONVEYED TO ME BY DEED RECORDED IN VOLUME 828, PAGE 55 OF THE OFFICIAL RECORDS OF BASTROP COUNTY DO HEREBY SUBDIVIDE SAID LAND WITH THE PLAT SHOWN HEREON IN ACCORDANCE WITH CHAPTER 212.016.9 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE PLAT SHOWN HEREON TO BE KNOWN AS:

SCHAIN SUBDIVISION

SUBJECT TO EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED AND DO HEREBY DEDICATE ANY STREETS AND/OR EASEMENTS SHOWN HEREON TO THE PUBLIC.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2019, A.D.

HOWARD J. SCHAIN
 370 ATLANTIC AVENUE
 BROOKLYN, NEW YORK 11217

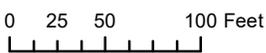
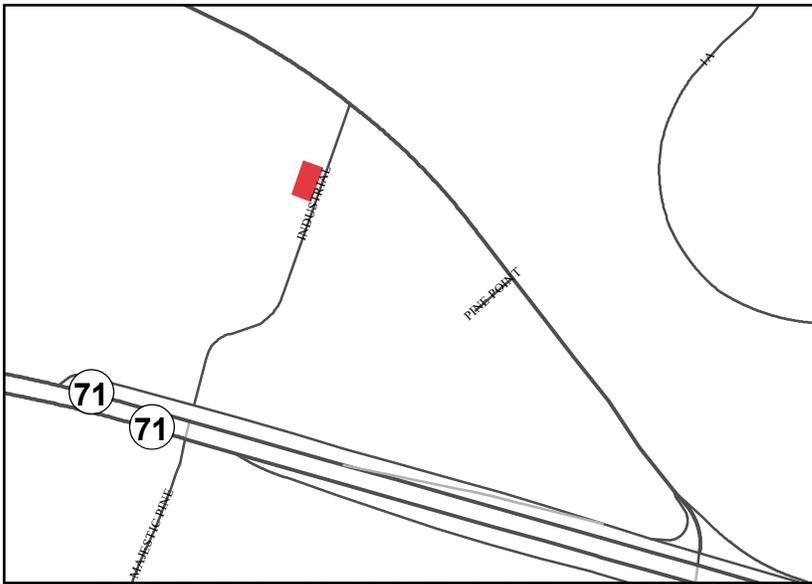
STATE OF NEW YORK }
 COUNTY OF KINGS }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED HOWARD J. SCHAIN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2019, A.D.

NOTARY PUBLIC IN AND FOR
 THE STATE OF NEW YORK

PRINTED NAME OF NOTARY / EXPIRES

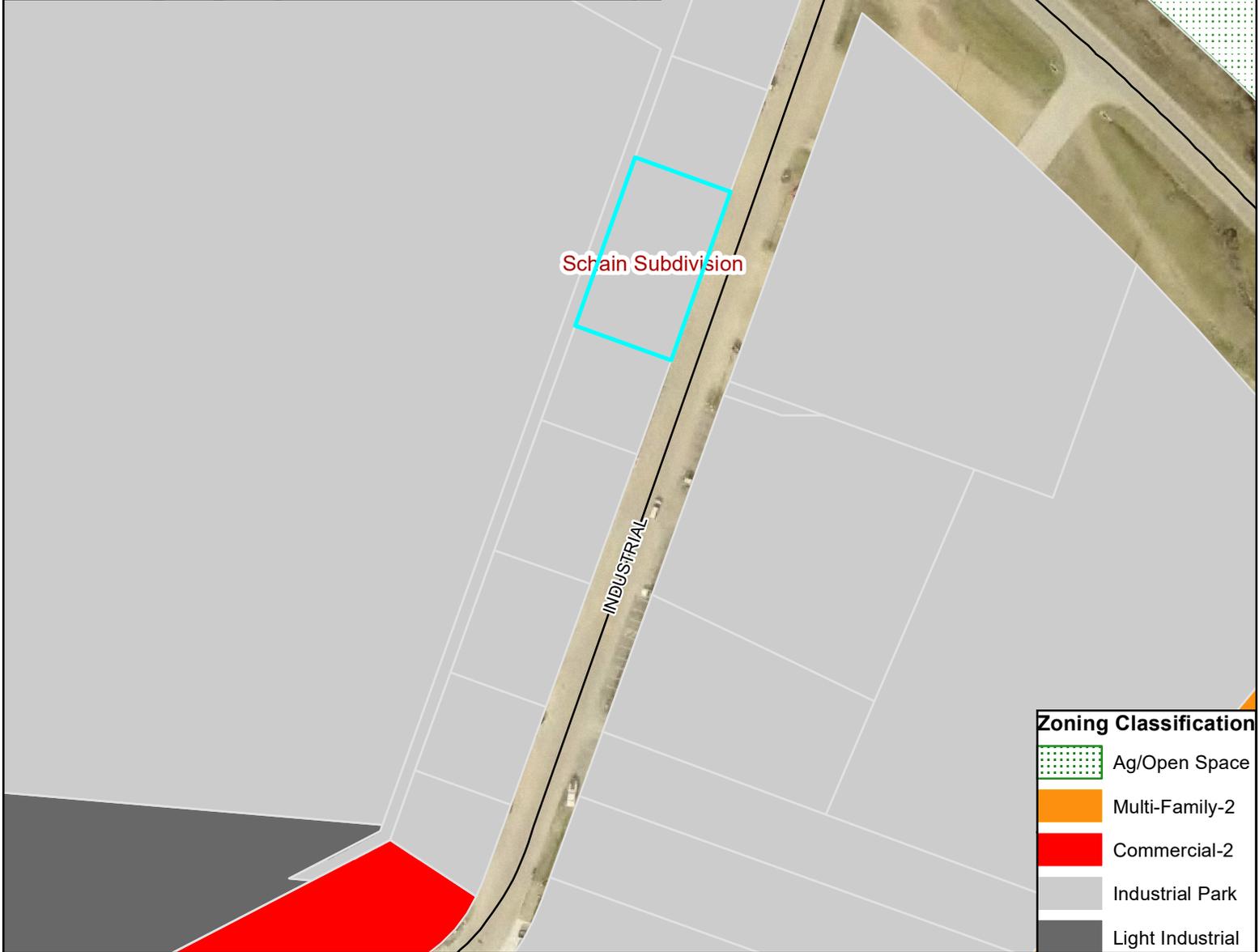
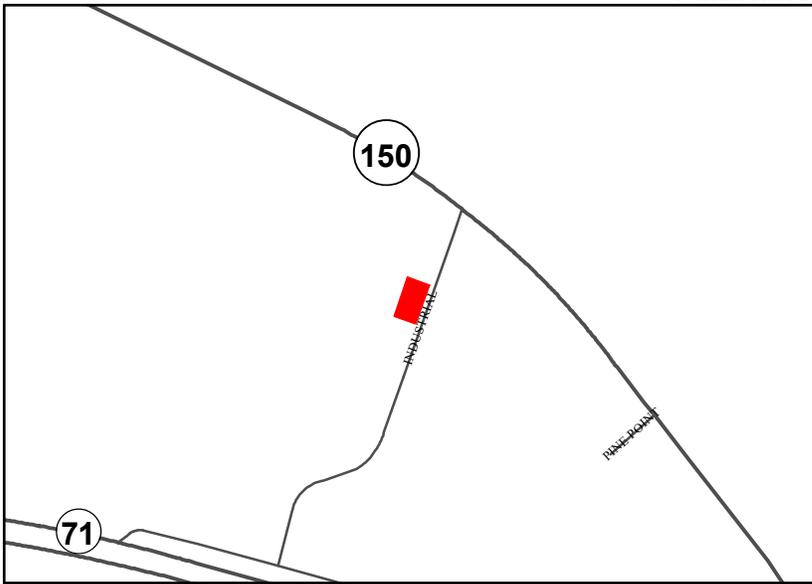


Location Map
Short Form Final Plat and Variance
Schain Subdivision

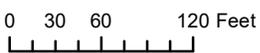


The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 6/12/2019



Zoning Map
Short Form Final Plat
304 Industrial Boulevard



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 6/20/2019

**Notice of Pending Subdivision with a variance to the Subdivision Ordinance
City of Bastrop
Planning & Zoning Commission
And City Council**



Dear Property Owner:

The **Planning & Zoning Commission** will hold a meeting **Thursday, June 27, 2019 at 6:00 p.m.** and the **City Council** will hold a meeting on **Tuesday, July 9, 2019 at 6:30 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** to consider approval of the Schain Subdivision Short Form Final Plat, with a Variance to the Code of Ordinances Chapter 14, Section 30.4 (A) requiring a minimum lot area of one (1) acre, with the current lot being 0.273 acres, for 1 lot, being 0.273 acres out of Bastrop Town Tract A-11, located at 304 Industrial Boulevard, in the City Limits of Bastrop, Texas.

Owner/Applicant: Howard Schain / James Garon & Associates

Address: 304 Industrial Boulevard

Legal Description: 0.273 acres out of Bastrop Town Tract A-11

Number of Lots: 1

The site location map and plat are attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Subdivision Regulations.

Property owners wishing to subdivide land must follow the rules within the City Subdivision Regulations, which can be read online at:

https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH10SU

For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, plan@cityofbastrop.org, or visit the office at 1311 Chestnut Street, Bastrop, Texas.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8C

TITLE:

Consider action to approve Resolution No. R-2019-60 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the replacement of an enclosed accessory structure with one that is 40 square feet larger, located at 108 Hasler Street, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The applicant representing 108 Hasler St is proposing to replace a 10-foot by 20-foot fully enclosed accessory structure with a 12-foot by 20-foot partially enclosed accessory structure. The new structure will have one portion that is fully enclosed and another portion that is enclosed on three sides and open on the fourth side. See Attachments. The new structure expands the footprint by 20%.

POLICY EXPLANATION:

Compliance with the Enhanced Permit Review (Ordinance 2019-16)

In order to be exempt from the Enhanced Permit Review, the project must qualify as one of the following:

- No Impact Project
- Minimal Drainage Project
- Fence
- Ongoing Project
- Grandfathered Project

- No Impact Projects are endeavors that do not:
 1. Increase horizontal density; or
The project does not increase horizontal density as it does not add dwelling units or population to the site.

 2. Increase impervious cover greater than 5%; or
The project does not increase impervious cover greater than 5% due to the amount of impervious cover already on the lot.

3. Expand the footprint of an existing structure greater than 5%; or
The project does expand the footprint of an existing structure by greater than 5%. The new structure is 240 square feet. The existing structure is 200 square feet. This is an increase of 20%. Therefore, this project cannot qualify as a No Impact Project.
 4. Alter the current drainage pattern on the property.
The structure does not appear to alter the drainage pattern on the site. The new structure will be in the same location as the old structure, is located within the appropriate building setbacks, and does not conflict with any drainage ways or easements on the property.
- Minimal Drainage Projects require a licensed professional engineer to document that the project will discharge less than 1 cubic foot of water per second.
The applicant has chosen not to pursue this option.
 - Fences, Ongoing Projects, Grandfathered Projects
The project does not qualify for these options.

Since the project does not meet the requirements or the Applicant has chosen not to pursue the requirements to allow the Enhanced Permit Review process to not be applicable, the project is subject to following the Enhanced Permit Review Process.

Enhanced Permit Review Methodology:

1. Pre-Application Meeting: A pre-application meeting on this project was held on Tuesday, April 2, 2019.
2. Site Visit: A site visit was conducted by representatives of the Planning and Development Department on June 20, 2019.
3. Suspension of Deadlines: This step does not require additional actions by the Applicant or Staff. Staff will approve, deny, or issue comments as soon as reasonable given the circumstances and will strive to accomplish one of those actions within 3 weeks, per the ordinance.
4. Criteria: This project meets the intent of the policy statement approved by City Council on February 26, 2019 in the form of Resolution 2019-24. The project also does not appear to create a situation that will exacerbate flooding, create unsustainable infrastructure, or be inconsistent with the historic culture of Bastrop. The project is well contained in the site, does not create any infrastructure, and is consistent with the historic culture of Bastrop.

The project does not meet the qualifications for Staff Approval as it is not a Fence Permit, a Minor Plat in the ETJ, or an Accessory Structure less than or equal to 160 square feet. Therefore, this project is subject to approval by City Council.

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-60 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the replacement of an enclosed accessory structure with one that is 40 square feet larger, located at 108 Hasler Street, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2019-60
- Exhibit A – Applicant’s Proposed Plans



RESOLUTION NO. R-2019-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE APPLICANT TO PROCEED THROUGH THE ENHANCED PERMIT REVIEW PROCESS FOR THE REPLACEMENT OF AN ENCLOSED ACCESSORY STRUCTURE WITH ONE THAT IS 40 SQUARE FEET LARGER, LOCATED AT 108 HASLER STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Jack and Jill Gilbreath (“the Applicants”) have submitted a Building Permit Application replace 10 foot by 20 foot accessory structure with a 12 foot by 20 foot accessory structure; and

WHEREAS, the Enhanced Permit Review requirements and process were adopted with Ordinance 2019-16 to provide additional review of projects that increase horizontal density, increase impervious cover, expand building footprints, impact drainage patterns or create any other possible negative effect to drainage; and

WHEREAS, the proposed accessory structure at 108 Hasler Street is 40 square feet larger and will increase the footprint of the existing structure by 20 percent, exceeding the No Impact expansion limit of 5 percent; and

WHEREAS, the owners have met with City Staff at a Pre-Application meeting to discuss the project on April 2, 2019; and

WHEREAS, a representative of the Planning & Development Department conducted a site visit on June 20, 2019; and

WHEREAS, no suspensions of deadlines are required to review and approve the Building Permit Application; and

WHEREAS, staff has made the determination that the project does not appear to create a situation that will exacerbate flooding, the drainage will be well contained in the site, does not create any infrastructure, and is consistent with the historic culture of Bastrop; and

WHEREAS, by meeting all of the requirements of the Enhanced Permit Review process, City Council authorizes the owners to proceed with the Building Permit Application.

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

Section 1: The replacement of an accessory structure that is 40 square feet larger at 108 Hasler Street, within the city limits of Bastrop, Texas is hereby authorized for review and staff approval, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 2: 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 3: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 9th day of July, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

43" tall South Fence

8ft from fence

8ft from fence

Proposed 8' tall
Bldg
12 X 20

EAST FENCE 46" TALL

56'

50'

11' tall
GARAGE
14

10 ft from fence

West Fence

20ft from House

HOUSE
15' tall



*Old Bldg was under this tree.
New Bldg will be in same place.*

Hasler St



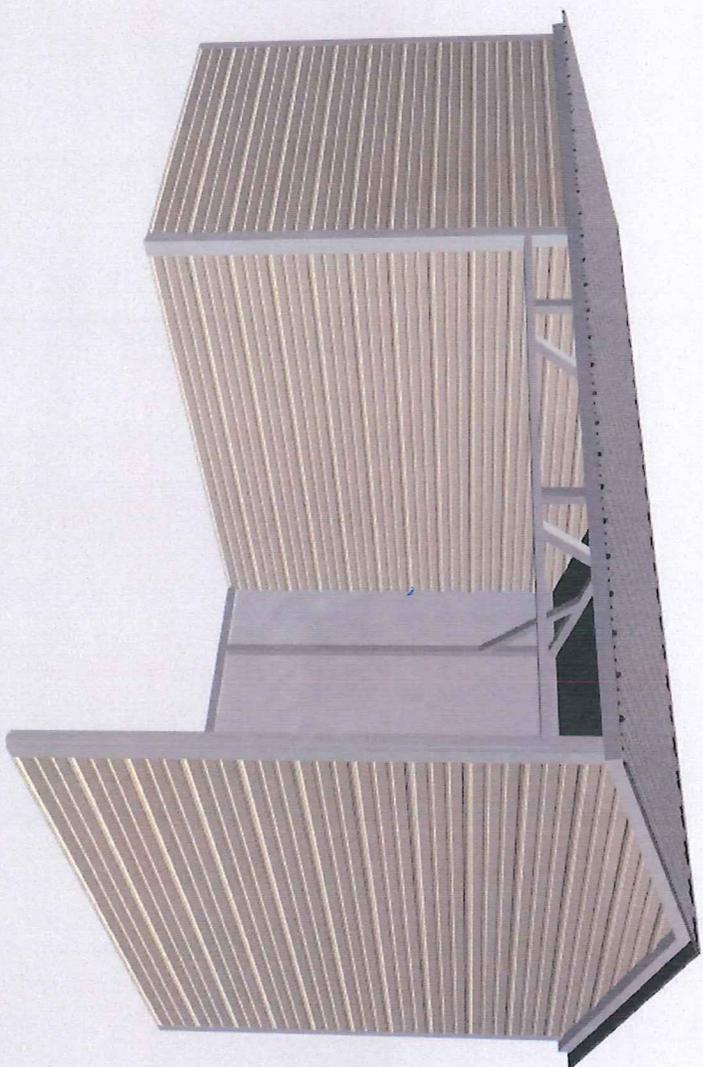
Old Bldg.



Old Bldg



Estimate for [Z8602](#): \$4,207



12' W x 21' L x 8' H



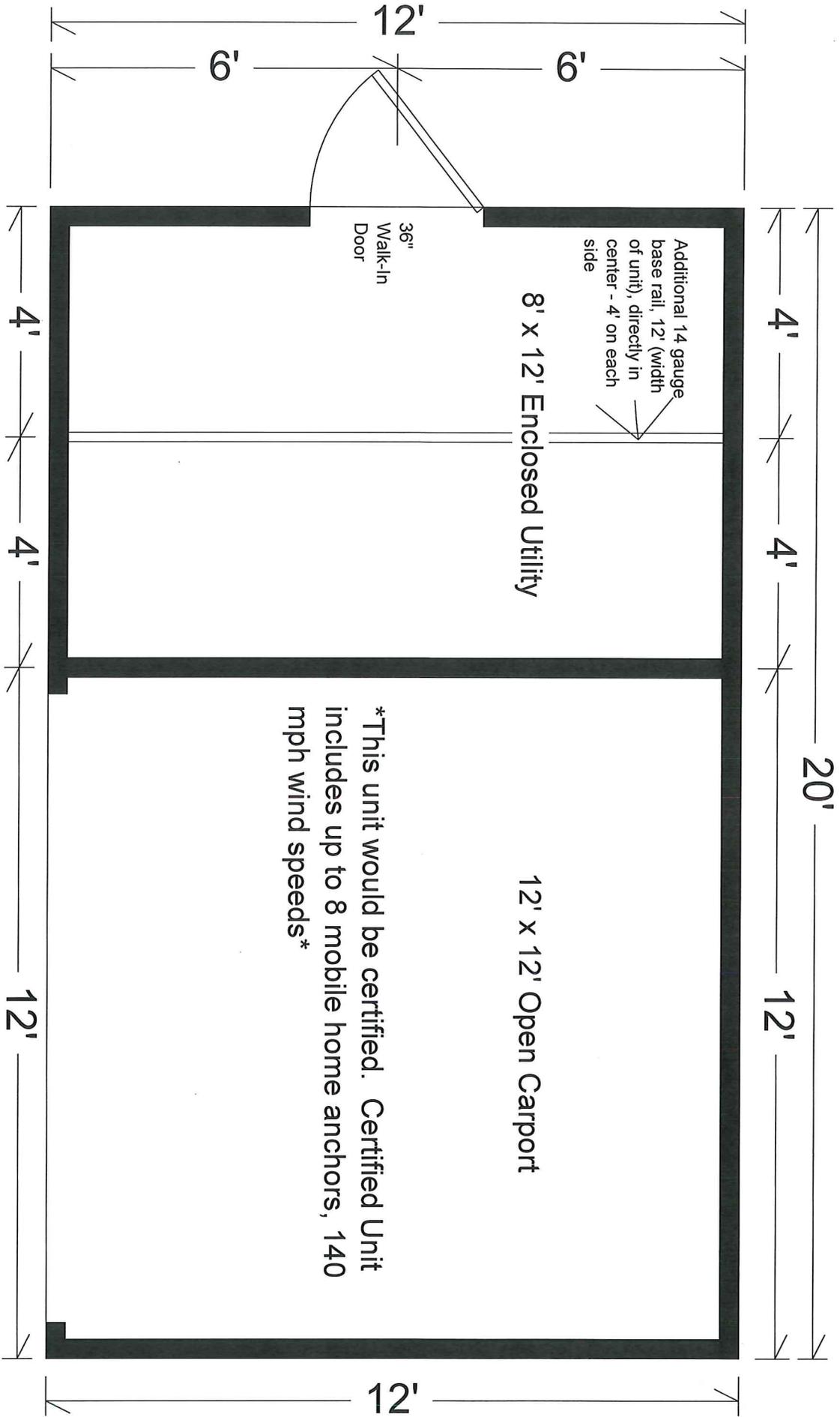
Estimate for [78602](#): \$4,207



12' W x 21' L x 8' H



12' x 21' Utility / Carport Combo



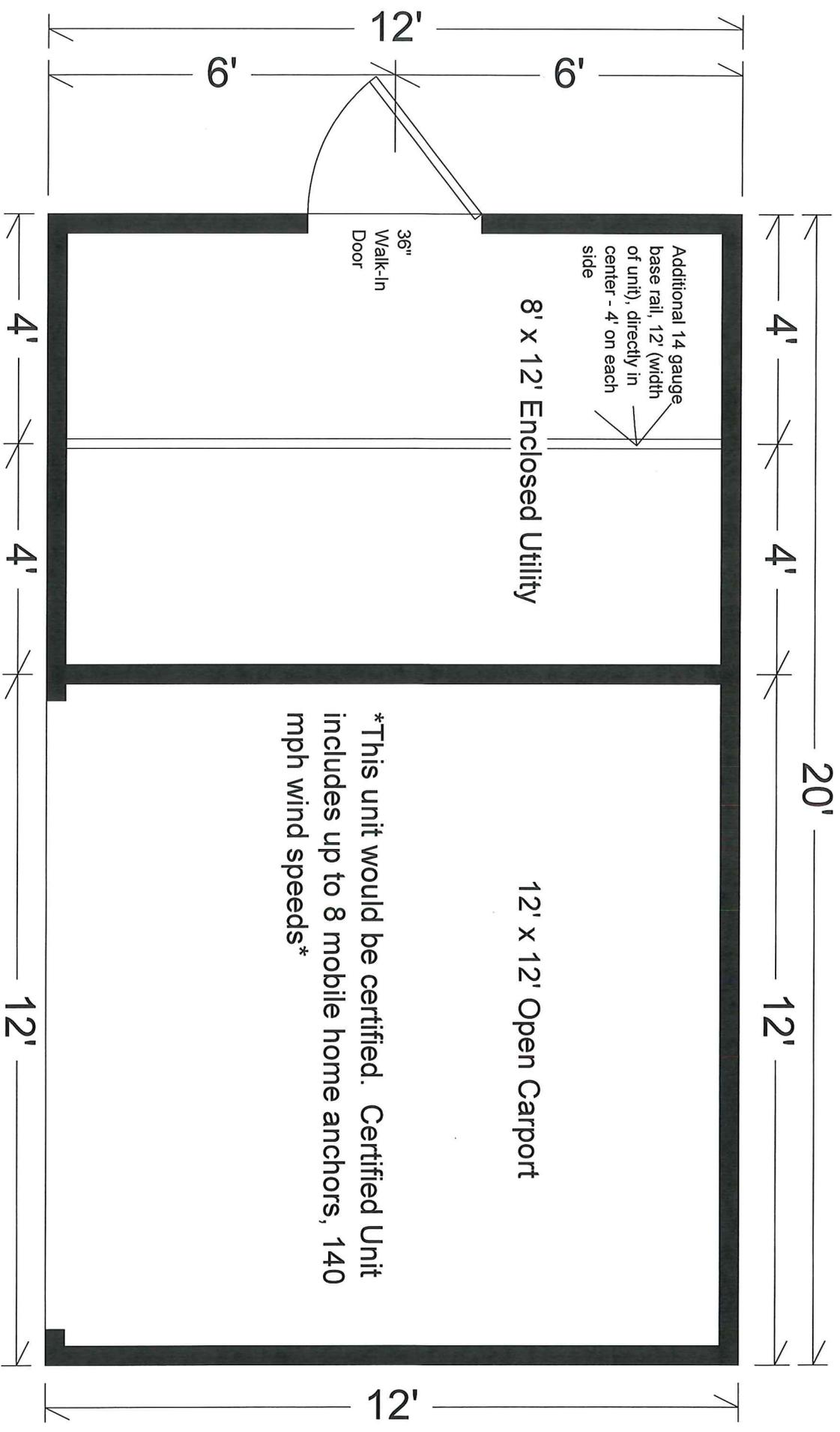
This unit would be certified. Certified Unit includes up to 8 mobile home anchors, 140 mph wind speeds

Client: Jack & Jill Gilbreath
 Bastrop, Texas

Sales Lot: Enterprise Center
 Giddings, Texas

Rep: Shawna Blasig
 979.542.4330 office
 979.716.4254 cell

12' x 21' Utility / Carport Combo



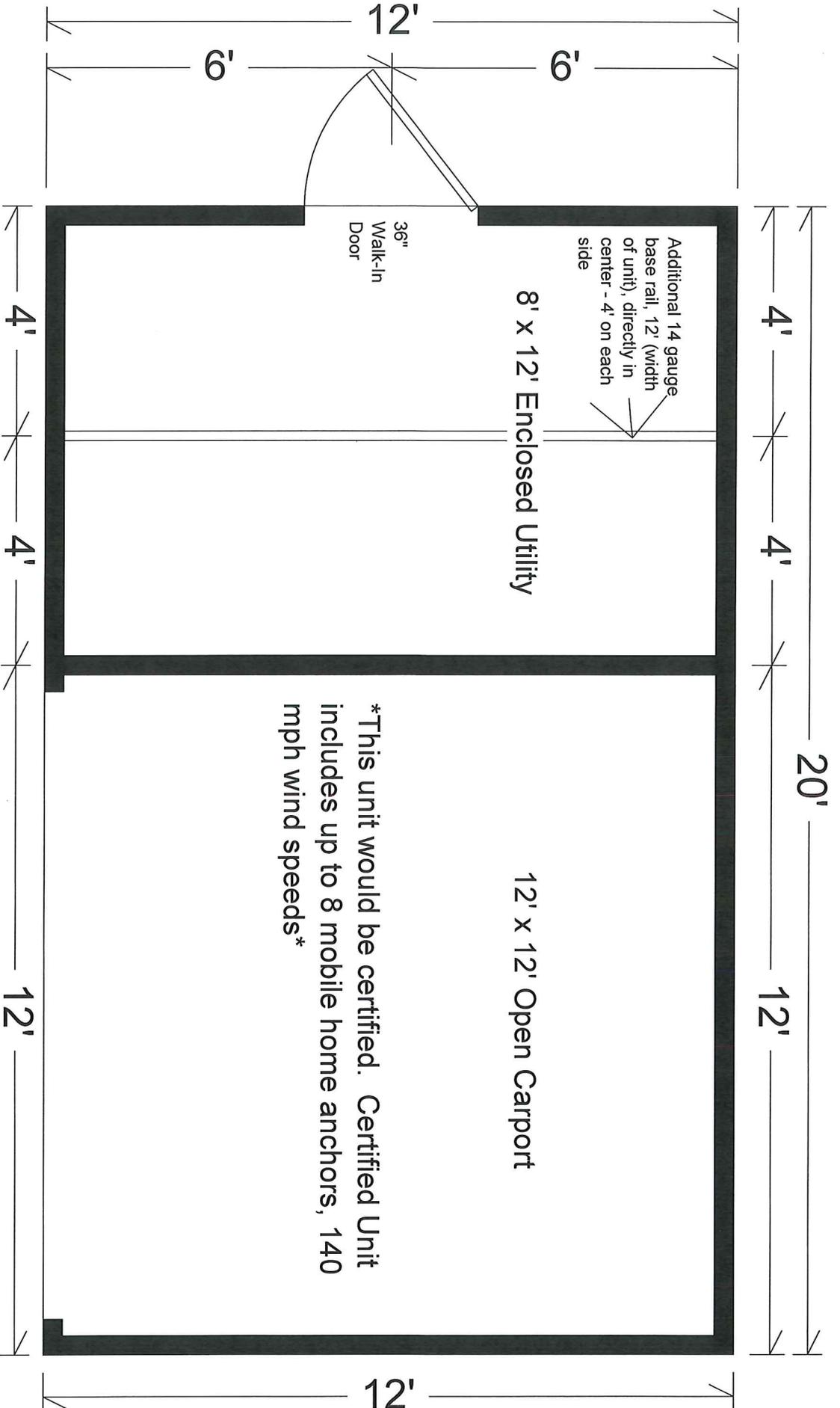
This unit would be certified. Certified Unit includes up to 8 mobile home anchors, 140 mph wind speeds

Client: Jack & Jill Gilbreath
Bastrop, Texas

Sales Lot: Enterprise Center
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12' x 21' Utility / Carport Combo



This unit would be certified. Certified Unit includes up to 8 mobile home anchors, 140 mph wind speeds

Client: Jack & Jill Gilbreath
Bastrop, Texas

Sales Lot: Enterprise Center
Giddings, Texas

Rep: Shawna Blasig
979.542.4330 office
979.716.4254 cell



Steel Buildings & Structures

820 Reeves Drive

Mount Airy, North Carolina, 27030

877.272.8276

(336) 551-3449

Customer Details

Customer Name	Jack & Jill Gilbreath
Billing Address	
Billing City, State, ZIP	
Phone Number	512.308.7908
Secondary Phone Number	
Email	jgilbreath7@austin.rr.com

Delivery and Installation Details

Delivery Contact Person	Jack & Jill Gilbreath
Delivery Address	108 Hasler Street
Delivery City, State, ZIP	Bastrop, TX, 78602

Dealer or Sales Rep

Dealer Name	Enterprise Center
Dealer Address	3331 E Austin St
Dealer Email	Tom@enterprisecentergiddings.com
Dealer Phone	
Dealer or Sales Rep Name	Shawna Blasig

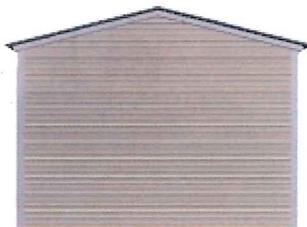
Order Details

Date:	Sat, Jun 1, 2019
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Building Images



Perspective View



Front



Left Side



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8D

TITLE:

Consider action to approve Resolution No. R-2019-61 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the addition of a screened in porch, located at 326 Belinda Court, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

The applicant representing 326 Belinda Court is proposing to extend the roofline of the house to cover an existing concrete patio and then screen in approximately half of the patio area under the extended roof. The screened in portion will expand the footprint of the structure by 216 square feet, or 8 percent.

POLICY EXPLANATION:

Compliance with the Enhanced Permit Review (Ordinance 2019-16)

In order to be exempt from the Enhanced Permit Review, the project must qualify as one of the following:

- No Impact Project
- Minimal Drainage Project
- Fence
- Ongoing Project
- Grandfathered Project

- No Impact Projects are endeavors that do not:
 1. Increase horizontal density; or
The project does not increase horizontal density, as it does not add dwelling units or population to the site.
 2. Increase impervious cover greater than 5%; or
The project does not increase impervious cover greater than 5% because the concrete patio already exists. The roof will cover the existing patio but not contribute to additional coverage.
 3. Expand the footprint of an existing structure greater than 5%; or
The project does expand the footprint of an existing structure by greater than 5%. The screened in portion of the patio expands the structure by 216 square feet. The

existing structure is 2,676 square feet. This is an increase of 8%. Therefore, this project cannot qualify as a No Impact Project.

4. Alter the current drainage pattern on the property.
The screened in portion will be located on top of existing patio and under the extended roof. Since the roof is covering existing impervious surface and there do not appear to be issues with runoff from the roof discharging off the property, there is not an altered drainage pattern. The roofline will be located within the appropriate building setbacks and there are no drainage ways or easements on the property.
- Minimal Drainage Projects require a licensed professional engineer to document that the project will discharge less than 1 cubic foot of water per second.
The applicant has chosen not to pursue this option.
 - Fences, Ongoing Projects, Grandfathered Projects
The project does not qualify for these options.

Since the project does not meet the requirements or the Applicant has chosen not to pursue the requirements to allow the Enhanced Permit Review process to not be applicable, the project is subject to following the Enhanced Permit Review Process.

Enhanced Permit Review Methodology:

1. Pre-Application Meeting: A pre-application meeting on this project was held on Tuesday, June 25, 2019.
2. Site Visit: A site visit was conducted by representatives of the Planning and Development Dept on June 27, 2019.
3. Suspension of Deadlines: This step does not require additional actions by the Applicant or Staff. Staff will approve, deny, or issue comments as soon as reasonable given the circumstances and will strive to accomplish one of those actions within 3 weeks, per the ordinance.
4. Criteria: This project meets the intent of the policy statement approved by City Council on February 26, 2019 in the form of Resolution 2019-24. The project also does not appear to create a situation that will exacerbate flooding, create unsustainable infrastructure, or be inconsistent with the historic culture of Bastrop. The project is well contained in the site, does not create any infrastructure, and is consistent with the historic culture of Bastrop.

The project does not meet the qualifications for Staff Approval as it is not a Fence Permit, a Minor Plat in the ETJ, or an Accessory Structure less than or equal to 160 square feet. Therefore, this project is subject to approval by City Council.

RECOMMENDATION:

Consider action to approve Resolution No. R-2019-61 of the City Council of the City of Bastrop, Texas, authorizing the applicant to proceed through the Enhanced Permit Review Process for the addition of a screened in porch, located at 326 Belinda Court, within the City Limits of Bastrop, Texas; as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2019-61
- Exhibit A – Applicant's Proposed Plans



RESOLUTION NO. R-2019-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE APPLICANT TO PROCEED THROUGH THE ENHANCED PERMIT REVIEW PROCESS FOR THE ADDITION OF A SCREENED IN PORCH LOCATED AT 326 BELINDA COURT, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ronald and Donna Walsh (“the Owners”) have submitted a Building Permit Application for a screened in porch; and

WHEREAS, the Enhanced Permit Review requirements and process were adopted with Ordinance 2019-16 to provide additional review of projects that increase horizontal density, increase impervious cover, expand building footprints, impact drainage patterns or create any other possible negative effect to drainage; and

WHEREAS, the proposed addition of a 216 square foot porch addition will expand the building footprint of the 2,676 square foot structure at 326 Belinda Court; and

WHEREAS, the owners have met with City Staff at a Pre-Application meeting to discuss the project on June 25, 2019; and

WHEREAS, a representative of the Planning & Development Department conducted a site visit on June 28, 2019; and

WHEREAS, no suspensions of deadlines are required to review and approve the Building Permit Application; and

WHEREAS, staff has made the determination that the project does not appear to create a situation that will exacerbate flooding, the drainage will be well contained in the site, does not create any infrastructure, and is consistent with the historic culture of Bastrop; and

WHEREAS, by meeting all of the requirements of the Enhanced Permit Review process, City Council authorizes the owners to proceed with the Building Permit Application.

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

Section 1: The addition of a screened in porch at 326 Belinda Court, within the city limits of Bastrop, Texas is hereby authorized for review and staff approval, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 2: 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 3: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 9th day of July, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

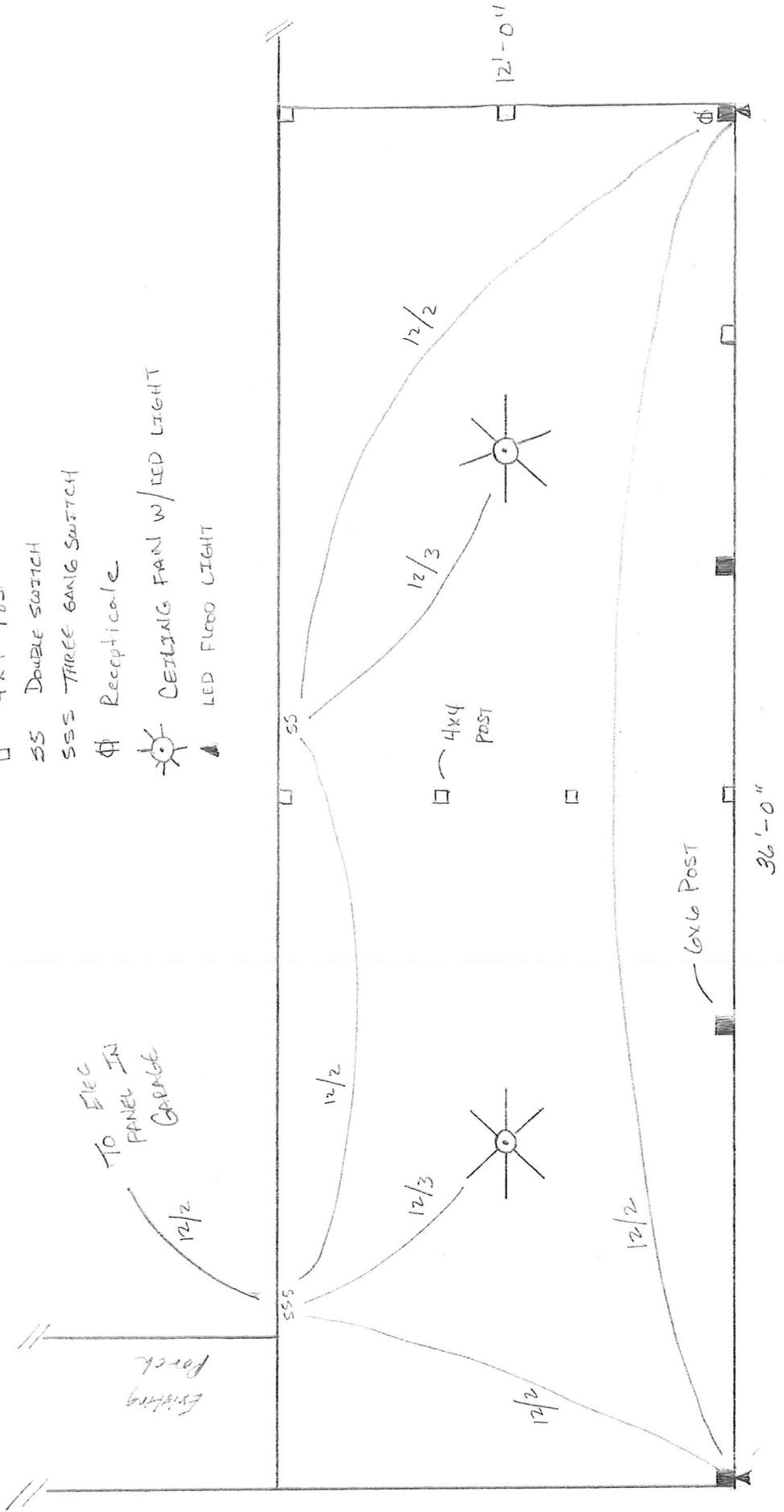
SCALE 1/4" = 1'-0"

AGC 6-5-19

FLOOR PLAN
ELECTRICAL PLAN

Floor Plan & Electrical Plan

- Legend
- 6x6 Post
 - 4x4 Post
 - SS DOUBLE SWITCH
 - SSS THREE GANG SWITCH
 - ⊕ RECEPTACLE
 - ☀️ CEILING FAN W/ LED LIGHT
 - ▲ LED FLOOR LIGHT

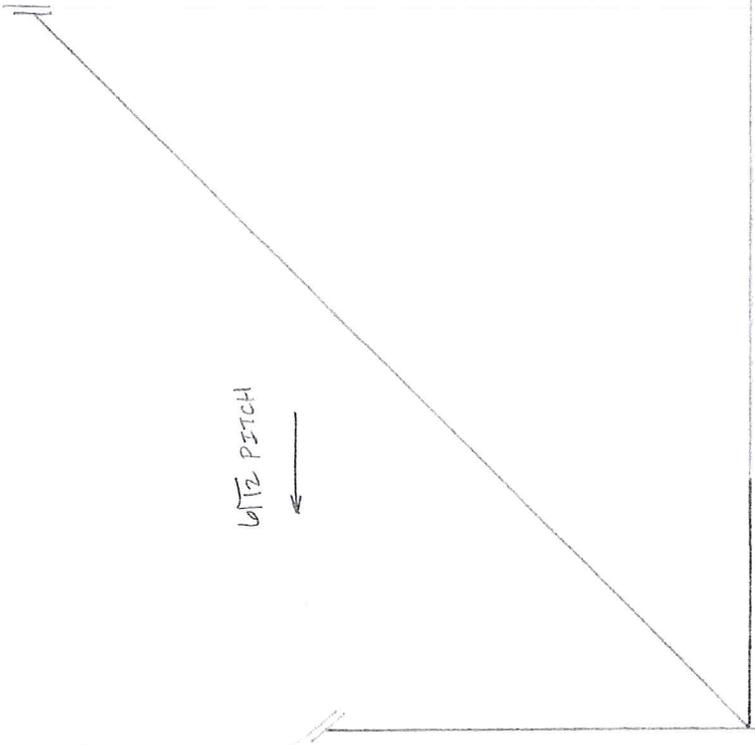


SCALE 1/4" = 1'-0"

AGC 5-25-19

TOP VIEW

(Dimensions include overhang)



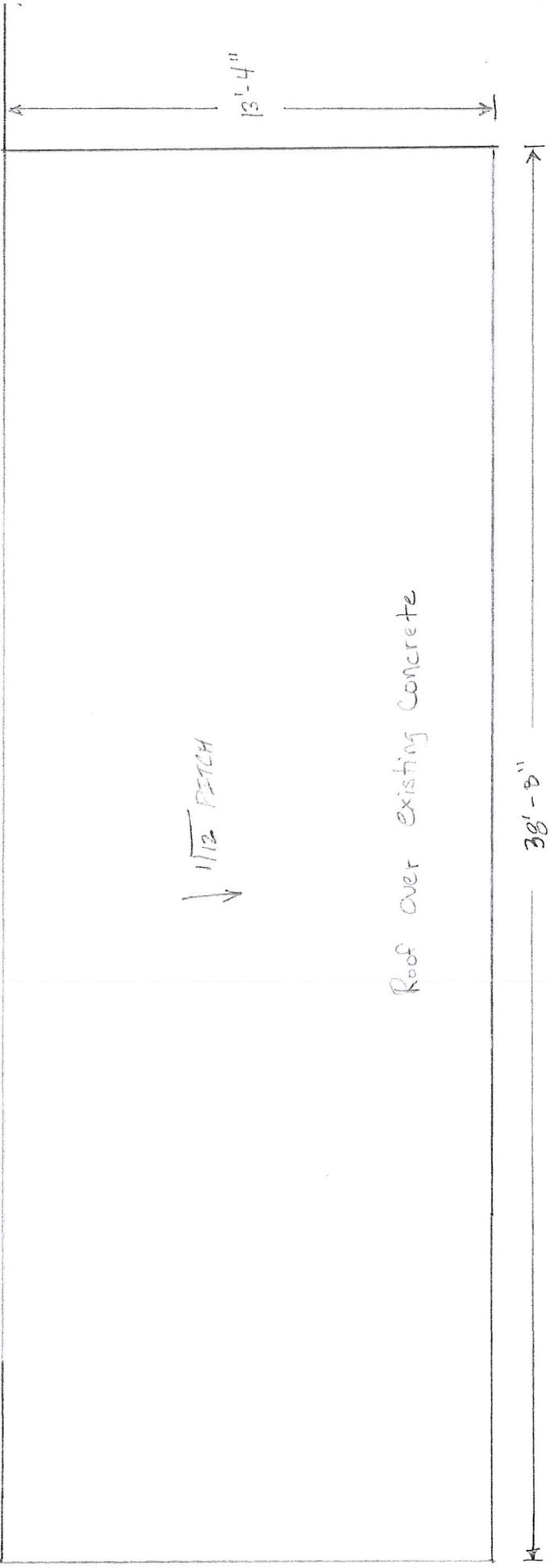
6/12 PITCH

6/12 PITCH

Architectural Shingle Roof

11/12 PITCH

Roof over existing concrete

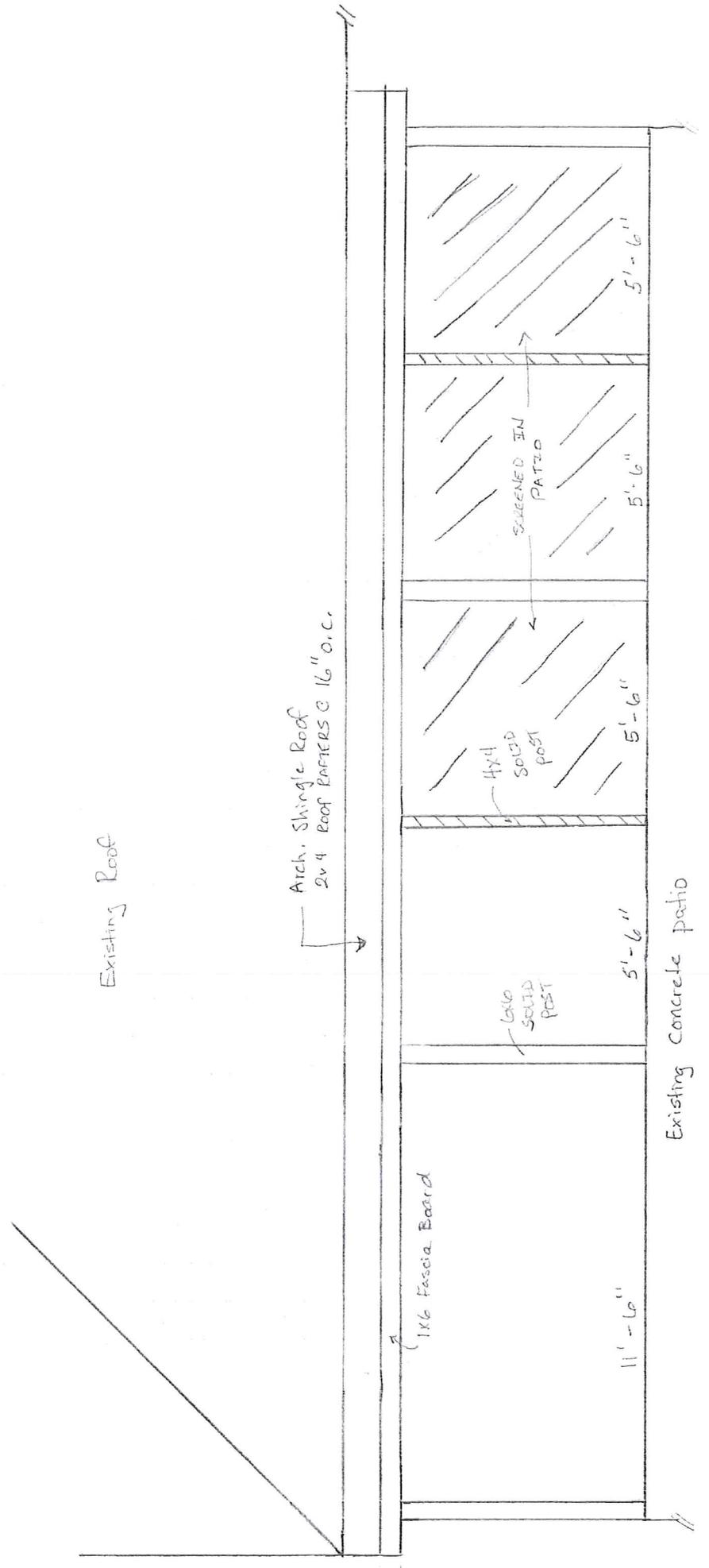


38'-0"

13'-4"

38'-0"

SCALE 1/4" = 1'-0"
AGC 5-25-19
FRONT VIEW



Existing Roof

Arch. Shingle Roof
2x4 Roof Rafters @ 16" o.c.

1x6 Fascia Board

6x10
SOLID
POST

4x4
SOLID
POST

SCREENED IN
PATIO

4x4
SOLID
POST

11'-6"

5'-6"

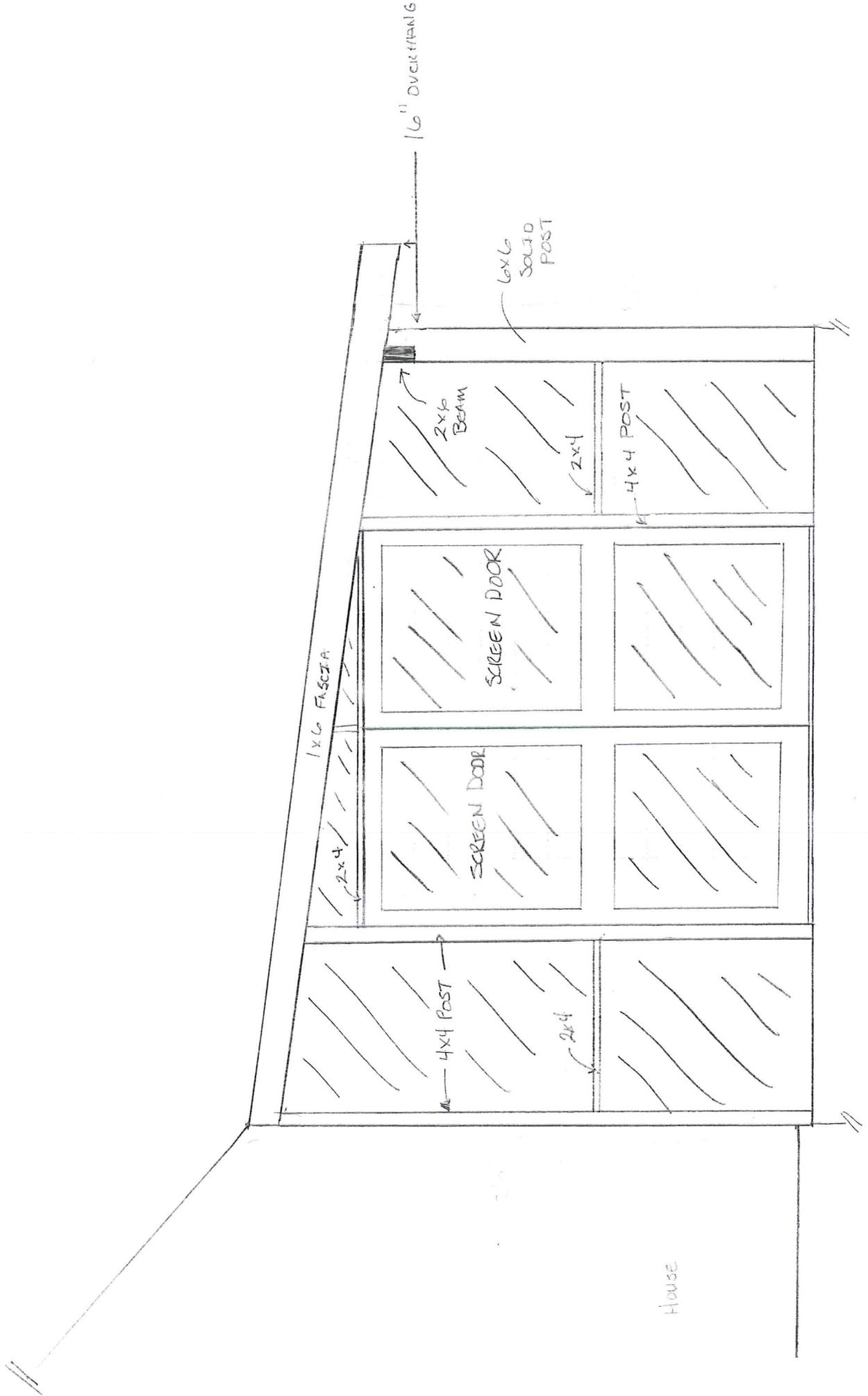
5'-6"

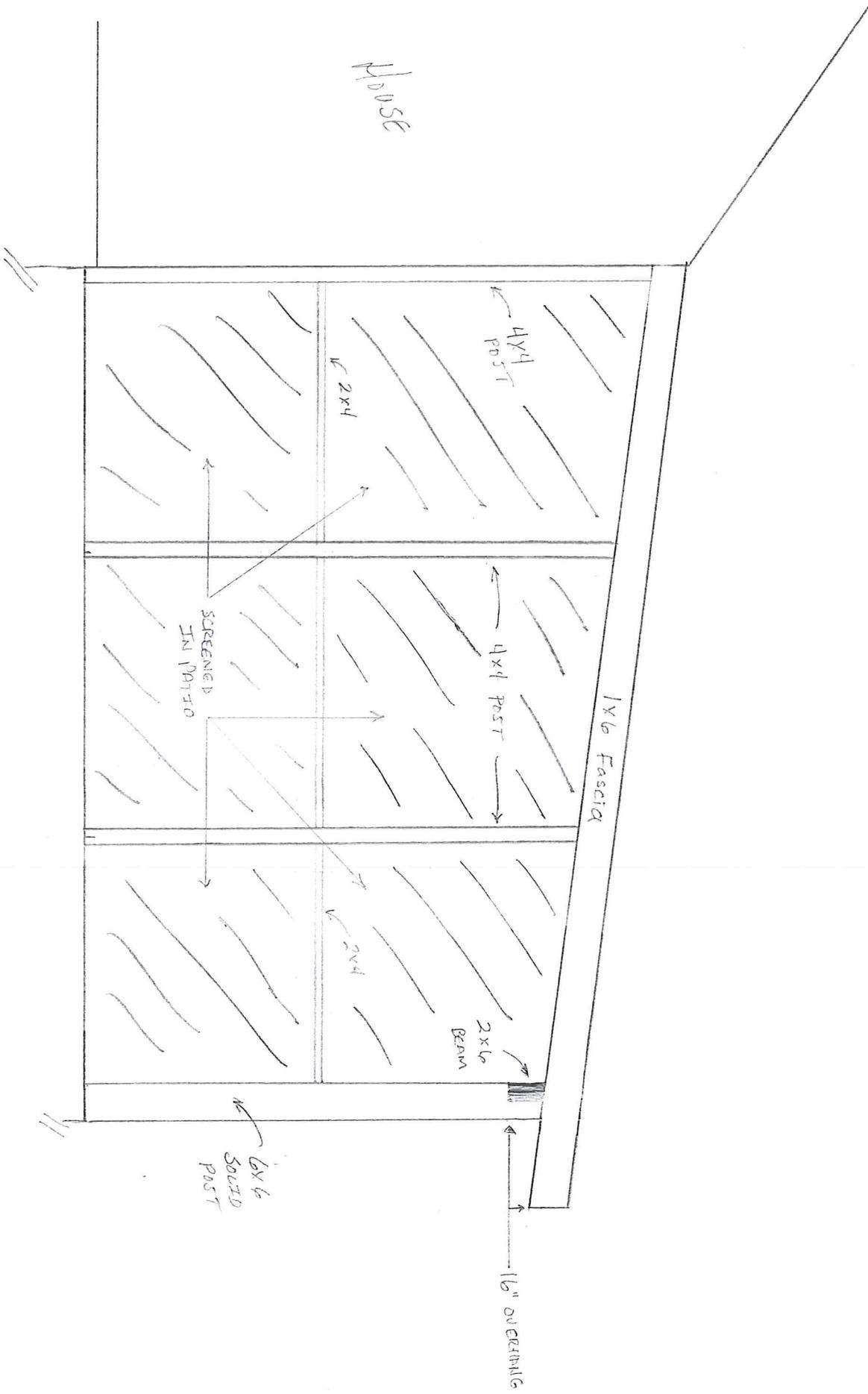
5'-6"

5'-6"

Existing Concrete patio

SCALE 1/2" = 1'-0"
AGC S-25-19
LEFT SIDE VIEW

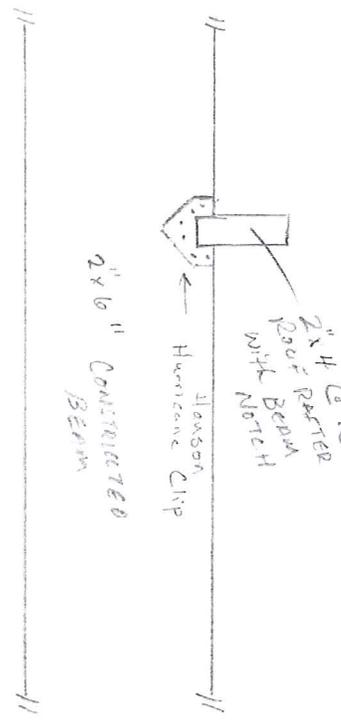




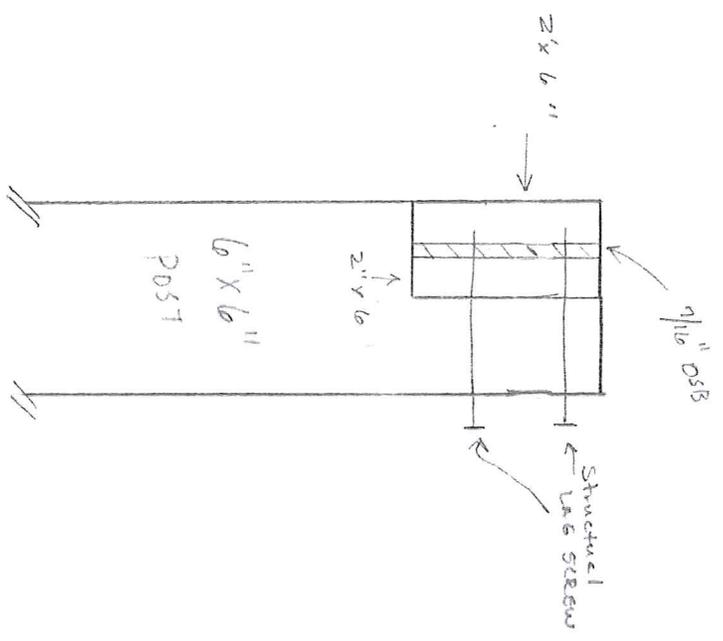
House

SCALE 1/2" = 1'-0"
 AGC 5-25-19
 RIGHT SIDE VIEW

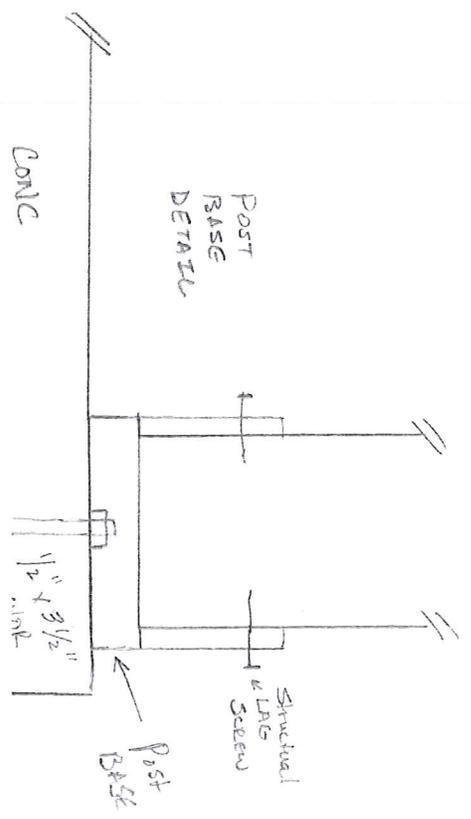
Roof Rafter to Beam Detail
 (NTS)



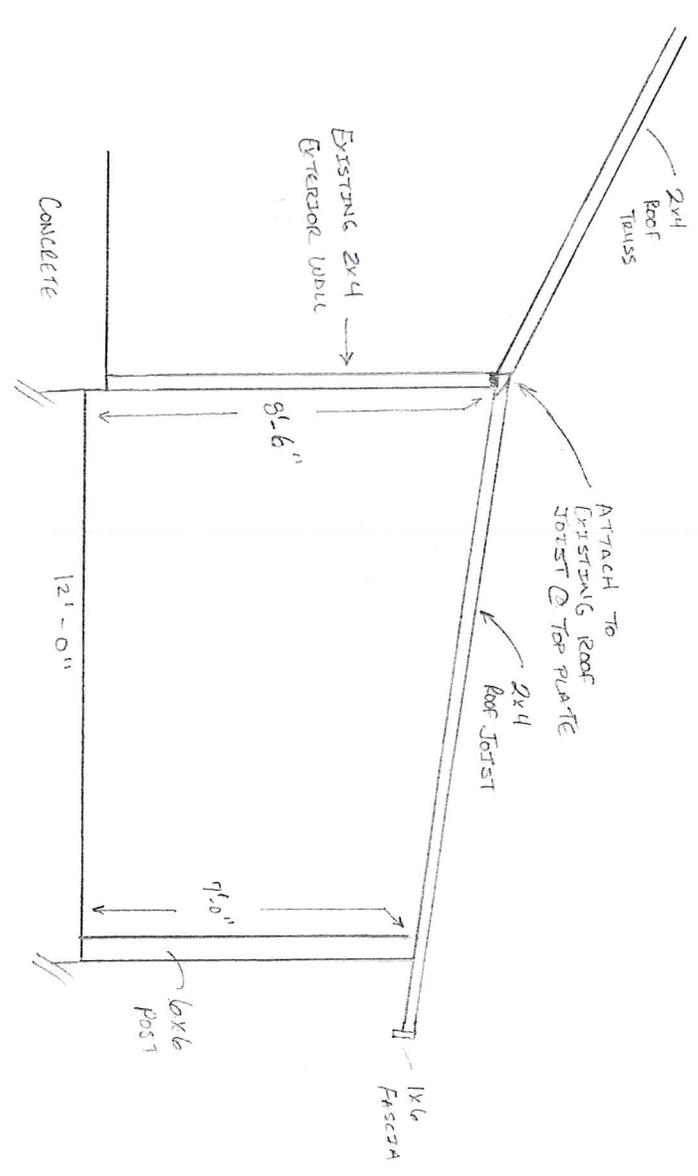
BEAM TO POST DETAIL
 (NTS)



POST
 BASE
 DETAIL



SCALE 1/4" = 1'-0"
AGC 6-5-19
FRAME DETAIL





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8E

TITLE:

Consider action to approve the second reading of Ordinance No. 2019-23 of the City Council of the City of Bastrop, Texas, authorizing the City of Bastrop to convey to Garments to Go, Inc. that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, as set forth in volume 908, page 275 of the deed records of Bastrop County, Texas; and providing for the following: findings of fact; repealer; severability; proper notice and meeting.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

On or about March 7, 1995, the City of Bastrop, Texas entered into an Economic Development Performance Agreement whereby the City agreed to provide certain economic development incentives to Garments to Go, L.P. in exchange for the Company's development of certain property. This parcel in the Industrial Park was transferred from the Economic Development Corporation to the City to facilitate a Texas Capital Grant to the City. As part of that agreement, the City agreed to grant the Company the right to lease the property for a period of two hundred forty (240) month amortization period for an amount specified therein, and following completion of the amortization payments and other terms and conditions under the agreement, the City will convey the property including all improvements to the Company.

City staff has determined that Garments to Go, L.P. has made all required payments and has satisfied all the terms and conditions of the agreement and therefore recommends that City Council authorize the conveyance of the property to Garments to Go, L.P.

Approved by City Council on first reading at the June 25, 2019 meeting.

POLICY EXPLANATION:

Section 272.001, Texas Local Government Code, provides that the bidding requirements of subsection (a) of this statute do not apply to a real property interest conveyed for economic development purposes.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2019-23 of the City Council of the City of Bastrop, Texas, authorizing the City of Bastrop to convey to Garments to Go, Inc. that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, as set forth in volume 908, page

275 of the deed records of Bastrop County, Texas; and providing for the following: findings of fact; repealer; severability; proper notice and meeting.

ATTACHMENTS:

- Ordinance 2019-23
- Property Map



ORDINANCE NO. 2019-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE CITY OF BASTROP TO CONVEY TO GARMENTS TO GO, INC. THAT CERTAIN 6.000 ACRE REAL PROPERTY LEGALLY DESCRIBED AS LOT 3, BLOCK A, BASTROP BUSINESS AND INDUSTRIAL PARK PHASE I SUBDIVISION, LOCATED IN BASTROP COUNTY, AS SET FORTH IN VOLUME 908, PAGE 275 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas is the owner in fee simple of that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, Texas as set forth in Volume 908, Page 275 of the Deed Records of Bastrop County, Texas (the "Property");

WHEREAS, on or about March 7, 1995, the City of Bastrop, Texas entered into an Economic Development Performance Agreement ("EDC Agreement") whereby the City agreed to provide certain economic development incentives to Garments to Go, L.P. ("Company") in exchange for the Company's development of certain property owned by the City;

WHEREAS, as a part of the EDC Agreement, the City agreed to grant the Company the right to lease the Property for a period of Two Hundred Forty (240) month amortization period for an amount specified therein, and following completion of the amortization payments and other terms and conditions under the Agreement, that the City will convey the Property including all improvements to the Company;

WHEREAS, City staff has determined that the Company has made all required payments and has satisfied all the terms and conditions of the Agreement and therefore recommends that the City Council authorize the conveyance of the Property to the Company;

WHEREAS, Section 272.001, Texas Local Government Code, provides that the bidding requirements of subsection (a) of this statute do not apply to a real property interest conveyed for economic development purposes; and

WHEREAS, the parties now desire to authorize the conveyance of the Property to the Company pursuant to the EDC Agreement.

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

SECTION 1: FINDINGS OF FACT: The foregoing recitals are adopted as facts and incorporated fully herein.

SECTION 2: ENACTMENT OF PROVISIONS:

1. That the Mayor or his designee is authorized to sign any and all documents approved by the City Attorney or designee necessary to effectuate the conveyance of the Property, being that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, Texas as set forth in Volume 908, Page 275 of the Deed Records of Bastrop County, Texas.

2. Effective Date. This ordinance shall become effective immediately upon adoption.

SECTION 3: REPEALER: To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SECTION 4: SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 5: PROPER NOTICE & MEETING: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ and APPROVED on First Reading on the 25th day of June 2019.

READ and ADOPTED on Second Reading on the 9th day of July 2019.

APPROVED:

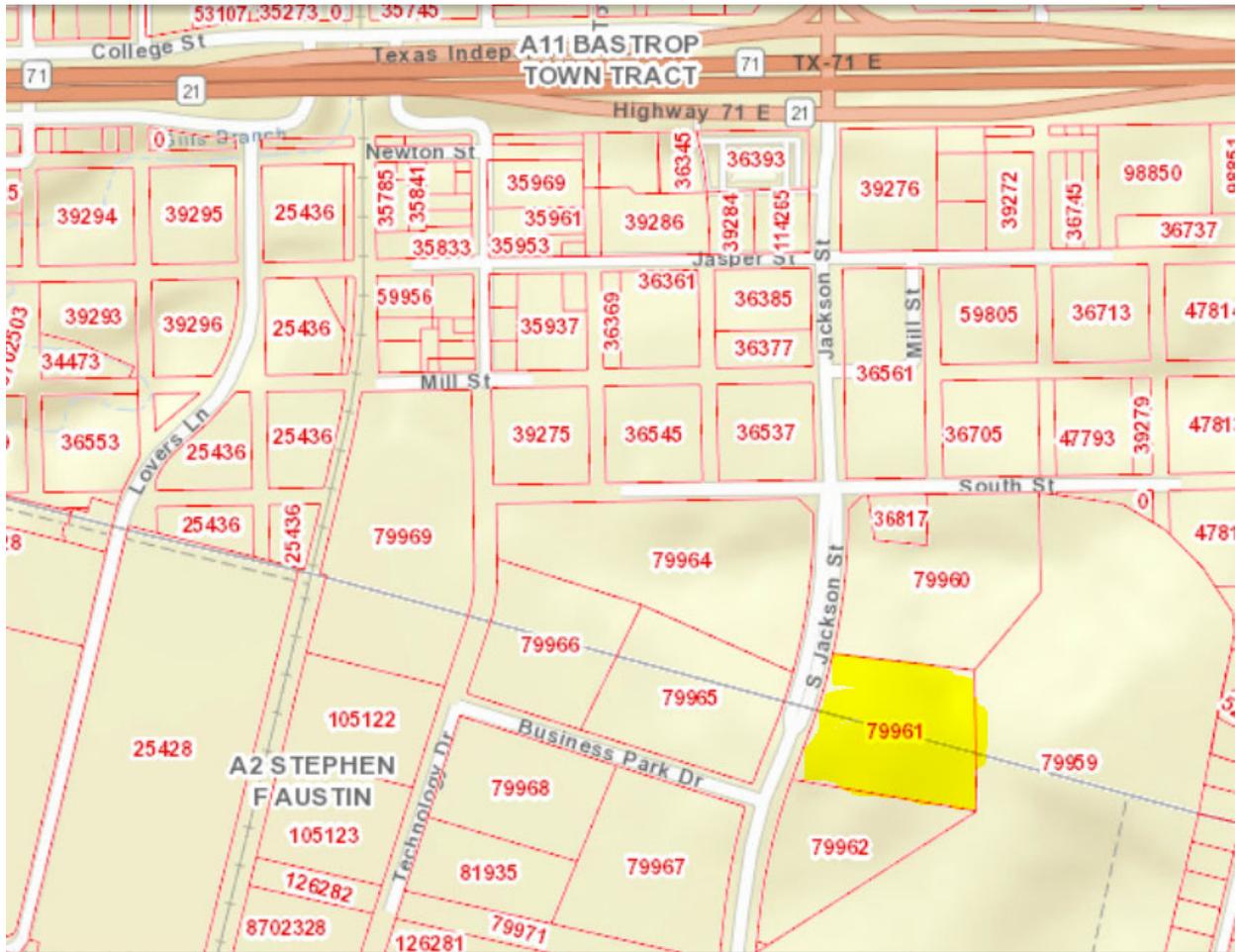
Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney





STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 8F

TITLE:

Consider action to approve the second reading of Ordinance No. 2019-16 of the City Council of the City of Bastrop, Texas, repealing emergency Ordinance No. 2018-1 [Temporary Moratorium] and implementing enhanced permit review measures to continue a heightened level of evaluation for certain building, construction and development permits; and providing for legislative findings of fact, repealer, enactment, duration, extension, severability, enforcement, proper notice and meeting, effective date, applicability, alternate approvals, appeals, and definitions.

STAFF REPRESENTATIVE:

Matt Jones, Director of Planning and Development

BACKGROUND/HISTORY:

The City Council approved Ordinance No. 2019-16 – Enhanced Permit Review on May 14, 2019. This ordinance repealed Emergency Ordinance 2018-1 [Temporary Moratorium] and implementing enhanced permit review measures to continue a heightened level of evaluation for certain building, construction and development permits.

Over the next several weeks as Staff began to process permits under the new Enhanced Permit Review process, it was discovered that the intent behind the new process had not been met for No Impact Projects. Staff has determined that an Engineer's letter may not be necessary to determine if a project qualifies as a No Impact Project under Section 1 (a) 1 of the Enhanced Permit Review process.

Staff recommends amending the paragraph under Section 1 (a) 1 to read as follows:

“Applicants seeking to establish they have a No Impact Project, and thus exempt their project from compliance with the Enhanced Permit Review measures described in this Ordinance, must submit to the City with their permit application *a sealed letter from a licensed professional engineer documenting adequate documentation to the Planning and Development Department that the criteria listed above are satisfied. The City Engineer shall make a final determination whether or not the application qualifies as a No Impact Project.*”

POLICY EXPLANATION:

Provide clarity of the City Council's intent behind No Impact Projects by considering action on the proposed amendment to Ordinance No. 2019-16.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2019-16 of the City Council of the City of Bastrop, Texas, repealing emergency Ordinance No. 2018-1 [Temporary Moratorium] and implementing enhanced permit review measures to continue a heightened level of evaluation for certain building, construction and development permits; and providing for legislative findings of fact, repealer, enactment, duration, extension, severability, enforcement, proper notice and meeting, effective date, applicability, alternate approvals, appeals, and definitions.

ATTACHMENTS:

- Ordinance No. 2019-16 (as amended)



ORDINANCE NO. 2019-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, REPEALING EMERGENCY ORDINANCE NO. 2018-1 [TEMPORARY MORATORIUM] AND IMPLEMENTING ENHANCED PERMIT REVIEW MEASURES TO CONTINUE A HEIGHTENED LEVEL OF EVALUATION FOR CERTAIN BUILDING, CONSTRUCTION AND DEVELOPMENT PERMITS; AND PROVIDING FOR LEGISLATIVE FINDINGS OF FACT, REPEALER, ENACTMENT, DURATION, EXTENSION, SEVERABILITY, ENFORCEMENT, PROPER NOTICE AND MEETING, EFFECTIVE DATE, APPLICABILITY, ALTERNATE APPROVALS, APPEALS, AND DEFINITIONS

WHEREAS, the Bastrop City Council enacted on August 14, 2018, and extended on November 15, 2018, Emergency Ordinance No. 2018-1 implementing a Temporary Moratorium staying the acceptance and processing of certain permits in the Bastrop City Limits and Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council enacted Emergency Ordinance No. 2018-1 to address significant historic and contemporary land use challenges that existing regulations and infrastructure were not designed to address; and

WHEREAS, Emergency Ordinance No. 2018-1 enabled the City of Bastrop, Texas ("City") to actively and diligently engage in its assessment of the City's drainage and regulatory program, including evaluating its subdivision ordinance, zoning codes, and the uniformity of its permitting process and goals for stormwater plans and improvements; and

WHEREAS, since the enactment of Emergency Ordinance No. 2018-1, the City has issued 617 permits, demonstrating that completely halting all development activity was not necessary in order to deter detrimental development while the City evaluated and updated its regulations and addressed infrastructure needs; and

WHEREAS, the heightened evaluation of certain permit applications under Emergency Ordinance No. 2018-1 proved sufficient to safeguard the public interest in orderly development while deterring detrimental development; and

WHEREAS, since enactment of Emergency Ordinance No. 2018-1, the City Council has approved Ordinance No. 2019-17, establishing drainage construction and development standards and procedures through the City of Bastrop Stormwater Design Manual; and

WHEREAS, the City Councils finds that Emergency Ordinance No. 2018-1, as amended, is no longer necessary to achieve the community's goals under the Building Bastrop initiative; and

WHEREAS, the City Council finds it to be reasonable, necessary, and proper to perpetuate a process and criteria maintaining an elevated level of scrutiny for applications seeking certain construction, building, and development permits for the remainder of the Building Bastrop endeavor; and

WHEREAS, the City Council anticipates that this temporary, elevated level of scrutiny will only be necessary until the additional development standards and procedures are put in place in the fall of 2019; and

WHEREAS, the City is a Home-Rule City acting under the authority granted by its Charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution, and Chapter 9 of the Texas Local Government Code with the full power of local self-government under Texas Local Government Code §51.072; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for the good government, peace or order of the City and that is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, Texas Local Government Code Chapters 211, 213, 214 and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures, and development-related activities.

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

SECTION 1. Repealer: The City Council expressly and specifically repeals the Temporary Moratorium, Emergency Ordinance 2018-1 (as originally approved and as extended). In the case of any conflict between the other provisions of this ordinance and any existing ordinance of the city, the provisions of this Ordinance will control.

SECTION 2. Enactment: The City of Bastrop hereby enacts *Attachment "A"*, implementing an Enhanced Permit Review process. While the rules promulgated under *Attachment "A"* constitute an ordinance of the City, this Ordinance and *Attachment "A"* are temporary measures but have the full force of law, and thus are required to be published in the City's Code of Ordinances in accordance with Section 3.17 of the Bastrop Home-Rule Charter.

SECTION 3. Duration: The duration of the Enhanced Permit Review measures implemented by this Ordinance shall be through December 10, 2019, or until the repeal of this Ordinance by the City Council through enactment of the Building Bastrop (B3) codes, whichever is sooner.

SECTION 4. Legislative Findings of Fact: The foregoing recitals and those found in *Attachment "B"* are based on evidence presented to the City Council, and are hereby incorporated into this Ordinance by reference as legislative findings of fact as if expressly set forth herein.

SECTION 5. Severability: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 6. Enforcement: The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a public nuisance. Nothing in this

Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

SECTION 7. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and a public hearing were also provided as required by Texas Government Code Chapter 212, Subchapter E.

SECTION 8. Effective Date: This Ordinance shall be effective immediately upon passage and final adoption, as provided by Texas Local Government Code Chapter 212, Subchapter E.

READ & ACKNOWLEDGED on First Reading on this, the 25th day of June 2019.

READ & APPROVED on the Second Reading on this, the July 9th day of July 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Attachment "A"

City of Bastrop, TX
Code of Ordinances
Enhanced Permit Review

1. APPLICABILITY: This Ordinance applies to the acceptance and processing of certain applications and issuance of particular Permits and other forms of municipal authorizations related to specific construction and land development activities. This Ordinance applies to all city zoning districts and uses within the City Limits and the ETJ. This Ordinance shall not apply to the following types of projects:

(a) No Impact Projects: endeavors that do not:

- (1) increase horizontal density; or
- (2) increase impervious cover greater than five percent (5%); or
- (3) expand the footprint of an existing structure greater than five percent (5%); or
- (4) alter the current drainage pattern on the property.

Applicants seeking to establish they have a No Impact Project, and thus exempt their project from compliance with the Enhanced Permit Review measures described in this Ordinance, must submit to the City with their permit application adequate documentation to the Planning and Development Department that the criteria listed above are satisfied. The City Engineer shall make a final determination whether or not the application qualifies as a No Impact Project.

(b) Minimal Drainage Projects: endeavors that discharge less than one (1) cubic feet of water (post-project). Applicants seeking to establish they have a Minimal Drainage Project, and thus exempt their project from compliance with the Enhanced Permit Review measures described in this Ordinance, must submit to the City with their permit application a sealed letter from a licensed professional engineer documenting the criteria listed in this section is satisfied.

(c) Fences: residential fences that comply with section 41 of the zoning ordinance (Bastrop Code of Ordinances Chapter 14) and do not obstruct a drainage way or easement in such a way that a structure or debris is blocking or diverting the drainage channel, as determined by City staff (at staff's sole discretion).

(d) Ongoing Projects: endeavors for which construction is currently, actively in progress, and for which valid City permits have been issued that have not expired (as of August 14, 2018).

- (e) **Grandfathered Projects:** endeavors that are grandfathered under state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this Ordinance in accordance with the City’s Grandfathered Development Status ordinance, Ordinance 2019-10.

2. ENHANCED PERMIT REVIEW:

(a) Methodology:

- (1) **Pre-Application Meetings:** Permits shall not be issued until after a pre-application meeting between the Applicant and representatives of the Planning and Development Department.
- (2) **Site Visits:** Permits shall not be issued until after a site visit by representatives of the Planning and Development Department. Submission of an application for a permit shall be construed as in an invitation for representatives of the Planning and Development Department to perform a site visit. Site visits shall be scheduled with the Applicant and/or Property Owner if conducting an effective site visit necessitates traversing the property.
- (3) **Suspension of Deadlines:** The deadlines specified in the Bastrop Code of Ordinances for City action on permit applications in the normal course of business are hereby temporarily suspended. Permit applications will be approved, denied, or addressed in staff comments as soon as reasonable under the circumstances. The City shall strive to provide approval, denial, or staff comments on permit applications within three (3) weeks of submittal.
- (4) **Criteria:** In providing this heightened review of permit applications, city staff will be guided by the policy statement approved by the city council on February 26, 2019, in the form of Resolution 2019-24, which establishes the city’s policy goals as creating a fiscally sustainable community through community land use regulations that are authentically Bastrop and geographically sensitive. Emphasis will be given to the need for gridded street layouts, connectivity between large projects, and walkability (i.e., multi-modality). Permit applications for projects that would exacerbate flooding, create unsustainable infrastructure, or be inconsistent with the historic culture of Bastrop, as determined by the City Engineer, will not proceed through the permitting process. The criteria stated in this subsection shall be cumulative of, and in addition to any standards listed elsewhere in the Bastrop Code of Ordinances. If there is a conflict between standards in this subsection and other sections in the Code of Ordinances, this subsection shall govern.

- (b) **Staff Approval.** The following permits may be issued by staff without first receiving approval by the City Council.

- (1) **Fence Permits:** residential fences that comply with section 41 of the zoning ordinance (Bastrop Code of Ordinances Chapter 14) so long as they do not obstruct a drainage way or easement in such a way that a structure or debris is blocking or diverting the drainage channel, as determined by City staff (at staff's sole discretion).
- (2) **Minor Plats in the ETJ:** minor plats, described in section 4.40.1(A)(2) of the subdivision ordinance (Bastrop Code of Ordinances Chapter 16) as being four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities, so long as drainage calculations showing that the lots will not exceed 60-percent (60%) impervious cover is submitted with the plat application.
- (3) **Accessory Structures:** residential accessory structures with a surface area of one hundred sixty (160) square feet or smaller, so long as they comply with all regulations as outlined in the City of Bastrop's Code of Ordinances.

(c) **City Council Approval.** All permits not listed above are subject to approval by the City Council.

3. ALTERNATE APPROVALS.

Any property owner who seeks authorization to proceed with the permitting process without complying with the Enhanced Permit Review procedures listed above can request the following alternative forms of approval from the City:

- (a) **Planned Development District:** Property Owners with an approval granted by the City Council including enactment of customized zoning regulations through negotiations of specialized rules applicable solely to the proposed project shall be exempt from application of this Ordinance. In considering whether to approve a Planned Development District, the City Council shall evaluate the project in accordance with the criteria listed in section 2(a)(4) of this Ordinance [above].
- (b) **ETJ Development Agreement:** Property Owners with a negotiated approval granted by the City Council providing for construction standards, platting and development rules pursuant to Texas Local Government Code Chapter 212, Subchapter G, shall be exempt from application of this Ordinance. In considering whether to approve an ETJ Development Agreement, the City Council shall evaluate the project in accordance with the criteria listed in section 2(a)(4) of this Ordinance [above].
- (c) **Waiver:** Property Owners agreeing to construct certain drainage infrastructure at property owners' sole expense, in accordance with Texas Local Government Code Chapter 212, Subchapter E, may apply for waiver from compliance with this Ordinance issued by the City Council in accordance with city policy.

4. APPEALS

Property Owners challenging application of this Ordinance to their property and/or projects may request to be excluded from the terms and conditions of this Ordinance by pursuing an appeal as provided below.

- (a) **Initial Review.** Property Owners challenging application of this Ordinance to their property and/or projects may request to be excluded from the terms and conditions of this Ordinance by filing a written notice of appeal with the Planning and Development Department explaining their position and offering evidence supporting their claim.

Within ten (10) business days of receipt of a notice of appeal, a group consisting of the Director of Planning and Development, the City Engineer, and the Public Works Director shall convene to review the evidence and regulations, and make an initial determination as to whether a Property Owner has made a valid claim for being excluded under this Ordinance. The initial determination shall promptly be sent to the Property Owner by U.S. Mail.

- (b) **Secondary Review.** Property Owners seeking to challenge an initial determination may appeal that determination to the City Manager by filing a written notice of appeal with the City Secretary within ten (10) business days of receipt of the written initial determination. Within ten (10) business days of receipt of a notice of appeal, the City Manager shall make a secondary determination as to whether a Property Owner has made a valid claim for being excluded under this Ordinance. The secondary determination shall promptly be sent to the Property Owner by U.S. Mail.

- (c) **Final Review:** Property Owners seeking to challenge a secondary determination may appeal that determination to the City Council by filing a written notice of appeal with the City Secretary within ten (10) business days of receipt of the written secondary determination. Within thirty (30) business days of receipt of a notice of appeal, the City Council shall make a final determination as to whether a Property Owner has made a valid claim for being excluded under this Ordinance. The final determination shall promptly be sent to the Property Owner by U.S. Mail. A final determination may be appealed to district court in accordance with applicable state law.

5. **DEFINITIONS:** As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or, if not defined by the City then the common meanings in accordance with ordinary usage or as defined in applicable state statutes.

Applicant: means a person or entity applying for a permit from the City under this Ordinance.

Commercial Property: means property zoned for or otherwise authorized for use other than single-family use, multifamily use, heavy industrial use, or use as a quarry.

Essential Public Facilities: means water, sewer, or storm drainage facilities or street improvements provided by a municipality or private utility.

Impervious Cover: means structures, buildings, parking areas, roads, and other impermeable man-made improvements covering the natural land surface that prevents infiltration of water.

Permit: means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought.

The term includes (but is not limited to) permits covered by the following sections of the Code of Ordinances:

- §3.16.001: Permits for moving of structures, demolition and site work
- §3.18.002: Permit for construction, alteration or extension; construction or occupancy of permanent structures
- §3.20.051: Permit to erect or install a sign
- §10.03: Plats
- §14.02: Zoning
- §42.1: Site Plan & Development Plan Review

The term does not include Trade Permits, which are excluded from complying with this Ordinance.

Project: means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.

Property Development: means the construction, reconstruction, or other alteration or improvement of residential or commercial buildings or the subdivision or replatting of a subdivision of residential or commercial property.

Property Owner: means the record owner of real property, or their designated agents (i.e., those holding Power of Attorney or other written authorization to act on behalf of the owner).

Residential Property: means property zoned for or otherwise authorized for single-family or multi-family use.

Trade Permits: means permits required by the City's Code of Ordinances for the following work by skilled tradesmen: Electrical, HVAC, Mechanical, and Plumbing. For purposes of this Ordinance, the term also includes Roofing and Irrigation permits.

Legislative Findings of Fact
of the
City Council of the City of Bastrop, TX

1. The City will change drastically if unlimited growth and development should occur under the City's existing Code of Ordinances, which do not currently adequately address concerns about the effect of development on the City; and
2. The City seeks to ensure that impending and future development is conducted in a fiscally sustainable and geographically sensitive manner that honors the City's rich heritage and unique geographic makeup; and
3. The City has experienced historical flooding events over the last four (4) FEMA-declared disasters in the past three (3) years; and
4. The City's existing development standards and regulations were based on 1983 and 1991 data that is outdated and used a one size fits all approach; and
5. The City Limits and Extraterritorial Jurisdiction ("ETJ") are comprised of a combination of geographical and topographical features that create significant drainage and development challenges when using the one size fits all approach; and
6. In 2016, the City commissioned engineering firm Halff and Associates to study the City's drainage issues; and
7. In 2018, Halff and Associates provided the City with Flood Protection Planning Studies for two (2) watersheds in the Bastrop area: Piney Creek and Gills Branch; and
8. On July 28, 2018, the City Council, accompanied by the Planning and Zoning Commission, participated in a properly posted, public bus tour of key locales around the community, including sites of significant development-related drainage challenges; and
9. The Gills Branch and Piney Creek Studies document the needs and challenges of the existing drainage and flood mitigation infrastructure across the City Limits and ETJ; and
10. The City and Bastrop County have been diligently evaluating and assessing the findings in the 2018 Gills Branch and Piney Creek Studies; and
11. The City Council held a work session on February 26, 2019, with Strand and Associates [engineers] to review the findings of the Gills Branch and Piney Creek Studies and outline potential action plans with the public; and

12. The City Council held a work session on February 26, 2019, with Verdunity, Inc. [planners and engineers] to review the findings of their public infrastructure fiscal sustainability studies and implications for the community; and
13. The City Council finds that certain essential public and private infrastructure, being drainage and storm water improvements throughout the City Limits and ETJ, are inadequate and insufficient to prevent, mitigate, or minimize flooding events; and
14. Additional evaluation of the existing infrastructure and development of measures to address flooding and drainage are needed to allow for growth and development within the City Limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and
15. The City is in the process of studying and evaluating the impact of further development; appropriate impervious cover limitations; the need for drainage and detention improvements; appropriate zoning districts and district regulations; appropriate cut and fill regulations; and other issues that will affect future growth and development of the area within its jurisdiction; and
16. The City is in the process of seeking additional community input and providing opportunities for meaningful public participation in the planning and rule-making process; and
17. The City is in the process of studying and updating its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, to strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and
18. In order for the City to have adequate and reasonable time to continue to review, evaluate, and revise the City's development ordinances, and to continue to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and the place of architectural improvements, and ecological importance and significance within the City Limits and ETJ, the City wishes to continue the temporary, heightened degree of scrutiny in reviewing certain applications for development permits; and
19. The purpose of carefully evaluating certain applications for development permits and/ or approvals during this study period includes: eliminating incentives for hasty applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules; and
20. The City Council has identified and considered evidence demonstrating that applying existing development ordinances or regulations and other applicable laws is inadequate to

prevent new development from causing the overcapacity of municipal and private drainage infrastructure or from being detrimental to the public health, safety, and welfare in an affected geographical area, that being the area within the City of Bastrop's City Limits and ETJ; and

21. The City Council has identified and considered evidence including that presented by City of staff, consulting engineering firms, FEMA, and observed during site visits demonstrating the extent of need beyond the estimated capacity of existing essential public and private drainage facilities that is expected to result from new property development, including identifying essential public facilities that are currently operating near, at, or beyond capacity in an affected area, that being the area within the City Limits and ETJ; and
22. The City Council has identified and considered evidence that alternative methods of achieving the objectives of the Enhanced Permit Review methodology are unsatisfactory; and
23. The City Council has approved a working plan and time schedule for achieving the objectives of the Building Bastrop initiative in the Fall of 2019; and
24. The City's program for addressing drainage issues during the temporary permit review includes planning, regulating, building, and educating; and
25. The City Council passed Emergency Ordinance No. 2018-1, which established a Temporary Moratorium commencing on August 23, 2018, for the purpose of creating a short-term freeze on the acceptance of applications for subdivision, building permits, or development permits for the purpose of preserving the *status quo* in order to allow the Council reasonable time to review, conduct research, receive public input, evaluate and establish reasonable policies, and prepare a comprehensive subdivision ordinance for future adoption; and
26. The City Council passed Emergency Ordinance No. 2018-2-A, which established additional requirements mandating data related to drainage and flooding for the acceptance, processing, and approval of certain projects in the city limits and the ETJ during the moratorium; and
27. The additional requirements mandated by Emergency Ordinance No. 2018-2-A have given the City the ability to assess the impact of these projects on potential future flooding events; and
28. The City Council adopted a temporary process that allows development to continue in the City of Bastrop during the Temporary Moratorium, requiring projects to be evaluated on a case-by-case basis through pre-application meetings and conformity to specific interim drainage measures to ensure that detrimental development does not occur; and
29. Although the purpose of the Temporary Moratorium was to create a short-term freeze on the acceptance of applications for subdivision, building permits, or development permits, since the inception of the moratorium (as of April 18th), the City has:

- (a) held 114 individual pre-application meetings; and
 - (b) issued 617 permits including:
 - 49 new single-family residences,
 - 13 commercial remodels,
 - 4 new commercial buildings including an office complex, self-storage facility, restaurant, and a home furnishings store, and
 - 3 commercial finish-out permits, and
 - (c) prevented one (1) house from unintentionally being built in a drainage area; and
30. The City has retained a planning consultant firm for the purpose of evaluating the City's historic, current and anticipated construction attributes, and is developing new standards to preserve the quality of life and to protect the health, safety, and general welfare of the citizens of the City and to direct and manage the rapid growth that is now occurring; and
31. The City's planning consulting firm has completed both an in-depth analysis of Downtown Bastrop's DNA and how it functions as a complete neighborhood and an extensive evaluation of the City's current development codes that identified significant challenges and code conflicts that are not aligned with the City's Comprehensive Plan 2036 or considered fiscally sustainable or geographically sensitive; and
32. The adoption process of new development standards will require community input and will take additional time to complete; and
33. Texas Local Government Code Section 212.136 allows a city to temporarily suspend or abate the routine permit approval process after holding a public hearing; and adopting written findings that identify the problem requiring the need for extending the short-term measures, describe the reasonable progress made to alleviate the problem, and specify a definite duration for the renewal period of the interim process; and
34. The City finds that the Temporary Moratorium (as enacted and extended) was necessary and proper, but is no longer warranted, although the heightened scrutiny of permit applications remains vital to the Building Bastrop effort; and
35. The City Council finds that continued temporary permit application review measures are necessary to provide the City with the time necessary to continue to properly conduct research, confer with experts, and solicit public input from residents, business owners, property owners, realtors and developers; and
36. In recognition of the importance of development permits and/ or approvals to the community, the City desires to extend the interim permit application review methods until September 10, 2019, and to include a waiver provision in accordance with Texas Local Government Code Chapter 212, Subchapter E; and

37. City officials and the city's planning consultants are diligently continuing their work to craft new regulations regarding planning, zoning, platting and construction. As a continuation of the Building Bastrop initiative, the city anticipates adopting new codes in the Fall of 2019 (including updated national / international codes, such as those from the International Code Council); and
38. The City is also evaluating and updating its Master Transportation Plan, which not only affects the framework for all development and redevelopment, it also addresses the primary form of drainage infrastructure in the city – streets; and
39. The City is also in the process of addressing funding and planning for massive public infrastructure improvements (such as the Gill's Branch project) and the formation of a municipal drainage utility; and
40. The City is preparing the engineering and financial data necessary for the City Council to consider creating a municipal drainage utility to fund the construction, maintenance, and operation of new municipal drainage infrastructure.
41. The City Council has approved Ordinance No. 2019-15, establishing drainage construction and development standards and procedures through the City of Bastrop Stormwater Design Manual, and thus other municipal regulations must be evaluated and revised to ensure consistency and compatibility.



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 9A

TITLE:

Consider action to approve the second reading of Ordinance No. 2019-21 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The FY2019 budget was approved by City Council on September 24, 2018. Since that approval there have been some unforeseen amounts that need to be addressed through an amendment.

General Fund includes:

- Allocation of salary savings to reconcile salary adjustments and set aside balance for contingency.
- Recognized insurance proceeds and increase the offsetting expense for a neutral entry.

Innovation Fund:

- The Request for Proposals were received for the renovation of the unfinished section of the existing City Hall building in April. The available funds for construction in the Innovation fund is \$240,000. The lowest bid received was \$341,000. This amendment increases the loan from BP&L by \$165,000 to cover total construction and furniture costs.

Water/Wastewater Capital Fund:

- The North Main sewer project that is partially grant funded, was originally budgeted for FY2020. This project has been escalated and will need to be completed before the end of FY2019. This amendment moves this appropriation from FY2020 to FY2019.
- The Well J project was originally projected to be fully funded out of the 2014 Bond Fund. Due to a change order with the 16" river crossing water line project, the funds in the bond account were exhausted and the final payment for Well J needs to be funded out of the Water/Wastewater Capital Projects Fund.

BP&L Fund:

- This amendment is for carryover projects from FY2019. These funds were originally budgeted in FY2019 but will not complete until FY2020.

Hotel Occupancy Tax Fund:

- The Convention Center is offering catering packages as part of their new pricing. They have contracted with several sizable groups to offer this service. This amendment increases the revenue and expenses associated with this service. It is a net neutral amendment.

Impact Fee Fund:

- A portion of the Wastewater collection system will be funded out of available funds from the Impact Fee Fund. This amendment appropriates those available funds.

Hunter's Crossing Public Improvement District Fund:

- This amendment appropriates the unbudgeted revenue received from the assessments paid by the current developer. Also, this amendment increases the legal line item to cover the additional cost of the statutory audit currently being conducted.

Grant Fund:

- This is the grant portion of the North Main Sewer project. Appropriating the increase in revenue and expense for this project. This amendment is net neutral.

Approved by City Council on first reading at the June 11, 2019 meeting.

POLICY EXPLANATION:

The City Charter requires that when the budget is amended, that the amendment be made by Ordinance.

FUNDING SOURCE:

Most of the amendments are reducing fund balance.

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2019-21 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.

ATTACHMENTS:

- Ordinance 2019-21
- Exhibit A
- All Funds Summary FY2019 – updated to reflect proposed amendments

ORDINANCE NO. 2019-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2019 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2019; and

WHEREAS, the Mayor and City Council have now provided for and conducted a public hearing on the budget as provided by law.

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

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2019, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2019.

Section 2: 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.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and APPROVED on First Reading on the 11th day of June 2019.

READ and ADOPTED on Second Reading on the 9th day of July 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit "A"
FY 2019
BUDGET AMENDMENTS
GENERAL FUND

Audited Fund Balance as of 9-30-18	\$	2,566,858
FY2019 Budgeted Revenues	\$	11,507,934
FY2019 Budgeted Expenses	\$	(11,507,934)
10/2018 Budget Amendments (net)	\$	(10,000)
2/2019 Budget Amendments (net)	\$	-
5/2019 Budget Amendments (net)	\$	0
Ending Fund Balance	\$	<u>2,556,858</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT #
New Revenue:				
Matching Revenues to Expenditures:				
	Neutral	\$918	Insurance Proceeds	101-00-00-4537
		<u>\$918</u>	Total Revenues	
Matching Expenditures to Revenues:				
Fire	Neutral	(\$918)	Vehicle Maintenance	101-11-00-5340
New Expenditures:				
City Manager	Decrease	(35,625)	Operating Salaries	101-03-00-5101
Finance	Decrease	(39,400)	Operating Salaries	101-05-00-5101
Human Resources	Increase	16,000	Operating Salaries	101-06-00-5101
IT	Decrease	(70,000)	Operating Salaries	101-07-00-5101
Police - Admin	Decrease	(13,000)	Operating Salaries	101-09-10-5101
Police-Code/Animal	Decrease	(9,500)	Operating Salaries	101-09-12-5101
Police-CID	Decrease	(5,000)	Operating Salaries	101-09-21-5101
Police - Patrol	Decrease	(45,000)	Operating Salaries	101-09-22-5101
Fire	Increase	26,700	Operating Salaries	101-11-00-5101
Planning & Zoning	Increase	22,500	Operating Salaries	101-15-00-5101
Building Maintenance	Decrease	(5,000)	Operating Salaries	101-18-20-5101
Library	Decrease	(70,000)	Operating Salaries	101-21-00-5101
City Secretary	Increase	20,000	Election Services	101-04-00-5681
Organizational	Increase	35,071	Contingency	101-02-00-5900
	Decrease	172,254	Salary Adjustment Plan (\$172,254)	101-02-00-5901
		<u>(\$918)</u>	Total Expenditures	
		\$0	Net Change	

**FY 2019
BUDGET AMENDMENTS
INNOVATION FUND**

Audited Fund Balance as of 9-30-18	\$ 1,468,984
FY 2019 Budgeted Revenues	\$ 763,825
FY 2019 Budgeted Appropriations	\$ (2,195,242)
10/2018 Budget Amendment	\$ (15,247)
5/2019 Budget Amendment	<u>\$ -</u>
Ending Fund Balance	<u>\$ 22,320</u>

BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Matching Revenues to Expenditures:

Neutral	165,000	Other Financing Sources-BP&L Loan	105-00-00-4518
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Total Revenues	<u>0</u>
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Matching Expenditures to Revenues:

Neutral	(165,000)	Capital Outlay	105-00-00-6000
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New Expenditures:

Total Expense	<u>\$ -</u>
Net Change	\$ -

**FY 2019
BUDGET AMENDMENTS
WATER/WASTEWATER CAPITAL FUND**

Audited Fund Balance as of 9-30-18	\$ 2,725,000
FY 2019 Budgeted Revenues	\$ 155,000
FY 2019 Budgeted Expenses	\$ (875,730)
2/2019 Budget Amendments (net)	\$ (1,706,770)
5/2019 Budget Amendments (net)	<u>\$ (274,605)</u>
Ending Fund Balance	<u>\$ 22,895</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT #
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Matching Revenues to Expenditures:

Total Revenues \$ -

Matching Expenditures to Revenues:

Increase

New Expenditures:

Increase	\$ (124,605)	Water Supply Infrast-Well J	250-50-00-6727
Increase	\$ (150,000)	Wastewater System Rehab-N. Main Sewer	250-51-00-6723

Total Expense \$ (274,605)

Net Change \$ (274,605)

**FY 2019
BUDGET AMENDMENTS
BP&L**

Audited Fund Balance as of 9/30/18	4,128,870
FY2019 Budgeted Revenues	7,721,040
FY2019 Budgeted Appropriations	(8,192,778)
5/2019 Budget Amendments (net)	<u>(152,000)</u>
Ending Fund Balance	<u><u>3,505,132</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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Matching Revenues to Expenditures:

Total Revenues 0

Matching Expenditures to Revenues:

Increase (152,000) System Study Improvements 404-60-00-6501

New Expenditures:

Total Expense (152,000)
Net Change (152,000)

**FY 2019
BUDGET AMENDMENTS
HOTEL/MOTEL TAX FUND**

Audited Fund Balance as of 9-30-18	3,425,181
FY 2019 Budgeted Revenues	3,571,246
FY 2019 Budgeted Appropriations	(3,909,689)
10/2018 Budget Amendments (net)	(19,357)
5/2019 Budget Amendments (net)	<u>0</u>
Ending Fund Balance	<u><u>3,067,381</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT #
Matching Revenues to Expenditures:				
Convention Center	Neutral	43,000	Catering Services	501-00-00-4048
		<u>43,000</u>	Total Revenue	
Matching Expenditures to Revenues:				
Convention Center	Neutral	(43,000)	Client Contracted Exp	501-85-75-5561
New Expenditures:				
		Increase		
		Increase		
		<u>(43,000)</u>	Total Expense	
		0	Net Change	

**FY 2019
BUDGET AMENDMENTS
IMPACT FUND #306**

Audited Fund Balance as of 9/30/18	\$ 682,570
FY 2019 Budgeted Revenues	\$ 499,600
FY 2019 Budgeted Appropriations	\$ (495,545)
2/2019 Budget Amendment	\$ (18,500)
5/2019 Budget Amendment	<u>\$ (262,405)</u>
Ending Fund Balance	<u>\$ 405,720</u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
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New Expenditures:

Water/Wastewater	Increase	\$ (262,405)	Design-Westside Collection System	306-51-51-6176
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Total Expense		\$ (262,405)		
		<u> </u>		

Net Change		\$ (262,405)		
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**FY 2019
BUDGET AMENDMENTS
HUNTER'S CROSSING PUBLIC IMPROVEMENT DISTRICT**

Audited Fund Balance as of 9-30-18	(95,221)
FY 2019 Budgeted Revenues	440,666
FY 2019 Budgeted Appropriations	(112,720)
5/2019 Budget Amendments (net)	<u>102,682</u>
Ending Fund Balance	<u><u>335,407</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT #
		New Revenue:		
		41,832	Commercial-Current-M&O	710-00-00-4001
		90,850	Commercial-Current-CIP	710-00-00-4011
	Total Revenue	<u>132,682</u>		
		Matching Revenues to Expenditures:		
		Neutral		
	Total Revenue	<u>132,682</u>		
		Matching Expenditures to Revenues:		
	Increase	(30,000)	Legal Services	710-00-00-5525
		New Expenditures:		
	Total Expense	<u>(30,000)</u>		
	Net Change	102,682		

**FY 2019
BUDGET AMENDMENTS
GRANT FUND**

Audited Fund Balance as of 9-30-18	0
FY 2019 Budgeted Revenues	1,416,576
FY 2019 Budgeted Appropriations	(1,416,576)
5/2019 Budget Amendments (net)	<u>0</u>
Ending Fund Balance	<u><u>0</u></u>

DEPARTMENT	BUDGET	AMOUNT	DESCRIPTION	ACCOUNT NUMBER
	Neutral	228,000	TxCDBG - N. Main Sewer	801-00-00-4462
		<u>228,000</u>	Total Revenues	
Matching Expenditures to Revenue:				
	Neutral	(228,000)	Capital Outlay - N. Main Sewer Line	801-00-00-6000
		<u>(228,000)</u>	Total Expense	
		0	Net Change	

City of Bastrop
All Funds Summary FY2019

	GENERAL FUND	STREET MAINTENANCE FUND	DEBT SERVICE FUNDS	HOTEL TAX FUND	SPECIAL REVENUE FUNDS	WATER/WASTEWATER FUNDS	BP&L FUND	CAPITAL IMPROVEMENT FUNDS	INTERNAL SERVICE FUND	TOTAL ALL FUNDS
BEGINNING FUND BALANCES	\$ 2,566,858	\$ -	\$ 306,992	\$ 3,425,181	\$ 2,440,787	\$ 5,824,328	\$ 4,072,418	\$ 8,260,931	\$ 1,866,409	\$ 28,763,904
REVENUES:										
AD VALOREM TAXES	3,533,514		1,863,009		-	-	-	-		5,396,523
SALES TAXES	4,864,390				-	-	-	-		4,864,390
FRANCHISE & OTHER TAXES	517,966			2,736,000	23,000	-	-	-		3,276,966
LICENSES & PERMITS	699,500			2,000	-	-	-	-		701,500
SERVICE FEES	543,936			283,350	1,166,548	5,667,190	7,648,040	-	311,563	15,620,627
FINES & FORFEITURES	334,000				14,500	-	-	-		348,500
INTEREST	50,000	6,000	10,850	44,500	35,850	88,386	56,000	85,500	15,500	392,586
INTERGOVERNMENTAL	72,878			62,312	1,644,576	-	-	-		1,779,766
OTHER	84,768		247,619	-	30,700	8,000	17,000	102,291	30,000	520,378
TOTAL REVENUES	10,700,952	6,000	2,121,478	3,128,162	2,915,174	5,763,576	7,721,040	187,791	357,063	32,901,236
OTHER SOURCES										
Other Financing Sources								465,000		465,000
Interfund Transfers	809,750	1,100,000	516,185	486,084	4,700	2,334,257	-	453,825	254,500	5,959,301
TOTAL REVENUE & OTHER SOURCES	11,510,702	1,106,000	2,637,663	3,614,246	2,919,874	8,097,833	7,721,040	1,106,616	611,563	39,325,537
TOTAL AVAILABLE RESOURCES	\$ 14,077,560	\$ 1,106,000	\$ 2,944,655	\$ 7,039,427	\$ 5,360,661	\$ 13,922,161	\$ 11,793,458	\$ 9,367,547	\$ 2,477,972	\$ 68,089,441
EXPENDITURES:										
GENERAL GOVERNMENT	4,318,584	566,797			1,416,576	-	-	807,807		7,109,764
PUBLIC SAFETY	4,288,702				466,950	-	133,800	228,000		5,117,452
DEVELOPMENT SERVICES	1,057,874				-	-	-	514,325		1,572,199
COMMUNITY SERVICES	1,589,458			346,994	322,175	-	160,493	533,854		2,952,974
UTILITIES					18,500	3,938,419	6,123,910	-		10,080,829
DEBT SERVICE			2,716,641		-	1,425,805	-	-		4,142,446
ECONOMIC DEVELOPMENT				3,108,866	-	-	-	-		3,108,866
CAPITAL OUTLAY					614,455	2,857,105	585,000	4,559,109	423,764	9,039,433
TOTAL EXPENDITURES	11,254,618	566,797	2,716,641	3,455,860	2,838,656	8,221,329	7,003,203	6,643,095	423,764	43,123,963
OTHER USES										
Interfund Transfers	266,084		-	516,186	575,392	1,883,565	1,341,575	1,376,500	-	5,959,301
TOTAL EXPENDITURE & OTHER USES	11,520,702	566,797	2,716,641	3,972,046	3,414,048	10,104,894	8,344,778	8,019,595	423,764	49,083,264
ENDING FUND BALANCES	\$ 2,556,858	\$ 539,203	\$ 228,014	\$ 3,067,381	\$ 1,946,613	\$ 3,817,267	\$ 3,448,680	\$ 1,347,952	\$ 2,054,208	\$ 19,006,177
<i>% of Expenditures</i>	25.5%	95.1%	8.4%	88.8%	57%	71.2%	53.7%	20.3%	484.8%	55.8%



STAFF REPORT

MEETING DATE: July 9, 2019

AGENDA ITEM: 9B

TITLE:

Consider action to approve Resolution R-2018-62 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

BACKGROUND/HISTORY:

The Rules of Procedure for the City Council of the City of Bastrop, Texas contains Section 1.4 Annual Review, which states:

“Following the municipal elections each year, Council will review these rules of procedure annually, make changes as appropriate, and adopt their own rules of procedure in accordance with the Charter at the first scheduled meeting in July. In the event no annual review occurs, the standing rules of procedure continue in effect. This does not limit the Council’s right and ability to amend the rules at any other time during the year, in accordance with the Charter.”

POLICY EXPLANATION:

On June 25, 2019, City Council reviewed their Rules of Procedure during a Work Session and recommended several changes to reflect current practices. Those changes are as follows:

- **Changed title of document to include Boards & Commissions:** Rules of Procedure for the City Council and Boards & Commissions of the City of Bastrop, Texas.
- **Section 2.6 Emergency Meetings:** Recently approved SB 494 changes the time requirement for posting an emergency meeting from two (2) hours to one (1) hour effective September 1st. Therefore, this document will allow two hours through August 30, 2019. Effective September 1, 2019, the document will reflect state law.
- **Section 2.7 Workshops (Work Session):** Amended language to address HB 2840. Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.
- **Section 2.13 Minutes of Meetings:** Amended language to acknowledge that Staff Liaisons will take minutes of proceedings of the various Boards & Commissions and provide them to the City Secretary as Records Custodian.
- **Section 4.5 Work Session/Briefings:** Amended language to address HB 2840. Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.
- **Section 4.7 Citizen Comments.** Amended language to state the audience can speak on any topic not on the agenda. In addition, added language to state request cards can be

completed prior to the meeting and online at www.cityofbastrop.org from the time the Council agenda is posted online until the start of the Council meeting.

- **Article 6 Council Liaisons to Boards and Commissions:** Added Hunters Crossing Local Government Corporation to the list of boards exempt from having Council Liaisons since Council Members serve on the board. In addition, Council Liaisons are asked to make every effort to attend, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison.

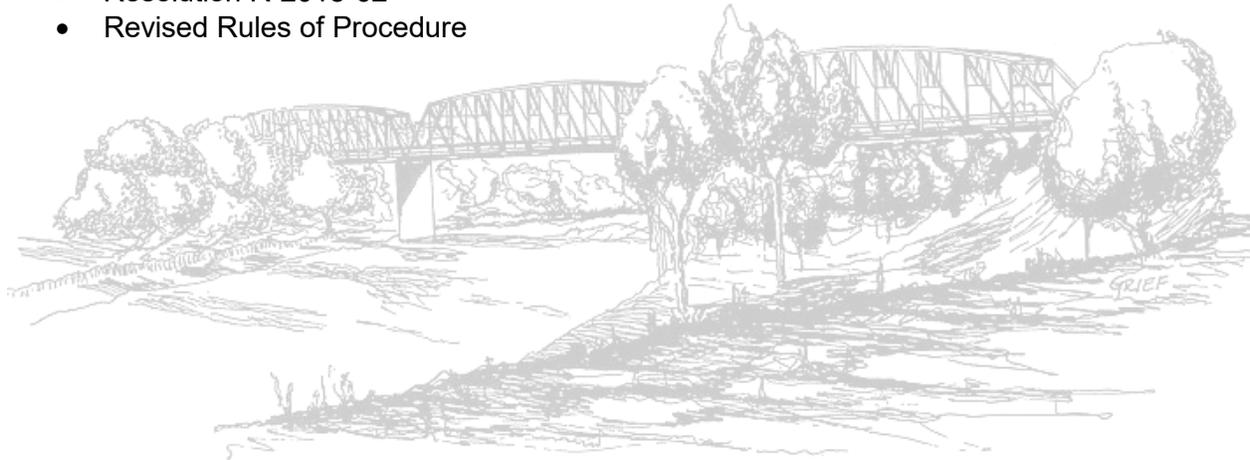
City Council also requested that the Citizen Comment form be revised to provide a place for citizens to note which agenda item they wish to address before Council. The revised form is included as an attachment.

RECOMMENDATION:

Consider action to approve Resolution R-2018-62 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2018-62
- Revised Rules of Procedure



RESOLUTION NO. R-2018-62

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
AMENDING THE CITY COUNCIL RULES OF PROCEDURE; ESTABLISHING A
REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Charter, Section 3.13 Rules of Procedure, says the Council shall determine its own rules of procedure and order of business; and

WHEREAS, Section 1.4 of the City Council Rules of Procedures states that an annual review is required at the first Council in July; and

WHEREAS, the City Council discussed the proposed Rules of Procedure during a work session held on June 25, 2019 and recommended amending the City Council Rules of Procedures to make several changes that reflect current practices.

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

Section 1: That the City Council hereby approves the revised Rules of Procedure, attached hereto as Exhibit A and made a part hereof by this reference.

Section 2: 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 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 9th day of July, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

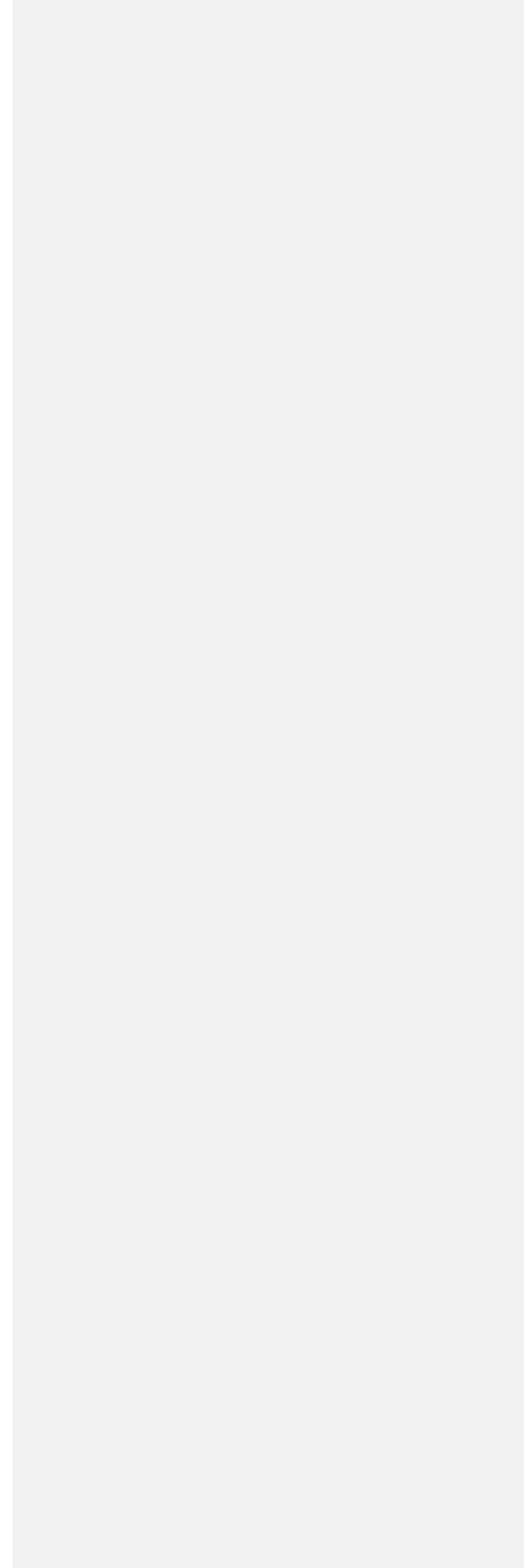
Alan Bojorquez, City Attorney

Rules of Procedure for the City Council and
Boards & Commissions
of the City of Bastrop, Texas



Adopted: August 23, 2005
Revised: October 10, 2017

Revised: July 24, 2018
Revised: July 9, 2019



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ARTICLE 1. AUTHORITY, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW

1.1 Authority.

Article III, Section 3.13 of the City Charter of the City of Bastrop, Texas grants the City Council the right to determine its own rules of procedure. The following rules are enumerated under and by authority of said provision.

1.2 Applicability.

The rules of procedure adopted by the City Council are applicable not only to the City Council, but also to all boards, commissions, and committees of the City of Bastrop.

1.3 Amendment.

These rules may be amended or new rules adopted by three (3) of the five (5) voting members of the City Council present.

1.4 Annual Review.

Following the municipal elections each year, Council will review these rules of procedure annually, make changes as appropriate, and adopt their own rules of procedure in accordance with the Charter at the first scheduled meeting in July. In the event no annual review occurs, the standing rules of procedure continue in effect. This does not limit the Council's right and ability to amend the rules at any other time during the year, in accordance with the Charter.

ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES

2.1 Construction of Authority.

The construction of authority in all matters associated with the meetings and activities of the City Council, including the agenda, shall be: (1) the U.S. Constitution and statutes of the United States of America; (2) The Texas Constitution and statutes of the State of Texas; (3) the City Charter; (4) the Code of Ordinances of the City of Bastrop, Texas; (5) these rules; and, (6) Rosenberg's Rules of Order as amended and set forth herein.

2.2 Meetings Shall Be Public.

All meetings of the City Council shall be public, and notices thereof shall be posted as provided under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an emergency meeting, notice of all meetings shall be given 72 hours before the time set for any meeting.

If meetings are held at Bastrop City Hall, they shall be televised live on the City's television channel via the appropriate cable providers and live-streamed via social media. If unable to televise meetings live due to technical difficulties, the meeting shall be recorded for a later broadcast. The Council meetings shall be rebroadcast as a part of the City's on-going channel programming.

The Bastrop City Hall is wheelchair accessible and special parking is available on the west side

of the building. If special accommodations are required, please contact the City Secretary a minimum of 24 hours in advance at 512-332-8800.

2.3 Conduct of Meetings.

Meetings of the City Council shall be conducted according to the rules adopted by the City Council, as well as the terms and provisions of Rosenberg's Rules of Order as amended herein and when not inconsistent with these rules.

2.4 Regular Meetings.

Regular meetings of the City Council shall be on the second and fourth Tuesday of each month at 6:30 p.m. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate. Per the City Charter, the Council shall meet regularly and at least once each month.

2.5 Special Meetings.

The City Council may hold as many additional, special meetings as may be necessary for the transaction of the business of the City. Special meetings of the City Council may be called as necessary upon written notice to the City Secretary by the Mayor or by any two (2) members of the City Council unless made at a regular meeting at which a quorum of Council Members is present. The City Manager and all Council Members shall be notified of all special meetings.

2.6 Emergency Meetings.

In case of an emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive and notice is posted two (2) hours before the meeting is convened **until August 30, 2019. Effective September 1, 2019, it shall be sufficient if members receive and notice is posted one (1) hour before meeting is convened, (SB 494).** Notice shall be provided also to the media in accordance with the Texas Government Code, Section 551.047.

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2.7 Workshops (Work Session).

Workshops are special meetings called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. Audience comments or questions will not be considered at a work session unless posted for citizen comment. **Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.**

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2.8 Executive Sessions.

Executive sessions are sessions closed to the public. These sessions are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

The City Council can retire into an executive session as stated on a posted agenda during a regular or special meeting. However, before said session begins, the presiding officer shall announce that the executive session is commencing. The order in which an executive session may appear on the agenda is subject to the discretion of the City Council. A certified record of the meeting will be created by the presiding officer or his or her designee, sealed and

permanently kept, subject to opening by court order. No voting or action shall be taken by the City Council during an executive session. No other subject but that posted on the agenda is to be considered. Adjournment of the executive session and any vote needed shall be made during the open public meeting.

2.9 Recessed Meetings.

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date certain by motion duly passed.

2.10 Quorum.

Four (4) members of the Council shall constitute a quorum to do business, and a majority vote of those attending any meeting at which there is a quorum present shall be sufficient to adopt any ordinance or resolution, except otherwise provided in the City's Charter. (Charter Article III, Section 3.13).

2.11 Conflict of Interest.

A Council Member prevented from voting by a conflict of interest shall file a conflict of interest questionnaire with the City Secretary as soon as possible after the posting of an agenda, which contains a conflict, unless an applicable conflict of interest questionnaire has already been filed.

A Council Member prevented from voting by a conflict of interest shall step down from the dais and leave the Council Chambers, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend Executive sessions regarding the matter, and shall otherwise comply with the State law and City ordinances concerning conflicts of interest including Chapter 171 of the Texas Local Government Code.

2.12 Presiding Officer.

The Mayor shall serve as the Chief Presiding Officer for all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the presiding officer. In the absence of the Mayor and Mayor Pro Tem, the City Manager shall call the meeting to order, if a quorum of the Council is present, and the first order of business shall be for Council to elect by majority vote, a temporary presiding officer from the members then seated and in attendance. The temporary presiding officer shall serve in such capacity until the meeting is adjourned.

The presiding officer shall serve as the chair of all meetings and shall make final rulings on all questions pertaining to these rules. All decisions of the presiding officer are final unless overruled by the City Council through a motion to appeal as described in Article 3.9 – Courtesy, Decorum and Order of these rules.

The Mayor, as Chief Presiding Officer, is entitled to participate in the discussion and debate, but may not vote, except in elections, to break a tie and as otherwise provided in the City's Charter. Because the presiding officer conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the Council in debates and discussions. This practice in no way precludes the presiding officer from participating in the meeting fully and freely.

The presiding officer of boards and commissions shall be the person selected by the board or commission as the chair, co-chair, or vice chair. If these persons are not in attendance, the board or commission shall choose a temporary presiding officer from among the members in attendance.

2.13 Minutes of Meetings.

The City Secretary shall keep minutes of all proceedings of the City Council and they shall be open to public inspection in accordance with the laws of the State of Texas. Staff Liaisons will take minutes of proceedings of the various Boards & Commissions and provide them to the City Secretary as Records Custodian.

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2.14 Suspension and Amendment of Rules.

Any provisions of these rules not governed by federal, state law or the City Charter may be temporarily suspended by a super majority vote (see Article 3.7 of these rules) of the City Council. Any provisions of these rules may be amended by majority vote if such amendment is appropriately posted on an agenda of a regular meeting of the City Council and receives approval of the majority of City Council at such meeting.

2.15 Rules for the Press and Media.

The use of media equipment, such as lights, cameras and/or microphones should be coordinated with the City Manager prior to the meeting to ensure that the equipment does not disturb or otherwise conflict with or disrupt the meeting or the Council's activities.

ARTICLE 3. PARLIAMENTARY PROCEDURE

3.1 Purpose.

The purpose of these rules of parliamentary procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision-making by the City Council. In a democracy, the majority opinion carries the day.

These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

3.2 Model Format for an Agenda Item Discussion.

The following ten (10) steps may be used as a model or guidebook by the Presiding Officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be handled by the Presiding Officer (Mayor) in the following basic format:

1. *Announce the Item.* The Mayor should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item by reading the caption

for the item being considered.

2. *Receive a Report.* The Mayor should invite the appropriate people to report on the item, including any recommendation they might have.
3. *Ask Clarifying Questions.* The Mayor should ask the Council Members if they have any technical questions for clarification. At this point, members of the City Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
4. *Seek Citizen Input.* The Mayor should invite citizen comments – or if a public hearing, open the public hearing. Upon conclusion, the Mayor should announce that public input is closed, or if a public hearing, close the public hearing.
5. *Motion First.* The Mayor should invite a motion from the City Council before debate is given on the merits of the item. The Mayor should announce the name of the member who makes the motion.
6. *Motion Second.* The Mayor should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member who seconds the motion. If no member of the City Council wishes to second the motion, then the motion fails, and should be so stated by the Mayor.
7. *Repeat Motion.* If the motion is made and seconded, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:
 - a. The Mayor can ask the maker of the motion to repeat it;
 - b. The Mayor can repeat the motion; or
 - c. The Mayor can ask the City Secretary to repeat the motion.
8. *Discuss the Motion.* The Mayor should now invite the members of the City Council to discuss the motion. If there is no desired discussion, the Mayor may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good idea to repeat the motion before calling for the vote.
9. *Vote.* The Mayor may ask the City Secretary to call roll. Unless a super-majority is required for passage of the motion, a simple majority vote determines whether the motion passes or fails. Unless a member of the Council seeks recusal from voting on any question where the vote would constitute a conflict of interest, and that recusal is consented to by a majority of the remainder of the Council, all members of the Council shall vote upon every question, ordinance or resolution. Action items require a vote.
10. *Announce the Outcome.* The Mayor announces the results of the vote and should also state what action (if any) the Council has taken. The Mayor should announce the name of any member who voted in the minority on the motion.

3.3 The Basic Motions.

The basic motion is the one that puts forward a decision for consideration. A basic motion might be: “I move for approval of the ordinance as submitted,” or “I make a motion that we deny the resolution.”

3.4 The Motion to Amend.

If a member wants to change a basic motion, he or she would have to motion to amend the original or previously amended motion. A motion to amend might be: "I move that we amend the motion to include the changes we discussed to the ordinance." A motion to amend seeks to retain the basic motion on the floor (a motion made and seconded), but to modify it in some way. A motion to amend requires the agreement of the person making the original motion. If the basic motion has already been seconded, the motion to amend must be acknowledged and accepted by the member who seconded the basic motion.

3.5 Discussion and Debate.

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the City Council. Discussion and debate can continue as long as the members wish to discuss it, or until the Mayor decides that it is time to move on and call a vote on the motion.

3.6 Other Motions.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are NOT debatable, and the Mayor must immediately call a vote on the motion, if seconded by another member.

- *Motion to Adjourn.* This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
- *Motion to Recess.* This motion, if passed, requires the Council to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
- *Motion to Fix the Time to Adjourn.* This motion, if passed, requires the Council to adjourn the meeting at the specific time set in the motion. For example, "I move we adjourn this meeting at Midnight." It requires a simple majority vote.
- *Motion to Table.* This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Council meeting.
- *Motion to Remove from Table.* This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled.

3.7 Motions Requiring a Supermajority Vote to Pass.

A super majority vote consists of four votes (three to pass as a simple majority, plus one more).

- *Motion to Limit Debate.* This motion is sometimes referred to as, "moving the question" or, "calling the question." When a member of the Council makes such a motion, the member is saying, "I have had enough discussion, let's vote on the issue." When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the

motion to limit debate. The motion requires a super majority vote to pass. Meaning, the number of council members voting for the motion must equal four or more.

- *Motion to Object to the Consideration of an Item.* This motion, if passed, precludes the City Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires a super majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled.)
- *Motion to Suspend the Rules.* This motion is debatable, but requires a super majority vote to pass. This motion allows the Council to suspend its own rules for a particular purpose. For example, the Council may desire to give a particular speaker more time than normally allowed. A “motion to suspend the rules and give the speaker ten additional minutes,” accomplishes this desire.

3.8 Motion to Reconsider.

There is a special motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. As such, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a simple majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

The first issue involves timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting (if properly noticed and on the posted agenda). A motion to reconsider made at a later time is considered untimely and it may not be considered unless the Council suspends the rules to consider it.

Secondly, the motion to reconsider can only be made by a member of the Council who voted in the majority on the original motion. The motion to reconsider may be seconded by any member of the City Council regardless of how they voted on the original motion. If a member of the Council who voted in the minority on the original motion seeks to make a motion to reconsider, it MUST be ruled out of order by the Mayor. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back again and again, which would defeat the purpose of finality.

If a motion to reconsider passes, then the original matter is back before the Council, and a new original motion is in order. The matter may be discussed as if it were on the floor for the first time.

3.9 Courtesy, Decorum and Order.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor (and the members of the City Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on

the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere, the following rules shall govern all meetings:

1. *Request to Speak.* Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during an agenda must first complete a 'request to speak card' and submit it to the City Secretary. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, irrelevant, impertinent, redundant, or slanderous.
2. *Order.* If a person fails to request to speak before speaking, the Mayor shall rule them 'out of order' and remind them that they do not have the floor. While the Council is in session, all Council Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Members of the City Council should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a motion to recess.
3. *Improper References Prohibited.* Every person desiring to speak shall address the entire Council and shall not single out a member of the Council, the audience or a staff member. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.
4. *Interruptions.* A Council Member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or other such interruption expressed below. If the Council Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Council Member is found to be in order, he or she shall be permitted to proceed speaking. Allowable interruptions or points of order are as follows:
 - a. *Point of Privilege.* The proper interruption would be: "Point of Privilege." The Mayor would then ask the interrupter to, "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Council Members ability to hear.
 - b. *Point of Order.* The proper interruption would be: "Point of Order." The Mayor would then ask the interrupter to, "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion.
 - c. *Motion to Appeal.* If the Mayor makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor by stating,

“motion to appeal.” If the motion is seconded and after debate if it passes by a simple majority vote, the ruling of the Mayor is reversed.

- d. *Call for orders of the day.* This is simply another way of saying, “let’s return to the agenda.” If a council member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
- e. *Withdraw a Motion.* During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council members are free to make the same motion or another motion.

3.10 City Council and Board Member Disruptions.

As stated in Resolution R-2017-20, 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.

3.11 Audience Disruptions.

As stated in Resolution R-2017-20, 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.

3.12 Council May Discipline its Own Members.

In the event a Council Member violates the Charter, these rules or any other ordinance of the

city, or acts in a manner that causes embarrassment or disgrace to the City of Bastrop, the City Council on supermajority vote may discipline the offending member.

Such action may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the City Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the City Council may proceed in his or her absence.

The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Texas Open Meetings Act:

1. *No Action.* The City Council chooses to take no action.
2. *Private Censure.* The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the executive session.
3. *Public Censure.* The City Council may choose to publicly censure the offending member through a resolution passed by supermajority vote and entered into the public record.

ARTICLE 4. AGENDA ORDER

The Mayor and the City Manager or an appropriate designee shall prepare an agenda and cause the same to be posted a minimum of 72 hours prior to the meeting. Agendas and packet material shall be delivered to the City Council via electronic format uploaded into a cloud storage service, such as Dropbox. City Council shall be notified via email that the agenda and packet have been uploaded and available for review. The goal would be to upload the agenda and packet on Friday prior to a regularly scheduled Council Meeting. In the event of an emergency meeting of the City Council, this provision shall be suspended when not inconsistent with the provisions of federal or state law or the City Charter.

In order to facilitate the agenda process, the Mayor, two Council Members, or the City Manager may place an item on the agenda. Staff assistance, if required, should be requested through the City Manager (City Charter, Article III, Section 3.05 Prohibitions). Agenda items must be provided to the City Manager's Office at City Hall by 12:00 noon on the 11th calendar day preceding the date of the regular meeting. If the agenda topic does not allow for staff to adequately prepare information for Council's consideration, the item may be postponed until the next regular meeting.

4.1 Call to Order.

The Mayor shall call the meeting to order. The Mayor shall announce that a quorum of the City Council is present and shall state for the record the names of all members of the City Council that are absent.

4.2 Pledges of Allegiance to the United States & Texas Flags.

The Council shall recite the Pledge of Allegiance, first to the United States Flag, and then to the

state Flag of Texas. The Council welcomes individuals and organizations, young and old, to lead the Pledges.

4.3 Invocation.

All regular meetings of the City Council shall include an invocation.

4.4 Presentations.

Presentations may be made by the Mayor, City Council or Staff. The Mayor may deliver any proclamation as may be required from time to time. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

4.5 Work Session/Briefings.

Items may be included in this section for the purpose of conducting a detailed and thorough exploration of matters that may come before City Council as an item for individual consideration. All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a work session. Council may, through the City Manager, request the attendance of such staff members or outside experts as may be required to answer such questions. No formal action may be taken on items. Council may provide staff direction on the matter being considered. ~~Audience comments or questions will not be considered at a work session unless posted accordingly.~~ **Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.**

4.6 Staff and Board Briefings.

Items that are provided to Council on a routine basis, such as monthly financial statements and quarterly investment reports, should be included in this section. Appointed boards of the City, who have been requested to provide periodic updates, such as the Bastrop Economic Development Corporation and Visit Bastrop, will be included in this section.

4.7 Citizen Comments.

Every agenda must include the following language for purposes of open and transparency to inform the public of how to appropriately address the City Council:

*At this time, three (3) minute comments will be taken from the audience on any topic **not on the agenda.** To address the Council, please submit a fully completed request card to the City Secretary prior to the start 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.*

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*To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the Council meeting. **Request cards can be completed online at <https://www.cityofbastrop.org/page/cc.request> to speak from the time the Council agenda is posted online until 5:00 p.m. on the day of the meeting.***

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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.

4.8A Approval of the Minutes.

The Council shall consider the minutes of any meeting presented for their review since the last regular meeting. This heading will only be used when there are no other items listed on a consent agenda.

4.8B Consent Agenda Items.

There is hereby established, as a part of every agenda for regular and/or special called meetings of the City Council, a portion of said agenda that shall be labeled "consent agenda." Said consent agenda may consist of any and all business regularly coming before the City Council including approval of the minutes of previous meetings.

Any member of the City Council or a citizen may request that any item be removed from the consent agenda and considered separately prior to the City Secretary reading the caption of each item. If any item was removed from the consent agenda, it will be considered immediately following approval of the remainder of the consent agenda.

The City Secretary shall read the caption of each item and/or ordinance prior to a motion being made to approve the Consent Agenda. Once a second is received on the motion, the Council shall vote.

All items set out in the consent agenda shall be deemed passed upon passage of an affirmative motion, by a vote of the majority of the members of the City Council, that the consent agenda be adopted. No further action shall be deemed necessary, and all such items appearing on the consent agenda, upon passage of such motion, shall be deemed adopted as if voted upon separately.

4.9 Items for Individual Consideration.

Items for individual consideration shall be considered by the City Council individually and approved by either a simple majority vote or a super majority vote as the case may be.

Public hearings, which are statutorily required, shall be included in this section. The Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizen input. While the public hearing is open, Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for Citizen Comments. Upon conclusion of citizen comments, the Mayor shall close the public hearing. Council may deliberate or take action on the matter at hand upon the closing of the public hearing.

4.10 Executive Session Items.

This section is only used when it is necessary for the Council to convene in executive session. Executive sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

If the subject of the executive session warrants, the executive session may be held prior to the regular session. Council shall agree in Executive Session what can be shared in public prior to concluding the Executive Session.

4.11 Action on Executive Session Items.

This section is only used if Council conducts an executive session. Action on executive session items must be taken during public/open session of the Council. Action may include the taking of no action at all.

4.12 Adjournment.

The Mayor shall adjourn the meeting upon passage of the appropriate motion.

ARTICLE 5. RULES GOVERNING CITIZEN COMMENTS

5.1 Purpose.

It is the desire of the City Council to hear from the citizens of Bastrop and to stimulate discussion and offer a forum for a cordial and meaningful public debate on matters that are properly a concern of the City Council. The following rules shall control and govern audience comments.

5.2 Rules for Audience Comments.

Immediately preceding the opening of a public hearing, the Mayor may direct the City Secretary to read the rules governing citizen comments.

5.3 Rules Governing Citizen Comments.

1. Each speaker is limited to a maximum timed limit of three minutes on any item except for a public hearing item.
2. No individual may address the Council without submitting a speaker card. The card must clearly state the subject or issue on which the citizen wishes to speak. If the subject matter does not pertain to city business, the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
3. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
4. Citizens speaking on non-agenda items shall only speak during the Citizens Comment portion of the agenda.
4. ~~Citizens speaking on non-agenda items shall only speak during the Citizens Comment portion of the agenda.~~
5. Council may not act upon or discuss any issue brought forth as a non-agenda item, except to:

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- a. Make a statement of specific factual information given in response to the inquiry, or
- b. A recitation of existing policy in response to the inquiry.

Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

- 6. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Council Chambers.
- 7. No placards, banners or signs may be displayed in the Council Chambers or City Hall. Exhibits relating to a presentation are acceptable.
- 8. Arguing, intimidation, or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.
- 9. Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.
- 10. Council meetings are the workplace to carry out the business of the City of Bastrop; therefore, any conduct that could constitute harassment in the workplace is prohibited.
- 11. In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

5.4 Preservation of Order.

As referenced in Article 3.11 above, the Mayor shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council Chambers any non-Council Member speaking out of order or disrupting the order of the meeting.

ARTICLE 6. COUNCIL LIAISONS TO BOARDS AND COMMISSIONS

One Council Member will be appointed as the council liaison to each of the city's boards and commissions annually as a part of the Board & Commission Member appointment process, except for the Ethics Commission, Bastrop Housing Authority, ~~and the Zoning Board of Adjustments, and the Hunters Crossing Local Government Corporation (Council Members are appointed to this board).~~ Council liaisons will be appointed by Mayor. Mayor will appoint council liaisons with consideration given to applicable expertise. Council liaisons may be asked to make every effort to attend, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison. Board and commission members may contact their council liaison concerning items of concern or interest with regard to their appointed board.

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ARTICLE 7. TABLE OF MOTIONS AND POINTS OF ORDER

MOTION/ORDER	REQUIRES SECOND	DEBATABLE	AMENDABLE	VOTE TYPE
Basic Motion	Yes	Yes	Yes	Simple
Motion to Amend	*	No	Yes	N/A

Motion to Adjourn	Yes	No	No	Simple
Motion to Recess	Yes	No	Yes	Simple
Motion to Fix the Time to Adjourn	Yes	No	No	Simple
Motion to Table	Yes	No	No	Simple
Motion to Limit Debate	Yes	No	No	Super
Motion to Object to the Consideration of an Item	Yes	No	No	Super
Motion to Suspend Rules	Yes	No	No	Super
Motion to Reconsider	Yes	Yes	Yes	Simple
Point of Privilege	No	No	No	N/A
Point of Order	No	No	No	N/A
Motion to Appeal	Yes	Yes	No	Simple
Call for Orders of the Day	No	No	No	N/A
Withdraw a Motion	No	No	No	N/A
Motion to Enforce	Yes	No	No	Simple

* For the purposes of these rules, Amendments are not debatable and only require the approval of the member who made the original motion. An amendment to an amendment, requires first the approval of the member who made the original amendment and secondly the approval of the member who made the original motion.

Rules of Procedure for the City Council and
Boards & Commissions
of the City of Bastrop, Texas



Adopted: August 23, 2005
Revised: October 10, 2017
Revised: July 24, 2018
Revised: July 9, 2019

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ARTICLE 1. AUTHORITY, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW

1.1 Authority.

Article III, Section 3.13 of the City Charter of the City of Bastrop, Texas grants the City Council the right to determine its own rules of procedure. The following rules are enumerated under and by authority of said provision.

1.2 Applicability.

The rules of procedure adopted by the City Council are applicable not only to the City Council, but also to all boards, commissions, and committees of the City of Bastrop.

1.3 Amendment.

These rules may be amended or new rules adopted by three (3) of the five (5) voting members of the City Council present.

1.4 Annual Review.

Following the municipal elections each year, Council will review these rules of procedure annually, make changes as appropriate, and adopt their own rules of procedure in accordance with the Charter at the first scheduled meeting in July. In the event no annual review occurs, the standing rules of procedure continue in effect. This does not limit the Council’s right and ability to amend the rules at any other time during the year, in accordance with the Charter.

ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES

2.1 Construction of Authority.

The construction of authority in all matters associated with the meetings and activities of the City Council, including the agenda, shall be: (1) the U.S. Constitution and statues of the United States of America; (2) The Texas Constitution and statues of the State of Texas; (3) the City Charter; (4) the Code of Ordinances of the City of Bastrop, Texas; (5) these rules; and, (6) Rosenberg’s Rules of Order as amended and set forth herein.

2.2 Meetings Shall Be Public.

All meetings of the City Council shall be public, and notices thereof shall be posted as provided under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an emergency meeting, notice of all meetings shall be given 72 hours before the time set for any meeting.

If meetings are held at Bastrop City Hall, they shall be televised live on the City’s television channel via the appropriate cable providers and live-streamed via social media. If unable to televise meetings live due to technical difficulties, the meeting shall be recorded for a later broadcast. The Council meetings shall be rebroadcast as a part of the City’s on-going channel programming.

The Bastrop City Hall is wheelchair accessible and special parking is available on the west side

of the building. If special accommodations are required, please contact the City Secretary a minimum of 24 hours in advance at 512-332-8800.

2.3 Conduct of Meetings.

Meetings of the City Council shall be conducted according to the rules adopted by the City Council, as well as the terms and provisions of Rosenberg's Rules of Order as amended herein and when not inconsistent with these rules.

2.4 Regular Meetings.

Regular meetings of the City Council shall be on the second and fourth Tuesday of each month at 6:30 p.m. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate. Per the City Charter, the Council shall meet regularly and at least once each month.

2.5 Special Meetings.

The City Council may hold as many additional, special meetings as may be necessary for the transaction of the business of the City. Special meetings of the City Council may be called as necessary upon written notice to the City Secretary by the Mayor or by any two (2) members of the City Council unless made at a regular meeting at which a quorum of Council Members is present. The City Manager and all Council Members shall be notified of all special meetings.

2.6 Emergency Meetings.

In case of an emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive and notice is posted two (2) hours before the meeting is convened until August 30, 2019. Effective September 1, 2019, it shall be sufficient if members receive and notice is posted one (1) hour before meeting is convened (SB 494). Notice shall be provided also to the media in accordance with the Texas Government Code, Section 551.047.

2.7 Workshops (Work Session).

Workshops are special meetings called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. Audience comments or questions will not be considered at a work session unless posted for citizen comment. Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.

2.8 Executive Sessions.

Executive sessions are sessions closed to the public. These sessions are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

The City Council can retire into an executive session as stated on a posted agenda during a regular or special meeting. However, before said session begins, the presiding officer shall announce that the executive session is commencing. The order in which an executive session may appear on the agenda is subject to the discretion of the City Council. A certified record of the meeting will be created by the presiding officer or his or her designee, sealed and

permanently kept, subject to opening by court order. No voting or action shall be taken by the City Council during an executive session. No other subject but that posted on the agenda is to be considered. Adjournment of the executive session and any vote needed shall be made during the open public meeting.

2.9 Recessed Meetings.

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date certain by motion duly passed.

2.10 Quorum.

Four (4) members of the Council shall constitute a quorum to do business, and a majority vote of those attending any meeting at which there is a quorum present shall be sufficient to adopt any ordinance or resolution, except otherwise provided in the City's Charter. (Charter Article III, Section 3.13).

2.11 Conflict of Interest.

A Council Member prevented from voting by a conflict of interest shall file a conflict of interest questionnaire with the City Secretary as soon as possible after the posting of an agenda, which contains a conflict, unless an applicable conflict of interest questionnaire has already been filed.

A Council Member prevented from voting by a conflict of interest shall step down from the dais and leave the Council Chambers, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend Executive sessions regarding the matter, and shall otherwise comply with the State law and City ordinances concerning conflicts of interest including Chapter 171 of the Texas Local Government Code.

2.12 Presiding Officer.

The Mayor shall serve as the Chief Presiding Officer for all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the presiding officer. In the absence of the Mayor and Mayor Pro Tem, the City Manager shall call the meeting to order, if a quorum of the Council is present, and the first order of business shall be for Council to elect by majority vote, a temporary presiding officer from the members then seated and in attendance. The temporary presiding officer shall serve in such capacity until the meeting is adjourned.

The presiding officer shall serve as the chair of all meetings and shall make final rulings on all questions pertaining to these rules. All decisions of the presiding officer are final unless overruled by the City Council through a motion to appeal as described in Article 3.9 – Courtesy, Decorum and Order of these rules.

The Mayor, as Chief Presiding Officer, is entitled to participate in the discussion and debate, but may not vote, except in elections, to break a tie and as otherwise provided in the City's Charter. Because the presiding officer conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the Council in debates and discussions. This practice in no way precludes the presiding officer from participating in the meeting fully and freely.

The presiding officer of boards and commissions shall be the person selected by the board or commission as the chair, co-chair, or vice chair. If these persons are not in attendance, the board or commission shall choose a temporary presiding officer from among the members in attendance.

2.13 Minutes of Meetings.

The City Secretary shall keep minutes of all proceedings of the City Council and they shall be open to public inspection in accordance with the laws of the State of Texas. Staff Liaisons will take minutes of proceedings of the various Boards & Commissions and provide them to the City Secretary as Records Custodian.

2.14 Suspension and Amendment of Rules.

Any provisions of these rules not governed by federal, state law or the City Charter may be temporarily suspended by a super majority vote (see Article 3.7 of these rules) of the City Council. Any provisions of these rules may be amended by majority vote if such amendment is appropriately posted on an agenda of a regular meeting of the City Council and receives approval of the majority of City Council at such meeting.

2.15 Rules for the Press and Media.

The use of media equipment, such as lights, cameras and/or microphones should be coordinated with the City Manager prior to the meeting to ensure that the equipment does not disturb or otherwise conflict with or disrupt the meeting or the Council's activities.

ARTICLE 3. PARLIAMENTARY PROCEDURE

3.1 Purpose.

The purpose of these rules of parliamentary procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision-making by the City Council. In a democracy, the majority opinion carries the day.

These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

3.2 Model Format for an Agenda Item Discussion.

The following ten (10) steps may be used as a model or guidebook by the Presiding Officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be handled by the Presiding Officer (Mayor) in the following basic format:

1. *Announce the Item.* The Mayor should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item by reading the caption

for the item being considered.

2. *Receive a Report.* The Mayor should invite the appropriate people to report on the item, including any recommendation they might have.
3. *Ask Clarifying Questions.* The Mayor should ask the Council Members if they have any technical questions for clarification. At this point, members of the City Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
4. *Seek Citizen Input.* The Mayor should invite citizen comments – or if a public hearing, open the public hearing. Upon conclusion, the Mayor should announce that public input is closed, or if a public hearing, close the public hearing.
5. *Motion First.* The Mayor should invite a motion from the City Council before debate is given on the merits of the item. The Mayor should announce the name of the member who makes the motion.
6. *Motion Second.* The Mayor should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member who seconds the motion. If no member of the City Council wishes to second the motion, then the motion fails, and should be so stated by the Mayor.
7. *Repeat Motion.* If the motion is made and seconded, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:
 - a. The Mayor can ask the maker of the motion to repeat it;
 - b. The Mayor can repeat the motion; or
 - c. The Mayor can ask the City Secretary to repeat the motion.
8. *Discuss the Motion.* The Mayor should now invite the members of the City Council to discuss the motion. If there is no desired discussion, the Mayor may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good idea to repeat the motion before calling for the vote.
9. *Vote.* The Mayor may ask the City Secretary to call roll. Unless a super-majority is required for passage of the motion, a simple majority vote determines whether the motion passes or fails. Unless a member of the Council seeks recusal from voting on any question where the vote would constitute a conflict of interest, and that recusal is consented to by a majority of the remainder of the Council, all members of the Council shall vote upon every question, ordinance or resolution. Action items require a vote.
10. *Announce the Outcome.* The Mayor announces the results of the vote and should also state what action (if any) the Council has taken. The Mayor should announce the name of any member who voted in the minority on the motion.

3.3 The Basic Motions.

The basic motion is the one that puts forward a decision for consideration. A basic motion might be: “I move for approval of the ordinance as submitted,” or “I make a motion that we deny the resolution.”

3.4 The Motion to Amend.

If a member wants to change a basic motion, he or she would have to motion to amend the original or previously amended motion. A motion to amend might be: “I move that we amend the motion to include the changes we discussed to the ordinance.” A motion to amend seeks to retain the basic motion on the floor (a motion made and seconded), but to modify it in some way. A motion to amend requires the agreement of the person making the original motion. If the basic motion has already been seconded, the motion to amend must be acknowledged and accepted by the member who seconded the basic motion.

3.5 Discussion and Debate.

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the City Council. Discussion and debate can continue as long as the members wish to discuss it, or until the Mayor decides that it is time to move on and call a vote on the motion.

3.6 Other Motions.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are NOT debatable, and the Mayor must immediately call a vote on the motion, if seconded by another member.

- *Motion to Adjourn.* This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
- *Motion to Recess.* This motion, if passed, requires the Council to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
- *Motion to Fix the Time to Adjourn.* This motion, if passed, requires the Council to adjourn the meeting at the specific time set in the motion. For example, “I move we adjourn this meeting at Midnight.” It requires a simple majority vote.
- *Motion to Table.* This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Council meeting.
- *Motion to Remove from Table.* This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled.

3.7 Motions Requiring a Supermajority Vote to Pass.

A super majority vote consists of four votes (three to pass as a simple majority, plus one more).

- *Motion to Limit Debate.* This motion is sometimes referred to as, “moving the question” or, “calling the question.” When a member of the Council makes such a motion, the member is saying, “I have had enough discussion, let’s vote on the issue.” When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the

motion to limit debate. The motion requires a super majority vote to pass. Meaning, the number of council members voting for the motion must equal four or more.

- *Motion to Object to the Consideration of an Item.* This motion, if passed, precludes the City Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires a super majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled.)
- *Motion to Suspend the Rules.* This motion is debatable, but requires a super majority vote to pass. This motion allows the Council to suspend its own rules for a particular purpose. For example, the Council may desire to give a particular speaker more time than normally allowed. A “motion to suspend the rules and give the speaker ten additional minutes,” accomplishes this desire.

3.8 Motion to Reconsider.

There is a special motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. As such, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a simple majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

The first issue involves timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting (if properly noticed and on the posted agenda). A motion to reconsider made at a later time is considered untimely and it may not be considered unless the Council suspends the rules to consider it.

Secondly, the motion to reconsider can only be made by a member of the Council who voted in the majority on the original motion. The motion to reconsider may be seconded by any member of the City Council regardless of how they voted on the original motion. If a member of the Council who voted in the minority on the original motion seeks to make a motion to reconsider, it **MUST** be ruled out of order by the Mayor. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back again and again, which would defeat the purpose of finality.

If a motion to reconsider passes, then the original matter is back before the Council, and a new original motion is in order. The matter may be discussed as if it were on the floor for the first time.

3.9 Courtesy, Decorum and Order.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor (and the members of the City Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on

the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere, the following rules shall govern all meetings:

1. *Request to Speak.* Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during an agenda must first complete a 'request to speak card' and submit it to the City Secretary. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, irrelevant, impertinent, redundant, or slanderous.
2. *Order.* If a person fails to request to speak before speaking, the Mayor shall rule them 'out of order' and remind them that they do not have the floor. While the Council is in session, all Council Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Members of the City Council should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a motion to recess.
3. *Improper References Prohibited.* Every person desiring to speak shall address the entire Council and shall not single out a member of the Council, the audience or a staff member. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.
4. *Interruptions.* A Council Member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or other such interruption expressed below. If the Council Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Council Member is found to be in order, he or she shall be permitted to proceed speaking. Allowable interruptions or points of order are as follows:
 - a. *Point of Privilege.* The proper interruption would be: "Point of Privilege." The Mayor would then ask the interrupter to, "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Council Members ability to hear.
 - b. *Point of Order.* The proper interruption would be: "Point of Order." The Mayor would then ask the interrupter to, "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion.
 - c. *Motion to Appeal.* If the Mayor makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor by stating,

“motion to appeal.” If the motion is seconded and after debate if it passes by a simple majority vote, the ruling of the Mayor is reversed.

- d. *Call for orders of the day.* This is simply another way of saying, “let’s return to the agenda.” If a council member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
- e. *Withdraw a Motion.* During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council members are free to make the same motion or another motion.

3.10 City Council and Board Member Disruptions.

As stated in Resolution R-2017-20, 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.

3.11 Audience Disruptions.

As stated in Resolution R-2017-20, 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.

3.12 Council May Discipline its Own Members.

In the event a Council Member violates the Charter, these rules or any other ordinance of the

city, or acts in a manner that causes embarrassment or disgrace to the City of Bastrop, the City Council on supermajority vote may discipline the offending member.

Such action may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the City Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the City Council may proceed in his or her absence.

The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Texas Open Meetings Act:

1. *No Action.* The City Council chooses to take no action.
2. *Private Censure.* The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the executive session.
3. *Public Censure.* The City Council may choose to publicly censure the offending member through a resolution passed by supermajority vote and entered into the public record.

ARTICLE 4. AGENDA ORDER

The Mayor and the City Manager or an appropriate designee shall prepare an agenda and cause the same to be posted a minimum of 72 hours prior to the meeting. Agendas and packet material shall be delivered to the City Council via electronic format uploaded into a cloud storage service, such as Dropbox. City Council shall be notified via email that the agenda and packet have been uploaded and available for review. The goal would be to upload the agenda and packet on Friday prior to a regularly scheduled Council Meeting. In the event of an emergency meeting of the City Council, this provision shall be suspended when not inconsistent with the provisions of federal or state law or the City Charter.

In order to facilitate the agenda process, the Mayor, two Council Members, or the City Manager may place an item on the agenda. Staff assistance, if required, should be requested through the City Manager (City Charter, Article III, Section 3.05 Prohibitions). Agenda items must be provided to the City Manager's Office at City Hall by 12:00 noon on the 11th calendar day preceding the date of the regular meeting. If the agenda topic does not allow for staff to adequately prepare information for Council's consideration, the item may be postponed until the next regular meeting.

4.1 Call to Order.

The Mayor shall call the meeting to order. The Mayor shall announce that a quorum of the City Council is present and shall state for the record the names of all members of the City Council that are absent.

4.2 Pledges of Allegiance to the United States & Texas Flags.

The Council shall recite the Pledge of Allegiance, first to the United States Flag, and then to the

state Flag of Texas. The Council welcomes individuals and organizations, young and old, to lead the Pledges.

4.3 Invocation.

All regular meetings of the City Council shall include an invocation.

4.4 Presentations.

Presentations may be made by the Mayor, City Council or Staff. The Mayor may deliver any proclamation as may be required from time to time. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

4.5 Work Session/Briefings.

Items may be included in this section for the purpose of conducting a detailed and thorough exploration of matters that may come before City Council as an item for individual consideration. All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a work session. Council may, through the City Manager, request the attendance of such staff members or outside experts as may be required to answer such questions. No formal action may be taken on items. Council may provide staff direction on the matter being considered. . Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.

4.6 Staff and Board Briefings.

Items that are provided to Council on a routine basis, such as monthly financial statements and quarterly investment reports, should be included in this section. Appointed boards of the City, who have been requested to provide periodic updates, such as the Bastrop Economic Development Corporation and Visit Bastrop, will be included in this section.

4.7 Citizen Comments.

Every agenda must include the following language for purposes of open and transparency to inform the public of how to appropriately address the City Council:

At this time, three (3) minute comments will be taken from the audience on any topic not on the agenda. To address the Council, please submit a fully completed request card to the City Secretary prior to the start 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 start of the Council meeting. Request cards can be completed online at https://www.cityofbastrop.org/page/cc.request_to_speak from the time the Council agenda is posted online until 5:00 p.m. on the day of the Council meeting.

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.

4.8A Approval of the Minutes.

The Council shall consider the minutes of any meeting presented for their review since the last regular meeting. This heading will only be used when there are no other items listed on a consent agenda.

4.8B Consent Agenda Items.

There is hereby established, as a part of every agenda for regular and/or special called meetings of the City Council, a portion of said agenda that shall be labeled "consent agenda." Said consent agenda may consist of any and all business regularly coming before the City Council including approval of the minutes of previous meetings.

Any member of the City Council or a citizen may request that any item be removed from the consent agenda and considered separately prior to the City Secretary reading the caption of each item. If any item was removed from the consent agenda, it will be considered immediately following approval of the remainder of the consent agenda.

The City Secretary shall read the caption of each item and/or ordinance prior to a motion being made to approve the Consent Agenda. Once a second is received on the motion, the Council shall vote.

All items set out in the consent agenda shall be deemed passed upon passage of an affirmative motion, by a vote of the majority of the members of the City Council, that the consent agenda be adopted. No further action shall be deemed necessary, and all such items appearing on the consent agenda, upon passage of such motion, shall be deemed adopted as if voted upon separately.

4.9 Items for Individual Consideration.

Items for individual consideration shall be considered by the City Council individually and approved by either a simple majority vote or a super majority vote as the case may be.

Public hearings, which are statutorily required, shall be included in this section. The Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizen input. While the public hearing is open, Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for Citizen Comments. Upon conclusion of citizen comments, the Mayor shall close the public hearing. Council may

deliberate or take action on the matter at hand upon the closing of the public hearing.

4.10 Executive Session Items.

This section is only used when it is necessary for the Council to convene in executive session. Executive sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

If the subject of the executive session warrants, the executive session may be held prior to the regular session. Council shall agree in Executive Session what can be shared in public prior to concluding the Executive Session.

4.11 Action on Executive Session Items.

This section is only used if Council conducts an executive session. Action on executive session items must be taken during public/open session of the Council. Action may include the taking of no action at all.

4.12 Adjournment.

The Mayor shall adjourn the meeting upon passage of the appropriate motion.

ARTICLE 5. RULES GOVERNING CITIZEN COMMENTS

5.1 Purpose.

It is the desire of the City Council to hear from the citizens of Bastrop and to stimulate discussion and offer a forum for a cordial and meaningful public debate on matters that are properly a concern of the City Council. The following rules shall control and govern audience comments.

5.2 Rules for Audience Comments.

Immediately preceding the opening of a public hearing, the Mayor may direct the City Secretary to read the rules governing citizen comments.

5.3 Rules Governing Citizen Comments.

1. Each speaker is limited to a maximum timed limit of three minutes on any item except for a public hearing item.
2. No individual may address the Council without submitting a speaker card. The card must clearly state the subject or issue on which the citizen wishes to speak. If the subject matter does not pertain to city business, the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
3. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
4. Citizens speaking on non-agenda items shall only speak during the Citizens Comment portion of the agenda.

5. Council may not act upon or discuss any issue brought forth as a non-agenda item, except to:
 - a. Make a statement of specific factual information given in response to the inquiry, or
 - b. A recitation of existing policy in response to the inquiry.Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.
6. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Council Chambers.
7. No placards, banners or signs may be displayed in the Council Chambers or City Hall. Exhibits relating to a presentation are acceptable.
8. Arguing, intimidation, or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.
9. Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.
10. Council meetings are the workplace to carry out the business of the City of Bastrop; therefore, any conduct that could constitute harassment in the workplace is prohibited.
11. In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

5.4 Preservation of Order.

As referenced in Article 3.11 above, the Mayor shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council Chambers any non-Council Member speaking out of order or disrupting the order of the meeting.

ARTICLE 6. COUNCIL LIAISONS TO BOARDS AND COMMISSIONS

One Council Member will be appointed as the council liaison to each of the city's boards and commissions annually as a part of the Board & Commission Member appointment process, except for the Ethics Commission, Bastrop Housing Authority, Zoning Board of Adjustments, and the Hunters Crossing Local Government Corporation (Council Members are appointed to this board). Mayor will appoint council liaisons with consideration given to applicable expertise. Council liaisons are asked to make every effort to attend the meetings of the boards or commissions to which they have been appointed as liaison. Board and commission members may contact their council liaison concerning items of concern or interest with regard to their appointed board.

ARTICLE 7. TABLE OF MOTIONS AND POINTS OF ORDER

MOTION/ORDER	REQUIRES SECOND	DEBATABLE	AMENDABLE	VOTE TYPE
Basic Motion	Yes	Yes	Yes	Simple
Motion to Amend	*	No	Yes	N/A
Motion to Adjourn	Yes	No	No	Simple
Motion to Recess	Yes	No	Yes	Simple
Motion to Fix the Time to Adjourn	Yes	No	No	Simple
Motion to Table	Yes	No	No	Simple
Motion to Limit Debate	Yes	No	No	Super
Motion to Object to the Consideration of an Item	Yes	No	No	Super
Motion to Suspend Rules	Yes	No	No	Super
Motion to Reconsider	Yes	Yes	Yes	Simple
Point of Privilege	No	No	No	N/A
Point of Order	No	No	No	N/A
Motion to Appeal	Yes	Yes	No	Simple
Call for Orders of the Day	No	No	No	N/A
Withdraw a Motion	No	No	No	N/A
Motion to Enforce	Yes	No	No	Simple

* For the purposes of these rules, Amendments are not debatable and only require the approval of the member who made the original motion. An amendment to an amendment, requires first the approval of the member who made the original amendment and secondly the approval of the member who made the original motion.