

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



August 13, 2019 at 5:30 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 REGULAR SESSION OF THE CITY COUNCIL MEETING AT 6:30 P.M.

1. **CALL TO ORDER – 5:30 P.M.**
2. **EXECUTIVE SESSION**
 - 2A. City Council shall convene into closed executive session pursuant to Section 551.086 of the Texas Government Code to discuss competitive matters related to Bastrop Power & Light (BP&L).
3. **TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION**
4. **CONVENE REGULAR SESSION – 6:30 P.M.**
5. **PLEDGE OF ALLEGIANCE – Kendall Eddie**

TEXAS PLEDGE OF ALLEGIANCE
Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.
6. **INVOCATION – Dale Burke, Police Chaplain**
7. **PRESENTATIONS - NONE**



8. WORK SESSION/BRIEFINGS

- 8A. Receiving briefing on Water/Wastewater Impact Fees and anticipated changes to the Standardized Wholesale Water & Wastewater Contracts.
- 8B. Receive briefing from Bastrop County Historical Society Visitor Center & Museum, Bastrop Opera House, Lost Pines Art Center, and YMCA - all requesting to contract for FY2020 funding.
- 8C. Receive briefing on the City Manager's submitted budget for FY 2019 as required by the City's Charter.
- 8D. Receive briefing from Specialized Public Finance, the City's Financial Advisors, on Limited Tax Note issuance and timeline.
- 8E. Receiving briefing on Development Review Process and all changes necessary to comply with Texas Local Government Code Chapter 212 and 245, resulting from the 86th Legislative Session.

9. STAFF AND BOARD REPORTS - NONE

10. 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.

11. 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.

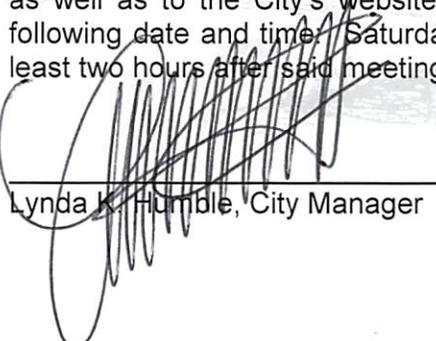
- 11A. Consider action to approve City Council minutes from the July 23, 2019, Regular meeting and August 6, 2019, Special meeting.

12. INDIVIDUAL CONSIDERATION

- 12A. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-24 of the City Council of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, as attached in Exhibits A-D, providing for an effective date; and move to include on the August 27, 2019 agenda for a second reading.
- 12B. Consider action to approve the first reading of Resolution No. R-2019-66 of the City Council of the City of Bastrop, Texas, approving the 921 Main Street Project; repealing all resolutions in conflict; providing severability; and providing an effective date; and move to include on the August 27, 2019 agenda for second reading.
- 12C. Consider action to approve the first reading of Resolution No. R-2019-67 of the City Council of the City of Bastrop, Texas ("City"), approving (i) the Resolution of the Board of Directors of Bastrop Economic Development Corporation ("Corporation") regarding a loan in the amount not to exceed \$1,420,000; (ii) a Sales Tax Remittance Agreement between the City and the Corporation (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the Sales Tax Remittance Agreement; and move to include on the August 27, 2019 agenda for second reading.

13. 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: Saturday, August 10, 2018 at 12:45 p.m. and remained posted for at least two hours after said meeting was convened.



Lynda K. Humble, City Manager



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 2A

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.086 of the Texas Government Code to discuss competitive matters related to Bastrop Power & Light (BP&L).

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 3

TITLE:

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

STAFF REPRESENTATIVE:

Lynda Humble, City Manager





STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 8A

TITLE:

Receive briefing on Water/Wastewater Impact Fees and anticipated changes to the Standardized Wholesale Water & Wastewater Contracts.

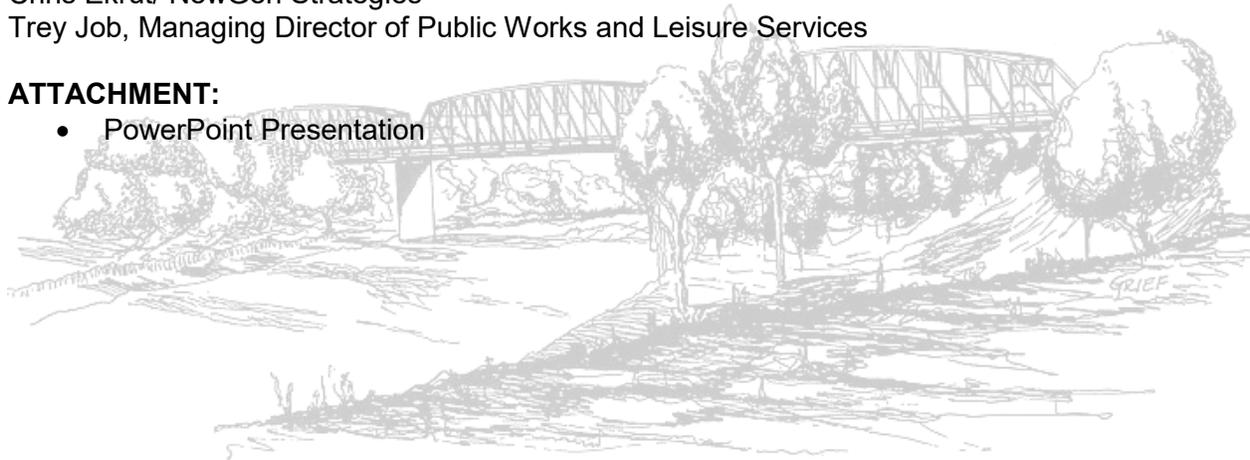
STAFF REPRESENTATIVE:

Chris Ekrot/ NewGen Strategies

Trey Job, Managing Director of Public Works and Leisure Services

ATTACHMENT:

- PowerPoint Presentation





June 27, 2019

City of Bastrop, Texas Water and Wastewater Impact Fee Update



ECONOMICS

STRATEGY

STAKEHOLDERS

SUSTAINABILITY

www.newgenstrategies.net

Introduction

- In September 2018, NewGen was retained by the City to conduct a Water and Wastewater Impact Fee Study
- Goal - To develop and calculate water and wastewater impact fees for the City of Bastrop based on a methodology that satisfies the requirements of the Texas Local Government Code Chapter 395

Impact Fees – What Are They?

- Mechanism that allows municipalities the ability to recover infrastructure costs associated with future development
 - New construction or facility expansion to serve future development during the next ten (10) years
- Governed by Chapter 395 of the Texas Local Government Code
 - *“Impact Fee means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development”*
Texas Local Government Code §395.001

Impact Fees – What Costs are Recoverable?

- Construction
- Surveying and Engineering
- Land Acquisition and Associated Costs
- Financing Costs
- Engineering Costs Associated with Land Use/Capital Improvements Planning and/or Financial Consulting Associated with Developing Impact Fees (Not Employed by the City)

Impact Fees – What Costs Are Not Recoverable?

- Capital Improvement Projects NOT Identified in the Impact Fee CIP
- Operations and Maintenance Costs
- Improvements Associated with Existing Deficiencies
- Administrative and Operational Costs of the City
- Non-Impact Fee CIP Debt Service
- SB 883 – exempts school districts from impact fees unless board consents by entering into contractual agreement (effective May 25, 2007)

Impact Fees – How Are They Calculated?

- Land Use and Population Projections
- Capital Improvements Plan (Master Plan)
 - Description of existing facilities and the costs to meet existing needs and deficiencies
 - Analysis of existing capacity and commitments
 - Description of capital improvements and associated costs attributable to new development based on the approved Land Use Assumptions
 - Projected new service units based on approved Land Use Assumptions
 - Develop 10-year Impact Fee CIP and costs

Impact Fees – How Are They Calculated? (cont'd)

- Financing Costs
- Revenue Credit Calculation or 50% Credit
 - Revenue Credit Calculation – a credit for the portion of ad valorem tax and/or utility service revenues generated by new service units during the program period (10-years) that is used for payment of projects included in the Impact Fee CIP
- Maximum Assessable Impact Fee

$$\text{Impact Fee} = \frac{\text{Cost of Impact Fee CIP} - \text{Credit}}{\text{New Service Units}}$$

Impact Fee Study – Key Assumptions

- Utilized a 3% Growth Factor
- Within next ten years
 - 2,346 New Water Connections
 - 2,150 New Wastewater Connections
- Thirty-four Water CIP Projects were included
- Twenty-two Wastewater CIP Projects were included

Water Impact Fee CIP

Description	Total Project Amount	% for 2019-2029 Growth	Impact Fee Eligible
Water Supply	\$16,815,523	13%	\$ 2,243,856
Water Pumping	288,154	23%	67,234
Ground Storage	2,233,942	15%	332,782
Elevated Storage	2,705,800	14%	368,024
Transmission Lines	18,667,855	26%	4,820,000
Impact Fee Study	9,250	100%	9,250
	\$40,720,524		\$ 7,841,146

Water Impact Fee Calculations

Line	Description	Calculation
1	Recoverable Cost for Impact Fee Planning Period	\$ 7,841,146
2	Add: Financing Costs	\$ 1,682,506
3	Less: Interest Earnings	(\$ 755,858)
4	Less: Existing Fund Balance	\$ 393,161
5	Recoverable Cost of Water Impact Fee and Financing Costs Less Balance	\$ 8,374,632
6	Divide: Additional Service Units Added During Planning Period	2,346
7	Maximum Assessable Fee	\$ 3,569
8	Fee with 50% Credit (Max Assessable Fee)	\$ 1,785
9	Current Water Impact Fee	\$ 1,353
10	Variance	\$ 432

Wastewater Impact Fee CIP

Description	Total Project Amount	% for 2019-2029 Growth	Impact Fee Eligible
Wastewater Treatment	\$ 25,743,274	16%	\$ 4,068,811
Wastewater Pumping	1,703,660	25%	427,147
Major Collection Lines	15,749,253	100%	15,749,253
Impact Fee Study	9,250	100%	9,250
Total	\$ 43,205,437		\$ 20,254,461

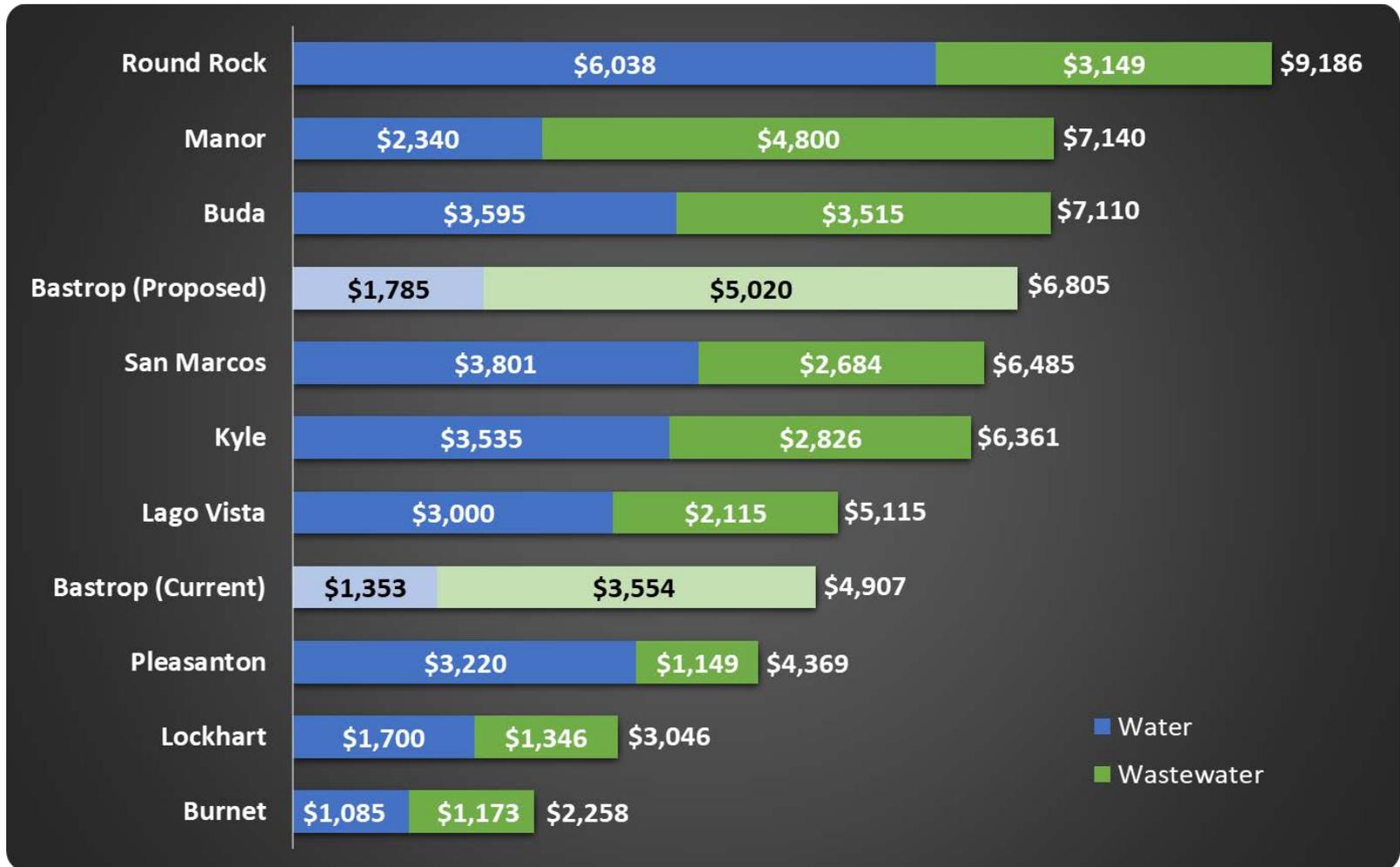
Wastewater Impact Fee Calculations

Line	Description	Calculation
1	Recoverable Cost for Impact Fee Planning Period	\$ 20,254,461
2	Add: Financing Costs	\$ 8,863,498
3	Less: Interest Earnings	(\$ 5,252,206)
4	Less: Existing Fund Balance	\$ 720,805
5	Recoverable Cost of Wastewater Impact Fee and Financing Costs Less Balance	\$ 23,144,947
6	Divide: Additional Service Units Added During Planning Period	2,150
7	Maximum Assessable Fee	\$ 10,039
8	Fee with 50% Credit (Max Assessable Fee)	\$ 5,020
9	Current Wastewater Impact Fee	\$ 3,554
10	Variance	\$ 1,466

Rate Recommendations

- Set the maximum impact fee per service unit equal to a 3/4 inch connection using the 50% credit method for both water and wastewater impact fees
 - Water Impact Fee - \$ 1,785 for a 3/4" Meter
 - Wastewater Impact Fee - \$ 5,020 for a 3/4" Meter
- Assess escalating fees by meter size based on capacity values from the AWWA Manual M1, Principles of Water Rates, Fees and Charges, 6th edition, 2012

Regional Comparison – Impact Fees (3/4” meter)



Notes:

1) Impact Fees are for 3/4” meters.



Questions and Discussion

*Chris Ekrut, Director
NewGen Strategies & Solutions
275 W. Campbell Road, Suite 440
Richardson, Texas 75080
972.232.2234
cekrut@newgenstrategies.net*

**NewGen
Strategies & Solutions**



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 8B

TITLE:

Receive briefing from Bastrop County Historical Society Visitor Center & Museum, Bastrop Opera House, Lost Pines Art Center, and YMCA - all requesting to contract for FY2020 funding.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer
James Altgelt, Director of Public Safety

BACKGROUND/HISTORY:

The organizations requesting are:

- Bastrop County Historical Society Visitor Center & Museum
- Bastrop Opera House
- Lost Pines Art Center
- YMCA

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

HOT Fund, BP&L Fund, and General Fund

RECOMMENDATION:

N/A

ATTACHMENTS:

- Funding Request Recap & Application Requests





**Bastrop County Historical Society
Visitor Center & Museum Combined HOT Budget
FY 2020**

Combined Budgets	2020	2019
Visitor Center	\$109,752	\$102,000
BCHS Preservation & Promotion	\$34,928	\$34,892
BCHS Homes Tour	\$10,344	\$9,944
Tour Program Implementation	<u>\$14,100</u>	<u>\$0</u>
Total	\$169,124	\$146,836

Summary

Over the last couple of years, the number of visitors utilizing the Visitor Center has increased significantly. During the first 3 quarters of this fiscal year we have seen an increase of 40%, 50% and 47% as compared to the same time last year (graph is attached). With this in mind, the current Visitor Center proposal incorporates the cost of a part-time associate in order to better serve this upward trend. The result is an increase of \$7,752 in our HOT fund application for the Visitor Center. This brings the total Visitor Center proposal to \$109,752 to ensure optimal customer service 7 days a week.

During the last 9 months we have been in conversation with the city and our community partners and have become aware of the need for tour guides. Tours, particularly historic in nature, will help promote Bastrop as a tourist destination. To this end we have included an additional item to help cover the costs of scaling the tour guide program; recruiting and training volunteers and producing materials to support the docents. This added cost is \$14,100 and has been included as a separate line item.

RECEIVED

JUN 28 2019

CITY OF BASTROP
FINANCE DEPARTMENT



BCHS Visitor Center Budget FY 2020

Board Approved 5/16/2019

Expenses:

Dedicated Visitor Center Facility

Administration & Office

Computer Equipment & Software	\$1,800.00
Computer Maintenance & Repair	\$1,200.00
Insurance	\$4,000.00
Office Supplies	\$700.00
Telephone	\$1,000.00
Printing	\$800.00
Postage	\$1,050.00

Building Operations (50%)

Building Maintenance (Includes Elevator & AC)	\$3,000.00
Housekeeping	\$3,000.00
Janitorial Supplies	\$300.00
Utilities	\$7,000.00

Payroll & Payroll Taxes (See attachment) \$80,656.00

Special Events

Housekeeping/Janitorial Service	\$600.00
Payroll & Payroll Taxes	\$1,625.00

Subtotal \$106,731.00

Marketing & Promotion \$3,021.00

Total \$109,752.00



Visitor Center Payroll Detail

VC Manager	\$32,400.00
VC Associate (24 hrs)	\$16,176.00
Director (50%) with 50% of Healthcare Stipend	<u>\$32,080.00</u>
Total	\$80,656.00



BCHS Museum HOT Fund Budget FY 2020

Income from HOT Funds **\$59,372**

Allotment for Preservation & Promotion **\$34,928**

Archival Equipment	\$720
Archival Supplies	\$1,060
Exhibits (Temporary & Traveling)	\$5,000
Permanent Exhibit Maintenance	\$2,000
Guest Speakers	\$500
Continuing Visitor Communication	\$3,000
Payroll & Taxes	\$21,348
Postage	\$600
Signage	\$200
Website	\$500
	<hr/>
	\$34,928

Allotment for Tours & Rendezvous Public Gala **\$10,344**

(Homes Tour/Tour Expenses)	
Advertising Home Tour	\$1,200
Gift for Homeowners on Tour	\$600
Home Tour Printing	\$900
Payroll & Taxes	\$5,544
Postage	\$300
Refreshments for VC Day of Tour	\$50
Rendezvous	\$1,500
Sponsor Board	\$250
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	\$10,344

Tour (Step-on bus, walking, docent led museum) Program Implementation **\$14,100**

Coordinator	\$10,100
Training Materials & other supplies	\$1,500
Recruitment & Training	\$2,500
	<hr/>
	\$14,100



Preservation Budget Detail

Archival Equipment

Laptop	\$450
Printer Cartridges	\$100
Envelopes, Packing Tape, Binders	\$100
Document Repair Tape	\$70
	<hr/>
	\$720

Archival Supplies

Storage Materials

Hanging File Frames	\$250
Hanging File Folders - Expansion Folders	\$85
Archival File Folders	\$60
Archival Photo Sleeves 8 1/2 x 10	\$50
Archival Photo Sleeves 5 x 7	\$30
Archival Boxes	\$385
Shipping Estimate	\$200
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	\$1,060

Preservation & Promotion Payroll Detail

Archivist (12 Months - Part time)	\$14,328
Director (12 Months - 1/8 time)	\$7,020
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	\$21,348

Tours Budget Detail

Payroll & Taxes	
Office Manager - 3 Months	\$3,789
1/8 Director - 3 Months	\$1,755
	<hr/>
	\$5,544

RECEIVED

JUN 28 2019

CITY OF BASTROP
FINANCE DEPARTMENT

Bastrop County Historical Society
904 Main Street
Bastrop, TX 78602
512.303.0057
www.bastropcountyhistoricalsociety.com
Kaye Sapikas, Director

Is your organization 501(c)3? Yes

Tax ID# 74-1650053

Total Amount Requested \$59,372

Total Amount Granted 2018 \$44,837

Summary

Over the last couple of years, the number of visitors utilizing the Visitor Center has increased significantly. During the first 3 quarters of this fiscal year we have seen an increase of 40%, 50% and 47% as compared to the same time last year (graph is attached). With this in mind, the current Visitor Center proposal incorporates the cost of additional hours for the part-time associate in order to better serve this upward trend. The result is an increase of \$7,752 in our HOT fund application. This brings the total Visitor Center proposal to \$109,752 to ensure optimal customer service 7 days a week along with meeting all the requirements in the City's Modified Services Plan.

During the last 9 months we have been in conversations with the city and our community partners and have become aware of the need for tour guides. Tours, particularly historic in nature, will help promote Bastrop as a tourist destination. To this end we have included an additional item to help cover the costs of scaling up the tour guide program, recruiting and training volunteers and producing materials to support the docents, to meet the needs of this growing demand. This added cost is \$14,100 and has been included as a separate line item.

Provide a brief description of your organization's mission:

History comes alive when someone can visit the places, examine the artifacts, appreciate the images, and study the actual words that came before us. A concerted effort to preserve our heritage is critical to our cultural, educational, aesthetic, inspirational, and economic legacies — all the things that, quite literally, make us who we are.

In 1952 the Bastrop County Historical Society (BCHS) was founded to provide the "concerted effort" of collecting and preserving the materials, artifacts and documents relating to the history of Stephen F. Austin's Little Colony now known as Bastrop.

The result of these efforts includes a remarkable museum, a state-of-the-art collection of artifacts, insightful presentations and professional video productions that span more than 9 million years — from a prehistoric mastodon skull to half-burned possessions recovered from the devastating 2011 Bastrop Complex Fire.

In addition, BCHS inspires Bastrop's youth through frequent student tours, coordinates authoritative speaker presentations four times a year, maintains a research library containing over 14,571 pieces, comprised of 7,412 documents, 1,878 objects, 550 reference library publications and 4,731 photographs. BCHS also assists in historical site preservation (Fairview Cemetery and Kerr Community Center). All of which add to the experience that residents, residents' family and friends and tourists enjoy.

Promoting Heritage Tourism:

The Museum and Visitor Center of BCHS is open seven days a week. Our front gallery, with eight 'state of the art' exhibits (a timeline from early history to present, El Camino Real de los Tejas, The Colorado River, The Lost Pines, and the Baron de Bastrop) was completed in November 2013. The Settlers Exhibit, our first exhibit in our Maynard Room Galleries, opened in February 2015, quickly followed by the Runaway Scrape Exhibit in May 2015 and the Road to Independence Exhibit debuted in the Summer of 2015.

A successful Capital Campaign was launched during the summer of 2015 to fund the completion of the five remaining exhibits in the Maynard Room Galleries. WW II and Camp Swift opened Memorial Day Weekend 2016. When Cotton Was King opened in February 2017. Governor Joseph Draper Sayers and The Cattle Industry exhibits opened in March 2018 and our final exhibit Coal Mines, including oral interviews with miners and the growth of the Hispanic population in Bastrop County opened in March 2019.

Over the past year BCHS has sponsored five special exhibits – Endings and Beginnings, Early Christmas Dolls and Toys, Historical Maps, Calvary Episcopal Church 150th anniversary, and Freedom Colonies of Bastrop County. In 2019-2020 BCHS will again host 5 special exhibits themed around Historic Arts Expression.

Through the museum, the society promotes Bastrop history by providing a variety of tours. All are available to local citizens, school children, and tourists. Additional BCHS Activities: Support during Lost Pines Christmas, Table on Main, wine tasting and music during the Music Festival, Summer in the City and walking tours each Saturday in May which will continue with tours each Saturday in October. In addition, BCHS participates in all First Friday Art Walks with free admission to the Museum.

Advertising

BCHS has a website and we have expanded our presence on social media with an ongoing Facebook page, a TripAdvisor page, and various internet listings on tourism related sites.

Our advertising over the past year included and will include the following: banners to advertise the Homes Tour and new exhibits, Houston House and Home magazine, The Bastropian, Elgin Courier, The Guide to Bastrop County, and Bastrop City/County Chamber Map.

Project #1 - Promotion of Museum & Historic Preservation **\$34,928**

How will you measure the impact of your event on area hotel activity? NA

Tell us about your event or project.

In 2018 we purchased recording equipment and collected 18 oral histories which will continue in 2020. These follow the StoryCorp concept. Utilizing volunteers to record and catalog Bastrop's rich and diverse history through conversations with those who remember the events of days gone by. These stories will be preserved for future generations and be used in exhibits created by BCHS for the over 12,000 visitors coming to explore the "most historic small town in Texas."

From October 2018 – June 2019 we have had 72 research requests.

In addition to archival activities our Archivist is continuing our work with the “Imagine the Possibilities” program developed by Bastrop Main Street. Bobby Poole is researching the history of Building Block Six – bounded by Farm, Main, Spring, and Water Streets.

The cost for the part time archivist is approximately \$14,000 a year. In addition to the part time staff member, BCHS archive volunteers provide approximately 875 hours annually.

With the adoption of our newest long-range plan in 2014, our goal is to have a sustainable source of funding so that we can be assured we can continue to maintain our facility, exhibits, and research archives. The total budget for the museum side of our operation is approximately \$145,000, city HOT funds provide about 40% of what we need. The rest is raised through other sources like garage sales, Homes Tour and Rendezvous, donations, memberships and museum admissions.

Facilities Operations and Maintenance

It should be noted that costs such as utilities, cleaning, insurance and building maintenance are shared with the Visitor Center on a prorated basis.

Project #2 – Tours

\$24,444

How will you measure the impact of your event on area hotel activity?

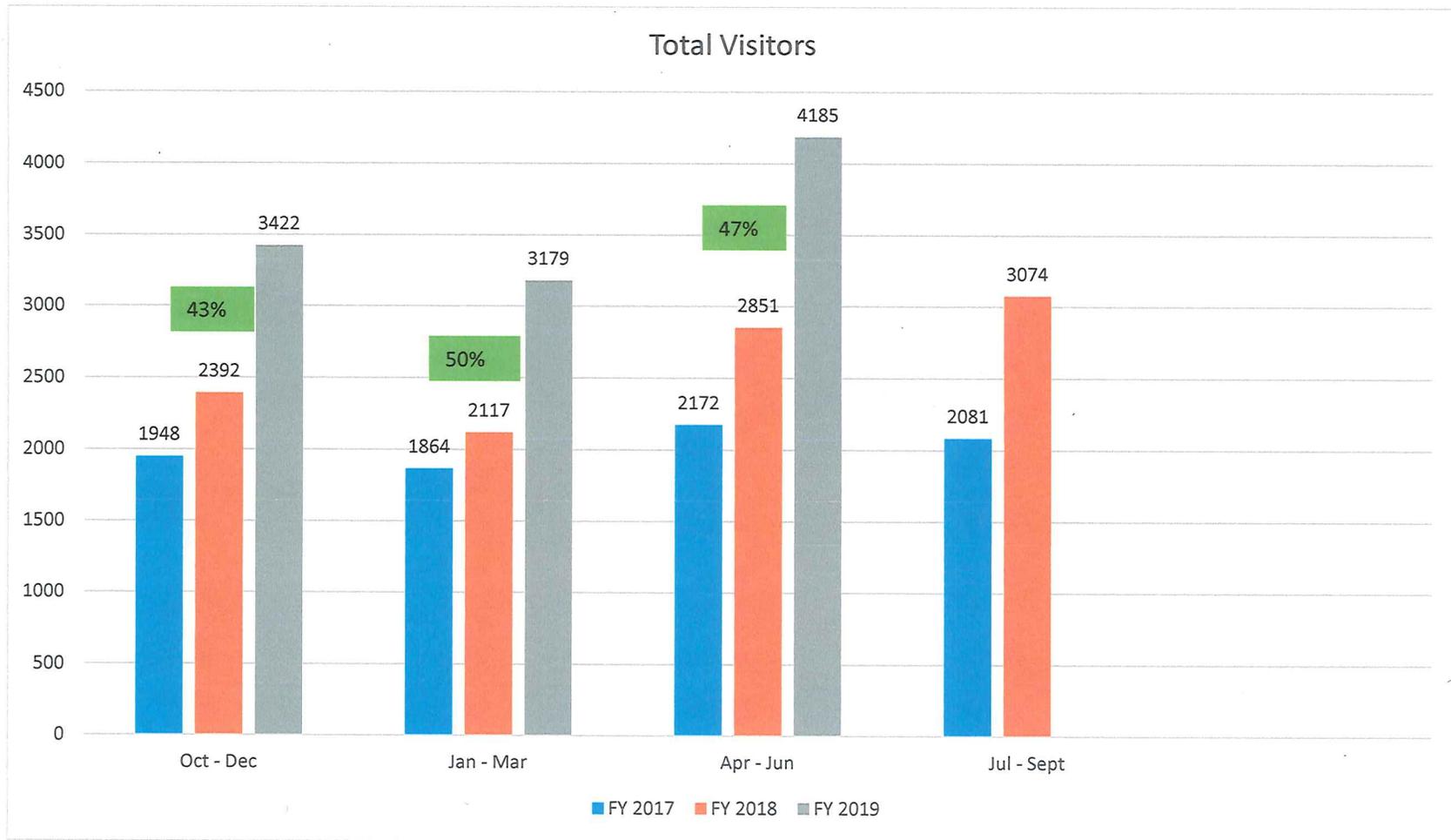
In 2018, over 400 guests attended BCHS’s Holiday Homes Tour.

Tell us about your event or project:

The BCHS Museum and Visitor Center gives tours to small and large groups who either schedule a tour or show up unannounced. Throughout the year, we conduct “Step-On” bus tours of the historic district including promotion of local hotels and bed and breakfast inns for groups ranging from 10 to 60 people. The following is a list of 2019 tours to date:

Date	Group	Number	Type
October 11	Calvary Episcopal 3 rd graders	17	Museum scavenger hunt
October 25	Maximus Group	16	Tour of Museum
November 14	Club Scout Troop	5 boys+ 4 adults	Docent led tour of Museum
December 6	Smithville ISD special education class	5 students +1 teacher	Tour of Museum
January 11	Leander Chamber of Commerce	12 adults	Walking Tour of Downtown
February 28	New Haven Memory Care	7 adults + 2 staff	Tour of Museum
April 3	Cosmo Tour (Globus)	45 adults	Visited VC & cultivated future visit for Museum
May 9	Flatonia ISD Special Needs Students	20 students + 8 adults	Tour of Museum
May 11	Downtown Walking Tour	8	Walking tour historic district
May 14	Calvary Episcopal Elementary	3	Toured Museum
May 16	Emile Elementary 2 nd grade	86 students + 19 adults	Tour of Museum
May 17	Emile Elementary 2 nd grade	71 students +10 adults	Tour of Museum
May 18	Downtown Walking Tour	2	Walking tour of historic district
May 22	Mina Elementary 4 th grade	61 students +6 adults	Tour of Museum
May 23	Mina Elementary 4 th grade	71 students + 5 adults	Tour of Museum
May 23	BEST Leadership Class	16	Tour of Museum and Archival Library
May 25	Downtown Walking Tour	10	Walking tour of historic district
May 31	Park Shadow Senior Apartments	18	Docent led tour of museum and walking tour of downtown
June 19	R & DA	5	Director led tour of museum to cultivate future conference location
June 20	Bluebonnet Trails	20	Docent led tour of museum
June 26	Texas Travel & Industry Assoc.	8	Self-guided tour of museum

BCHS Visitor Count 2017 – 2019 Fiscal Year Oct. – Sept.



**Bastrop Opera House
Hot Funds Application
2019/2020**

Hot Funding Report FY 2018/2019 Season– Deliverables

- The Bastrop Opera House created a yearlong season that was heavily marketed. Our season runs from September-September. In the 2018-2019 season the Opera House produced 8 full productions and brought in 9 touring shows.
- Bastrop Opera House hosted several different events throughout the season for the community.
 1. The Bastrop County Best of the Best” awards ceremony was hosted at the Opera House.
 2. Bastrop Elementary field trip
 3. Calvary Elementary field trip
 4. Bastrop Leadership Class
 5. City of Bastrop Rodeo event
 6. Building Bastrop Community Open House
- Bastrop Opera House rented the facility throughout the 2018-2019 season
 1. Bastrop County Honor Choir Performance Fundraiser
 2. Heart of Texas Church of Christ
 3. Honor Choir Fundraiser
 4. Eastern Star Fundraiser
 5. LP Neighborhood Association Yearly Meeting
 6. Hogg Foundation Dinner
 7. Bastrop High School Tennis Team Awards Ceremony/Dinner

The Opera House uses Arts People which is an online ticket software for performing arts. This program has powerful tools to help us create targeted reports. It also allows us to run off reports showing where all our ticket purchasers are from based on zip codes. This is how we know that over 50% of our attendees are from outside of Bastrop County.

1. Tickets sales for 2017-2018: 4,420 tickets sold
Ticket sales for 2018-2019 at the time of this report: 5,824 tickets sold
2. At the time of this report, we still have tickets to sell through August for this season for the shows Disney NEWSIES Broadway Musical (July show) and the award-winning Helium which is our August show. These two shows have 7 performances each.
3. 2044 tickets were from Bastrop zip code. The remaining 3,780 were from outside of the Bastrop zip code area.

Bastrop Opera House Mission:

The Bastrop Opera House was built in 1889 and is still producing quality entertainment for families. Plays are an ancient form of storytelling. Some are light hearted; some are deep and profound. All offer a message to the audience. Classic and contemporary plays and musicals speak to us because they explore what it means to be human. The Bastrop Opera House strives to give its performers the chance to perform and entertain. To give a gift back to the community in the form of acting.

Over the last 3 years, the Opera House has grown each season in many different ways. Tickets sales continue to grow each season, our volunteer base continues to grow, our youth Academy continues to grow and we consistently have new talent on the stage.

We have people from out of town (and sometimes state) who quite often call and say they are coming to Bastrop to see a show and want to know where to stay or eat. We also have folks who say they are coming to visit for various reasons and saw our website and want to know about the shows and then also ask about other various activities in town.

“Community theatre is a team effort opportunity for people of all talents, skills and energy. It enriches the community -- financially and artistically. Theatre is a wonderful leveler of people -- background becomes a moot issue. Plumbers work with and act next to bank presidents, children, and occasionally dogs.”

- JoAnne Nissen, Retired Vice President, MRA-The Management Association, Racine, WI

Bastrop Performing Arts Academy

The Opera House is home to the Bastrop Opera House Youth Performing Arts Academy that has approximately 50 youth ages 4-19 enrolled. Each season 3 major youth productions are performed (fall and spring and summer). The Bastrop Opera House Performing Arts Academy is a vital part of the Opera House and its growth. Through the Academy we build much of our volunteer base which is vital to the Opera House. In June of last season, the Opera House had its first 2-week long summer musical theatre group that had 16 youth enrolled. This was a very successful camp. We will have another 2 week-long summer camp this July and expect to exceed last summer's enrollment.

Partnerships

The Bastrop Opera House will be partnering throughout the season with the Museum and Visitor Center as well as the Art Center on 4 events. This will be a collaborative effort to work together to make the events appealing to out of town visitors. The executive directors of the three entities have been working together toward this and will continue to do so throughout the season.

Bastrop Opera House 2018-2019 Season

The Opera House had a fantastic and full season, alive with plays, musicals, bands and other events. The season consisted of:

OZ! The Musical

Legend of Sleepy Hollow

Nuncrackers

Walkin' The Line

Expressions of African-American Culture

D'Vine Testament Gospel Concert

Dracula? The Musical

Guy Forsyth Concert

Gilbert & Sullivan's A Time For Love

Dearly Beloved

Alice

If Your Irish Come Into The Parlor

Texas Free!

The Cemetery Club

The Actor Games

The Disappearance of Little John Henry Owens

Trip The Light Fantastic

Disney NEWSIES the Broadway Musical

Helium

Bastrop Opera House Celebrates 130 Years. The new season will consist of season shows, touring shows, and Performing Arts Academy Shows

Terry Moore's Country & Friends Musical Show: September 26, 27, 28

Clue The Musical: October 11th – 26th

Guy Forsyth concert: November 2nd

Youth Performing Arts Academy Performance: November 8-10

The Best Christmas Pageant Ever Musical: December 6 - 21

Exit Laughing: January 10- 25

The Great Divas of Gospel (Black History celebration month): February 1 & 2

DeeCee Cornish Black History storyteller: February 8

Broadway Cabaret Valentine Dinner Show: February 14-15

Neil Simon's "Fools": March 6-21

Geno Gotchall and the Rockaholics: March 28

Bar Association scholarship show: April 10-12

Bastrop Performing Arts Academy Performance: April 24-26

Mexico 2000 Ballet Folklorica: May 2nd

Neil Simon's, "The Odd Couple/Female version: June 19-28

Performing Arts Academy Summer Musical: July 17-19

Oliver the Musical: August 14-29

Bastrop Opera House 2019-2020 Hot Funds Request

Hot funds for the 2019-2020 season will be used for:

- Production expenses
- Promoting/Marketing
- Production Equipment
- Performing Arts Academy

Funds will be used in promoting the art of theatre and encouraging attendance at events for out of town visitors' thereby directly growing and advancing cultural tourism and the hotel industry.

The Bastrop community will continue to benefit from the Opera House by having high quality performances/shows bringing in both day visitors as well as overnight visitors. We often have employees and business owners from downtown tell us they can tell when we are having a performance because their traffic and sales increase from visitors who visit shops and restaurants before the show.

The Bastrop Opera House is currently the only live community theatre venue in Bastrop. There are other venues in Bastrop that provide live bands, however the Opera House is the only community venue that provides live theatre and the only venue that provides educational and acting opportunities for Bastrop citizens.

Hot Funds Proposal Budget

Percentage of Production Expenses Applied For:

Show production expenses: \$67,000

Marketing and promotionals: \$19,000

Academy expenses: \$20,000

Production equipment: \$20,000

Total Production Expense Requested: \$126,000

Lost Pines Art Center
HOT Funds Application
2019/2020

Lost Pines Art Center/ Lost Pines Art League

1204 Chestnut Street

Bastrop, TX 78602

Patricia Rendulic, Executive Director

Lost Pines Art League, a 501 (c)3 organization

Tax Id # 57-1239456

Total Amount Requested: \$142,837

Lost Pines Art League and Lost Pines Art Center Mission and Vision:

The mission of the Lost Pines Art League is to foster the creation and appreciation of fine arts through rich and diverse programs.

The vision of the Lost Pines Art League is to enhance lives through the creative power of art and to establish the Lost Pines Art Center as a major art destination.

The Lost Pines Art League is a non-profit corporation, which owns and operates the Lost Pines Art Center. The Center is a 12,000 sq ft award-winning building with a silo district and public garden, providing arts and cultural programming and events through education and art and cultural appreciation. The programming includes, but is not limited to, classes for all ages and levels, workshops, demonstrations, artist studios, art exhibits, glass-blowing and other arts-related and culturally-relevant experiences.

The Art Center is a multi-faceted facility. In addition to the main building, the four silos were recently renovated and will be converted into working spaces, one of which is a fully operational glass blowing facility. The property includes a meandering future sculpture garden that serves as an outdoor gallery with a replica of part of the lower Colorado River, contemplative spaces, event space, and an amphitheater.

Currently, the Lost Pines Art League consists of over 150 artist, business, and community members who volunteer over 5,000 hours per year. In 2018 we hosted over 14,000 visitors.

Lost Pines Art Center Anticipated Deliverables for 2019-2020 HOT Funds

- Show Art Exhibits –regionally or nationally known artist exhibits
- Provide 9-12 months of programs designed to appeal to locals and tourists (art experiences, tours, classes, venues)
- Maintain an active social media and online presence
- Track number of attendees and create opportunity to track primary market origin
- Develop an annual marketing plan and operations budget
- Work with partners (Visit Bastrop, City of Bastrop, Opera House, Museum/Visitors Center) to create packageable tourism opportunities

Lost Pines Art Center 2019-2020 HOT Funds Request (September 2019 through August 2020)

HOT funds for the 2019-2020 timeline will be used for: arts and culture programs, community activities, murals and arts installations, healing arts, Gala, marketing and promotions, and staffing and operations.

I. Programs – Art and Culture

A. Art Exhibits – Provide regionally and nationally known art exhibits in Art of the Pines **\$12,000**
Exhibits last from 1-3 months and have free admission. We feature a variety of fine art and take pride in showcasing the works of some of the most prominent artists in Texas and beyond. The artists brought into the Art of the Pines gallery are well known professional artists, have a large following, and have years of experience. We work with the artists to provide art talks and we periodically arrange workshops by these artists to coincide with the exhibit. The shows are staggered so that we have at least 3 regionally and nationally known artists exhibiting in the Art of the Pines Gallery. The events are advertised throughout the region through social media, newsletters, email, hotels and chambers, Visit Bastrop, and visitors center.

B. Experience Bastrop – Artful weekends, tours, partnerships, demonstrations, experiences **\$30,000**

1. Community Partnerships

Four (4) Community partnership weekends in collaboration with the Museum & Visitors Center, Opera House, and Lost Pines Art Center, will be planned to promote Bastrop, tourism, and overnight stays. This group of nonprofits will meet to identify dates and programming that will create a marketable citywide tourism weekend. We will work closely with Visit Bastrop to provide programming they can use to draw visitors to Bastrop.

2. Artful Weekends

We continually review and adjust our programming in order to meet the needs of our community and visitors. In 2018 and 2019 we offered free weekend programs that fell on Saturdays throughout the month. We hosted **Art Getaways**, an immersive, culturally based event with hands on activities, classes and workshops, kid's activities, music, and performances. This weekend program is geared toward families looking to spend a day in Bastrop. Each month, we hosted **Art After Dark**, an engaging event held on the first Saturday of the month. It is a celebration of arts & culture, generally unveiling one or more of our art exhibits, with wine, hors d'oeuvres, live music, an art talk, and creative activities like glass blowing, gesture drawing, poetry reading, and more. It enabled the guests to explore our galleries, studios, maker spaces, and small art businesses.

3. Tours and Demonstrations

We frequently schedule a guided group tour. Tours are conducted free of charge and offered to groups of 5 to as many as 200. We are set up to accommodate student, adult, or family tours. In addition to the tour, we can arrange to include an activity such as a picnic, art class, or a private glassblowing experience or Wine & Unwind event. In 2018 and 2019 we have hosted over 14 scheduled tours and numerous ad hoc tours.

4. Art Experiences

We have scheduled glass blowing experiences twice a month in the glass silo. Additionally, we will accommodate special requests of groups of 2-12 people for glass demos and experiences for other days/weekends. Wine and Unwind experiences are held every other month and is available also as a private event for groups of 10-40.

E. Venue Rental Service –

\$2,500

The Art Center is only minutes from the Austin airport. It houses private rooms, a mezzanine, studios, galleries, a patio, back lawn, and an expansive professional gallery. We can accommodate a variety of groups from as little as 20 to as much as 300. We utilize event planning websites such as Event Up to promote the Art Center venues, as well as Bastrop as a community nestled between the Colorado River and the Lost Pines. Between 2018 and 2019 ytd we have hosted 26 venue rentals. The amount requested is for venue specific target websites and programs.

II. Community Activities

A. Salinas Youth Art Program –

\$6,000

The Salinas Youth Art Exhibit is an annual art exhibit open to students in Kindergarten through 12th grade in the Bastrop ISD area, including homeschooled students. Established in 1986, the Salinas Youth Art Exhibit was run by the Bastrop Association for the Arts from 1986-2014, then by the BISS Salinas Art Council in 2015, and finally, by the Lost Pines Art League. Salinas is best known for producing student art that graces downtown Bastrop. The League additionally awards a \$1,000 scholarship each year to a deserving high school senior art student to use in college level coursework. The award ceremony takes place at the Performing Arts Center. This event occurs during the National Youth Art Month.

B. City Planned Venue Usage –

\$5,000

Last year, we hosted several events for the City of Bastrop at no rental cost. These included Region X meeting (Cities invited: Bastrop, Austin, Brenham, Cameron, College Station, Elgin, La Grange, Lockhart, Manor, Rockdale, Round Rock, Smithville, Somerville, Thorndale, Woodcreek); BEDC/Visit Bastrop “meet and greet” September event; four (4) Hannibal Lokumbe Healing Tones music events that included 3-student based and one evening event. The Healing Tones events were a collaboration between the City of Bastrop, the Library, BISS, and the Lost Pines Art Center. For the 2019-2020 HOT Funds year our four (4) usage days will be available, without rental/staff cost, for City Events or City sanctioned community partner events.

III. Healing Arts –

\$12,000

We believe so strongly in the power of art to heal, that we are currently embarking on a healing arts initiative focusing on resilience and wellness through art experiences. Our first focus is for veterans, active military members, first responders and their families. Future plans are to add programs for youth in the education setting and then seniors through centers and other facilities. We have established a partnership with HEB and Bastrop County Cares and are working on a partnership with the Moody Foundation. We are inviting the City of Bastrop to become one of our partners in this innovative program.

IV. Murals and other Cultural Arts Installations –

\$6,000

Mural-making is a new program we are embarking on as part of the Cultural Arts Destination of Bastrop. We have brought in nationally known muralist, Raul Valdez, on two occasions to teach workshops to potential muralists. These murals and installations will take place in the city limits and geared directly to the Cultural Arts area of Chestnut Street to bring Instagrammable tourism opportunities.

V. Spring Gala –

\$11,000

This is our annual fine art event designed to bring together our major funders and partners. This year, over 250 people attended. It is a full day garden party with music, auctions, and conviviality. The event is advertised through invitations, press release, social media, and email marketing.

VI. Marketing and Promotions –

\$15,000

Website/Marketing/Promotions/Social Media – We have an interactive website. Currently the website allows the sale of classes and events. A software upgrade is being planned in order to capture zip codes. We currently have a robust social media presence. Of our 3,445 fans, 2/3 are from outside of Bastrop County. We provide brochures, flyers, and signage to entice visitors to the Art Center and Bastrop. The Art League participates in Texas nonprofit events to promote both the Art Center as well as Bastrop.

VII. Staffing and Operations –

\$33,337

A. Staff – staffing is a necessary part of running at 12,000+ square foot comprehensive Art Center. The small staff has been able to help the Art Center accomplish a large number of activities with the collaborative with our volunteer base. It is at times a challenge to have a reliable, consistent pool of volunteers. Due to a one-year support staff donation, we were able to establish a strong foundation and were able to do more in our second year of programming. We ask for assistance in keeping this momentum going as our programs continue to grow, current and additional staff will be required to maintain consistent results.

Regular Payroll and Taxes:	(total 33,337)
1/4 of Executive Director	16,147
1/3 of Administrative Assistant (Venues, Classes)	8,867
1/3 of Marketing & Social Media Coordinator	4,323
1/3 of Art & Special Events Staffing (Adding PT position)	4,000

B. Facilities – utilities, telephone, insurance, security (1/3 of average cost)

\$10,000

We recognize this is a partnership between the City of Bastrop, the community, and the Lost Pines Art Center. Our ask is a portion of our overall costs to run the Lost Pines Art Center. Other sources of income are used to help create a sustainable atmosphere.

Board of Directors:

- Mark Rose – President
- Maria Montoya Hohenstein- Vice President
- John Burns – Treasurer
- Carole (CJ) Jordan – Secretary
- Ann Brown
- Jamie Howard
- Jeffrey Stayton
- Marlene Outlaw
- Matt Hart
- Michelle Adams
- Joe Beal
- Ex Officio - Patricia Rendulic – Executive Director



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 8C

TITLE:

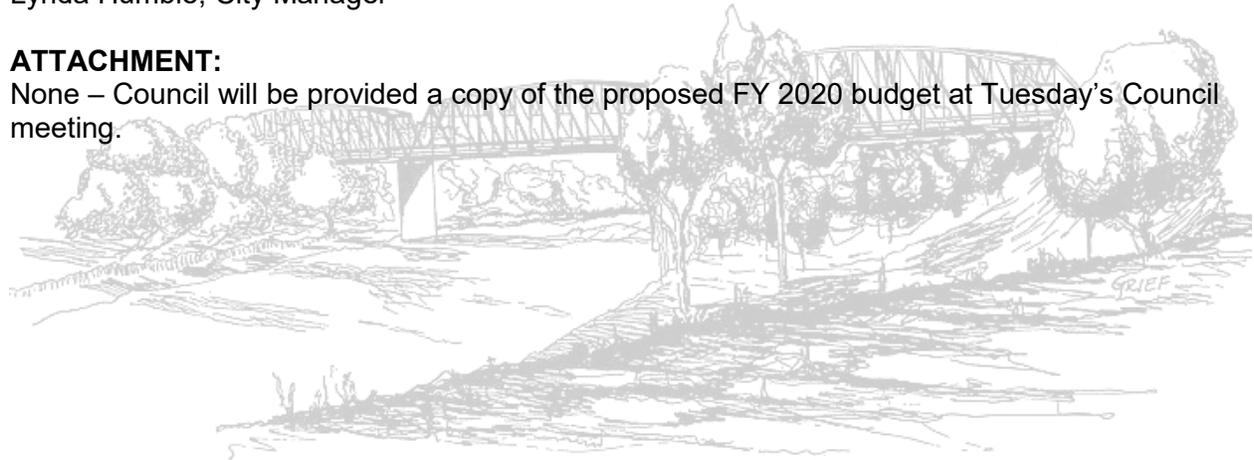
Receive briefing on the City Manager's submitted budget for FY 2020 as required by the City's Charter.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

ATTACHMENT:

None – Council will be provided a copy of the proposed FY 2020 budget at Tuesday's Council meeting.





STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 8D

TITLE:

Receive briefing from Specialized Public Finance, the City's Financial Advisors, on Limited Tax Note issuance and timeline.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

With no increase in the debt service tax rate, the City has available debt capacity of approximately \$465,000. These funds will be used to fund a Master Drainage Study and the first phase of the engineering of Gills Branch Drainage Channel improvements.

POLICY EXPLANATION:

Article III of the City Charter gives Council the responsibility of authorizing the borrowing of money.

FUNDING SOURCE:

N/A

ATTACHMENTS:

N/A



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 8E

TITLE:

Receive briefing on Development Review Process and all changes necessary to comply with Texas Local Government Code Chapters 211, 212, and 245 resulting from the 86th Legislative Session.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

ATTACHMENT:

- PowerPoint Presentation





STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 10

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: August 13, 2019

AGENDA ITEM: 11A

TITLE:

Consider action to approve City Council minutes from the July 23, 2019, Regular Meeting and August 6, 2019, Special 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 July 23, 2019, Regular Meeting and August 6, 2019, Special Meeting.

ATTACHMENTS:

- July 23, 2019, DRAFT Regular Meeting Minutes.
- August 6, 2019, DRAFT Special Meeting Minutes.

**BASTROP CITY COUNCIL
July 23, 2019**

The Bastrop City Council met in a Regular Meeting on Tuesday, July 23, 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, City Secretary, Ann Franklin and City Attorney, Erin Selvera.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Youth of Friendship Bible Baptist Church led the pledges.

INVOCATION

Robert Wellington, Police Chaplain gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing August 7, 2019 as Professional Engineers Day.
The proclamation was read into record by Mayor Schroeder, received by City Engineer Jerry Palady.

5. WORK SESSION/BRIEFINGS

- 5A. Update and discussion regarding the Bastrop Building Block Code Planning and Zoning Commission's Code recommendations including but not limited to tree preservation and signage.
Update was provided by Director of Planning, Matt Jones.
- 5B. Receive an update regarding the City of Bastrop Street Maintenance Program.
This item was withdrawn from the agenda.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9B. Consider action to approve Resolution No. R-2019-63 of the City Council of the City of Bastrop, Texas, approving The Colony MUD 1B, Preliminary Plat being 155.959 acres out of the Jose Manuel Bangs Survey, Abstract 5, located west of FM 969, at the west extension of Sam Houston Boulevard within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas, as shown in Exhibits A and B; providing for conditions, providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant Director of Planning, Jennifer Bills.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-63, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

Mayor Schroeder recessed the Council Meeting at 8:04 p.m.

Mayor Schroeder called the Council Meeting back to order at 8:11 p.m.

STAFF AND BOARD REPORTS

- 6E. Receive Monthly Report from Visit Bastrop.
Presentation was made by President and CEO of Visit Bastrop, Susan Smith.
- 6D. Presentation from Organizations applying for FY2020 Community Support Funding.
- **Feed the Need Missions – Presentation was made by Jason Bray.**
 - **Court Appointed Special Advocates – Presentation was made by Kristi Glasper.**
 - **Combined Community Action – Presentation was made by Darlene Myers.**
 - **Children’s Advocacy Center – Presentation was made by Mikey Betancourt.**
 - **Bastrop Pregnancy Resource Center – Presentation was made by Max Bricka.**
 - **Bastrop County Women’s Shelter, dba Family Crisis Center – Presentation was made by Sherry Murphy.**
 - **Bastrop County First Responders – Presentation was made by James Green.**
 - **Bastrop County Emergency Food Pantry and Support Center – Presentation was made by Tresha Silva.**
 - **Bastrop County Child Welfare Board – Presentation was made by Randy Fritz.**
- 6A. Receive presentation on the Quarterly Investment Report for the period ending June 30, 2019.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 6B. Receive presentation on the unaudited monthly Financial Report for the period ending June 30, 2019.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 6C. Receive Monthly Development Update.
Presentation was made by Director of Planning and Development, Matt Jones.

CITIZEN COMMENTS

Bonnie Coffey
710 Jefferson
Bastrop, TX 78602
512.983.6481

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Item 8A listed on the Consent Agenda after being read into the record by Mayor Schroeder. Seconded by Council Member Jackson, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the July 9, 2019, Joint Workshop with City Council and P&Z Commission meetings.

ITEMS FOR INDIVIDUAL CONSIDERATION - CONTINUED

- 9A. Consider action to approve Resolution No. R-2019-62 of the City Council of the City of Bastrop, Texas approving terms of engagement with Belt Harris Pechacek, LLLP for auditing services for the year ending September 2019, with the option to renew annually for four (4) subsequent fiscal years; authorizing the City Manager to execute all necessary documents; repealing conflicting provisions; and establishing an effective date.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-62, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 9:25 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. The City Council shall convene into executive session pursuant to Section 551.071 of the Texas Government Code to deliberate and seek advice of its attorneys regarding the operation of Hunters Crossing Public Improvement District.
Mayor Pro Tem Nelson recused himself from this item.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072, regarding real estate matters including possible acquisition of real estate related to the Municipal Wastewater Treatment Plant.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072, regarding real estate matters including possible acquisition and/or abandonment of public right-of-way downtown.
Council Member Ennis recused himself from this item.
- 10D. City Council shall convene into closed executive session for a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-64 of the City Council of the City of Bastrop, Texas, approving the representation of Bickerstaff Heath Delgado Acosta LLP in connection with municipal coalition litigation to challenge the constitutionality of Senate Bill 1004 (2017) and Senate Bill 1152 (2019) as unlawfully granting corporate use of public right-of-way without fair and reasonable compensation to the public; and authorizing the Mayor, City Manager, and City Attorney to take reasonably-related steps.

The Bastrop City Council reconvened at 10:35 p.m. into open (public) session.

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

- 10D. City Council shall convene into closed executive session for a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-64 of the City Council of the City of Bastrop, Texas, approving the representation of Bickerstaff Heath Delgado Acosta LLP in connection with municipal coalition litigation to challenge the constitutionality of Senate Bill 1004 (2017) and Senate Bill 1152 (2019) as unlawfully granting corporate use of public right-of-way without fair and reasonable compensation to the public; and authorizing the Mayor, City Manager, and City Attorney to take reasonably-related steps.
A motion was made by Mayor Pro Tem Nelson to have the City of Bastrop join the coalition litigation to challenge the constitutionality of Senate Bill 1004 (2017) and Senate Bill 1152 (2019), seconded by Council Member Rogers, motion was approved on a 5-0 vote.

ADJOURNMENT

Adjourned at 10:39 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on August 13, 2019, by Council Member _____'s motion, Council Member _____'s second. The motion was approved on a _____ vote.

**MINUTES OF SPECIAL MEETING
BASTROP CITY COUNCIL
August 6, 2019**

The Bastrop City Council met in a Special Meeting on Tuesday, August 6, 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 and Mayor Pro Tem Nelson and Council Members Jackson, Ennis and Rogers. Officers present were City Manager Lynda Humble and City Secretary Ann Franklin.

CALL TO ORDER

Mayor Schroeder called the meeting to order at 6:30 p.m. Council Member Peterson was absent

CITIZEN COMMENT

Glenn E. Johnson
1109 Pecan
Bastrop, TX 78602
512.657.5687

ITEMS FOR INDIVIDUAL CONSIDERATION

- 2A. Hold public hearing and consider action to approve Resolution No. R-2019-65 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 928 Main Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Presentation was made by Planning and Zoning, Planner, Allison Land.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-65, seconded by Mayor Pro Tem Nelson, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 2B. Consider action to approve Resolution No. R-2019-68 to place a proposal to adopt a tax rate for Fiscal Year 2019-2020 (FY2020) on the agenda of a future meeting as an action item; scheduling two public hearings on the proposal; and providing an effective date.

Presentation was made by Chief Financial Officer, Tracy Waldron.

SPEAKERS

Glenn E. Johnson
1109 Pecan
Bastrop, TX 78602
512.657.5687

Herb Goldsmith
1105 Pecan Street
Bastrop, TX 78602
979.203.1150

A motion was made by Council Member Rogers to approve Resolution No. R-2019-68, seconded by Council Member Jackson, motion was approved on a 4-0 vote. Council Member Peterson was absent.

3. ADJOURNMENT

Adjourned at 7:00 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on August 13, 2019, by Council Member motion, Council Member second. The motion was approved on a 5-0 vote.



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 12A

TITLE:

Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-24 of the City Council of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, as attached in Exhibits A-D, establishing a repealing clause; providing severability; providing an effective date; and move to include on the August 27, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The City contracted with NewGen Strategies to conduct a Water and Wastewater Impact Fee Study. Impact Fees are the mechanism that allows municipalities the ability to recover infrastructure costs associated with future development. The water and wastewater impact fees were last updated on May 9, 2017. Since that time, the City has received updated probable cost for most of the large capital water and wastewater projects. The new study includes thirty-four (34) water projects and twenty-two (22) wastewater projects.

As required by Chapter 395 of the Local Government Code, the Impact Fee Study was presented to the Impact Fee Advisory Committee at a meeting held August 6, 2019. Their comments, if any, are attached.

POLICY EXPLANATION:

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

RECOMMENDATION:

Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-24 of the City Council of the City of Bastrop, Texas updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, as attached in Exhibits A-D, establishing a repealing clause; providing severability; providing an effective date; and move to include on the August 27, 2019 agenda for a second reading.

ATTACHMENTS:

- Impact Fee Advisory Committee comments
- Ordinance 2019-24

ORDINANCE NO. 2019-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS UPDATING AND AMENDING BASTROP CODE OF ORDINANCES, CHAPTER 10, ARTICLE 10.02, ENTITLED "IMPACT FEES", UPDATING THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN AND AMENDING IMPACT FEES FOR WATER AND WASTEWATER UTILITIES, AS ATTACHED IN EXHIBITS A-D, AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

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

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

DIVISION 1. - GENERALLY

Sec. 10.02.001 - Short Title.

No changes.

Sec. 10.02.002 - Intent.

No changes.

Sec. 10.02.003 - Authority.

No changes.

Sec. 10.02.004 - Definitions.

No changes.

Sec. 10.02.005 - Applicability.

No changes.

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

No changes.

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

(a) *No changes.*

(b) *No changes.*

Sec. 10.02.008 - Land Use Assumptions.

Land use assumptions used in the development of the impact fees are contained in Exhibit A to Ordinance 2019-24. These assumptions may be revised by the City Council according to the procedure set forth in V.T.C.A. Local Government Code, Chapter 395 and its successors.

Sec. 10.02.009 - Service Units.

No changes.

Sec. 10.02.010 - Impact Fees Per Service Unit.

(a) The maximum impact fee per service unit for each service area shall be computed by dividing the growth-related capital construction cost of service in the service area identified in the capital improvements plan for that category of capital improvements, by the total number of projected service units anticipated within the service area which are necessitated by and attributable to new development, based on the land use assumptions for that service area, and adjusted by subtracting credits in the form of future rate or tax contributions to water and/or wastewater CIP funding and adding any additional amount as may be yielded in the inflation-escalator portion of the fee assessment formula set forth in Sec. 10.02.011. Maximum impact fees per service unit for each service area shall be established by category of capital improvements and shall be set forth in Exhibit B to Ordinance 2019-24.

(b) Exhibit B to Ordinance 2019-24 may be amended by the City Council according to the procedure set forth in Chapter 395 of the Texas Local Government Code and its successors.

(c) The effective impact fees per service unit may be amended from time to time by the City Council through ordinance amendment to any amount less than that set forth in Exhibit B to Ordinance 2019-24.

Sec. 10.02.011 - Assessment.

(a) *No changes.*

(b) Assessment of the impact fee for any new development shall be made as follows:

(1) *No changes.*

(2) For new development, which has received final plat approval prior to the effective date of this article and for which no re-platting is necessary prior to the issuance of a building permit, assessment shall be upon the issuance of a building permit, and shall be the value of the effective impact fee per service unit set forth in Exhibit B to Ordinance 2019-

24.

(3) For new development, which occurs or is proposed to occur without platting, assessment shall be upon the issuance of a building permit and shall be the value of the effective impact fee per service unit set forth in Exhibit B to Ordinance 2019-24.

(4) *No changes.*

(5) *No changes.*

(c) *No changes.*

(d) *No changes.*

Sec. 10.02.012 - Calculation of Impact Fees.

No changes

Sec. 10.02.013 - Collection of Impact Fees.

No changes.

Sec. 10.02.014 - Offsets Against Impact Fees.

No changes.

Sec. 10.02.015 - Establishment of Accounts and Records.

No changes.

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

No changes.

Sec. 10.02.017 – Appeals.

No changes.

Sec. 10.02.018 – Refunds.

No changes.

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

No changes.

Sec. 10.02.020 - Functions of Advisory Committee.

No Changes.

Sec. 10.02.021 - Agreement for Capital Improvements.

No changes.

Sec. 10.02.022 - Use of Other Financing Mechanisms.

No changes.

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

No changes.

Sec. 10.02.024 - Relief Procedures.

No changes.

Sec. 10.02.025 - Exemptions.

No changes.

Sec. 10.02.026 - Certification of Compliance Required.

No changes.

Secs. 10.02.027 – 10.02.060 Reserved

DIVISION 2. – WATER FACILITIES

Sec. 10.02.061 - Service Area.

(a) *No changes.*

(b) *No changes.*

Sec. 10.02.062 - Improvements Plan.

(a) The Water Improvements Plan for the City is hereby adopted as Exhibit C to

Ordinance 2019-24 and incorporated by reference herein.

(b) *No changes.*

Sec. 10.02.063 - Impact Fees.

(a) The maximum impact fee values per service unit for water facilities are hereby adopted and incorporated in Exhibit B to Ordinance 2019-24 and made a part hereof by reference.

(b) *No changes.*

Secs. 10.02.064-10.02.090 – Reserved.

DIVISION 3. - WASTEWATER FACILITIES

Sec. 10.02.091 - Service Area.

(a) *No changes.*

(b) *No changes.*

Sec. 10.02.092 - Improvements Plan.

(a) The Wastewater Improvements Plan for the City is hereby adopted as Exhibit D to Ordinance 2019-24 hereto and incorporated by reference herein.

(b) *No changes.*

Sec. 10.02.093 - Impact Fees.

(a) The maximum impact fee values per service unit for wastewater facilities are hereby adopted and incorporated in Exhibit B to Ordinance 2019-24 and made a part hereof by reference.

(b) *No changes.*

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

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

SECTION 4: The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety, and welfare. Any member of the Council or any City official or employee charged with the enforcement of this ordinance, acting for the City in the discharge of his or her duties, shall not thereby render himself or herself personally liable; and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

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

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

READ and ACKNOWLEDGED on First Reading on the 13th day of August, 2019.

READ and APPROVED on Second Reading on the 27th August, 2019.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit A
Future Land Use Assumptions

Future Land Use Assumptions (Acres Developed)

Land Use (Acres)	<u>2016</u>	<u>2026</u>	<u>Build Out</u>
Single Family Residential	1,697	2,476	3,616
Retail / Office	96	140	211
Commercial	1,181	1,723	2,274
Industrial	174	254	459
Parks and Open Space and Agriculture	748	748	748
Total Developed Acreage	3,896	5,341	7,308

Future Land Use Assumptions (Service Unit Equivalents and Population)

	<u>2019</u>	<u>2029</u>	<u>2055</u>
Population	11,408	13,972	17,700
Water Service Population	8,937	12,010	15,249
Sewer Service Population	8,765	10,780	15,079
Water SUEs	6,822	9,168	9,147
Sewer SUEs	6,250	8,400	10,752

Exhibit B
Maximum and Effective Impact Fee

Meter Type	Meter Size	Multiplier	Maximum Impact Fee			Effective Impact Fee		
			Water	Sewer	Both	Water	Sewer	Both
Simple	5/8" x 3/4"	1.0	\$ 1,785.00	\$ 5,020.00	\$ 6,805.00	\$ 1,785.00	\$ 5,020.00	\$ 6,805.00
Simple	3/4"	1.0	1,785.00	5,020.00	6,805.00	1,785.00	5,020.00	6,805.00
Simple	1"	2.5	4,462.50	12,550.00	17,012.50	4,462.50	12,550.00	17,012.50
Simple	1 1/2"	5.0	8,925.00	25,100.00	34,025.00	8,925.00	25,100.00	34,025.00
Simple	2"	8.0	14,280.00	40,160.00	54,440.00	14,280.00	40,160.00	54,440.00
Compound	2"	8.0	14,280.00	40,160.00	54,440.00	14,280.00	40,160.00	54,440.00
Turbine	2"	10.0	17,850.00	50,200.00	68,050.00	17,850.00	50,200.00	68,050.00
Compound	3"	16.0	28,560.00	80,320.00	108,880.00	28,560.00	80,320.00	108,880.00
Turbine	3"	24.0	42,840.00	120,480.00	163,320.00	42,840.00	120,480.00	163,320.00
Compound	4"	25.0	44,625.00	125,500.00	170,125.00	44,625.00	125,500.00	170,125.00
Turbine	4"	42.0	74,970.00	210,840.00	285,810.00	74,970.00	210,840.00	285,810.00
Compound	6"	50.0	89,250.00	251,000.00	340,250.00	89,250.00	251,000.00	340,250.00
Turbine	6"	92.0	164,220.00	461,840.00	626,060.00	164,220.00	461,840.00	626,060.00
Compound	8"	80.0	142,800.00	401,600.00	544,400.00	142,800.00	401,600.00	544,400.00
Turbine	8"	160.0	285,600.00	803,200.00	1,088,800.00	285,600.00	803,200.00	1,088,800.00
Compound	10"	115.0	205,275.00	577,300.00	782,575.00	205,275.00	577,300.00	782,575.00
Turbine	10"	250.0	446,250.00	1,255,000.00	1,701,250.00	446,250.00	1,255,000.00	1,701,250.00
Turbine	12"	330.0	589,050.00	1,656,600.00	2,245,650.00	589,050.00	1,656,600.00	2,245,650.00

Exhibit C
Water Capital Improvements Plan

<u>Facility Type</u>	<u>Impact Fee Project Name</u>	<u>Total Construction Cost</u>	<u>Capacity</u>	<u>2019-2029 Demand</u>	<u>Recoverable Cost</u>
Water Supply	Willow Street Plant (Wells C-G)	\$ 781,865	3,319,200	13%	\$ 104,332
Water Supply	Bob Bryan Park Site Phase I (Wells H and I)	424,853	1,224,000	13%	56,692
Water Supply	Bob Bryan Park Side Phase 2	1,462,720	1,152,000	13%	195,185
Water Supply	Initial Water Supply XS Ranch	2,000,000	2,677,808	13%	266,879
Water Supply	Well J & Monitoring Well	1,449,450	2,160,000	13%	193,414
Water Supply	Water Plant (XS Ranch)	9,696,635	3,600,000	13%	1,293,915
Water Supply	Add'l Wtr Supply (16" River Crossing Wtr Line)	1,000,000	1,058,400	13%	133,440
Water Pumping	Willow High Service 1	9,962	720,000	23%	2,324
Water Pumping	Willow High Service 2	9,962	720,000	23%	2,324
Water Pumping	Willow High Service 3	9,962	720,000	23%	2,324
Water Pumping	Willow High Service 4	19,638	768,000	23%	4,582
Water Pumping	Willow High Service 5	19,638	768,000	23%	4,582
Water Pumping	Willow High Service 6	19,638	768,000	23%	4,582
Water Pumping	Bob Bryant High Service 1	74,815	1,344,000	23%	17,456
Water Pumping	Bob Bryant High Service 2	74,815	1,344,000	23%	17,456
Water Pumping	Bob Bryant Transfer Pump 1	20,000	384,000	23%	4,667
Water Pumping	Bob Bryant Transfer Pump 2	20,000	384,000	23%	4,667
Water Pumping	Loop 150 Tank Yard Pump 1	4,862	384,000	23%	1,134
Water Pumping	Loop 150 Tank Yard Pump 2	4,862	384,000	23%	1,134
Ground Storage	Bob Bryant (Tank 4)	263,080	285,000	15%	39,190
Ground Storage	GST Re-Use at WWTP	128,762	40,000	15%	19,181
Ground Storage	Tank 1 at Willow Street	350,000	500,000	15%	52,138
Ground Storage	Tank 2 at Willow Street	350,000	500,000	15%	52,138
Ground Storage	Hwy 20 (along with Elev Tank)	1,142,100	250,000	15%	170,135
Elevated Storage	Est at Loop 150	375,000	250,000	14%	51,005
Elevated Storage	Standpipe at Loop 150	700,000	1,000,000	14%	95,209
Elevated Storage	GST at Loop 150	140,000	225,000	14%	19,042
Elevated Storage	Elevated tower west at Hwy 20 (supply)	1,490,800	250,000	14%	202,768
Transmission Lines	8-inch line on Old Austin Hwy	146,590	1,000	26%	37,849
Transmission Lines	12-inch line on Perkins/Higgins	96,491	1,000	26%	24,914
Transmission Lines	12-inch line on Eskew/Loop 150	48,904	1,000	26%	12,627
Transmission Lines	Hunters Crossing Blvd (16-inch)	100,160	1,200	26%	25,861
Transmission Lines	Downtown Feeder (8-inch)	148,500	450	26%	38,342
Transmission Lines	Willow/Wilson Connection (6-inch)	-	250	26%	-
Transmission Lines	Loop 150 Standpipe Feeder (10, 12 inch)	1,058,750	1,000	26%	273,367
Transmission Lines	SH 95 North (12-inch)	437,600	1,000	26%	112,987
Transmission Lines	Hoffman Road (8-inch)	77,000	450	26%	19,881
Transmission Lines	Loop 150 West Feeder (12-inch)	438,510	1,000	26%	113,222
Transmission Lines	Eskew St. (12-inch)	102,900	2,600	26%	26,569
Transmission Lines	Higgins St. (12-inch)	73,500	2,600	26%	18,978
Transmission Lines	SH 71 (North Line) (12-inch)	280,000	1,000	26%	72,295
Transmission Lines	SH 71 (South Line) (12-inch)	444,500	1,000	26%	114,769
Transmission Lines	Hasler Blvd (12-inch)	119,000	1,000	26%	30,726
Transmission Lines	Agnes Street (12-inch)	41,300	1,000	26%	10,664
Transmission Lines	Old Austin Hwy (8,12 inch)	647,700	1,000	26%	167,235
Transmission Lines	SH 71 (West Line) (12-inch)	13,050	1,000	26%	3,369
Transmission Lines	Hunters Point Drive (12, 16-inch)	57,750	1,200	26%	14,911
Transmission Lines	Elevated Tank Feeder (12, 16-inch)	852,500	1,200	26%	220,114
Transmission Lines	Hasler Shores Feeder (8 inch)	166,000	450	26%	42,861
Transmission Lines	SH 71 East / Buc-ee's (12-inch)	-	1,000	26%	-
Transmission Lines	Ground Storage Tank Feeder (12-inch)	375,900	1,000	26%	97,057
Transmission Lines	Bob Bryant Feeder (12-inch)	66,750	1,000	26%	17,235
Transmission Lines	Blair Avenue (12-inch)	19,500	1,000	26%	5,035
Transmission Lines	Phase II Infrastructure for Well & Transmission	5,800,000	2,500	26%	1,497,548
Transmission Lines	16" watermain crossing under river	2,235,000	1,500	26%	577,072
Transmission Lines	Watermain Replacement Pine Street Size In...	250,000	100	26%	64,549

Exhibit C
Water Capital Improvements Plan

<u>Facility Type</u>	<u>Impact Fee Project Name</u>	<u>Total</u>	<u>Capacity</u>	<u>2019-2029</u>	<u>Recoverable</u>
		<u>Construction</u>		<u>Demand</u>	<u>Cost</u>
Transmission Lines	Riverwood Waterline Improvements (Size Ir...)	1,000,000	250	26%	258,198
Transmission Lines	Water Main ext. Arena Dr. to Pitt	350,000	250	26%	90,369
Transmission Lines	Water Main Ext. SH304 to WWTP 3	800,000	250	26%	206,558
Transmission Lines	18" line from XS Ranch Water Plant to Willow Plant	2,420,000	9,333	26%	624,839
	Water Impact Fee Update	9,250		100%	9,250
	Total	\$ 40,720,524	27,219,991		\$ 7,841,146

Exhibit D					
Wastewater Capital Improvements Plan					

<u>Facility Type</u>	<u>Impact Fee Project Name</u>	<u>Total Construction Cost</u>	<u>Capacity</u>	<u>2019-2029 Demand</u>	<u>Recoverable Cost</u>
WW Treatment	WWTP No. 1 & 2 Replaced headworks	\$ 451,274	1,400,000	16%	\$ 71,325
WW Treatment	2 MGD WWTP #3 Construction / Design	25,292,000	2,000,000	16%	3,997,486
WW Pumping	Home Depot LS	70,000	115,200	25%	17,551
WW Pumping	Riverside Grove LS	69,500	662,400	25%	17,425
WW Pumping	Old Austin LS	52,000	180,000	25%	13,038
WW Pumping	Central LS	255,730	1,339,200	25%	64,117
WW Pumping	Hunters Crossing LS	100,000	751,680	25%	25,072
WW Pumping	River LS	100,000	648,000	25%	25,072
WW Pumping	North Pecan LS	66,500	475,200	25%	16,673
WW Pumping	Lincoln LS	50,000	48,960	25%	12,536
WW Pumping	Wilson LS 1	15,000	72,000	25%	3,761
WW Pumping	Wilson LS 2	15,000	72,000	25%	3,761
WW Pumping	Fisherman Park LS	225,930	329,000	25%	56,646
WW Pumping	Main Street LS	100,000	648,000	25%	25,072
WW Pumping	Mauna LOA SL	284,000	432,000	25%	71,205
WW Pumping	WWTP	50,000	1,080,000	25%	12,536
WW Pumping	Gills Branch LS	250,000	648,000	25%	62,681
WW Pumping	Lift Station Emergency Generators	-	-	25%	-
Major Collection Lines	MLK Street Gravity Main	146,590	3,192,000	92%	134,958
Major Collection Lines	Pecan Street Gravity Main	171,255	3,192,000	92%	157,666
Major Collection Lines	Central LS Force Main	143,956	1,762,000	92%	132,533
Major Collection Lines	North Pecan LS Force Main	5,775	282,000	92%	5,317
Major Collection Lines	Highway 71 Pipe Bursting Project (Expansion from 10" to 15")	659,000	1,117	92%	606,708
Major Collection Lines	Fayette St. Improvement (Expansion from 12" to 18")	230,837	1,502	92%	212,520
Major Collection Lines	WW Main ext. Hwy 71 City Limits to Home Depot	800,000	1,650	92%	736,520
Major Collection Lines	12" Force Main and Central Lift Station	208,000	3,500	92%	191,495
Major Collection Lines	Westside Collection System Gravity Sewer Improvements	8,150,866	23,564	92%	7,504,095
Major Collection Lines	WWTP No. 1 & No. 2 Transfer Pipeline	6,440,387	5,600	92%	5,929,343
Major Collection Lines	Sewer Line replacement (Main St. & Maple, Mesquite, Magnolia, Locust)	150,000	400	92%	138,098
	Wastewater Impact Fee Update	9,250		100%	9,250
	Total	\$ 44,562,850	19,366,973		\$ 20,254,461

Impact Fee Advisory Committee

August 6, 2019

Meeting Minutes

The City of Bastrop Impact Fee Advisory Committee met Tuesday, August 6, 2019 at 5:30 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. CALL TO ORDER

Debbie Moore called the meeting to order at 5:30 p.m.

Debbie Moore	Present
Patrick Connell	Absent
Cynthia Meyer	Present
Matthew Lassen	Present
Richard Gartman	Present
Cheryl Lee	Present
Greg Sherry	Present
Pablo Serna	Present
Tom Dawson	Absent
Dawn Kana	Present

2. CITIZEN COMMENTS

There were no citizens comments.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Discussion and consider action to submit comments to City Council on the update and amendment to the Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, and move to include on the August 13, 2019 City Council Agenda.

Jennifer Bills, Assistant Director of Planning and Development, opened the staff presentation and introduced Chris Ekru, a Consultant for NewGen Strategies and Solutions LLC, who proceeded to give a presentation over the items included in the packets distributed to the Committee. The items included a letter and rate study that were used to make recommendations to the City of Bastrop for the increased cost of Impact Fees within the City Limits.

After the presentation, discussion commenced between the Committee, Consultant and Staff regarding how NewGen Strategies had arrived at their figures, and what was the reasoning behind why there were making these recommendations to the City of Bastrop.

The Commission made the following recommendations to Staff, to be passed along to City Council at their next available meeting:

1. To bring back the rates for analysis to the Committee every six months to ensure the Impact Fees are adequately priced for the increase of growth being experienced in the area.

Impact Fee Advisory Committee

August 6, 2019

Meeting Minutes

2. To monitor the percentage of growth within the area so the Committee and Staff could be proactive about raising the Impact Fees.
3. To pass along their recommendation for approval of the update and amendment to the Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled "Impact Fees", updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, and move to include on the August 13, 2019 City Council Agenda

4. ADJOURNMENT

Cynthia Meyer made a motion to adjourn at 6:08 p.m.. Matt Lassen seconded the motion, and the motion carried unanimously.

DRAFT



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 12B

TITLE:

Consider action to approve the first reading of Resolution No. R-2019-66 of the City Council of the City of Bastrop, Texas, approving the 921 Main Street Project; repealing all resolutions in conflict; providing severability; providing an effective date; and move to include on the August 27, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:

Jean Riemenschneider, Bastrop EDC Project Manager

BACKGROUND/HISTORY:

The Bastrop EDC Board of Directors approved obtaining a loan to construct a building at the site located at 921 Main Street, Bastrop, Texas, in the amount of one million eight hundred thousand dollars (\$1,800,000) from a federally insured lender to be chosen by the Board. This action was taken by the BEDC Board on May 20, 2019, via Resolution R-2019-0006.

The Bastrop City Council gave approval to obtain the loan on June 11, 2019, by second reading of Resolution No. R-2019-54.

The BEDC Board approved the entirety of the 921 Main Street Project by Resolution R-2019-0015 on July 15, 2019. This resolution included the hiring of a construction company to construct the building approved by Council. It also included the hiring of a project manager to oversee construction, provide professional guidance, and direction as needed.

The attached resolution approves the BEDC fulfilling all necessary actions to complete the 921 Main Street Project.

Through the investment of community resources in infrastructure improvements, the BEDC is promoting new or expanded business development, improving infrastructure and facilities, and increasing the number of full-time employees. The BEDC is authorized in the LGC Section 505.158 to undertake projects related to business development in certain small municipalities:

Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES. (a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development. (b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's

authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2019-66 of the City Council of the City of Bastrop, Texas, approving the 921 Main Street Project; repealing all resolutions in conflict; providing severability; providing an effective date; and move to include on the August 27, 2019 agenda for a second reading.

ATTACHMENTS:

- Draft City Council Resolution
- BEDC Resolution R-2019-0015 – Approval of Construction Contract for 921 Main Project
- BEDC Resolution R-2019-0017 – Approval of Project Manager for 921 Main Project



RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2019-66 of the City Council of the City of Bastrop, Texas, approving the 921 Main Street Project; repealing all resolutions in conflict; providing severability; and providing an effective date; and placing on the August 27, 2019, City Council agenda for second reading.

ATTACHMENTS:

- Draft City Council Resolution
- BEDC Resolution R-2019-0015 – Approval of Construction Contract for 921 Main Project
- BEDC Resolution R-2019-0017 – Approval of Project Manager for 921 Main Project



RESOLUTION NO. R-2019-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE 921 MAIN STREET PROJECT; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in recognition of the positive economic benefits which will accrue, and pursuant to the terms of Texas Local Government Code Chapter 501 and 505, *et seq.*, the Board of Directors of the Bastrop Economic Development Corporation ("BEDC") has authorized a Project, as used and authorized under the definition used in Tex. Loc. Gov't Code Sec. 505.158 at 921 Main Street in Bastrop, Bastrop County, Texas, through funding by the BEDC (hereafter "921 Main Street Project"); and

WHEREAS, the Bastrop Economic Development Corporation ("BEDC") approved the 921 Main Street Project as an allowable project under Texas Local Government Code Chapters 501-505, *et seq.*, and through Resolution 2019-0015 on July 15, 2019; and

WHEREAS, the BEDC approved hiring a project manager to oversee the project through Resolution 2019-0017 on July 22, 2019; and

WHEREAS, the BEDC and City Council by separate resolutions shall authorize the 921 Main Street Project as a qualified project for the creation of primary jobs and for the improvement of infrastructure and site improvements pursuant to the authority of Texas Local Government Code Sections 501.101 and 501.103; and

WHEREAS, pursuant to Texas Local Government Code Section 505.158(b) City Council has been asked by the BEDC to approve the aforementioned agreements.

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

SECTION 1. To the extent required by Texas Local Government Code Section 505.158(b) the City Council hereby finds and approves BEDC R-2019-0015 to be an allowable project and hereby approves of the project known as 921 Main Street Project.

SECTION 2. To the extent required by Texas Local Government Code Section 505.158(b) the City Council hereby finds and approves BEDC R-2019-0017 to be an allowable expense related to the 921 Main Street Project.

SECTION 3. Open Meeting. The City Council hereby finds and determines that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose at which it was read was given in accordance with Chapter 551, Texas Government Code.

SECTION 4. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 5. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 6. Two Readings Required. Pursuant to Texas Local Government Code Section 505.158(b), this Resolution shall take effect immediately from and after its passage upon a subsequent second reading and passage, and it is duly resolved.

This resolution shall be in full force and effect from and after its final adoption.

READ and ACKNOWLEDGED on First Reading on the 13th day of August 2019.

READ and APPROVED on the Second Reading on the 27th day of August 2019.

[SIGNATURE PAGE FOLLOWS]

CITY OF BASTROP, TEXAS

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

DRAFT

RESOLUTION NO. R-2019-0015

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING OF THE PROJECT FOR 921 MAIN STREET AND THE TERMS OF A COMMERCIAL DESIGN & CONSTRUCTION CONTRACT WITH STONE DEVELOPMENT GROUP, INC.; AUTHORIZING ALL NECESSARY ACTIONS, INCLUDING HIRING OF A PROJECT MANAGER AND EXECUTION OF NECESSARY DOCUMENTATION; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the “Act”), and is acting with the approval of the governing body of the City of Bastrop, Texas (the “City”); and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that a project (“Project”) proposed by Stone Development Group, Inc. (“Company”) will: (i) improve infrastructure upon a dilapidated and previously abandoned City lot; (ii) promote and develop new and expanded business enterprises; (iii) creation of primary jobs and full-time employees; and, (iv) facilitate the remediation of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, the Board approved entering into an economic development performance agreement with 921 Bastrop, LLC, on September 17, 2018, by Resolution R-2018-0007; and

WHEREAS, a Mutual Release & Termination of said performance agreement was fully executed on June 5, 2019; and

WHEREAS, the BEDC approved entering into Resolution ~~R-2019-0006~~ ^{R-2019-0006} on May 20, 2019, authorizing the BEDC to negotiate and enter into a contract with Roscoe State Bank and Stone Development Group, Inc., for the \$1.8M loan to fund the Project; and

WHEREAS, the Bastrop City Council approved of this Project’s \$1.8M loan and Resolution R-2019-54 on June 11, 2019, which includes the down payment and Project’s design proposal; and

WHEREAS, the BEDC began the loan process on June 17, 2019, when it approved Resolution R-2019-0007 authorizing the Design Proposal provided by the Company; and

WHEREAS, the BEDC approved of the Design Proposal and entered into an agreement with the Company on June 21, 2019, for the Design Proposal to begin; and

WHEREAS, on July 2, 2019 the Company provided the initial Design Proposal’s layout and initial schematics that were approved by the Interim Executive Director on July 10, 2019; and

WHEREAS, the Board has reviewed the terms and conditions of the proposed Commercial Design & Construction Contract (“Contract”) by and between the BEDC and Stone Development Group, Inc., and determined that it fully complies with the statutory requirements

RESOLUTION NO. R-2019-0015

that govern the BEDC and is in the best interest of the BEDC to enter such Contract as a Project under Section 501.101, et seq. Texas Local Government Code; and

WHEREAS, to fulfill its public purpose in attracting qualifying projects under Texas Local Government Code, Chapters 501 and 505, et seq., as amended, the BEDC requires certain professional services, including without limitation, the contracting with and hiring of a project manager to oversee certain BEDC projects, including this Project; and

↳ in an amount not to exceed \$40,000 (\$40k)

WHEREAS, after careful evaluation and consideration by the Board, it has determined that these services and this support can be provided most beneficially, efficiently and economically under a third-party professional services agreement with a project management company to be chosen by the Interim Executive Director and Board Chair.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1. The findings set out above are hereby found to be true and correct and are incorporated herein for all purposes.

SECTION 2. The terms and conditions of the Contract attached hereto as Exhibit "A," are approved.

and/or Treasurer Kier

SECTION 3. The Board authorizes BEDC's Interim Executive Director^v and/or Chair Kathryn Nash to execute a Contract in substantial form with Exhibit "A" and take those actions, including the execution of all other agreements, instruments or documents reasonably necessary to facilitate the purpose of this Resolution.

SECTION 4. This Resolution is effective upon passage.

DULY RESOLVED AND ADOPTED by the Board of Directors of the Bastrop Economic Development Corporation, this 15th day of July 2019.

[SIGNATURE PAGE FOLLOWS]

RESOLUTION NO. R-2019-0015

BASTROP ECONOMIC
DEVELOPMENT CORPORATION



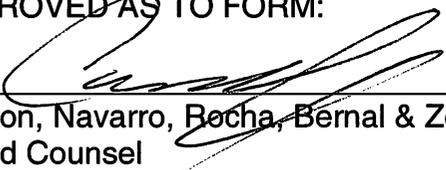
Kathryn Nash, Board Chair

ATTEST:



Kevin Plunkett, Board Vice-Chair

APPROVED AS TO FORM:



Denton, Navarro, Rocha, Bernal & Zech, P.C.
Board Counsel

Exhibit "A"

Commercial Design & Construction Contract by and between the Bastrop Economic Development Corporation and Stone Development Group, Inc.

RESOLUTION NO. R-2019-0017

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION ENTERING INTO A PROFESSIONAL SERVICES AGREEMENT FOR PROJECT MANAGEMENT SERVICES ON THE 921 MAIN STREET PROJECT.

WHEREAS, the Bastrop Economic Development Corporation ("BEDC") approved the 921 Main Street Project as an allowable project under Texas Local Government Code Chapters 501-505, *et seq.*, and through Resolution 2019-0015; and

WHEREAS, Jimmy Couch has proposed a Scope of Services Proposal to be the Project Manager for the BEDC as its duly authorized agent for construction and project oversight during the construction of the 921 Main Street Project ("Project");

WHEREAS, the BEDC voted and approved of this Project's scope and the hiring of a Project Manager in an amount not to exceed \$40,000.00 in Resolution R-2019-0015 on July 15, 2019; and

WHEREAS, Jimmy Couch's Proposal and Scope of Services meets the requirements of Resolution R-2019-0015.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1.

- a. The Board authorizes the Chair and/or Interim Executive Director to execute a contract with Jimmy Couch to fulfill the scope of services as Project Manager for the 921 Main Street Project.

SECTION 2. Approval

PASSED AND APPROVED on the 22 day of July 2019, by the Board of Directors of the Bastrop Economic Development Corporation.

[SIGNATURE PAGE FOLLOWS]

RESOLUTION NO. R-2019-0017

BASTROP ECONOMIC
DEVELOPMENT CORPORATION



Kathryn Nash, Board Chair

ATTEST:



~~Kevin Plunkett, Board Vice-Chair~~
Ron Spencer, Board Member

APPROVED AS TO FORM:



Denton, Navarro, Rocha, Bernal & Zech, P.C.
Board Counsel.



STAFF REPORT

MEETING DATE: August 13, 2019

AGENDA ITEM: 12C

TITLE:

Consider action to approve the first reading of Resolution No. R-2019-67 of the City Council of the City of Bastrop, Texas ("City"), approving (i) the Resolution of the Board of Directors of Bastrop Economic Development Corporation ("Corporation") regarding a loan in the amount not to exceed one million four hundred twenty thousand dollars (\$1,420,000); (ii) a Sales Tax Remittance Agreement between the City and the Corporation; (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the Sales Tax Remittance Agreement; and move to include on the August 27, 2019 agenda for a second reading.

STAFF REPRESENTATIVE:

Angela Ryan, Bastrop EDC Assistant Director

BACKGROUND/HISTORY:

The Bastrop EDC Board of Directors approved obtaining a loan to construct a building at the site located at 921 Main Street, Bastrop, Texas, in the amount of one million eight hundred thousand dollars (\$1,800,000) from a federally insured lender to be chosen by the Board. This action was taken by the BEDC Board on May 20, 2019, via Resolution R-2019-0006. The Bastrop City Council gave approval to obtain the loan on June 11, 2019, by second reading of Resolution No. R-2019-54.

Since the Bastrop EDC was required to contribute three hundred seventy-seven thousand seventy-two dollars (\$377,072) as a down payment. The amount of the actual loan the BEDC is obtaining is one million four hundred twenty thousand dollars (\$1,420,000). The BEDC's portion was approved by BEDC Resolution R-2019-0007 on June 17, 2019.

The BEDC Board approved the 921 Main Street Project and the terms of a construction contract with Stone Development Group by Resolution R-2019-0015 on July 15, 2019, and the hiring of a project manager by Resolution R-2019-0017 on July 22, 2019.

The attached resolution is required by Roscoe State Bank in order for the BEDC to proceed with finalizing the loan documents.

Pursuant to Section 505.158(b) of the Local Government Code, prior to the BEDC funding a project involving an expenditure of more than ten thousand dollars (\$10,000), the City Council shall adopt a resolution authorizing the project. This resolution shall be read by the City Council on two separate occasions.

Through the investment of community resources in infrastructure improvements, the BEDC is promoting new or expanded business development. The BEDC is authorized in the LGC Section 505.158 to undertake projects related to business development in certain small municipalities:

Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES. (a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development. (b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2019-67 of the City Council of the City of Bastrop, Texas ("City"), approving (i) the Resolution of the Board of Directors of Bastrop Economic Development Corporation ("Corporation") regarding a loan in the amount not to exceed one million four hundred twenty thousand dollars (\$1,420,000); (ii) a Sales Tax Remittance Agreement between the City and the Corporation; (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the Sales Tax Remittance Agreement; and move to include on the August 27, 2019 agenda for a second reading.

ATTACHMENTS:

- Draft City Council Resolution and Exhibit A
- BEDC Resolution - R-2019-0006 – BEDC Board approval of obtaining a loan
- City Council Resolution - R-2019-54 – Council approval of obtaining a loan
- BEDC Resolution - R-2019-0007 – BEDC Board approval of down payment of \$377,072
- BEDC Resolution - R-2019-0016 – BEDC Board approval of Certificate of Resolution

municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development.
(b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

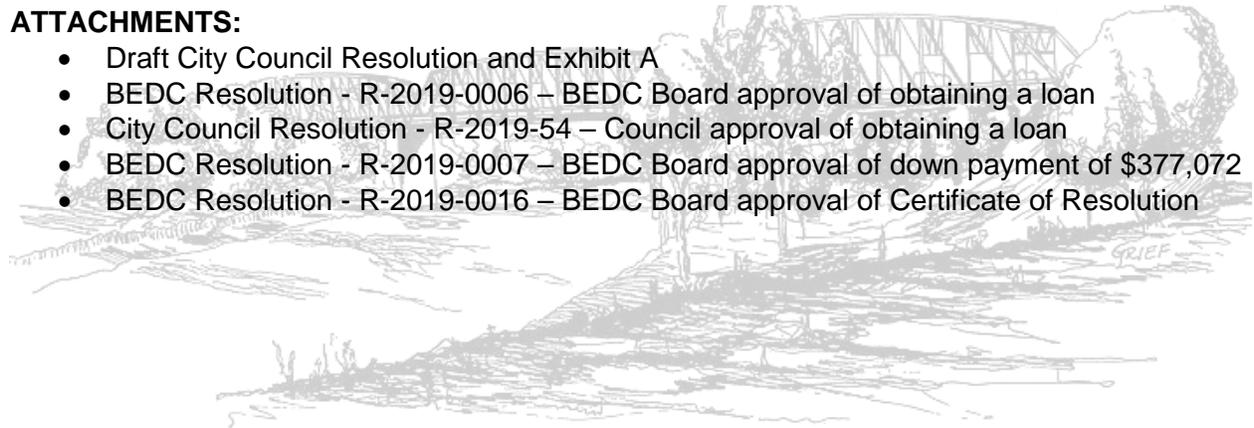
Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2019-67 of the City Council of the City of Bastrop, Texas ("City"), approving (i) the Resolution of the Board of Directors of Bastrop Economic Development Corporation ("Corporation") regarding a loan in the amount not to exceed \$1,420,000; (ii) a Sales Tax Remittance Agreement between the City and the Corporation (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the Sales Tax Remittance Agreement; and placing on the August 27, 2019, Council agenda for second reading.

ATTACHMENTS:

- Draft City Council Resolution and Exhibit A
- BEDC Resolution - R-2019-0006 – BEDC Board approval of obtaining a loan
- City Council Resolution - R-2019-54 – Council approval of obtaining a loan
- BEDC Resolution - R-2019-0007 – BEDC Board approval of down payment of \$377,072
- BEDC Resolution - R-2019-0016 – BEDC Board approval of Certificate of Resolution



CERTIFICATE OF CITY SECRETARY

THE STATE OF TEXAS §
COUNTY OF BASTROP §
CITY OF BASTROP §

I, the undersigned, City Secretary of the City of Bastrop, Texas DO HEREBY CERTIFY as follows:

1. On August 27, 2019, a regular meeting of the City Council of the City of Bastrop, Texas, was held at a meeting place within the City; the duly constituted members of the Council being as follows:

Connie Schroeder	Mayor
Lyle Nelson	Mayor Pro-Tem
Willie Lewis Peterson	Council Member, Place 1
Drusilla Rogers	Council Member, Place 2
Bill Ennis	Council Member, Place 4
Dock Jackson	Council Member, Place 5

and all of said persons were present at said meeting, except the following: _____.
Among other business considered at said meeting, the attached resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS (“CITY”), APPROVING (I) THE RESOLUTION OF THE BOARD OF DIRECTORS OF BASTROP ECONOMIC DEVELOPMENT CORPORATION (“CORPORATION”) REGARDING A LOAN IN THE AMOUNT NOT TO EXCEED \$1,420,000; (II) A SALES TAX REMITTANCE AGREEMENT BETWEEN THE CITY AND THE CORPORATION (III) RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE LOAN; AND (IV) THE AUTHORITY OF THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A GENERAL CERTIFICATE OF THE CITY AND THE SALES TAX REMITTANCE AGREEMENT.

was introduced and submitted to the City Council for passage and adoption. After presentation and due consideration of the resolution, and upon a motion made and seconded, the resolution was duly passed and adopted by the Council to be effective immediately by the following vote:

AYES: All members of the City Council shown present above voted “Aye”, except as noted below,

NOES: _____

ABSTAIN: _____

all as shown in the official Minutes of the City Council for the meeting held on the aforesaid date.

2. The attached resolution is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the City Council on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of said meeting was given to each member of the Council; and that said meeting, and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the above-entitled resolution, was posted and given in advance thereof in compliance with the provisions of V.T.C.A., Chapter 551, Government Code, as amended.

IN WITNESS WHEREOF, I have hereunto signed my name officially on the date first written above.

Ann Franklin, City Secretary

RESOLUTION NO. R-2019-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS (“CITY”), APPROVING (I) THE RESOLUTION OF THE BOARD OF DIRECTORS OF BASTROP ECONOMIC DEVELOPMENT CORPORATION (“CORPORATION”) REGARDING A LOAN IN THE AMOUNT NOT TO EXCEED \$1,420,000; (II) A SALES TAX REMITTANCE AGREEMENT BETWEEN THE CITY AND THE CORPORATION (III) RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE LOAN; AND (IV) THE AUTHORITY OF THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A GENERAL CERTIFICATE OF THE CITY AND THE SALES TAX REMITTANCE AGREEMENT.

WHEREAS, the Bastrop Economic Development Corporation (the “*Corporation*”) has been duly created and organized pursuant to the provisions of Chapter 505, Local Government Code, as amended (formerly Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended) (the “*Act*”) by the City of Bastrop, Texas (the “*City*”); and

WHEREAS, pursuant to the Act, the Corporation is empowered to borrow money for the purpose of financing the cost of any “*project*” defined as such by the Act; and

WHEREAS, the Board of Directors of the Corporation has found and determined that financing the construction of certain improvements to real property to promote economic development of the City is authorized under the Act and loan proceeds may be used for such financing pursuant to that certain Loan Agreement, dated as of August 1, 2019, (as amended, restated, supplemented and/or otherwise modified, the “*Loan Agreement*”) in the original principal amount not to exceed \$1,420,000 (the “*Loan*”) between the Corporation and Roscoe State Bank (the “*Lender*”); and

WHEREAS, the Corporation proposes to enter into a Sales Tax Remittance Agreement, dated as of August 1, 2019, (as amended, restated, supplemented and/or otherwise modified, the “*Sales Tax Remittance Agreement*”) with the City pursuant to which, among other things, the Corporation will pledge its sales tax revenues to the Lender to secure repayment of the Loan; and

WHEREAS, the Act requires the City Council of the City approve the resolution of the Corporation providing for the execution and delivery of the Loan Agreement.

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

Section 1. The Resolution approving the Loan Agreement and authorizing the issuance of the Note (as defined in the Loan Agreement) adopted by the Corporation (the “*Corporation Resolution*”) on July 15, 2019, and submitted to the City Council this day, is hereby approved in all respects. The Note is being issued to finance the costs of constructing the Project, which is located within the City.

Section 2. The approvals herein given are in accordance with the Act, and the Note shall never be construed an indebtedness or pledge of the City, or the State of Texas (the “*State*”), within the meaning of any constitutional or statutory provision, and the owner of the Note shall never be paid in whole or in part out of any funds raised or to be raised by taxation (other than sales tax proceeds as authorized pursuant to Chapter 505 of the Act) or any other revenues of the Corporation, the City, or the State, except those revenues assigned and pledged by the Loan Agreement and the Sales Tax Remittance Agreement.

Section 3. The City hereby agrees to promptly collect and remit to the Corporation the Economic Development Sales and Use Tax (defined in the Loan Agreement) to provide for the prompt payment of the Note, and to assist and cooperate with the Corporation in the enforcement and collection of sales and use taxes imposed on behalf of the Corporation.

Section 4. The Sales Tax Remittance Agreement attached hereto as Exhibit A and incorporated by reference as a part of this Resolution for all purposes, with respect to the obligations of the City and Corporation during the time the Note is outstanding, is hereby reapproved as to form and substance. Furthermore, the Mayor and the City Secretary and the other officers of the City are hereby authorized, jointly and severally, to execute and deliver such endorsements, instruments, certificates, documents, or papers necessary and advisable to carry out the intent and purposes of this Resolution.

Section 5. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by V.T.C.A. Government Code, Chapter 551, as amended.

Section 7. This Resolution shall be in force and effect from and after its passage on the date shown below.

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PASSED AND ADOPTED, this _____, 2019.

CITY OF BASTROP, TEXAS

Connie Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

DRAFT

EXHIBIT A

Sales Tax Remittance Agreement

DRAFT

SALES TAX REMITTANCE AGREEMENT

This **SALES TAX REMITTANCE AGREEMENT** (as amended, restated, supplemented and/or otherwise modified, this "Agreement") is made to be effective as of August 1, 2019, by and between the **CITY OF BASTROP, TEXAS**, a duly incorporated and existing home rule city operating and existing under the laws of the State of Texas (the "City") and the **BASTROP ECONOMIC DEVELOPMENT CORPORATION**, a nonprofit development corporation organized and existing under the laws of the State of Texas, including Chapter 505, Local Government Code, as amended (formally Section 4B of the Development Corporation Act of 1979, Article 5190.6, Texas Revised Civil Statutes Annotated, as amended) (the "Corporation").

RECITALS

WHEREAS, the Corporation on behalf of the City is to finance the construction of improvements to certain real property owned by the Corporation to promote economic development in the City (the "Project"); and

WHEREAS, such financing contemplates the issuance of the Corporation's taxable promissory note in a principal amount not to exceed \$1,420,000, and the proceeds are to be used by the Corporation to finance the Project.

AGREEMENT

1. **Financing**: For and in consideration of the City's covenants and agreements herein contained and subject to the terms contained herein, the Corporation hereby agrees to enter into a Loan Agreement dated of even date herewith (as same may be amended, restated, supplemented and/or otherwise modified, the "Loan Agreement"), with Roscoe State Bank (the "Lender"), and to execute a promissory note payable to the Lender thereunder in a principal amount not to exceed \$1,420,000 (as same may be renewed, extended, amended, restated, replaced and/or modified, the "Note"), and the Corporation hereby agrees and covenants that all proceeds of the loan evidenced by the Note shall be used solely to pay the costs of financing the Project and to pay all costs related to the issuance of the Loan.

2. **Receipt and Transfer of Proceeds of Sales Tax**. The City agrees, in cooperation with the Corporation, to take such actions as are required to cause the "Sales Tax" received from the Comptroller of Public Accounts of the State of Texas for and on behalf of the Corporation to be deposited immediately upon receipt by the City to the credit of the Corporation. The City agrees to continue to levy, collect and deposit the Sales Tax to the credit of the Corporation until such time as all of the Corporation's obligations under the Note and the Loan Agreement have been satisfied.

3. **Modifications**. This Agreement shall not be changed orally, and no executory agreement shall be effective to waive, change, modify or discharge this Agreement in whole or in part unless such executory agreement is in writing and is signed by the parties against whom enforcement of any waiver, change, modification or discharge is sought and approved in writing by the Lender.

4. **Entire Agreement.** This Agreement contains the entire agreement between the parties pertaining to the subject matter hereof and fully supersedes all prior agreements and understandings between the parties pertaining to such subject matter. The parties agree that the Lender is a third-party beneficiary to this Agreement.

5. **Counterparts.** This Agreement may be executed in several counterparts, and all such executed counterparts shall constitute the same agreement. It shall be necessary to account for only one such counterpart in proving this Agreement.

6. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

7. **Applicable Law.** This Agreement shall in all respects be governed by, and construed in accordance with, the substantive federal laws of the United States and the laws of the State of Texas.

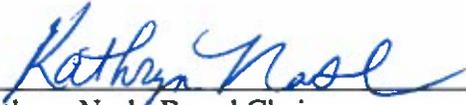
8. **Captions.** The section headings appearing in this Agreement are for convenience of reference only and are not intended, to any extent and for any purpose, to limit or define the text of any section or any subsection hereof.

9. **Capitalized Terms.** All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Loan Agreement.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date and year first above written.

**BASTROP ECONOMIC DEVELOPMENT
CORPORATION**



Kathryn Nash, Board Chair

CITY OF BASTROP, TEXAS

Connie Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

RESOLUTION NO. R-2019-0006

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING MIKE KAMERLANDER, EXECUTIVE DIRECTOR, TO OBTAIN A LOAN IN THE AMOUNT OF \$1,800,000.

WHEREAS, the Bastrop Economic Development Corporation (“BEDC”) is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the “Act”), and is acting with the approval of the governing body of the City of Bastrop, Texas (the “City”); and

WHEREAS, the BEDC needs to improve the site it owns at 921 Main Street in Bastrop, Texas, and to construct a facility and building upon that site to fulfill its public purpose in attracting qualifying projects under Texas Local Government Code, Chapters 501 and 505, et seq., as amended; and

WHEREAS, the BEDC previously authorized a project to be conducted on that site that is now substantially changing and requires the BEDC to directly finance and construct the building and facility at 921 Main Street, Bastrop, Texas; and

WHEREAS, the project was previously under a performance agreement with 921 Bastrop, LLC, for the same or similar improvements to be made by 921 Bastrop, LLC, who can no longer construct the facility under that agreement approved under Resolution No. R-2018-0007 on September 17, 2018; and

WHEREAS, that performance agreement with 921 Bastrop, LLC, is being voided by agreement of the parties and this project is now going to be constructed by the BEDC; and

WHEREAS, to begin this new project the BEDC will need to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS from a federally insured lender to be chosen by the Board; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that BEDC Executive Director Mike Kamerlander is authorized to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS to facilitate the development of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, the BEDC Board, having received proposed loans from various lending institutions provided by the Executive Director, determines the financial institution from which the funds will be obtained is Roscoe State Bank.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1. The findings set out above are hereby found to be true and correct and are incorporated herein for all purposes.

RESOLUTION NO. R-2019-0006

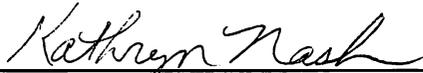
SECTION 2. The Board approves the Director obtain a loan in the amount of \$1,800,000.00 for the BEDC project to develop the property located at 921 Main Street, Bastrop, Texas, and to be owned by the BEDC; *for signature and authorization by Executive Director and BEDC Treasurer.*

SECTION 3. The Board has determined Roscoe State Bank is to be the lender on this project and the Executive Director, with the assistance of the BEDC's attorneys, is authorized and directed to prepare any instruments reasonably necessary to fulfill the intent expressed herein.

SECTION 4. This Resolution is effective upon passage.

DULY RESOLVED AND ADOPTED by the Board of Directors of the Bastrop Economic Development Corporation, this 20th day of May 2019.

BASTROP ECONOMIC
DEVELOPMENT CORPORATION



Kathryn Nash, Board Chair

ATTEST:



Sam Kier, Board Secretary

APPROVED AS TO FORM:



Denton, Navarro, Rocha, Bernal & Zech, P.C.

RESOLUTION NO. R-2019-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE EXECUTIVE DIRECTOR OR INTERIM EXECUTIVE DIRECTOR OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION TO OBTAIN A LOAN IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS FOR CONSTRUCTION OF A BUILDING TO THE LOT AT 921 MAIN STREET; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in recognition of the positive economic benefits which will accrue, and pursuant to the terms of Texas Local Government Code Sections 501-505, and specifically 501.103, the Board of Directors of the Bastrop Economic Development Corporation ("BEDC") has authorized the Executive Director or Interim Executive Director to obtain a loan to facilitate the site-improvement and construction of a building at the lot located at 921 Main Street in Bastrop, Bastrop County, Texas; and

WHEREAS, the project was previously under a performance agreement with 921 Bastrop, LLC, for the same or similar improvements to be made by 921 Bastrop, LLC, who can no longer construct the facility under that agreement approved under Resolution No. R-2018-0007 on September 17, 2018; and

WHEREAS, that performance agreement with 921 Bastrop, LLC, is being voided by agreement of the parties and this project is now going to be constructed by the BEDC; and

WHEREAS, to begin this new project the BEDC will need to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS from a federally insured lender to be chosen by the Board; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that the BEDC Executive Director or Interim Executive Director is authorized to obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS to facilitate the development of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, the BEDC and City Council by separate resolutions shall authorize the 921 Main Street Project as a qualified infrastructure and site improvement project pursuant to the authority of Texas Local Government Code Section 501.103.

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

SECTION 1. To the extent required by Texas Local Government Code Section 505.158(b) the following are authorized:

SECTION 2. Open Meeting. The City Council hereby finds and determines that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose at which it was read was given in accordance with Chapter 551, Texas Government Code.

SECTION 3. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. Two Readings Required. Pursuant to Texas Local Government Code Section 505.158(b), this Resolution shall take effect immediately from and after its passage upon a subsequent second reading and passage, and it is duly resolved.

This resolution shall be in full force and effect from and after its final adoption.

READ and ACKNOWLEDGED on First Reading on the 28th day of May 2019.

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

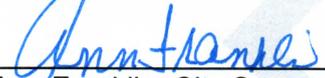
CITY OF BASTROP, TEXAS

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

A RESOLUTION OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING AND REQUESTING APPROVAL OF AN AMENDMENT TO THE BASTROP ECONOMIC DEVELOPMENT CORPORATION'S FY 2018/2019 ANNUAL BUDGET TO ALLOCATE THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVENTY-TWO (\$377,072) DOLLARS FROM RESERVE FUNDS TO BE USED FOR THE CASH DOWN PAYMENT ON A LOAN FOR CONSTRUCTION COSTS FOR THE 921 MAIN STREET PROJECT, TO BE USED FIRST IN THE CONSTRUCTION PROJECT.

WHEREAS, the Bastrop Economic Development Corporation ("BEDC") is a public instrumentality and non-profit industrial development corporation duly established and operating under Local Government Code, Chapters 501 and 505, et seq., as amended, known as the Development Corporation Act of 1979 (the "Act"), and is acting with the approval of the governing body of the City of Bastrop, Texas (the "City"); and

WHEREAS, the BEDC needs to improve the site it owns at 921 Main Street in Bastrop, Texas, and to construct a facility and building upon that site to fulfill its public purpose in attracting qualifying projects ("Project") under Texas Local Government Code, Chapters 501 and 505, et seq., as amended; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that the Project proposed by Stone Development Group, Inc. ("Company") will: (i) improve infrastructure upon a dilapidated and previously abandoned City lot; (ii) promote and develop new and expanded business enterprises; (iii) creation of primary jobs and full-time employees; and, (iv) facilitate the remediation of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC; and

WHEREAS, after careful evaluation and consideration by the Board, it was determined that the BEDC would obtain a loan in the amount of ONE MILLION EIGHT HUNDRED THOUSAND (\$1,800,000.00) DOLLARS to facilitate the development of the property located at 921 Main Street, Bastrop, Texas, and owned by the BEDC, by Resolution R-2019-0006 approved by the BEDC Board on May 20, 2019; and

WHEREAS, the BEDC adopted its FY 2018/2019 Annual Budget on August 20, 2018, which was subsequently adopted and authorized by the City of Bastrop City Council; and

WHEREAS, the financing option chosen by the Board includes a down payment net of the project costs in the approximate amount of \$377,072, which will be used first in the construction project; and

WHEREAS, the FY 2018/2019 Annual Budget did not include sufficient funding and therefore must be amended to allocate funds for the down payment required for the loan; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose at which it was read was given in accordance with Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1. The Board hereby finds that all of the recitals above are true and correct and are incorporated herein as if restated in full.

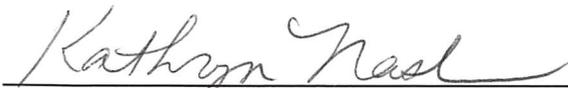
SECTION 2. The Board approves an amendment to the FY 2018/2019 Annual Budget to allocate funds from the BEDC Reserve Fund Balance Account in the amount of \$377,072 to the appropriate BEDC account to be determined by the City of Bastrop's Finance Director (the "Budget Amendment"); *and to authorize the Treasurer to distribute these funds and create all necessary documents.*

SECTION 3. The Board recommends and requests that the Budget Amendment approved hereby by the BEDC be considered and approved by the City of Bastrop City Council for the purposes stated herein.

SECTION 4. This Resolution is effective upon passage.

DULY RESOLVED AND ADOPTED on this 17th day of June 2019 by the Board of Directors of the Bastrop Economic Development Corporation.

BASTROP ECONOMIC
DEVELOPMENT CORPORATION


Kathryn Nash, Board Chair

ATTEST:


Sam Kier, Board Secretary

APPROVED AS TO FORM:


Denton, Navarro, Rocha, Bernal & Zech, P.C.

CERTIFICATE FOR RESOLUTION
BEDC Resolution R-2019-0016

On July 15, 2019, we, the undersigned officers of the Bastrop Economic Development Corporation, hereby certify as follows:

1. The Board of Directors of said Corporation convened in Regular Meeting on July 15, 2019 at the designated meeting place, and the roll was called of the duly constituted officers and members of said Board of Directors, to wit:

Kathryn Nash	Chair
Kevin Plunkett	Vice-Chair
Sam Kier	Secretary/Treasurer
Connie Schroeder	Member
Jeff Haladyna	Member
Ron Spencer	Member
Pat Crawford	Member

and all of said persons were present, except the following absentees: Pat Crawford; Sam Kier, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP
ECONOMIC DEVELOPMENT CORPORATION REGARDING A LOAN
IN THE AMOUNT OF \$1,420,000**

was duly introduced for the consideration of said Board of Directors and read in full. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: All members of the Board of Directors shown present above voted "Aye" except as shown below.

NOES: Ø

ABSTAIN: Ø

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said Board of Directors' minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said Board of Directors' minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Board of Directors as indicated therein; that each of the officers and members of said Board of Directors was duly and sufficiently notified officially and

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE BASTROP
ECONOMIC DEVELOPMENT CORPORATION REGARDING A LOAN
IN THE AMOUNT OF \$1,420,000**

WHEREAS, BASTROP ECONOMIC DEVELOPMENT CORPORATION (“*Borrower*”) proposes to enter into a Loan Agreement dated as of August 1, 2019 (as amended, restated, supplemented and/or otherwise modified, the “*Loan Agreement*”), with Roscoe State Bank, as lender (“*Lender*”) to enable Borrower to construct certain improvements to real property to promote economic development in the City of Bastrop, Texas (the “City”), in an amount not to exceed \$1,420,000 and as for the payment of the principal of and interest thereon, the Borrower has agreed to pledge its Economic Development Sales and Use Tax. All capitalized terms used herein, but not otherwise defined herein, shall have the meaning ascribed to such term in the Loan Agreement.

WHEREAS, the proposed form of the Loan Agreement, Note and the Sales Tax Remittance Agreement have been presented to this meeting.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BASTROP ECONOMIC DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The Board of Directors agrees to enter into the Loan Agreement, Note and the Sales Tax Remittance Agreement to finance the costs of constructing certain improvements to real property to promote economic development in the City in an amount not to exceed \$1,420,000 at an interest rate agreed upon by the Lender and the Borrower on the date of execution of the Note, the Loan Agreement and the Sales Tax Remittance Agreement and, in order to secure the principal of and interest on the Note, to pledge its Economic Development Sales and Use Tax.

Section 2. That Phallan Davis, the Interim Executive Director of the Corporation, is authorized to execute, acknowledge and deliver in the name and on behalf of Borrower to the Lender the Loan Agreement, including all attachments and exhibits thereto and the Note, and the Loan Agreement and the Note shall be in substantially the form presented to this meeting with such changes as the signing officer shall determine to be advisable. Further, said Executive Director is authorized to execute, acknowledge and deliver in the name and on behalf of the Borrower any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Loan Agreement and the Note; the execution thereof by the Executive Director shall be conclusive as to such determination.

Section 3. That for the purposes of this resolution, the following persons, or the persons holding the following positions, are “*Authorized Officers*” duly authorized to enter into the transaction contemplated by this resolution in the name and on behalf of the Borrower:

personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Chairman of the Board of Directors of the Corporation has approved and hereby approves the aforesaid Resolution; that the Chairman and the Secretary of said Corporation have duly signed said Resolution; and that the Chairman and the Corporation Secretary of said Corporation hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

Signed on the date first written above.

Sam has signed and mailed it back
to the EDC - hasn't been received yet

Sam Kier
Secretary, Board of Directors



Kathryn Nash
Chair, Board of Directors