

Bastrop, TX City Council Meeting Agenda

This meeting will be live streamed on the City of Bastrop Facebook Page

(www.facebook.com/bastroptx) and broadcast on Spectrum channel 10 and AT&T uVerse channel 99. A recording of the meeting will also be available within 72 hours after the meeting on the City's YouTube channel (Bastrop TX Network) and in the Agendas & Minutes section of the City website (www.cityofbastrop.org).



September 8, 2020 at 7:00 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.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

The City Council reserves the right to reconvene, recess, or realign the Regular Session, Executive Session, or order of business at any time prior to adjournment. All matters listed below shall be eligible for both discussion and action, unless otherwise specifically noted.

PLEASE NOTE: ANYONE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM WITH COMMENTS AT WWW.CITYOFBASTROP.ORG/CITIZENCOMMENTFORM BEFORE 5:00 P.M. ON September 8, 2020. SUBMITTED COMMENTS WILL BE READ ALOUD AT THE MEETING. COMMENTS FROM EACH INDIVIDUAL WILL BE LIMITED TO THREE (3) MINUTES WHEN READ ALOUD.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

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

3. INVOCATION – Phill Woods, Police Chaplain

4. PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing September 2020 as National Library Card Sign-up Month

5. WORK SESSION/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited Monthly Financial Report for the period ending July 31, 2020.

7. CITIZEN COMMENTS

Anyone wishing to address the Council, must complete a citizen comment form with comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on September 8, 2020. Submitted comments will be read aloud at the meeting. Comments from each individual will be limited to three (3) minutes when read aloud.

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 the City Manager for research and possible inclusion on a future agenda.

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 any person or threaten any person. Accordingly, profane, insulting or threatening language will not be read aloud at the meeting.

8. CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from the August 25, 2020 Regular meeting and August 26, 2020 Board Interviews meeting.
- 8B. Consider action to approve the second reading of Ordinance No. 2020-26 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2020 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.
- 8C. Consider action to approve Resolution No. R-2020-82 of the City Council of the City of Bastrop, Texas, authorizing the submission of a community development Block Grant-

Mitigation Project application to the General Land Office; and authorizing the City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development & Revitalization Program; providing for a repealing clause; and establishing an effective date.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider and adopt on first and final reading Ordinance No. 2020-25 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.
- 9B. Consider action to approve Resolution No. R-2020-58 of the City of Bastrop, Texas amending the City Council Rules of Procedure attached as Exhibit A; establishing a repealing clause; and establishing an effective date.
- 9C. Consider action to approve Resolution No. R-2020-79 approving the City of Bastrop Purchasing Card Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
- 9D. Consider action to approve Resolution No. R-2020-78 of the City Council of the city of Bastrop, Texas, approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
- 9E. Consider action to approve Resolution No. R-2020-77 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.
- 9F. Consider action to approve the first reading of Resolution R-2020-81 of the City Council of the City of Bastrop, Texas, approving the distribution of funds to Bastrop businesses to assist businesses with expansion of their enterprise pre- and post-COVID-19 disaster and/or with the retention and training of employees during the COVID-19 Pandemic and National Disaster, in an amount exceeding TEN THOUSAND DOLLARS (\$10,000.00) per project and per business; providing an effective date; and move to include on the September 22, 2020 City Council agenda for second reading.
- 9G. Discuss and consider action to approve Resolution No. R-2020-84 of the City Council of the City of Bastrop, Texas, regarding the Texas Municipal League Intergovernmental Risk Pool Board of Trustees election voting for Places 1-4 of the Board of Trustees; establishing a repealing clause; and establishing an effective date.
- 9H. Consider action to approve Resolution No. R-2020-85 of the City Council of the City of Bastrop, Texas confirming board appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.
- 9I. Consider action to approve Resolution No. R-2020-86 of the City Council of the City of Bastrop, Texas, granting authority to the City Manager to execute an Interlocal Agreement with Bastrop County to allow the construction of a new monopole communication tower, with a modified development process approved by the Zoning Board of Adjustment for a Non-conforming Structure, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.

10. EXECUTIVE SESSION - NONE

11. 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: Thursday, September 3, 2020 at 12:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary





STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 4A

TITLE:

Mayor's Report

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

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

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

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

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

ATTACHMENTS:

- Power Point Presentation



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 4B

TITLE:

Council Members' Report

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

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

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

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

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



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 4C

TITLE:

City Manager's Report

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

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

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

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

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



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 4D

TITLE:

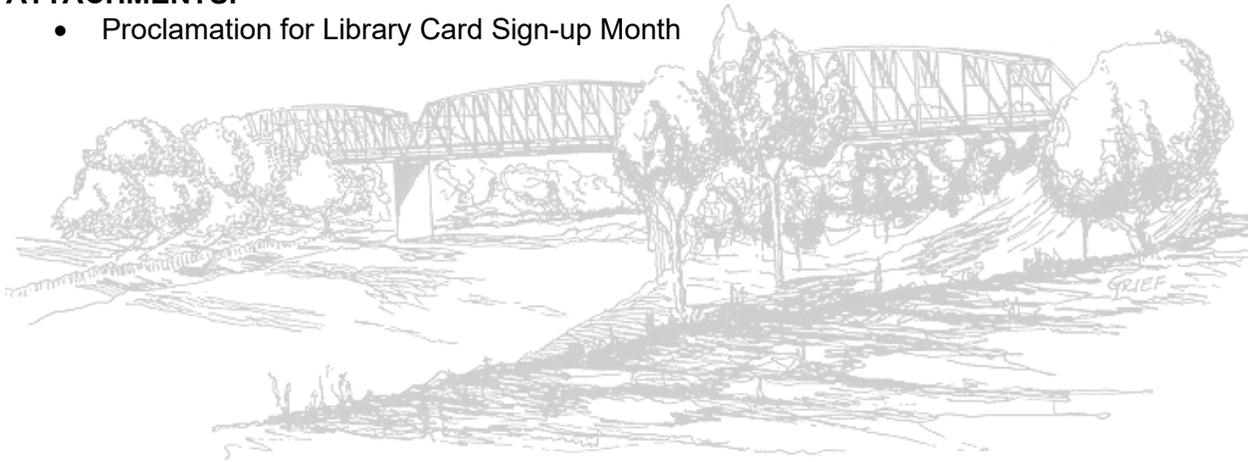
A proclamation of the City Council of the City of Bastrop, Texas recognizing September 2020 as National Library Card Sign-up Month.

STAFF REPRESENTATIVE:

Becca Sexton, Library Director

ATTACHMENTS:

- Proclamation for Library Card Sign-up Month



P

ROCLAMATION



WHEREAS, a library card is the most essential school supply of all; and

WHEREAS, libraries and librarians play a crucial role in the education and development of children; and

WHEREAS, library resources serve students of all ages; and

WHEREAS, signing up for a library card is the first step on the path towards academic achievement and lifelong learning; and

WHEREAS, a library card gives students the tools that foster success in the classroom and beyond; and

WHEREAS, a library card empowers all people to pursue their dreams and explore new passions and interests; and

WHEREAS, libraries are constantly transforming and expanding services to meet the evolving needs of their communities;

NOW THEREFORE, I, Mayor Connie B. Schroeder, do hereby proclaim September as:

NATIONAL LIBRARY CARD SIGN-UP MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 8th day of September 2020.

Connie B. Schroeder, Mayor



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 6A

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending July 31, 2020.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Water-Wastewater Fund, Bastrop Power & Light and the HOT Tax Fund.

REVENUE

General Fund revenue is exceeding forecast by 3%. The Sales Tax is slightly above forecast but Property Tax is below forecast. The Electric, Hotel Tax and Cemetery Funds are all in negative status. The Electric revenue has been reduced by pass-thru credits from LCRA, the city's power supplier. The HOT tax fund has been affected by COVID-19. The Cemetery sales are below forecast but we have seen an increase in the last several months. In July the Water/Wastewater Revenue bond sales closed and is reflected in the YTD total. This \$21M was not included in the budget.

EXPENDITURES

All funds are below forecast in expenditures.

POLICY EXPLANATION:

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, as adopted by Resolution R-2019-90 on October 22, 2019.

FUNDING SOURCE:

N/A

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending July 31, 2020

CITY OF BASTROP

Comprehensive Monthly Financial Report
July 2020



Performance at a Glance as of July 31, 2020



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY		
ALL FUNDS SUMMARY	POSITIVE	Page 4-5
GENERAL FUND REV VS EXP	POSITIVE	Page 6
SALES TAXES	POSITIVE	Page 7
PROPERTY TAXES	WARNING	Page 8
WATER/WASTEWATER FUND REV VS EXP	POSITIVE	Page 9
WATER/WASTEWATER REVENUES	POSITIVE	Page 10
ELECTRIC FUND REV VS EXP	POSITIVE	Page 11
ELECTRIC REVENUES	NEGATIVE	Page 12
HOT TAX FUND REV VS EXP	NEGATIVE	Page 13
HOTEL OCCUPANCY TAX REVENUES	NEGATIVE	Page 14
Legal fees	N/A	Page 15
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of > 5% compared to seasonal trends	

BUDGET SUMMARY OF ALL FUNDS

	FY2020	FY2020	FY2020	
	<u>Approved Budget</u>	<u>Forecast YTD</u>	<u>Actual YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 12,138,091	\$ 10,458,084	\$ 10,811,163	3.4%
Designated	59,710	43,708	57,622	31.8%
Innovation	137,137	16,230	30,114	85.5%
Street Maintenance	248,000	162,333	252,815	55.7%
Debt Service	2,787,826	2,528,945	2,529,619	0.0%
Water/Wastewater	6,214,823	4,960,233	5,017,811	1.2%
Water/Wastewater Debt	1,900,885	1,088,094	1,600,713	47.1%
Water/Wastewater Capital Proj	3,070,000	2,901,669	3,272,984	12.8%
Impact Fees	420,850	345,708	887,916	156.8%
Vehicle & Equipment Replacement	461,692	397,243	436,662	9.9%
Electric	7,126,562	5,494,307	5,202,302	-5.3%
HOT Tax Fund	3,708,456	2,983,100	2,023,477	-32.2%
Library Board	20,550	18,908	25,302	33.8%
Cemetery	106,250	79,708	63,844	-19.9%
Capital Bond Projects	3,349,644	2,870,537	23,948,608	734.3%
Grant Fund	2,863,125	480,000	308,338	-35.8%
Park/Trail Land Dedicaiton	1,000	833	(15,524)	-1963.6%
Hunter's Crossing PID	2,985,224	2,985,224	3,009,988	0.8%
TOTAL REVENUES	\$ 47,599,825	\$ 37,814,864	\$ 59,463,754	57.2%

POSITIVE
WARNING
NEGATIVE

= Positive variance or negative variance < 1% compared to forecast
= Negative variance of 1-5% compared to forecast
= Negative variance of >5% compared to forecast

BUDGET SUMMARY OF ALL FUNDS

	FY2020 <u>Approved Budget</u>	FY2020 <u>Forecast YTD</u>	FY2020 <u>Actual YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 12,141,090	\$ 9,802,046	\$ 9,166,644	-6.5%
Designated	471,950	218,768	6,094	-97.2%
Innovation	978,205	634,400	443,898	-30.0%
Street Maintenance	1,285,345	982,398	700,927	-28.7%
Debt Service	2,790,559	2,523,440	2,507,122	-0.6%
Water/Wastewater	6,182,902	4,969,452	4,908,562	-1.2%
Water/Wastewater Debt	3,870,887	3,676,441	3,374,234	-8.2%
Water/Wastewater Capital Proj.	4,614,323	2,712,182	2,709,718	-0.1%
Impact Fees	732,691	155,650	136,040	-12.6%
Vehicle & Equipment Replacement	356,500	271,611	218,392	-19.6%
Electric	7,714,148	6,052,337	5,609,099	-7.3%
HOT Tax Fund	4,215,966	3,808,023	3,143,731	-17.4%
Library Board	23,453	19,544	4,422	-77.4%
Park Dedication	100,000	-	-	0.0%
Cemetery	118,429	99,774	93,741	-6.0%
Hunter's Crossing PID	3,395,969	3,375,944	3,381,014	0.2%
Capital Projects (Bond)	8,859,185	5,993,447	5,390,075	-10.1%
Grant Fund	2,863,125	718,006	716,493	-0.2%
TOTAL EXPENSES	\$ 60,714,727	\$ 46,013,463	\$ 42,510,206	-7.6%
Surplus/(Shortfall)	\$ (13,114,902)	\$ (8,198,599)	\$ 16,953,548	-306.8%

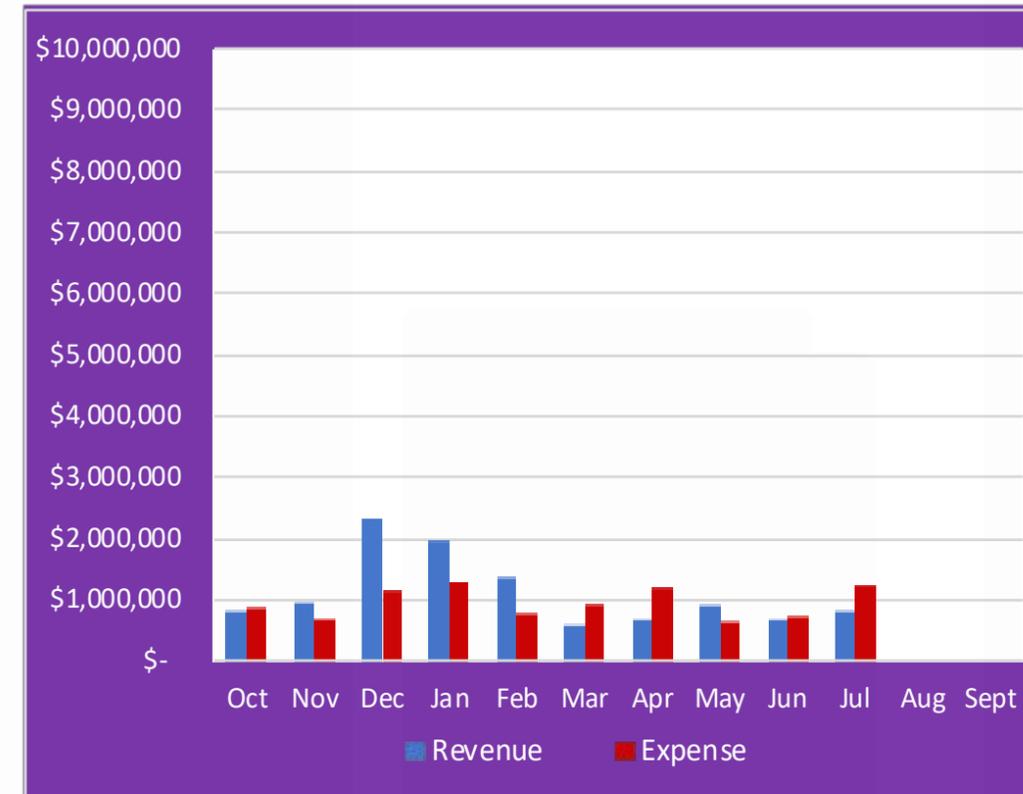
POSITIVE
WARNING
NEGATIVE

= Negative variance or positive variance < 1% compared to forecast
 = Positive variance of 1-5% compared to forecast
 = Positive variance of >5% compared to forecast

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES

Month	FY2020 Revenue	FY2020 Expense	Monthly Variance
Oct	\$ 793,594	\$ 828,778	\$ (35,184)
Nov	927,420	679,143	\$ 248,277
Dec	2,283,803	1,110,497	\$ 1,173,306
Jan	1,909,225	1,242,730	\$ 666,495
Feb	1,341,319	748,546	\$ 592,773
Mar	571,335	897,197	\$ (325,862)
Apr	636,183	1,138,326	\$ (502,143)
May	896,526	603,745	\$ 292,781
Jun	644,665	715,493	\$ (70,828)
Jul	807,093	1,202,188	\$ (395,095)
Aug			\$ -
Sept			\$ -
Total	\$ 10,811,163	\$ 9,166,643	\$ 1,644,520
Cumulative Forecast	\$ 10,458,084	\$ 9,802,046	\$ 656,038
Actual to Forecast \$	\$ 353,079	\$ 635,403	\$ 988,482
Actual to Forecast %	3.38%	6.48%	9.86%



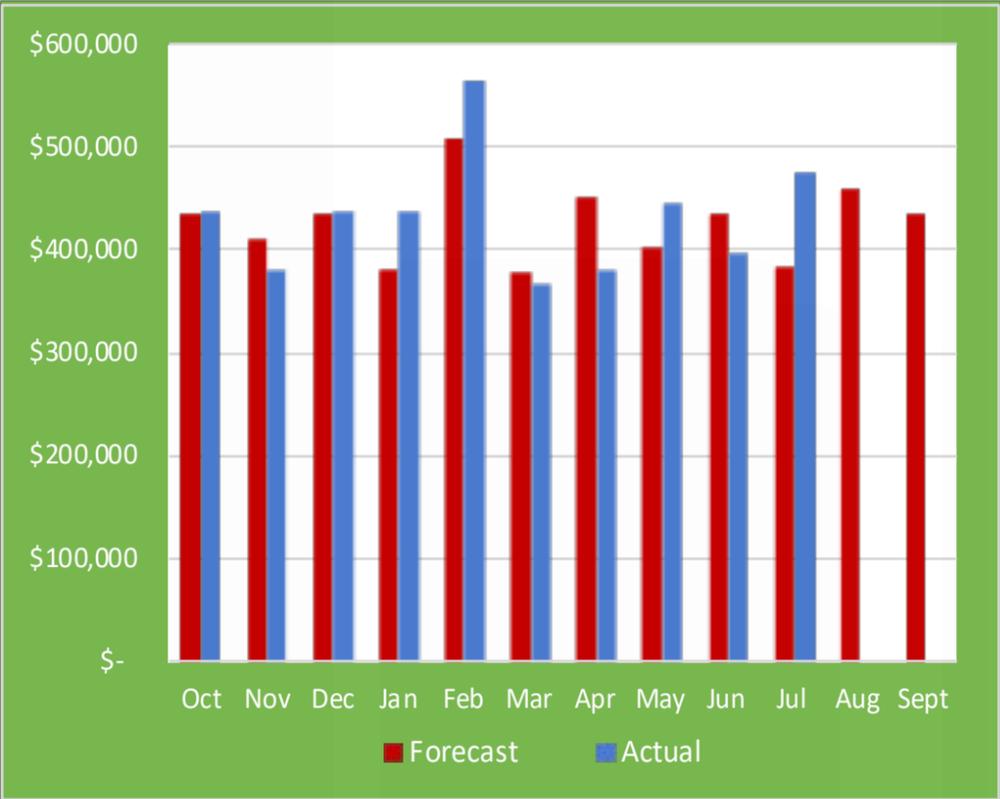
POSITIVE

Cumulatively overall, the General Fund is positive of forecasted by almost 10%. There is salary savings that is attributing to the positive expense variance. Also, departments were asked to only purchase those items that are essential and hold off on any special project expenses. Some contracts are paid out quarterly which is why expenses are higher in Jan., Apr., July, and September.

REVENUE ANALYSIS

SALES TAX REVENUE

Month	FY2020 Forecast	FY2020 Actual	Monthly Variance
Oct	\$ 432,174	\$ 434,511	\$ 2,337
Nov	406,752	378,114	\$ (28,638)
Dec	432,174	434,387	\$ 2,213
Jan	379,029	434,307	\$ 55,278
Feb	505,312	562,560	\$ 57,248
Mar	376,892	364,760	\$ (12,132)
Apr	448,102	379,155	\$ (68,947)
May	400,691	443,237	\$ 42,546
Jun	432,174	394,160	\$ (38,014)
Jul	381,330	471,365	\$ 90,035
Aug	457,596		\$ -
Sept	432,174		\$ -
Total	\$ 5,084,400	\$ 4,296,556	\$ 101,926
Cumulative Forecast	\$ 4,194,630		
Actual to Forecast	\$ 101,926	2.4%	

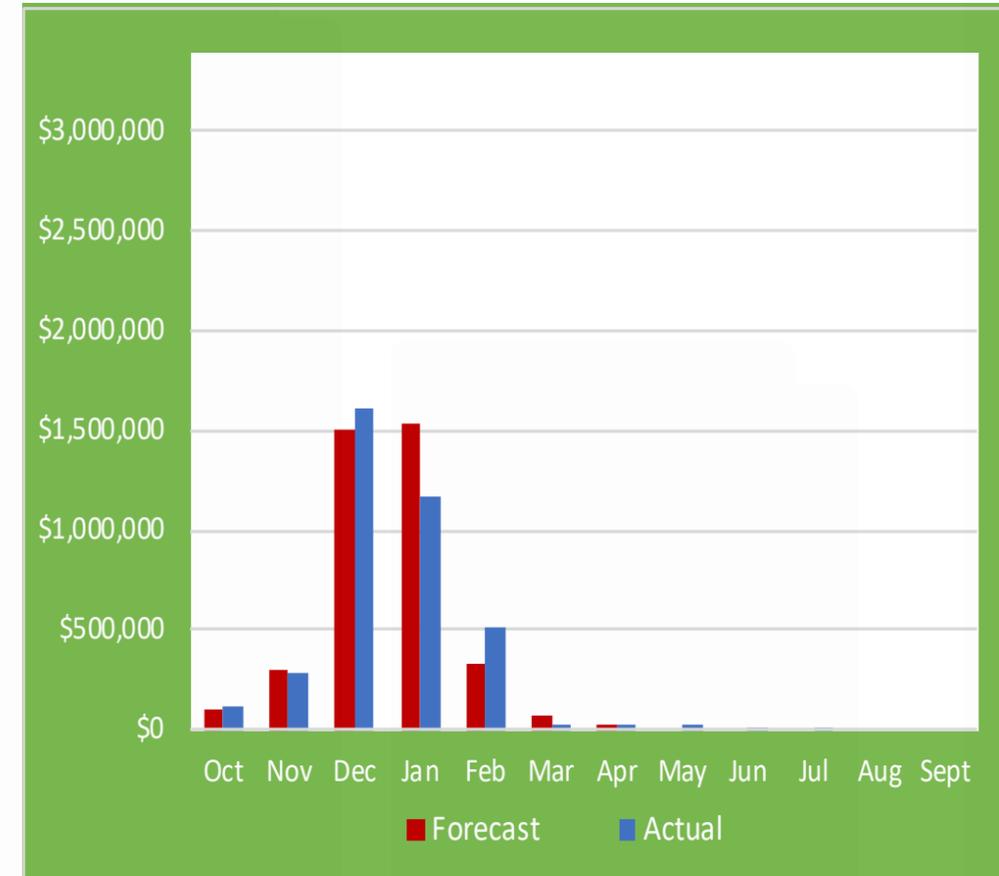


POSITIVE

Sales Tax is 42% of the total budgeted revenue for General Fund. The actual amounts for Oct. and Nov. are estimated due to the State Comptroller's two month lag in payment of these earned taxes. The actual is 2.4% over forecasted. Based on the March tax allocation I have left the original forecasted amounts and will monitor the differences each month to determine if an adjustment is necessary. The year end projection is expected to exceed the budgeted amount.

PROPERTY TAX REVENUE

<u>Month</u>	<u>FY2020 Forecast</u>	<u>FY2020 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 96,182	\$ 110,455	\$ 14,273
Nov	292,365	288,604	\$ (3,761)
Dec	1,500,445	1,610,759	\$ 110,314
Jan	1,538,918	1,175,352	\$ (363,566)
Feb	323,202	516,287	\$ 193,085
Mar	76,946	29,067	\$ (47,879)
Apr	19,236	20,390	\$ 1,154
May	-	17,700	\$ 17,700
Jun	-	14,276	\$ 14,276
Jul	-	15,682	\$ 15,682
Aug	-		
Sept	-		
Total	\$ 3,847,294	\$ 3,798,572	\$ (48,722)
Cumulative Forecast	\$ 3,847,294		
Actual to Forecast	\$ (48,722)	-1.27%	



WARNING

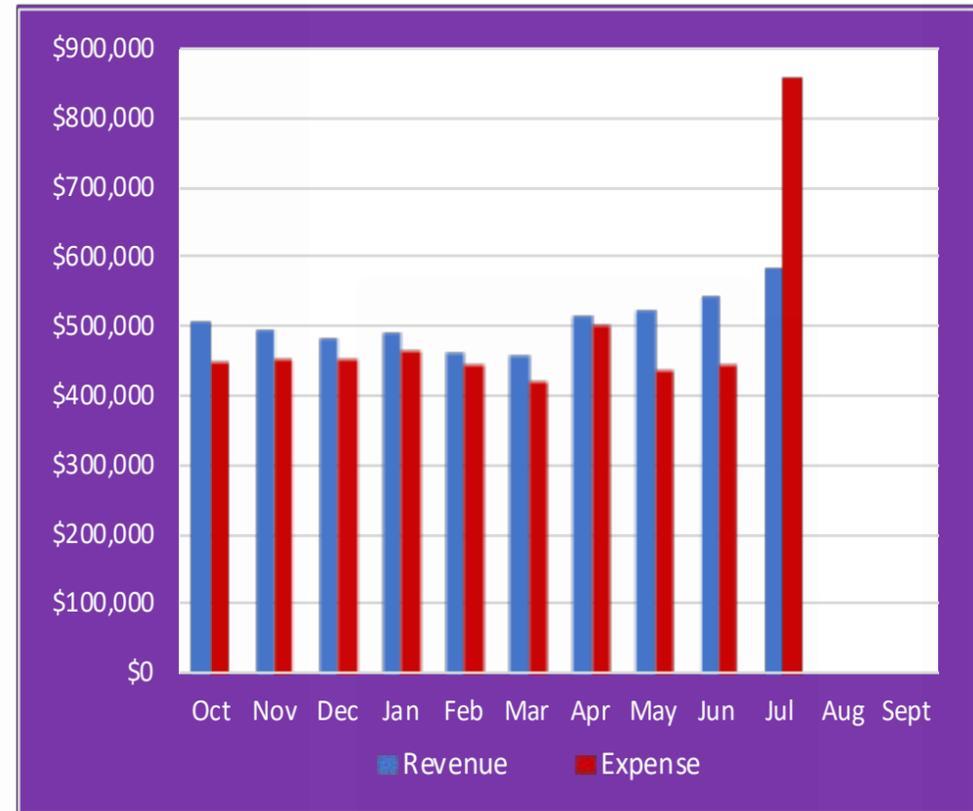
Property tax represents 31% of the total General Fund revenue budget. The actual is short the forecast by less than 1.5%. We have consistently had a 99% collection rate. The City received a supplemental report for Tax Year 2019 in April and it reflected a large decrease in the taxable valuation amount from the certified amounts received in July of 2019. **Due to this decrease it is not likely that we will collect the total amount budgeted.**

COMPREHENSIVE MONTHLY FINANCIAL REPORT – July 2020

OVERALL FUND PERFORMANCE

WATER/WASTEWATER FUND REVENUES VS EXPENSES

<u>Month</u>	<u>FY2020 Revenue</u>	<u>FY2020 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 501,916	\$ 447,250	\$ 54,666
Nov	490,855	449,305	\$ 41,550
Dec	478,735	452,449	\$ 26,286
Jan	485,721	463,689	\$ 22,032
Feb	458,214	442,619	\$ 15,595
Mar	452,776	418,358	\$ 34,418
Apr	511,706	500,931	\$ 10,775
May	518,149	436,064	\$ 82,085
Jun	540,167	443,026	\$ 97,141
Jul	579,571	854,870	\$ (275,299)
Aug			\$ -
Sept			\$ -
Total	\$ 5,017,810	\$ 4,908,561	\$ 109,249
Cumulative Forecast	\$ 4,960,233	\$ 4,969,452	\$ (9,219)
Actual to Forecast \$	\$ 57,577	\$ 60,891	\$ 118,468
Actual to Forecast %	1.16%	1.23%	2.39%



POSITIVE

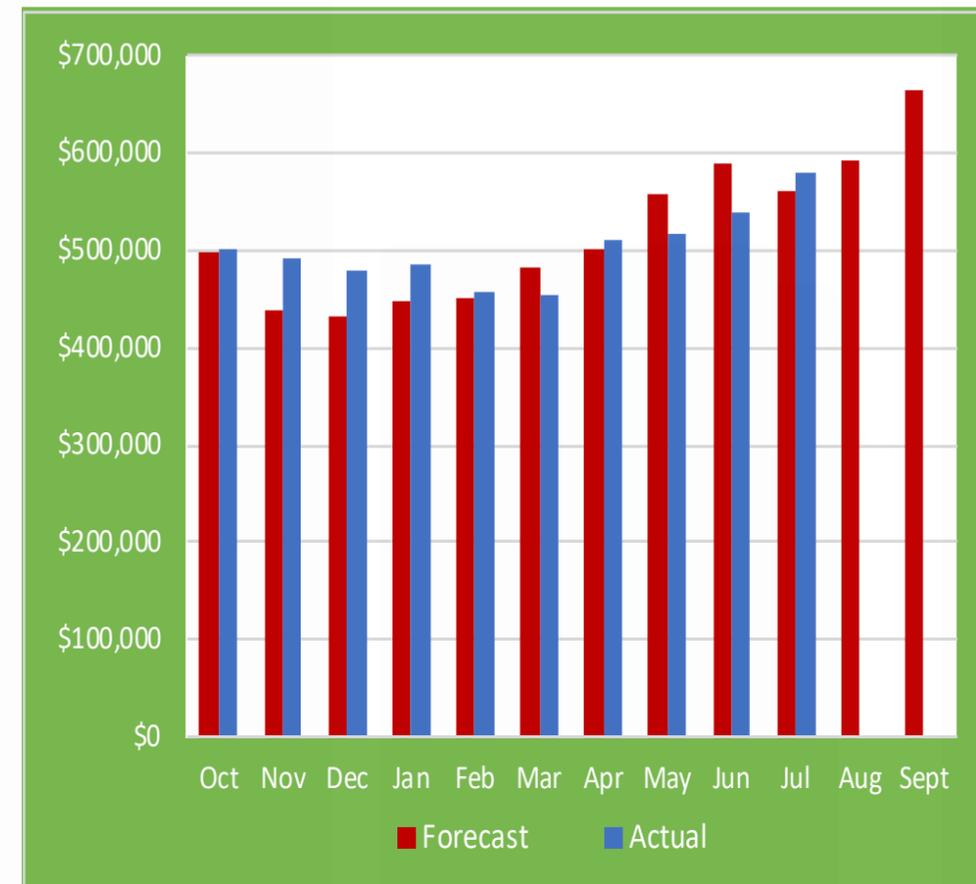
Water and wastewater fund is 2.4% net positive. There are several vacant positions in this fund and revenue is coming in higher than forecasted. July expense is up due to the issuance costs on the \$21M revenue bond closing during this month.

COMPREHENSIVE MONTHLY FINANCIAL REPORT – July 2020

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

<u>Month</u>	FY2020 <u>Forecast</u>	FY2020 <u>Actual</u>	Monthly <u>Variance</u>
Oct	\$ 497,087	\$ 501,916	\$ 4,829
Nov	439,890	490,855	\$ 50,965
Dec	433,509	478,735	\$ 45,226
Jan	447,943	485,721	\$ 37,778
Feb	449,890	458,214	\$ 8,324
Mar	482,653	452,776	\$ (29,877)
Apr	500,346	511,706	\$ 11,360
May	558,717	518,149	\$ (40,568)
Jun	589,533	540,167	\$ (49,366)
Jul	560,665	579,571	\$ 18,906
Aug	591,480		
Sept	663,111		
Total	\$ 6,214,824	\$ 5,017,810	\$ 57,577
Cumulative Forecast	\$ 4,960,233		
Actual to Forecast	\$ 57,577	1.16%	



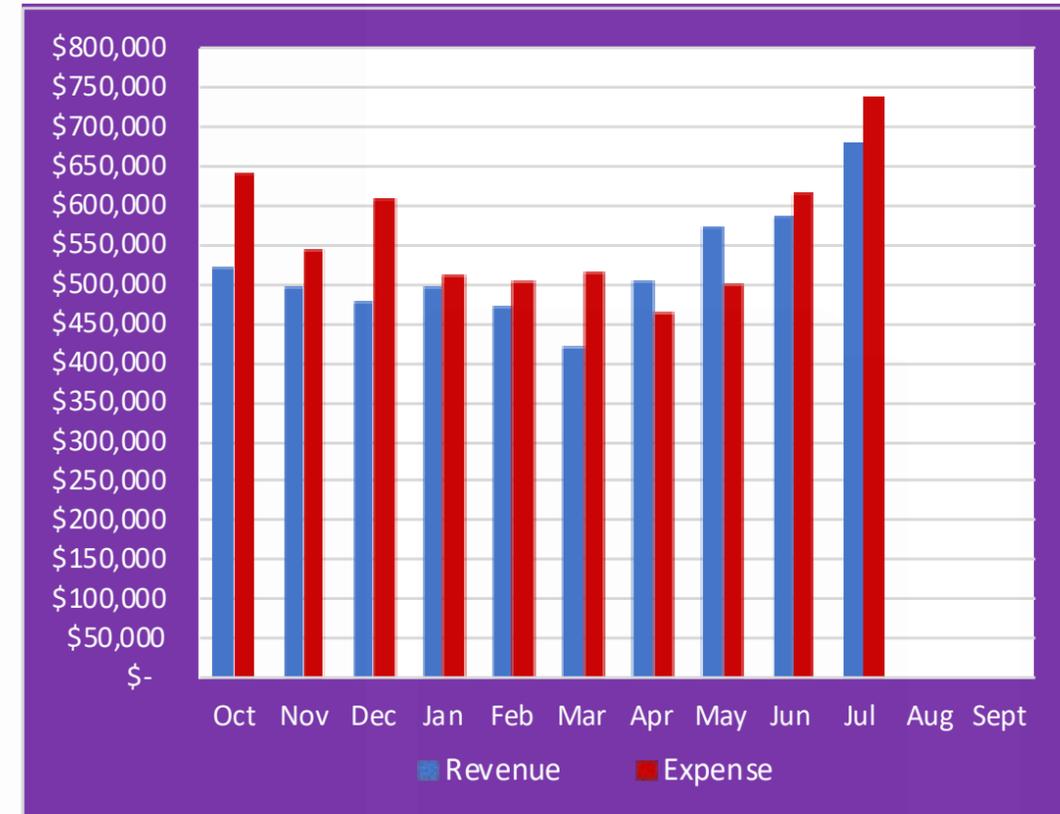
POSITIVE

The water and wastewater actual revenue is higher than forecast by slightly more than 1%. There were 24 new meters set this month, 23 residential and 1 commercial.

OVERALL FUND PERFORMANCE

ELECTRIC FUND REVENUES VS EXPENSES

<u>Month</u>	FY2020 <u>Revenue</u>	FY2020 <u>Expense</u>	Monthly <u>Variance</u>
Oct	\$ 520,687	\$ 637,713	\$ (117,026)
Nov	493,894	541,649	\$ (47,755)
Dec	475,356	604,251	\$ (128,895)
Jan	493,218	507,590	\$ (14,372)
Feb	467,516	501,834	\$ (34,318)
Mar	419,164	510,512	\$ (91,348)
Apr	501,106	461,237	\$ 39,869
May	569,284	497,301	\$ 71,983
Jun	585,177	611,869	\$ (26,692)
Jul	676,900	735,142	\$ (58,242)
Aug			\$ -
Sept			\$ -
Total	\$ 5,202,302	\$ 5,609,098	\$ (406,796)
Cumulative Forecast	\$ 5,494,307	\$ 6,052,337	\$ (558,030)
Actual to Forecast \$	\$ (292,005)	\$ 443,239	\$ 151,234
Actual to Forecast %	-5.31%	7.32%	2.01%



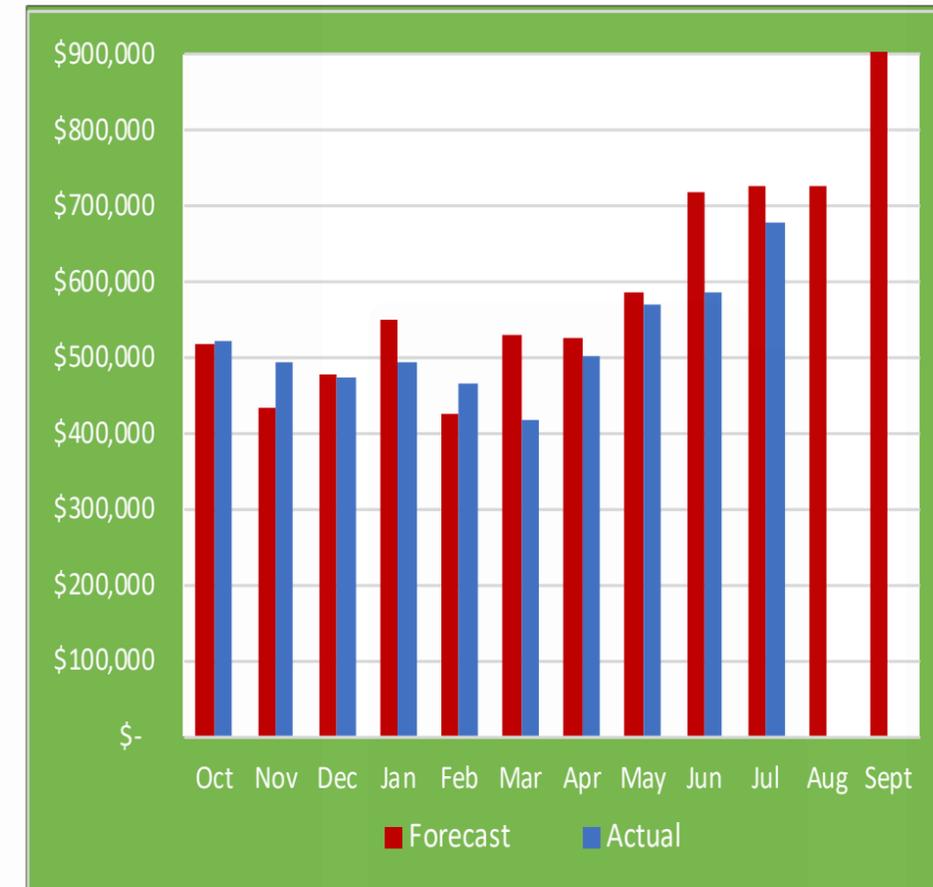
POSITIVE

The Electric utility fund is 3.75% net positive actual to forecast. The expense is higher in October due to budgeted annual transfers that were processed during this month. This budget was approved with expenditures exceeding revenues to utilize available fund balance for capital projects and special projects. Most of these projects have been put on hold due to COVID-19.

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

Month	FY2020 Forecast	FY2020 Actual	Monthly Variance
Oct	\$ 517,966	\$ 520,687	\$ 2,721
Nov	435,450	493,894	\$ 58,444
Dec	477,708	475,356	\$ (2,352)
Jan	551,515	493,218	\$ (58,297)
Feb	425,321	467,516	\$ 42,195
Mar	531,386	419,164	\$ (112,222)
Apr	524,676	501,106	\$ (23,570)
May	585,063	569,284	\$ (15,779)
Jun	719,257	585,177	\$ (134,080)
Jul	725,966	676,900	\$ (49,066)
Aug	725,966		
Sept	906,288		
Total	\$ 7,126,562	\$ 5,202,302	\$ (292,006)
Cumulative Forecast	\$ 5,494,308		
Actual to Forecast	\$ (292,006)	-5.31%	



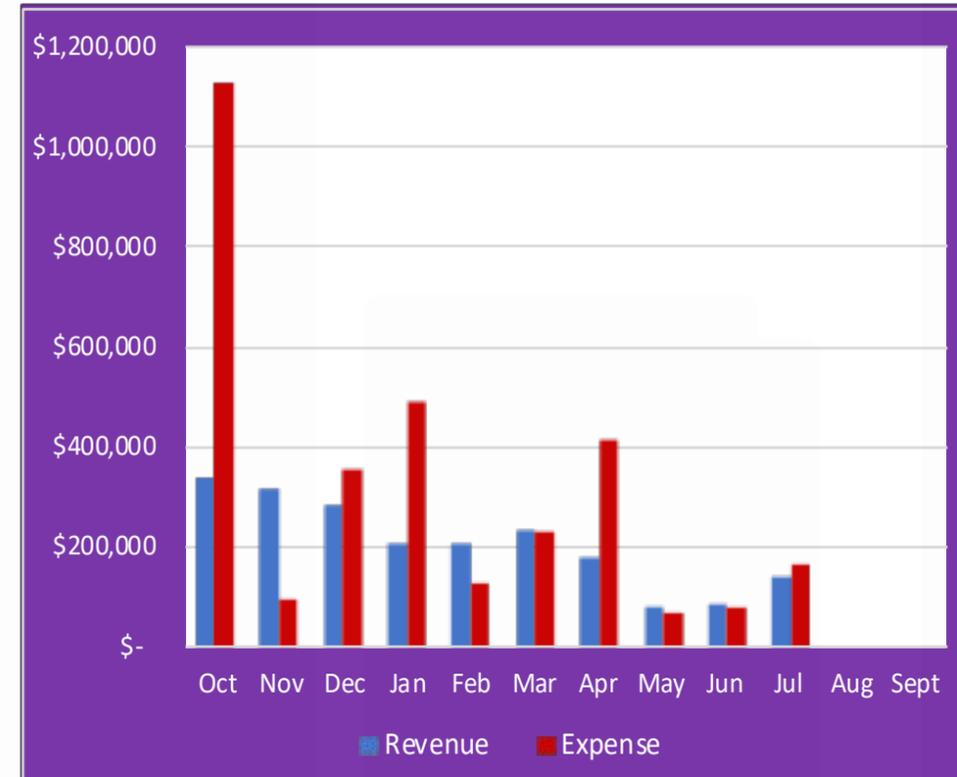
NEGATIVE

The Electric utility revenue is short of forecast by over 5%. There was 8 new meters set this month, 7 residential and 1 commercial. There are several factors for this shortfall. LCRA applied a credit to the power bill that is now being passed through to the customers, creating a lower billed amount than previously forecasted. Also, extension fee revenue is well below forecasted amount.

OVERALL FUND PERFORMANCE

HOT TAX FUND REVENUES VS EXPENSES

<u>Month</u>	<u>FY2020 Revenue</u>	<u>FY2020 Expense</u>	<u>Monthly Variance</u>
Oct	\$ 332,664	\$ 1,120,211	\$ (787,548)
Nov	310,199	92,618	\$ 217,581
Dec	276,054	354,093	\$ (78,039)
Jan	200,031	489,461	\$ (289,430)
Feb	203,616	125,811	\$ 77,805
Mar	228,663	230,499	\$ (1,836)
Apr	174,091	412,556	\$ (238,465)
May	76,187	70,283	\$ 5,904
Jun	83,458	80,999	\$ 2,459
Jul	138,514	167,200	\$ (28,686)
Aug			
Sept			
Total	\$ 2,023,477	\$ 3,143,731	\$ (1,120,255)
Cumulative Forecast	\$ 2,983,100	\$ 3,808,023	\$ (824,923)
Actual to Forecast \$	\$ (959,624)	\$ 664,292	\$ (295,332)
Actual to Forecast %	-32.17%	17.44%	-14.72%



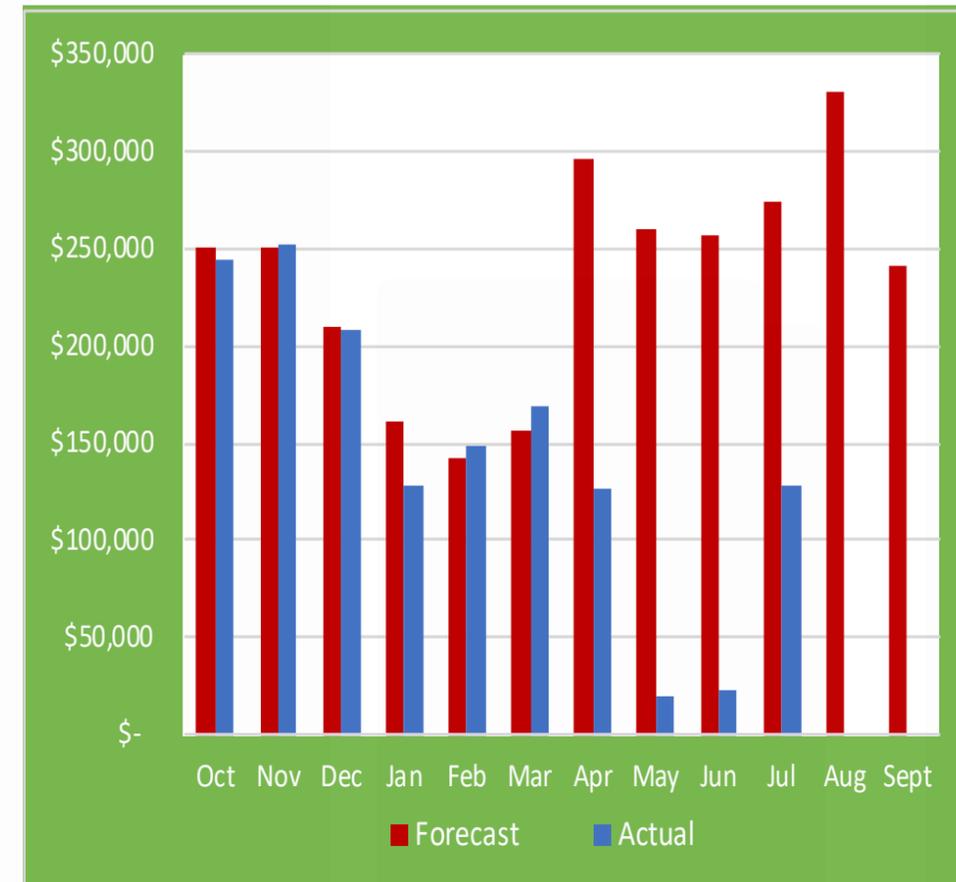
NEGATIVE

The HOT Tax fund is over 14.5% net negative to forecasted. This shortage should level off over the next several months as expenses stay down and revenue increases. The 4th quarter payment to Visit Bastrop will not be paid in July however, the other community assets did receive their quarterly distribution.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

Month	FY2020 Forecast	FY2020 Actual	Monthly Variance
Oct	\$ 250,522	\$ 245,000	\$ (5,522)
Nov	250,672	251,784	\$ 1,112
Dec	209,500	207,571	\$ (1,929)
Jan	161,857	128,943	\$ (32,914)
Feb	142,211	148,161	\$ 5,950
Mar	155,935	168,239	\$ 12,304
Apr	296,690	126,123	\$ (170,567)
May	260,463	19,933	\$ (240,530)
Jun	256,424	23,214	\$ (233,210)
Jul	274,446	128,591	\$ (145,855)
Aug	330,326		
Sept	241,454		
Total	\$ 2,830,500	\$ 1,447,559	\$ (811,161)
Cumulative Forecast	\$ 2,258,720		
Actual to Forecast %	\$ (811,161)	-35.9%	



NEGATIVE

So far YTD we are almost 36% negative actual to forecast. **The Hotel Tax revenue YTD is \$837,056 less than same time last year.** This shortage can be attributed to the Hyatt Lost Pines closure and lower than normal occupancy due to COVID-19.

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT – July 2020

FIRM	CASE	FY17-18	FY18-19	FY19-20
BUNDREN				
	Pine Forest Interlocal	\$ 26,612	\$ 6,195	\$ 1,298
TERRELL LAW FIRM				
	Water permit	\$ 135	\$ -	\$ -
BOJORQUEZ LAW FIRM				
	General legal	\$ 245,168	\$ 432,931	\$ 157,779
	COVID-19	\$ -	\$ -	\$ 8,687
	Vandiver	\$ 5,079	\$ 1,857	\$ -
	Pine Forest Interlocal	\$ 10,116	\$ -	\$ 1,275
	Prosecutor	\$ 19,633	\$ 23,358	\$ 11,177
	Water/Wastewater	\$ 18,425	\$ 46,721	\$ 34,885
MULTIPLE FIRMS				
	Hunters Crossing PID	\$ -	\$ -	\$ 7,378
	XS Ranch Bankruptcy	\$ 11,770	\$ -	\$ -
RUSSEL RODRIGUEZ HYDE				
	XS Ranch Water Right	\$ 27,965	\$ 6,204	\$ 3,355
	Hunters Crossing PID	\$ 83,524	\$ 89,899	\$ 8,344
	Water/Wastewater	\$ 910	\$ -	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM, LLP				
	Red Light Camera Sui	\$ 2,124	\$ 717	\$ 64
	Total Legal	\$ 451,460	\$ 607,881	\$ 234,241

Summary by Case/Type

Row Labels	Sum of FY17-18	Sum of FY18-19	Sum of FY19-20
General legal	\$ 245,168	\$ 432,931	\$ 157,779
Hunters Crossing PID	\$ 83,524	\$ 89,899	\$ 15,722
Pine Forest Interlocal	\$ 36,728	\$ 6,195	\$ 2,573
Prosecutor	\$ 19,633	\$ 23,358	\$ 11,177
Red Light Camera Suit	\$ 2,124	\$ 717	\$ 64
Vandiver	\$ 5,079	\$ 1,857	\$ -
Water permit	\$ 135	\$ -	\$ -
Water/Wastewater	\$ 19,335	\$ 46,721	\$ 34,885
XS Ranch Bankruptcy	\$ 11,770	\$ -	\$ -
XS Ranch Water Rights	\$ 27,965	\$ 6,204	\$ 3,355
COVID-19	\$ -	\$ -	\$ 8,687
Grand Total	\$ 451,460	\$ 607,881	\$ 234,241



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 7

TITLE:

CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone wishing to address the Council, must complete a citizen comment form with comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on September 8, 2020. Submitted comments will be read aloud at the meeting. Comments from each individual will be limited to three (3) minutes when read aloud. 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 Manager for research and possible future action.

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: September 8, 2020

AGENDA ITEM: 8A

TITLE:

Consider action to approve City Council minutes from the August 25, 2020 Regular meeting and August 26, 2020 Board Interviews meeting.

STAFF REPRESENTATIVE:

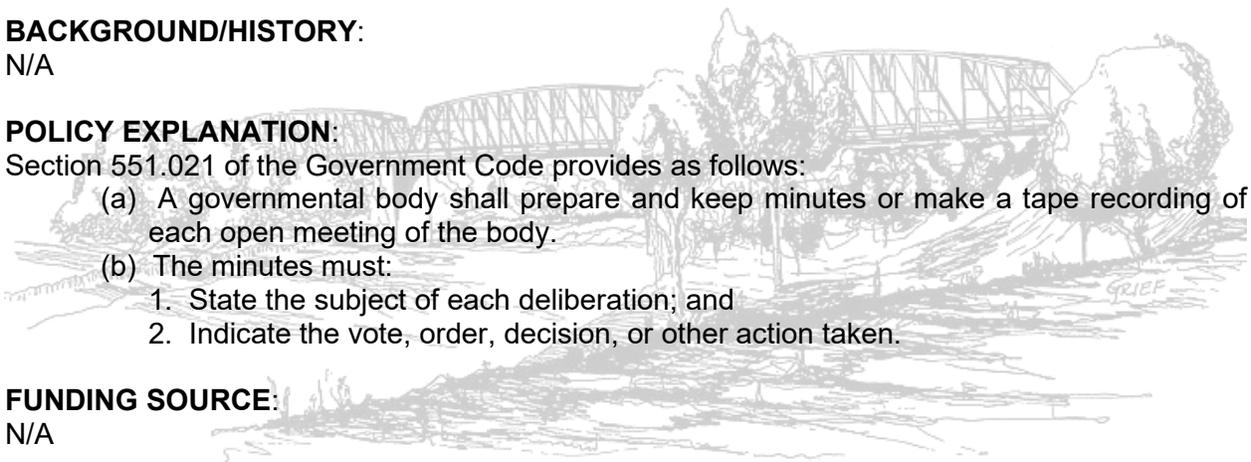
Paul A. Hofmann, City Manager
Ann Franklin, City Secretary

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:

Recommend approval of the City Council minutes from the August 25, 2020 Regular meeting and August 26, 2020 Board Interviews meeting.

ATTACHMENTS:

- August 25, 2020, DRAFT Regular Meeting Minutes.
- August 26, 2020, DRAFT Board Interviews Meeting Minutes.

August 25, 2020

The Bastrop City Council met in a Regular Meeting on Tuesday, August 25, 2020, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members physically present were: Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Ennis, Peterson, and Rogers. Council Member Jackson was present via video. Officers physically present were City Manager, Paul A. Hofmann; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE**INVOCATION**

Chaplain Bob Long, gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report
- 4D. Proclamation of the City Council of the City of Bastrop, Texas recognizing the month of September, 2020 as National Preparedness Month.
The proclamation was read into record by Mayor Schroeder.

WORK SESSION/BRIEFINGS

- 5A. Receive and discuss recommendations from the Actuarial Analysis of the Fairview Cemetery Perpetual Care Fund.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 5B. Receive an update regarding the results of the pilot program to provide traffic calming on Wilson Street.
Presentation was made by Assistant City Manager, Trey Job.
- 5C. Annual review of the Financial Management Policy by City Council.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 5D. Annual review of the Purchasing Policy by City Council.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 5E. Annual review of the Purchasing Card Policy by City Council.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 5F. Receive and discuss questions from Council regarding FY 2020-2021 Proposed Budget.
Presentation was made by Chief Financial Officer, Tracy Waldron.

Mayor Schroeder recessed the Council Meeting at 8:18 p.m.

Mayor Schroeder called the Council Meeting back to order at 8:24 p.m.

STAFF AND BOARD REPORTS

- 6A. Discuss developing a plan for the Rodeo Arena at Mayfest Park.
Presentation was made by Assistant City Manager, Trey Job.

CITIZEN COMMENT (Statement was read into record by Mayor Connie Schroeder)

**Josh Gordon
1911 Main St.
512-636-8259**

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Items 8A, and 8B as listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the August 11, 2020, Regular meeting; August 13, 2020, Joint City Council and Visit Bastrop Board of Directors meeting; and August 18, 2020, Council Budget Workshop.
- 8C. Consider action to approve the second reading of Ordinance No. 2020-24 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2020 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.

CONSENT DISCUSSION ITEM

- 8B. Consider action to approve the second reading of Ordinance No. 2020-23 of the City Council of the City of Bastrop, Texas approving the updated service plan, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a fiscal year 2021 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunters Crossing Local Government Corporation and providing for an effective date.
A motion was made by Council Member Ennis to approve Ordinance No. 2020-23, seconded by Council Member Rogers, motion was approved on a 4-0-1 vote. Mayor Pro Tem Nelson recused himself.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9C. Consider action to approve the first reading of Ordinance No. 2020-26 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2020 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move

to include on the September 8, 2020 City Council consent agenda for a second reading.

Presentation was made by Cameron Cox, Executive Director of Bastrop Economic Development Corporation.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2020-26, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9A. Consider and adopt on first and final reading Ordinance No. 2020-25 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety. **Mayor Schroeder did not approve any Emergency Orders since the last Council meeting.**

- 9B. Consider action to approve Resolution No. R-2020-74 of the City Council of the City of Bastrop, Texas to approve grant administration service providers to provide grant writing services for a complete application and project implementation for grant projects, including but not limited to the Department of Agriculture Texas Community Development Block Grant Program, to include Downtown Revitalization of Water Street; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant City Manager, Trey Job.

A motion was made by Council Member Rogers to approve Resolution No. R-2020-74, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2020-75 of the City Council of the City of Bastrop, Texas, establishing the boundaries of the Historic Downtown/Commercial District of the City for purposes of applying for financial assistance from the Texas Department of Agriculture's Texas Capital Fund - Downtown Revitalization Program; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant City Manager, Trey Job.

A motion was made by Council Member Ennis to approve Resolution No. R-2020-75, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2020-76 of the City Council of the City of Bastrop, Texas, finding that conditions exist within the designated historic downtown/commercial district of the city which are detrimental to the public health, safety and welfare of the community and, therefore, are declared to constitute a slum/blighted area.; providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant City Manager, Trey Job.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2020-76, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 9:13 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Sections 551.071 and 551.072 of the Texas Government Code to deliberate the acquisition of property associated with Fairview Cemetery.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072, to seek the advice of legal counsel, and to deliberate upon the acquisition of real property interests associated with the construction of Wastewater Treatment Plant #3 at 385 SH 304, Unit B, Bastrop, TX 78602, and its collections systems, including all related agreements, authorizations, easements, resolutions, and associated legal actions.

The Bastrop City Council reconvened at 10:20 p.m. into open (public) session.

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

- 10A. City Council shall convene into closed executive session pursuant to Sections 551.071 and 551.072 of the Texas Government Code to deliberate the acquisition of property associated with Fairview Cemetery.
A motion was made by Council Member Ennis directing the City Manager to have an appraisal done on the property associated with Fairview Cemetery in anticipation of making an offer, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

ADJOURNMENT

Adjourned at 10:20 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on September 8, 2020, by Council Member motion, Council Member second. The motion was approved on a vote.

**MINUTES OF SPECIAL BUDGET WORKSHOP
AUGUST 26, 2020**

The Bastrop City Council met on Tuesday, August 26, 2020 at 6:00 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 Ennis, Rogers and Peterson.

CALL TO ORDER

At 6:00 p.m. Mayor Schroeder called the meeting to order with a quorum being present. Council Member Jackson was absent.

CITIZEN COMMENTS – NONE

ITEMS FOR INDIVIDUAL CONSIDERATION

2A. Conduct board and commission interviews for the following boards and commissions.

- Bastrop Arts In Public Places
 - Bastrop Housing Authority
 - Board of Zoning and Adjustment/Sign Review Board
 - Construction Standards Board
 - Economic Development Corporation Board
 - Ethics Commission
 - Fairview Cemetery Advisory Board
 - Historic Landmark Commission
 - Hunters Crossing Local Government Corporation
 - Public Library Board
 - Main Street Program Advisory Board
 - Parks Board/Public Tree Advisory Board
 - Planning & Zoning Commission
- Board and commission interviews were conducted.**

ADJOURNMENT

Mayor Schroeder adjourned the Bastrop City Council meeting at 7:31 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on September 8, 2020, by motion, Council Member second. The motion was approved on a vote.



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 8B

TITLE:

Consider action to approve the second reading of Ordinance No. 2020-26 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2020 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The FY2020 budget was approved by City Council on September 24, 2019. Since that approval, the Economic Development Corporation (EDC) made the following amendment:

Budget Amendment #1: Economic Development Corporation-Expenditures

The EDC passed Resolution R-2020-0018 on July 20, 2020 to amend their FY2020 budget to allocate \$1,120,000 from reserve funds to provide the remaining funding for the 921 Main Street project.

POLICY EXPLANATION:

The Texas Local Government Code Sec. 501.073 states the corporation's authorizing unit (the city) will approve all programs and expenditures of a corporation.

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

FUNDING SOURCE:

EDC

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2020-26 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2020 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date.

ATTACHMENTS:

- Ordinance 2020-26
- Exhibit A
- EDC Resolution R-2020-0018

ORDINANCE NO. 2020-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP ECONOMIC DEVELOPMENT BUDGET FOR THE FISCAL YEAR 2020 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2020; and

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

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

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2020, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2020.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

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

READ and APPROVED on First Reading on the 25th day of August 2020.

READ and ADOPTED on Second Reading on the 8th day of September 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

Budget Amendment #1: Economic Development Corporation-Expenditures

FY 2020 Budget Book (Page 314)

Original Budget as previously Amended	\$ 5,833,898
Real Property (601-70-00-5649)	<u>\$ 1,120,000</u>
New Total Expenditure	\$6,953,898

This amendment is using available reserve funds to allocate \$1,120,000 from reserve funds for the additional funds necessary to complete the 921 Main Street project. With this amendment the projected ending fund balance as of 9/30/2020 will be \$2,688,998.

A RESOLUTION OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING AND REQUESTING APPROVAL OF AN AMENDMENT TO THE BASTROP ECONOMIC DEVELOPMENT CORPORATION'S FY 2019/2020 ANNUAL BUDGET TO ALLOCATE \$1,120,000 FROM RESERVE FUNDS FOR THE ESTIMATED COSTS TO COMPLETE THE PROJECT AT 921 MAIN STREET, AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE ALL NECESSARY PAPERWORK, AND ESTABLISHING 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 Texas 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, in May, June, and July 2019, the BEDC approved Resolutions R-2019-0006, R-2019-0007 and R-2019-0015 authorizing the BEDC to build a two-story and approximately 9,000-square-foot commercial building at 921 Main Street in the amount of \$1,800,000 to be financed with a loan from Roscoe State Bank, with approximately \$377,072 of the \$1.8M being paid from BEDC reserve funds; and

WHEREAS, on January 27, 2020, the BEDC approved Resolution R-2020-03 authorizing Sabre Commercial to construct the commercial building at 921 Main Street with a guaranteed maximum price bid to complete the scope of the project at \$2,400,000; and

WHEREAS, the total estimated cost of the Project at 921 Main Street is \$2,920,000, which includes \$557,233.65 paid to designers, engineers, architects, suppliers and laborers directly by the BEDC to complete the project timely, thereby requiring a \$1,120,000 budget amendment to the BEDC's FY 2019/2020 Annual Budget approved on August 19, 2019, which was subsequently adopted and authorized by the City of Bastrop City Council; and

WHEREAS, the FY 2019/2020 Annual Budget only included \$377,072 in out-of-pocket costs for the 921 Main Street Project, but did not include this additional \$1,120,000, which requires the funding to be allocated from BEDC's reserve funds; and

WHEREAS, the FY 2019/2020 Annual Budget must be amended to allocate this \$1,120,000 in reserve funds to provide the remaining funds to complete the 921 Main Street Project; 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 BEDC Board agrees to fund the remaining costs of the 921 Main Street Project in the total amount of the Project costs of \$2,920,000.

SECTION 3. The Board approves an amendment to the FY 2019/2020 Annual Budget to allocate funds from the BEDC Reserve Fund Balance Account in the amount of \$1,120,000 to the appropriate BEDC account, to be determined by the City of Bastrop's Chief Financial Officer (the "Budget Amendment").

SECTION 4. 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 5. The Chief Executive Officer is hereby authorized and directed to prepare any instruments reasonably necessary to fulfill the intent expressed herein.

SECTION 6. This Resolution is effective upon passage.

DULY RESOLVED AND ADOPTED on this 20th day of July 2020 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



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 8C

TITLE:

Consider action to approve Resolution No. R-2020-82 of the City Council of the City of Bastrop, Texas, authorizing the submission of a community development Block Grant-Mitigation Project application to the General Land Office; and authorizing the City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development & Revitalization Program; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:

The United States Department of Housing and Urban Development (HUD) allocated \$4,297,189,000 in Community Development Block Grant (CDBG) - Mitigation (MIT) funds to the state of Texas through their notice published in the Federal Register, 84 FR 45838 (August 30, 2019). The Texas General Land Office (GLO) has been designated by Governor Greg Abbott to administer CDBG-MIT funds on behalf of the state of Texas.

The City of Bastrop selected Langford Community Services as the grant administrator on June 9, 2020. Tonight, the resolution before Council will authorize Langford to submit for applications for multiple projects such as Gills Branch flood mitigation project being designed by Half Associates.

POLICY EXPLANATION:

In the past the City of Bastrop City Council has encouraged staff to find new funding sources to promote fiscal sustainability, protect the public health and life safety.

FUNDING SOURCE:

The funding for the project will be part of the FY 21/22 budget discussion.

RECOMMENDATION:

Assistant City Manager Trey Job recommends approval of Resolution No. R-2020-82 of the City Council of the City of Bastrop, Texas, authorizing the submission of a community development Block Grant-Mitigation Project application to the General Land Office; and authorizing the City Manager to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development & Revitalization Program; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2020-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT- MITIGATION PROJECT APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of City desires to develop a thriving, viable community, strengthen infrastructure, provide a suitable living environment, and expand economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of City of Bastrop to apply for funding under the Community Development Block Grant Mitigation Program;

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

Section 1: That a Community Development Block Grant Program application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development Block Grant - Mitigation Program; and.

Section 2: That the application be for the CDBG-MIT Program through the Competition or Method of Distribution Application program to carry out Infrastructure Activities; and

Section 3: That the grant amount be up to the maximum allowed by the CDBG-MIT program and may include a minimum one percent (1%) match; and

Section 4: That the City Council designates the City Manager as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Community Development & Revitalization Grant Program.

Section 5: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September, 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9A

TITLE:

Consider and adopt on first and final reading Ordinance No. 2020-25 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

BACKGROUND/HISTORY

A declaration of local disaster and public health emergency includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, prevent the spread of the disease, and promote the health and safety of individuals in the City of Bastrop; and

POLICY EXPLANATION:

On March 16, 2020 the City Council Confirmed a Declaration of Disaster due to the novel coronavirus (COVID-19). Within that declaration the mayor is granted the authority to take extraordinary measures to protect the health and safety of the citizens of Bastrop.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider and adopt on first and final reading Ordinance No. 2020-25 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.

ATTACHMENTS:

- Ordinance No. 2020-25
- Emergency order of the Mayor

EMERGENCY ORDINANCE 2020-25

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CONFIRMING AND RATIFYING THE EMERGENCY ORDERS ISSUED BY THE MAYOR AS THE EMERGENCY MANAGEMENT DIRECTOR, AS DESCRIBED IN EXHIBIT A; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, ENFORCEMENT, AND PENALTY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a State of Disaster for all counties in Texas, and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 16, 2020, the Mayor issued a Declaration of Local Disaster to allow the City of Bastrop to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Bastrop residents; and

WHEREAS, Section 418.108 of the Texas Government Code provides that a declaration of local disaster activates the City's Emergency Management Plan; and

WHEREAS, in furtherance of the declaration of local disaster, the Mayor issued certain orders pursuant to Chapter 418 of the Texas Government Code; and

WHEREAS, Section 3.15(b) of the Bastrop City Charter allows the City Council to adopt an emergency ordinance relating to the immediate preservation of the public peace, health or safety, and such emergency ordinances shall take effect immediately upon adoption and execution without a second consideration; and

WHEREAS, Section 54.001 of the Texas Local Government Code generally provides the maximum penalties for violations of municipal ordinances, rules, or police regulations; and

WHEREAS, Section 418.173 of the Texas Government Code provides that a local emergency management plan may provide that failure to comply with the plan or with a rule, order, or ordinance adopted under the plan is an offense punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days; and

WHEREAS, the City Council of the City of Bastrop, Texas, finds it reasonable and necessary for the protection of the health and safety of the residents of the City of Bastrop to confirm and ratify the orders issued by the Mayor pursuant to Chapter 418 of the Texas Government Code, as described in **Exhibit A**; and

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

SECTION 1. FINDINGS OF FACT: The foregoing recitals are incorporated into this Emergency Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. CONFIRMATION & RATIFICATION: The City Council of the City of Bastrop, Texas, in accordance with the authority vested in the governing body of the City of Bastrop, Texas, by Section 418.108 of the Texas Government Code, hereby confirms and ratifies the emergency orders issued by the Mayor in furtherance of the declaration of local disaster, as described in **Exhibit A**.

SECTION 3. PUBLIC NOTICE: The City Secretary is hereby directed to give prompt and general publicity to this Emergency Ordinance.

SECTION 4. CONFLICTS: In the case of any conflict between other provisions of this Emergency Ordinance and any existing Ordinance of the City, the provisions of this Emergency Ordinance will control.

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

SECTION 6. ENFORCEMENT: The City shall have the power to administer and enforce the provisions of this Emergency Ordinance as may be required by governing law. Any person violating any provision of this Emergency Ordinance violates Section 1.08.011 of the Bastrop City Code. In accordance with Section 418.173 of the Texas Government Code, a violation is a misdemeanor punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days. Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 7. EFFECTIVE DATE: In accordance with Section 3.15(b) of the Bastrop City Charter, this Emergency Ordinance shall be *effective immediately* upon passage.

SECTION 8. OPEN MEETING: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

READ, ACKNOWLEDGED & APPROVED on the First & Final Reading on this, the 8th day of September 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit A

CITY OF BASTROP - PHASED REOPENING PLAN - AMENDMENT #2 - JULY 14, 2020

	Phase 1	Phase 2	Phase 3	Phase Out
Dates	Monday, June 15, 2020	Monday, June 22, 2020	To Be Determined	To Be Determined
City Facilities	City Facilities and buildings prepare for re-opening to public. All City Facilities will remain closed to public.	Police Department, Public Works, Water Department, and Municipal Court will open lobbies to normal hours with safety guidelines. Telephone interaction and online services still highly encouraged. No outside reservation of city facilities.	City Hall lobby and Fire Stations open to normal operations with safety guidelines in place.	No facility restrictions but safety guidelines will be in place. Allow outside reservations and in-person activities resume. <i>Senior Activity Center to open with restrictions.</i>
Public Meetings	Non- Essential meetings of City Boards, Commissions, and advisory groups conducted virtually or in person with social distancing.	No changes from Phase One public meetings. City Council meeting online. Council Chambers will be closed to public.	In-Person City meetings resume with safety guidelines in place.	Resume regular meeting practices with consideration to further digital enhancements for increased participation.
Special Events / Convention Center	No special events. Convention Center remains closed.	No changes from Phase One special events. Convention Center remains closed.	Special Events application process open for submittal. No Special Events permits issued without approval from City Manager and Emergency Management Coordinator. Convention Center is open for bookings and events with approval from City Manager and Emergency Management Coordinator. All Special Events and Convention Center bookings must submit an Health and Safety Plan with application.	Special Events and Convention Center open to normal operations with increased safety guidelines in place.
Library	Library will continue curbside service and online programing.	Library remains closed for normal use. Computer use allowed by appointment.	Library will open to public with no programing continuing online.	Library open to normal operations with increased safety guidelines in place.
Parks	Open Sports Fields (Basketball courts, Tennis/Pickle Courts), Bark Park is open to public usage. Encourage gatherings less than 10 and follow safety guidelines. No park rentals.	Open Splash Pad, park bathrooms, and playscapes with increased safety guidelines. Pavilion open for use with no park rentals.	No changes from phase two. Continue to encourage use of safety guidelines. Park rentals taking booking for future use.	Parks fully open with continued safety guidelines. Allow for park rentals.
Municipal Court	Municipal Court lobby is closed to public. Telephone and online services available. Outside dropbox available for after hour drop off.	Municipal Court will open lobbies to normal hours with safety guidelines. Telephone interaction and online services still highly encouraged.	No changes from Phase two.	Resume normal Municipal Court operations. Excludes any jury trials. (Will resume at later date)
City Employee Impacts	Employee working hours are determined by supervisors. Employees directed to not report to work if they are sick or show symptoms of illness. Virtual and/or telephone meetings are encouraged. Practice social distancing, greet without contact, wear a mask when unable to maintain 6 feet distance when in the presence of public. Supervisors will ensure supply of PPE and hand sanitizers are available.	No changes from Phase One employee impacts.	No changes from Phase One employee impacts.	Employees to continue to follow work guidance from previous phases. Continue to provide PPE and encourage continued hand washing/sanitizing.
City Safety Measures	Install protective screens at public counter space. Add additional hand sanitizing stations throughout City facilities. Temperature taken when entering City Facilities. Clean and disinfect common areas and frequently touched surfaces.	Phase one safety measures continued with the addition of Council Chambers safety guidelines. Practice social distancing, greet without contact, wear a mask when unable to maintain 6 feet distance. Encourage the use of mask until social distancing can be maintained. Hand sanitizer is encouraged with attending public meetings. Limited occupancy of public meetings to maintain distances.	Phase one and two safety measures continued at opened facilities.	No facility restrictions, but appropriate PPE and safety guidelines must be followed. Post CDC and City guidelines on all public enter/exit points.
Emergency Readiness Level	1	2	3	4

Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. This phased approach is subject to change as necessary based on current conditions and to follow Local, State, and Federal Guidelines.



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9B

TITLE:

Consider action to approve Resolution No. R-2020-58 of the City of Bastrop, Texas amending the City Council Rules of Procedure attached as Exhibit A; establishing a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

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

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

POLICY EXPLANATION:

On June 23, 2020, City Council reviewed their Rules of Procedure during a Work Session and recommended several changes to reflect current practices. Those substantive changes are as follows:

- **Changed title of document to include Boards & Commissions:** Rules of Procedure for the City Council and Boards & Commissions of the City of Bastrop, Texas.
- **Section 2.1 Construction of Authority.** Amended language to correct the spelling of statutes.
- **Section 2.6 Emergency Meetings:** Recently approved SB 494 changes the time requirement for posting an emergency meeting from two (2) hours to one (1) hour effective September 1st. Therefore, this document will allow two hours through August 30, 2019. Effective September 1, 2019, the document will reflect state law.
- **Section 2.7 Workshops (Work Session):** Amended language to address HB 2840. Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.
- **Section 2.8 Executive Session:** Amended language to ensure flexibility when opting to go into executive session.
- **Section 2.11 Conflict of Interest:** Amended language to reflect the Code of Ethics’ requirement that discussion not be held by a person with a conflict during or outside of meetings.

- **Section 2.13 Minutes of Meetings:** Amended language to acknowledge that Staff Liaisons will take minutes of proceedings of the various Boards & Commissions and provide them to the City Secretary as Records Custodian.
- **Section 3.2 (9) Vote:** Amended language clarifying that recusals do not have to be approved by the remainder of the Council.
- **Section 3.9 Courtesy, Decorum and Order:** Amended language regarding citizens' right to address agenda items during a meeting.
- **Section 3.11 Audience Disruptions:** Amended language clarifying the state law violations that occur when someone disrupts a public meeting.
- **Section 4.4 Presentations:** Amended language restricting certain types of proclamations and resolutions from being placed on the agenda.
- **Section 4.5 Work Session/Briefings:** Amended language to address HB 2840. Citizen comments and questions will be considered at the end of the prepared presentation and after Council has asked questions.
- **Section 4.7 Citizen Comments:** Amended language to state the audience can speak on any topic not on the agenda. In addition, added language to state request cards can be completed prior to the meeting and online at www.cityofbastrop.org from the time the Council agenda is posted online until the start of the Council meeting.
- **Section 5.3 Rules Governing Citizen Comments.** Amended language allowing for online submissions and restrictions on citizen use of A/V equipment.
- **Article 6 Council Liaisons to Boards and Commissions:** Added Hunters Crossing Local Government Corporation to the list of boards exempt from having Council Liaisons since Council Members serve on the board. In addition, Council Liaisons are asked to make every effort to attend, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison.

RECOMMENDATION:

Recommend approval of Resolution No. R-2020-58 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2020-58
- Revised Rules of Procedure

RESOLUTION NO. R-2020-58

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

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

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

WHEREAS, the City Council discussed the proposed Rules of Procedure during a work session held on June 23, 2020 and recommended amending the City Council Rules of Procedures to make several changes that reflect current practices.

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

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

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September, 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

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

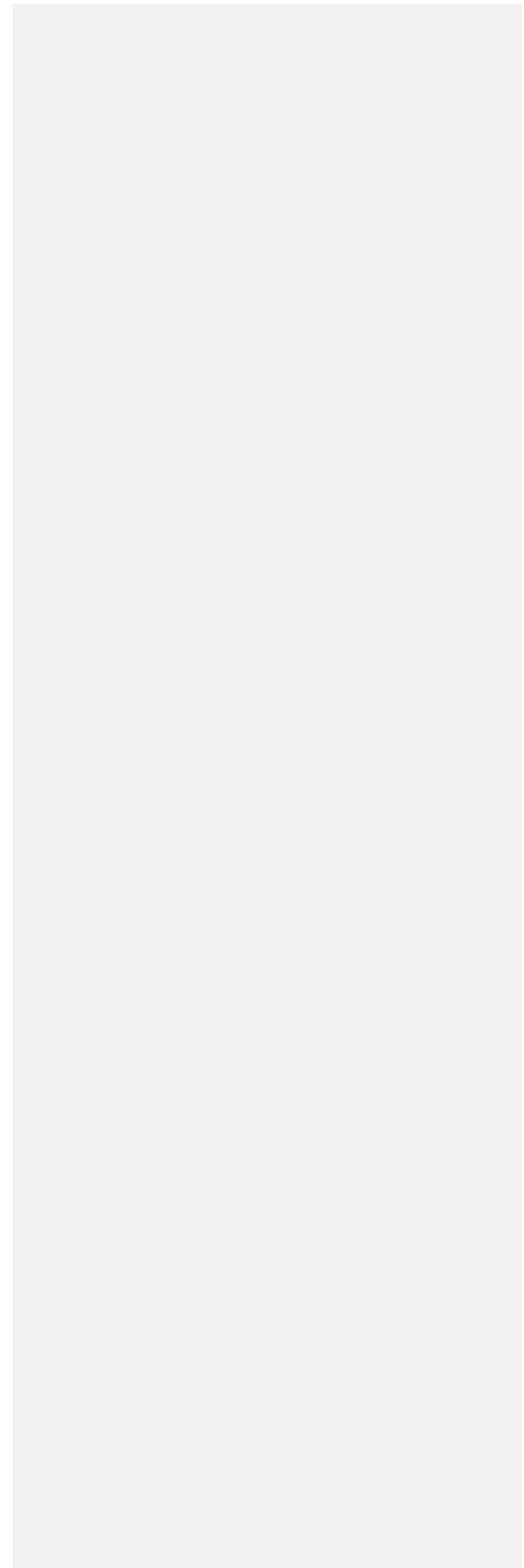


Adopted: August 23, 2005
Revised: October 10, 2017
Revised: July 24, 2018
Revised: July 9, 2019
Revised: July _____, 2020 (?)

Cty Atty Alan B

Draft "A"

July 8, 2020



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

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1.1 Authority.

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

1.2 Applicability.

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

1.3 Amendment.

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

1.4 Annual Review.

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

ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES

2.1 Construction of Authority.

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

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2.2 Meetings Shall Be Public.

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

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

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

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

2.3 Conduct of Meetings.

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

2.4 Regular Meetings.

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

2.5 Special Meetings.

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

2.6 Emergency Meetings.

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

2.7 Workshops (Work Session).

Workshops are special meetings called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. ~~Audience comments or questions will not be considered at a work session unless posted for citizen comment.~~ Citizen comments ~~and questions will be considered at the end of the prepared presentation and after Council has asked questions on agenda items listed for open portions of the workshop can be addressed to the City Council (i.e., not executive session) before or during the City Council's consideration of the item.~~

2.8 Executive Sessions.

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

The City Council can retire into an executive session during a regular or special meeting as stated on a posted agenda or when deemed necessary by the presiding officer or a majority of the City Council during a regular or special meeting. However, before said session begins, the presiding

officer shall announce that the executive session is commencing, the items to be discussed, and the section of the Open Meetings Act that justify the executive session(s). The order in which an executive session may appear on the agenda is subject to the discretion of the City Council. A certified record of the meeting will be created by the presiding officer or ~~his or her~~their designee, sealed and permanently kept, subject to opening by court order. **No voting or action** shall be taken by the City Council during an executive session. No other subject but that posted on the agenda is to be considered. Adjournment of the executive session and any vote needed shall be made during the open public meeting.

2.9 Recessed Meetings.

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

2.10 Quorum.

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

2.11 Conflict of Interest.

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

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

2.12 Presiding Officer.

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

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

The Mayor, as ~~Chief~~ Presiding Officer, is entitled to participate in the discussion and debate, but

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

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

2.13 Minutes of Meetings.

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

2.14 Suspension and Amendment of Rules.

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

2.15 Rules for the Press and Media.

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

ARTICLE 3. PARLIAMENTARY PROCEDURE

3.1 Purpose.

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

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

3.2 Model Format for an Agenda Item Discussion.

The following ten (10) steps may be used as a model or guidebook by the Presiding Officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed.

Each agenda item can be handled by the Presiding Officer (Mayor) in the following basic format:

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

3.3 The Basic Motions.

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

resolution."

3.4 The Motion to Amend.

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

3.5 Discussion and Debate.

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

3.6 Other Motions.

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

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

3.7 Motions Requiring a Supermajority Vote to Pass.

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

- *Motion to Limit Debate.* This motion is sometimes referred to as, "moving the question" or, "calling the question." When a member of the Council makes such a motion, the member

is saying, "I have had enough discussion, let's vote on the issue." When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the motion to limit debate. The motion requires a super majority vote to pass. Meaning, the number of council members voting for the motion must equal four or more.

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

3.8 Motion to Reconsider.

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

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

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

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

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

3.9 Courtesy, Decorum and Order.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor (and the members of the City Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always

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

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

relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion.

- c. *Motion to Appeal.* If the Mayor makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor by stating, "motion to appeal." If the motion is seconded and after debate it passes by a simple majority vote, the ruling of the Mayor is reversed.
- d. *Call for orders of the day.* ~~This is simply another way of saying, "let's return to the agenda."~~ If a council member believes the discussion has strayed from the agenda, the member may say, "let's return to the agenda." The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, ~~he or she~~ the member simply returns to the business of the day.
- e. *Withdraw a Motion.* During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council members are free to make the same motion or another motion.

3.10 City Council and Board Member Disruptions.

As stated in Resolution R-2017-20, when members of the City Council or other Board Members become engaged in heated discussions that could be construed as not following parliamentary procedures; it will be the responsibility of the Presiding Officer (Mayor or Board Chair) to restore order to the meeting. In the event that order cannot be immediately restored, the Presiding Officer should call for a recess. When the recess is called, a sufficient number of the City Council or Board Members should depart the room so that a quorum is no longer present. Information Technology personnel will ensure that the microphones and audio for the television channel are turned off. The Presiding Officer will determine what action to take and will resume the meeting, when appropriate. Law enforcement personnel will not become involved unless a crime (i.e. assault, terroristic threat, etc.) is committed.

3.11 Audience Disruptions.

It is against the laws of the State of Texas for anyone to intentionally or recklessly disrupt official proceedings. As stated in Resolution R-2017-20, if a member of the audience (gallery) becomes disruptive, the Presiding Officer will inform that person that their conduct is not permissible and to cease. If that person receives a second warning, the Chief of Police or ~~his/her~~ the Chief's designee will position themselves in proximity to that person. On the third warning (when appropriate), the Presiding Officer will inform the person that their actions are disrupting this lawful meeting and they must depart immediately. The Chief of Police or ~~his/her~~ the Chief's designee ~~will has the discretion to~~ will escort the person out of the chambers and off of City property. In the event the person does not leave the chambers, the person ~~will~~ may be subjected to being arrested under Section 42.05 of the Texas Penal Code (TPC) and/or Section 38.13 of TPC, or punish as provided in an ordinance enacted under Section 217.003 of the Texas Local Government Code. The person will be subject to arrest under Section 30.05 TPC if the person does not leave the property. In the event the same person comes to a subsequent meeting and disrupts that

meeting to the point they are requested to leave again, a criminal trespass warning can be issued.

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

3.12 Council May Discipline its Own Members.

In the event a Council Member violates the Charter, these rules or any other ordinance of the city, or acts in a manner that causes embarrassment or disgrace to the City of Bastrop, the City Council on supermajority vote may discipline the offending member. To consider such an action, any Council Member may place the item on an agenda.

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

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

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

ARTICLE 4. AGENDA ORDER

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

In order to facilitate the agenda process, the Mayor, two Council Members, or the City Manager may place an item on the agenda. Staff assistance, if required, should be requested through the City Manager (City Charter, Article III, Section 3.05 Prohibitions). Agenda items must be provided to the City Manager’s Office at City Hall by 12:00 noon on the ~~7~~¹⁴th calendar day preceding the date of the regular meeting. If the agenda topic does not allow for staff to adequately prepare information for Council’s consideration, the item may be postponed until the next regular meeting.

4.1 Call to Order.

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

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

The Council shall recite the Pledge of Allegiance, first to the United States Flag, and then to the state Flag of Texas. The Council welcomes individuals and organizations, young and old, to lead the Pledges.

4.3 Invocation.

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

4.4 Presentations.

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

Proposed proclamations and resolutions will not be placed on an agenda or brought before the City Council for discussion or action that:

- (a) Take a position on a matter of religious or spiritual values or principles, including ones that advance one religion, denomination or article of faith over another;
- (b) Promote political partisanship favoring one party over another;
- (c) Advocate outcomes in legal matters in which the City of Bastrop is not a party and are pending before a court or administrative law body (e.g., State Office of Hearings Examiners);
- (d) Is contrary to a policy position stated in an ordinance previously adopted by the Council (unless the Council is in the process of amending or repealing the prior ordinance).

4.5 Work Session/Briefings.

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

4.6 Staff and Board Briefings.

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

4.7 Citizen Comments.

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

At this time, three (3) minute comments will be taken from the audience on any topic not on the agenda. To address the Council, please submit a fully completed request card to the City Secretary prior to the start of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the Council meeting. Request cards can be completed online at <https://www.cityofbastrop.org/page/cc.request.to.speak> from the time the Council agenda is posted online until 5:00 p.m. on the day of the 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, defame, or libel the performance, honesty and/or integrity of ~~the Council, as a body, or~~ any member or members of the Council individually ~~or collectively~~, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

4.8A Approval of the Minutes.

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

4.8B Consent Agenda Items.

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

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

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

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

4.9 Items for Individual Consideration.

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

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

4.10 Executive Session Items.

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

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

4.11 Action on Executive Session Items.

This section is only used if Council conducts an executive session. As a general rule, action on executive session items must be taken during public/open session of the Council, unless as authorized by law. Action may include the taking of no action at all.

4.12 Adjournment.

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

ARTICLE 5. RULES GOVERNING CITIZEN COMMENTS

5.1 Purpose.

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

5.2 Rules for Audience Comments.

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

5.3 Rules Governing Citizen Comments.

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

Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.
6. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Council Chambers.
7. No placards, banners or signs may be displayed in the Council Chambers or City Hall. Exhibits relating to a presentation are acceptable provided that copies are given to the City Secretary to be included in the official records of the meeting.
- ~~7-8.~~ Because of cyber-security concerns, citizens are not allowed to utilize the City's audio-visual equipment for electronic multi-media presentations unless permission is granted by the City Secretary in advance (at the City Secretary's sole discretion). Hard copies must be provided to the City Secretary to be included in the official records of the meeting.
- ~~8-9.~~ Arguing loudly or forcefully, efforts at intimidation of speakers or attendees, or other disruptive behavior is prohibited. Civil discussion and/or debate are acceptable only on items specifically listed on the agenda.
- ~~9-10.~~ Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.
- ~~10-11.~~ Council meetings are the workplace to carry out the business of the City of Bastrop; therefore, any conduct that could constitute harassment in the workplace is prohibited.
- ~~11-12.~~ In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

5.4 Preservation of Order.

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

ARTICLE 6. COUNCIL LIAISONS TO BOARDS AND COMMISSIONS

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

ARTICLE 7. TABLE OF MOTIONS AND POINTS OF ORDER

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

Call for Orders of the Day	No	No	No	N/A
Withdraw a Motion	No	No	No	N/A
Motion to Enforce	Yes	No	No	Simple

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



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9C

TITLE:

Consider action to approve Resolution No. R-2020-79 approving the City of Bastrop Purchasing Card Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, CFO

BACKGROUND/HISTORY:

This policy was previously adopted on October 25, 2016. This policy is to be reviewed and approved by City Council annually as a part of the budget process going forward.

At the August 25, 2020 City Council meeting, this policy was reviewed as a workshop agenda item. The recommendations made by City Council, during this workshop session, have been incorporated into this final document and outlined below:

- Cleaned up consistency of titles and positions throughout the document.
- Added section XII. Annual Review and Reporting
- Change language in section II. Eligibility to state *“Department Directors and Supervisors can make a request to the City Manager for a purchasing card in their name.”*

POLICY EXPLANATION:

City Council requests that the Purchasing Card Policy be reviewed and adopted annually by City Council as a part of the budget adoption process to ensure the policy is current with State Law and appropriately addresses operational needs.

FUNDING SOURCE:

N/A

RECOMMENDATION:

CFO Tracy Waldron recommends approval of Resolution R-2020-79 approving the City of Bastrop Purchasing Card Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2020-79
- Purchasing Card Policy

RESOLUTION NO. R-2020-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE CITY OF BASTROP PURCHASING CARD POLICY, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

WHEREAS, the City of Bastrop Purchasing Card Policy was last adopted by City Council on October 25, 2016; and

WHEREAS, at the August 25, 2020 City Council Meeting, the Chief Financial Officer presented the Purchasing Card Policy for annual review by the City Council; and

WHEREAS, the City Council requests that the Purchasing Card Policy be reviewed and adopted annually by City Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

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

Section 1. The City Council hereby approves the City of Bastrop Purchasing Card Policy, which is attached as Exhibit A, and requests that it be reviewed and adopted annually as a part of the budget adoption process.

Section 2. All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

City of Bastrop, Texas

Purchasing Card Policy

Draft

September 8, 2020



City of Bastrop

Purchasing Card Policy

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I. Purpose

The purpose of the Purchasing Card Program is to provide the City with an efficient and controllable method of making small dollar commodity, service, and travel purchases. This program is to be used to procure low-value maintenance, repair and operational expense items. By using the purchasing card, it will simplify the payment process and take advantage of the rebate program the card provider offers. The City will issue cards via the provider of its choice. This card policy is not intended to replace, but rather supplement existing purchasing, travel, and other City policies. The same restrictions that apply to other methods of purchasing also apply to the purchasing cards.

II. Eligibility

Department Directors and Supervisors can make a request to the City Manager for a purchasing card in their name. Department purchasing cards can be issued to each department and be the responsibility of the Department Director or his designee. Criteria for determining which departments should be issued a department card:

- Will the use of a Credit Card enhance productivity?
- Will the use of a Credit Card reduce paperwork?
- Will the Credit Card be utilized regularly for the purchasing of authorized (budgeted) goods, supplies and services?

III. Usage

Each card will have a daily and monthly limit. The daily limit on the Department Director cards are set by the City Manager. The Department Directors will provide to the Program Administrator in writing, the limits for Supervisors individual cards. The daily limit for the department cards is \$500. Limits can be changed on a temporary or permanent basis when warranted and a written request is received by the Program Administrator from the Department Director.

Purchasing Cards may be used for small dollar purchases which do not exceed the daily transaction limit established by the Purchasing Policy and that do not exceed the cards maximum limit.

Acceptable purchases are:

- Maintenance and repair of equipment
- Operational expense items (within the dollar limits stated above)
- Registration Fees
- Travel expenses (must adhere to the Travel Policy)

Purchases made on the purchasing card will be for City business only. The purchasing card is not a personal line of credit and must never be used for personal or private

purchases of any nature. When in doubt as to whether a purchase is allowable under the City policy, the Cardholder should either contact the Program Administrator before making the purchase or make payment personally and seek reimbursement from the City afterwards. Please remember that reimbursement for any out-of-pocket purchase made without authorization is subject to the City Manager's approval. Unauthorized purchases or use of the purchasing card in violation of this or any other City policy are prohibited, and purchaser will be subject to disciplinary action.

The Finance Department has a purchasing card with a \$125,000 monthly limit. This card is used solely to pay vendors that allow credit card payments and do not charge a processing fee. The advantage to this additional payment method is to obtain the rebate provided through the purchasing card program.

IV. Duties and Responsibilities

A. Cardholder

1. The employee who is issued a card is called a "Cardholder" whether it was issued in their name or just in their custody (ie. department card). The purchasing card has daily transaction limits as well as a maximum monthly limit.
2. Every transaction made using the purchasing card must have corresponding backup and be entered into the accounting system. Only one invoice should be created, per month, for each card account. This invoice is currently being created through an import file. When available, the cardholder can utilize the online export feature, from the card provider, and download the transactions directly into the import file. The Cardholder is responsible for ensuring the invoice balances to the card statement prior to submitting it for approval and payment.
3. Each Cardholder shall use the card only for authorized purchases. A hardcopy itemized receipt must be obtained from the vendor each time the card is used and be signed by the Cardholder and their Supervisor (when applicable).
4. The Cardholder is responsible for immediately notifying the Purchasing Card Provider, their Supervisor, and the Program Administrator if the card is lost or stolen.
5. Each Cardholder must acknowledge receipt of the purchasing card, understand the rules of usage, and sign the Purchasing Cardholder Agreement. Failure to abide by this Purchasing Card Policy may result in disciplinary action, up to and including termination of the employee. The Cardholder will be required to reimburse the City for any unauthorized transaction.
6. Upon resignation or termination of employment of a Cardholder, the Department Director shall notify the Program Administrator immediately, and the card shall be turned in to the Program Administrator.

B. Program Administrator

The Program Administrator is the Chief Financial Officer of their designee. The Program Administrator manages the Purchasing Card Program and has the following responsibilities:

1. Establishing purchasing card accounts and authorized limits
2. Point of contact for any Purchasing Card Program questions
3. Ensure compliance with the Purchasing Card Policy and the Purchasing Policy
4. Reviews all purchasing card transactions monthly
5. Terminating cards as needed

C. Departmental Responsibility

The Department Director determines who will be issued a purchasing card and the daily & monthly limits assigned. The Department Director will also ensure that purchases are authorized and adhere to City policies. Departments may implement more stringent internal authorization procedures that its Cardholders must follow in order to make purchases with the card. Directors or their designee are responsible for approving receipts and making sure the statements for each card are reconciled and turned in to the Finance Department within 15 days of the statement date to facilitate timely payments.

V. Purchasing Card Provider

The Purchasing Card Provider will send the Cardholder and the City's Finance Department a billing statement once each month for all transactions that have taken place in the previous month's statement cycle. This statement can also be obtained online. All Cardholders should receive instructions on how to establish a login to their account. The Cardholder is responsible for reconciling their respective statement, matching each transaction with a receipt, as soon as it is received. If a transaction is listed which is not known to the Cardholder, the Cardholder is responsible for immediately notifying the Purchasing Card Provider and the Program Administrator of the disputed charge. It is imperative that each Cardholder promptly process the transactions and forward receipts to their Supervisor.

VI. Transaction/Card Limits

Each individual purchasing card will have transaction and/or spending limits. The Chief Financial Officer in coordination with Department Director has the authority to limit types of purchases, places of purchases, and hours of day purchases that can be made on individual cards. The total purchase price as printed on the individual credit card receipt is known as the "transaction amount". The purchasing card may be limited by the merchant type, transaction amount, and monthly transaction limit. Each Cardholder will be set up with limits for each of these categories and will be made aware of the limits. A card transaction will be denied when swiped if the transaction

exceeds any of the limits. The card transaction limits may not exceed those set in the policy guidelines.

VII. Sales Tax

As a tax-exempt government agency, the City of Bastrop does not pay sales tax. Cardholders will be provided a copy of the City's Tax Exemption Certificate when requested. Cardholders are responsible for insuring that the merchant does not include sales tax in the transaction, if possible. In the event sales tax is charged, the Cardholder is required to go back to the vendor/merchant to request a refund of the sales tax paid. If a refund is not possible, the Cardholder is required to submit a memorandum monthly to the Finance Department that includes an explanation as to why the sales tax paid cannot be credited along with a copy of the receipts showing the sales tax amount. The Finance Department will deduct the sales tax paid during the monthly sales tax reporting process.

VIII. Returns

Each Cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the Cardholder's account. **Cash refunds are not allowed.**

IX. Restrictions and Exemptions

A. Employees may **not** use the card for the following:

1. Any purchases of items for personal use.
2. Cash refunds or advances.
3. Any purchase of goods/services or from a merchant type not considered prudent or of good judgment.
4. Any purchases set up as reoccurring.
5. No purchases are to be processed through the employee's personal account online. You must establish a City account to process the purchase.
6. Any transaction amount greater than the Cardholder's transaction limit.
7. Items under contract, unless an emergency exception is granted.
8. Alcohol or liquor of any kind. Patronization of bars, drinking places, and package stores must not be paid for with the purchasing card.
9. Separate, sequential, and component purchases or any transaction made with intent to circumvent the City Purchasing Policy or state law.

10. Any transaction that may cause or be perceived to cause damage to the City of Bastrop's reputation and goodwill, and/or reflect poorly on the ethical and moral decision-making of the Cardholder, staff, and elected officials.

11. Any other purchase specifically excluded in the City's Purchasing Policy.

B. Documentation

Supporting documentation must accompany each transaction including an itemized receipt signed by the Cardholder and Supervisor, when applicable. If a receipt is not obtained, a memo explaining the purchase must accompany the card statement.

C. Personal Use Restrictions

The card may not be used to pay spouse/family expense incurred while traveling. Only City business expenses are allowable, and the Cardholder must pay personal expenses separately.

X. Obtaining a Purchasing Card

A. Steps:

1. Department Director submits in writing requests for a purchasing card and determines the appropriate daily and monthly transaction limits.
2. The Program Administrator will request the Purchasing Card Provider to issue a purchasing cards with these established limits.
3. Upon receipt of the purchasing card, the Program Administrator will have the Cardholder review and sign the Purchasing Cardholder Agreement.
4. The new Cardholder receives copies of:
 - a. Purchasing Cardholder Agreement
 - b. Purchasing Card Policy
 - c. Purchasing Policy
 - d. Travel Policy

XI. Revocation of the Purchasing Card

The purchasing card is subject to revocation at any time at the discretion of the Department Director or Chief Financial Officer. When a card is revoked, changes are made online and take effect immediately. The Program Administrator is further authorized to temporarily suspend use of the card via electronic methods if

unauthorized use is discovered and such use poses a threat to internal financial controls.

XII. Annual Review and Reporting

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

Tracy Waldron, Chief Financial Officer

Paul A. Hofmann, City Manager

History of Financial Policies:

Previously Approved 10/25/2016



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9D

TITLE:

Consider action to approve Resolution No. R-2020-78 of the City approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, CFO

BACKGROUND/HISTORY:

The City of Bastrop Purchasing Policy was last adopted by City Council on September 24, 2019. This policy is to be reviewed and approved by City Council annually as a part of the budget process.

At the August 25, 2020 City Council meeting, this policy was reviewed as a workshop agenda item. The recommendations made by City Council, during this workshop session, have been incorporated into this final document and are as follows:

- Moved definitions to front of document.
- Added “Lowest **responsible** quote”
- Added Section VII “Annual Review and Reporting”

POLICY EXPLANATION:

City Council requests that the Purchasing Policy be reviewed and adopted annually by Council as a part of the Budget adoption process to ensure the policy is current with State Law and appropriately addresses operational needs.

FUNDING SOURCE:

N/A

RECOMMENDATION:

CFO Tracy Waldron recommends approval of Resolution No. R-2020-78 approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution R-2020-78
- Purchasing Policy

RESOLUTION NO. R-2020-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE CITY OF BASTROP PURCHASING POLICY, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

WHEREAS, the City of Bastrop Purchasing Policy was last adopted by City Council on September 24, 2019; and

WHEREAS, at the August 25, 2020 City Council Meeting, the Chief Financial Officer presented the Purchasing Policy for Annual Review by the City Council; and

WHEREAS, the City Attorney has reviewed the City of Bastrop Purchasing Policy and found it to be in compliance with all State procurement laws; and

WHEREAS, the City Council requests that the Purchasing Policy be reviewed and adopted annually by Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

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

Section 1. The City Council hereby approves the City of Bastrop Purchasing Policy, which is attached as Exhibit A, and requests that it be reviewed and adopted annually as a part of the budget adoption process.

Section 2. All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

City of Bastrop, Texas

Purchasing Policy

Draft
September 8, 2020



City of Bastrop Purchasing Policy

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I. DEFINITION OF TERMS

Component Purchases – Purchases of component parts of an item that in normal purchasing practices would be accomplished by one purchase. (Purchasing parts and assembling a finished product.)

Pecuniary Benefit – Any form of economic gain (money, gifts, etc.).

Fixed Assets - A piece of equipment with a value of \$5,000 or more and a life expectancy of two (2) year or more.

Separate Purchases – Purchases made separately of items that in normal purchasing practices would be accomplished by one consolidated purchase. (Multiple purchase orders of similar items to avoid bidding procedures.)

Sequential Purchases – Purchases, made over a period, of items in normal purchasing practices would be combined and bid as one purchase. (Similar to above but multiple purchases of the same items to avoid bids.)

II. PURPOSE

It is the policy of the City of Bastrop that all purchasing shall be conducted strictly on the basis of economic and business merit. This policy is intended to promote the best interest of the citizens of the City of Bastrop, Texas.

The City of Bastrop intends to maintain a cost-effective purchasing system conforming to good management practices. The establishment and maintenance of a good purchasing system is possible only through cooperative effort. It must be backed by proper attitudes and cooperation of not only every Department Director and official, but also every Supervisor and Employee of the City of Bastrop.

The purchasing process is not instantaneous. Time is required to complete the steps required by State law. In order to accomplish timely purchasing of products and services at the least cost to the City of Bastrop, all departments must cooperate fully. Prior planning and the timely submission of requisitions are essential to expedite the purchasing process and to assure that the process is orderly and lawful.

This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that assets are received and retained in the custody of the City of Bastrop.

III. CODE OF ETHICS

It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. By participating in the purchasing process, employees of the City of Bastrop agree to:

- A. Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- B. Demonstrate loyalty to the City of Bastrop by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- C. Refrain from any private business or professional activity that would create a conflict between personal interests and the interest of the City of Bastrop.
- D. Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence, or appear to influence purchasing decisions.
- E. Handle confidential or proprietary information belonging to employer or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- F. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- G. Expose corruption and fraud wherever discovered.
- H. Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.
- I. Adherence to the City's Ethics Ordinance is mandatory. If there is a conflict between the two Ethics policies, the stricter of the two would apply.

IV. COMPETITIVE PURCHASING REQUIREMENTS

The City of Bastrop policy requires three quotes for purchases over \$3,000. The only exceptions to this rule are for items purchased under a cooperative contract, sealed bid award, sole source purchases or purchases for an emergency situation.

Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council approval.

A. Who is authorized to make purchases?

Purchases will only be processed if authorized by a Department Head or approved representative in an employee's direct chain of command.

B. Instructions for Soliciting Bids

When soliciting bids, City of Bastrop buyers must follow the steps below:

1. Give the same exact specifications to each vendor.

2. Give each bidder same deadline for turning in bids.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees or other costs must be included in the bid. In order to obtain contract status, the Department Head is responsible for first adhering to the procurement requirements stated below. City Manager approval or his designee is required.

C. Purchasing Control

Authorization levels established within INCODE for appropriations previously approved by the City Council are as follows:

- Directors' or their designee not to exceed \$9,999.99
- Chief Financial Officer or designee up to \$14,999.99
- City Manager or designee approving purchases exceeding \$15,000.00

All purchases requiring a purchasing summary must have an approved purchase order before placing the order.

D. Fleet Purchases

The Finance Department will create a Fleet Appropriations List at the beginning of every fiscal year based on the adopted budget. A unit number will be assigned to each vehicle and equipment included on this list. This list will be distributed to each department with vehicles and equipment on the list.

Each department will complete and submit their purchasing summaries to the Finance Department, which should include the unit number assigned, as close to October 1st as possible. The purchasing summaries will be checked against the Fleet Appropriations List and reviewed for accuracy and completeness. Once reviewed by the Finance Department, the summaries will go to the City Manager for approval.

Upon approval by the City Manager, a purchase order will be created and authorized by the Finance Department for each approved purchasing summary. At the time of issuance of the purchase order, budgeted funds will be encumbered to prevent the funds from being reallocated.

Approved purchase orders will be sent to each department with authorized vehicles and equipment on the Fleet Appropriations List. Once the department has received the approved purchase order, fleet orders can be placed with the selected vendor.

E. Dollar Limitations

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases. Dollar limitations pertain to total purchase or invoice total not per single item cost. It is the Department Directors responsibility to insure Purchasing policies are being adhered to.

\$0.01-\$3,000: Purchases of non-contract goods or services totaling \$3,000 or less require no quotation but are recommended.

If invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year, the city will require the standards of \$3,001 to \$49,999 for purchasing to apply. As clearly identified in the II. Code of Ethics H. Texas Law prohibits *component purchasing, separate purchasing and sequential purchasing* of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

Note that an employee does not commit an offense by making or authorizing component, separate, or sequential purchasing to address unexpected circumstances (such as unanticipated repairs) rather than to avoid competitive bidding requirements. Accordingly, if invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year due to unexpected circumstances (and not to avoid competitive bidding requirements), the standards that apply to purchase totaling \$3,001 to \$49,999 will not apply.

If you have questions about which standards apply, contact the Finance Department.

\$3,001-\$49,999: Except where otherwise exempted by applicable State law, purchases totaling \$3,001 to \$49,999 require three (3) written quotes attached to a Purchasing Summary Form and a purchase order provided to the Finance Department.

No purchase orders of non-contract goods or services will be issued in excess of \$15,000 without City Manager or his designee prior approval.

If the lowest responsible quote is not selected, an explanation should be provided on the Purchasing Summary Form and approval by the City Manager will be required, no matter the dollar amount. Only the City Manager or his designee may determine “Best Value”. The City Manager may elect to accept less than three quotes from a Director if due diligence has been documented by the Director in trying to adhere to the purchasing policy. A memo will be required from the Director providing a reason for their inability to obtain three written quotes and the scope of services being provided if applicable. It must be approved and signed by the City Manager and attached to each Purchasing Summary Form and purchase order provided to the Finance Department.

According to State Law, two (2) Historically Underutilized Businesses (HUBs) are to be contacted on a rotating basis. HUB vendors are obtained from the Texas Comptroller of Public Accounts website. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a Purchasing Summary Form and a purchase order. Any vendor specific contracts should be on file with the Finance Department prior to final

approval being given if applicable. It is the Department Director's responsibility to ensure the cooperative information is on file with the Finance Department.

\$50,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$50,000 must be processed as competitive solicitations (e.g. sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

The Code requires that sealed bids and request for proposals (RFP) are advertised in a local newspaper for two consecutive weeks prior to the bid opening. All bids must be received sealed and turned in to the City Secretary's Office by the date and time listed in the bid. Any bids received after the stated time will be returned unopened. The bid opening process is open to the public and all vendors that respond to the specific are invited to attend. Questions concerning pricing will not be addressed at the opening. Contracts for services require Errors & Omissions coverage.

If purchasing through a cooperative purchasing alternative, i.e. BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a Purchasing Summary Form and a purchase order. All cooperative vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to ensure the cooperative information is on file with the Finance Department. City Manager written approval is required.

Rental Agreement: Vendors who provide rental items to the city are required to carry insurance. The type and amounts of insurance required vary based on the item rented. The Chief Financial Officer must review all rental contracts before the contract is awarded.

F. Personal or Professional Services

Under the Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements. The City also provides exemption for the purchasing of planning services.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated competence and qualifications for performing the services for a fair and reasonable price.

Professional services may include:

- Accounting.
- Architecture.
- Landscape architecture.
- Land surveying.

- Medicine.
- Optometry.
- Engineering.
- Real estate appraisal.
- Nursing.

According to the Texas Attorney General’s Office professional services may include “members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence,”

G. Other Exemptions

State law authorizes other categories of exempt purchases. Purchases from other governments, some auctions and going-out-of-business sales, and other purchases are exempt under provisions of the Local Government Code and Vernon’s Statutes.

The following is a list of other areas that are exempt from competitive bidding requirements:

1. Land or right-of-way.
2. Items that can be obtained from only one source, including:
 - a. items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;
 - b. films, manuscripts or books;
 - c. electric power, gas, water, and other utility services; and
 - d. captive replacement parts or components for equipment;
3. Food
4. Personal property sold:
 - a. at an auction by a state licensed auctioneer;
 - b. at a going-out-of-business sale; or
 - c. by a political subdivision of the state, a state agency, or an entity of the federal government.
5. Any work performed and paid for by the day is exempt from the competitive bidding process.
6. Work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for HUB businesses.

H. Sole Source Purchases

Sole Source purchases must be approved by the City Manager before purchasing. These conditions occur when the purchase involves compatibility of equipment, accessories or replacement parts or when the goods or services is a one-of-a kind or protected by a patent, copyright, secret process. The product is only available from a regulated or natural monopoly. The product is a component or repair part that may only

be purchased from the original supplier. The following items are necessary to provide sufficient justification for sole source purchase:

1. A memorandum to the City Manager with a statement must be attached to the Purchasing Summary Form that says a sufficient number of vendors have been contacted to determine that only one practical source of supply exists or states the reasons only one source exists. This memorandum should include the City Manager's signature signifying his approval.
2. A bid from the sole source provider on company letterhead.
3. A letter from the vendor stating they are the sole supplier of the good.

A Purchasing Summary Form and purchase order is still required with the above information attached.

I. Change Orders

According to purchasing law, the City of Bastrop may make changes to plans, specifications or quantities after award of the contract, if necessary. However, no increase may exceed 25% of the original contract amount and any decrease of 25% or more must have the consent of the contractor.

Increases that cause a change in dollar limitations or purchasing law may supersede the 25% rule:

Example: If a contract is awarded for \$45,000, the allowable increase under the 25% rule would be \$11,250. However, this would cause the new price to exceed \$50,000, which by State law requires sealed bids and advertising. Increase would be limited.

Any change in a purchasing contract that exceeds 25% of the original amount will void the original contract.

J. Making the Purchase

City of Bastrop buyers are responsible for making sure that the purchased good or service is received as specified. Under no circumstance should a buyer accept more goods or services than ordered. Employees are only authorized to purchase items that have been approved by their Department Head. A purchase over the original amount requires additional approval.

K. 30 Day Accounts Payable Cycle

Texas law requires municipalities to pay invoices within 30 days or be subject to the payment of interest.

It is the responsibility of each department to make sure the signed invoices, purchase orders and any other required paperwork is submitted to the Finance Department as soon as the product is received, or service rendered.

It is the responsibility of Accounts Payable to pay all vendor invoices within 30 days of the date the services or products are received. If the invoice date is different from the service/product receipt date, the department will need to note on the invoice the date of receipt of the product or service. Any Variance between the purchase order and the vendor invoice must be reconciled and documented on the purchase order. Vendor payments can only be made for the original or modified purchase order amount.

L. Emergency Procedures

Valid emergencies are those that occur as a result of the breakdown of equipment which must be kept in operation to maintain the public's safety or health, or whose breakdown would result in the disruption of City operations. It is required to get City Manager or his designee approval on any emergency purchases.

The Legislature exempted certain items from sealed bidding in the **Texas Local Government Code Section 252.022(a)**, including, but not limited to:

1. *A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;*
2. *A procurement necessary to preserve or protect the public health or safety of the municipality's residents;*
3. *Procurement necessary because of unforeseen damage to public machinery, equipment or other property.*

The following steps must be taken when making emergency purchases:

1. Employee must receive approval from the City Manager or his designee.
2. Employee will make every effort to solicit bids unless circumstances prevent employee from doing so.
3. A written statement concerning the emergency must be provided following the incident to provide necessary documentation in Accounts Payable and must include the City Managers signature or his designees.

M. Federal Programs

The City of Bastrop has adopted Federal 2 CFR 200.318 - 200.326 and Appendix II to Part 200 for federal programs to ensure City procures materials and services in an efficient and economical manner that is in compliance with the applicable provisions of federal, state and local laws and executive orders. Federal 2 CFR 200 section 318 to 326 cover the following regulations:

- 200.318 – General Procurement Standards
- 200.319 – Competition
- 200.320 – Methods of Procurement to be followed
- 200.321 – Contracting with Small & Minority businesses, women business enterprises & labor surplus area firms
- 200.322 – Procurement of Recovered Materials
- 200.323 – Contract Cost & Price
- 200.324 – Federal awarding agency or pass-through entity review
- 200.325 – Bonding requirements
- 200.326 – Contract Provisions

V. ASSET CONTROL

A. Inventory Control

The purpose of inventory control is to create and maintain a record/inventory of all fixed assets of the City of Bastrop. Fixed assets include all items over \$5,000 with a life expectancy of two (2) or more years. “Minor Capital Outlay” items must also be inventoried. These items will include assets purchased for \$1,000 to \$4,999.

When a fixed asset is received by the city, it is tagged with a City of Bastrop property tag (if feasible) and added to the Departments master list.

Each Department shall keep an inventory list of all fixed assets permanently assigned to employee.

A wall to wall inventory of all fixed assets shall be performed every year or as deemed necessary. It is recommended that Departments perform an annual fixed assets inventory of equipment permanently assigned to employees.

B. Use of Property

City of Bastrop employees should be aware that the use of City property for personal gain is strictly prohibited. City vehicles should only be used for official City business. City Personnel Policies list theft and unauthorized use of City property as grounds for immediate dismissal.

In addition, employees are not to use personal property for the performance of their job or at their work site. Personal items such as radios, coffee pots, picture frame, books, etc. is permissible: however, the City of Bastrop is not responsible for damage to or theft of these items.

C. Disposal of Surplus Materials and Equipment/ Donations

City surplus materials and equipment (a/k/a ‘surplus items’) includes any City owned personal property such as furniture, fixtures, equipment, computers, vehicles, tools,

clothing, or other such items, which have lost useful value to the City, have become non-functional or are obsolete. Such surplus items may be disposed of by one of the following methods:

- Sold competitively, by accepting sealed bids or by public auction;
- Traded in for acquisition of new equipment;
- Donated by the City to a recognized charitable organization;
- Provided to other governmental entities (donation or exchange).
- Sold as 'scrap' (for cash), if the items have no value except for salvage and the City Manager or his designee has authorized the sale for scrap; or
- Disposed of through solid waste collection services, if the item has no salvage or other value and the City Manager or his designee has authorized such disposal.

Trade-In or Donation: Before *trading-in* and/or *donating* surplus items, the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department stating: 1) the identity of the surplus items to be disposed of, traded-in or donated, 2) the reasons for the surplus items being declared surplus, 3) the original purchase price (if ascertainable) of the surplus items, and 4) the value of proposed "trade-in" or "donation", in the estimation of the Department Head. If the Department Head receives approval by City Manager to proceed, the Department Head must coordinate their *trading-in* and/or *donating* surplus items with the Finance Department to insure a Disposed Fixed Asset Form is completed and any other ancillary paperwork.

[Note: All property is owned in the name of the City of Bastrop and is not vested in any specific department.]

Sales: If the surplus items are to be sold, then the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department. The memo should include: 1) the identity of the items to be sold to include year, make, model, and any other identification characteristics, 2) a brief description providing why it is necessary to dispose of the item. The Department Head having received approval to sell a surplus item may then utilize one of the following options: 1) post notice in the local newspaper and/or through an approved on-line auction provider 2) advertise in the local newspaper, 3) request sealed bids, or 4) sell through a public auction, which may take place at a specified location or, by means of an on-line sale.

Preferred Disposition: Whenever reasonably feasible, it is the City's preference that the Department Head dispose of the surplus equipment by means of a public auction or sale held in cooperation with other City departments and surrounding government entities.

Procedures: The City Manager shall have the authority to approve the disposal, sale, trade-in or donation of surplus items when the value of same is less than \$50,000, in total. If the total value exceeds \$50,001, then the City Manager shall obtain Council approval of the proposed disposal, sale, trade-in or donation of surplus items.

Once approved by either the City Manager or Council, as appropriate, in order to document the disposal, sale, trade-in or donation of surplus items a Disposed Fixed Asset Form must be prepared and submitted to the Finance Department in addition to providing the license plates for any vehicles or equipment disposed of. The Finance Department manages the change of ownership and the receipt of funds.

City decals must be removed from all surplus City vehicles, machinery, and equipment before disposal, donation, trade-in or sale.

City employees may participate, on their own time, in public auctions for the purchase of surplus City items.

D. Lost Property

After conducting an annual inventory and property is discovered to be lost, an explanation for the lost must be provided immediately to the Department Head using the Fixed Asset Form. Property losses that come to the attention of the employee before the annual inventory should be reported within 24 hours using the Fixed Asset Form.

All thefts are to be reported to a supervisor or Department Head as soon as possible. The City of Bastrop, Police Department must be notified immediately. Stolen fixed asset must be removed from the Master Inventory List and a copy of the police report attached to the Fixed Asset Form.

E. Security Measures

All equipment will be kept in a secure area when not in use. Access to this area will be limited to the employees assigned to the secure area. In case of theft, the security of the area should be evaluated to determine if changes or re-keying of locks should be necessary.

VI. RESPONSIBILITIES OF PARTIES

A. Department Heads

1. Monitor and approve overall purchases to ensure that funds are spent judiciously and that budgeted resources are within their control and available for all procurement.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Approve all purchases up to \$9,999 excluding budgeted capital.
4. Adhere to the Purchasing Policies and the Code of Ethics.
5. Place cooperative agreements and RFP's on file with Finance and monitor purchases to ensure that supply agreements are used.
6. Ensure that sole source requests meet the guidelines and include required documentation.

7. Inventory all fixed assets every year.
8. Verify goods and services are received as ordered before approving payment.
9. Annually inventory equipment assigned to employee.
10. Keep records of losses occurring in their areas to detect patterns of theft in one area or individual employee.

B. Supervisors

1. Maintain security of equipment on-site
2. Keep a log of equipment issued to employees on a long-term basis.
3. Keep a log of equipment issued to employees on a short-term basis.
4. Forward all receipts and invoices to Department Head as soon as possible.
5. Check that equipment and supplies are returned upon termination of an employee.

C. City of Bastrop Accounts Payable

1. Pay bills in an accurate and timely manner.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Monitor purchases to ensure that supply agreements are used.
4. Ensure that purchasing policy requirement guidelines are met and required documentation included.

D. City of Bastrop Accounting

1. Maintain the master fixed asset property list.
2. Assign inventory tags for fixed assets.
3. Provide Fixed Assets Forms.
4. Produce Master Inventory List as needed.
5. Process fixed asset transfers and retirements.
6. Review, approve and enter all purchase orders for budgeted fleet purchases.

VII. ANNUAL REVIEW AND REPORTING

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

Tracy Waldron, Chief Financial Officer

Paul Hofmann, City Manager

History of Purchasing Policy:

Previously Approved 09/23/2014

Previously Approved 10/23/2018

Previously Approved 09/24/2019



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9E

TITLE:

Consider action to approve Resolution No. R-2020-77 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

STAFF REPRESENTATIVE:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

This policy was previously adopted on October 22, 2019. This policy is to be reviewed and approved by City Council annually as a part of the budget process.

At the August 25, 2020 City Council meeting, this policy was reviewed as a workshop agenda item. The recommendations made by City Council, during this workshop session, have been incorporated into this final document and outlined below:

D. Fixed Assets and Inventory – The City of Bastrop’s Purchasing Policy defines Fixed Assets and “Minor Capital Outlay” items as items with a value over \$1,000 and with a life expectancy of two (2) or more years. Asset control will be conducted in accordance with the City Council approved Purchasing Policy Sec. IV which includes annual inventory count, proper disposal and security measures. The Finance Department has procedures in place to capture these types of purchases, make sure they are added to the Fixed Asset List and be placed on the insurance. All departments should have procedures in place for proper maintenance of all city assets.

Operating Reserves – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted. This should be followed by a plan to mitigate the re-occurrence of this type of shortfall in the future.

E. IRS Compliance – The City will maintain written procedures for Post Bond Issuance Federal Tax compliance with IRS laws and regulations for tax exempt debt. (*this we do already have*)

C. Risk Management Program – The City Council adopts an Investment Policy annually that outlines the investment strategy guidelines with the first goal being the safety of public funds. These policies mitigate the risk associated with investing these public funds.

POLICY EXPLANATION:

This policy should be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget and brought to City Council for approval.

FUNDING SOURCE:

N/A

RECOMMENDATION:

CFO Tracy Waldron recommends approval of Resolution No. R-2020-77 approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

ATTACHMENTS:

- Resolution 2020-77
- Financial Management Policy



RESOLUTION NO. R-2020-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE FINANCIAL MANAGEMENT POLICY, WHICH IS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

WHEREAS, the City of Bastrop Financial Management Policy was last adopted by City Council in October 22, 2019; and

WHEREAS, financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local laws and reporting requirements; and

WHEREAS, at the August 25, 2020 City Council Meeting, the Chief Financial Officer presented the Financial Management Policy for annual review by the City Council; and

WHEREAS, the City Council requests that the Financial Management Policy be reviewed and adopted annually by Council as a part of the budget adoption process to ensure this policy is current with State Law and appropriately addresses operational needs.

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

SECTION 1: The City Council hereby approves the City of Bastrop Financial Management Policy, which is attached as Exhibit A, and requests that it be reviewed and adopted annually as a part of the Budget adoption process.

SECTION 2: Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

SECTION 3: 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 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 8th day of September 2020.

CITY OF BASTROP, TEXAS

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

City of Bastrop, Texas

Financial Management Policy

Draft
September 8, 2020



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I. Purpose Statement

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

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

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

II. Accounting, Auditing, And Financial Reporting

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

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

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

C. External Auditing – The city will be audited annually by outside independent auditors. The auditors must be a CPA firm of national reputation and must demonstrate that they have the breadth and depth of staff to conduct the city's audit in accordance with generally accepted auditing standards, generally accepted government auditing standards, and contractual requirements. The auditors' report on the city's financial statements including any federal grant single audits will be completed within 120 days of the city's fiscal year end, and the auditors' management letter will be presented to the city staff within 150 days after the city's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The city staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.

D. External Auditors Responsible to City Council - The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the city staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.

E. External Auditor Rotation – The city will not require external auditor rotation but will circulate requests for proposal for audit services periodically, normally at five-year intervals or less.

F. External Financial Reporting – The city will prepare and publish a Comprehensive Annual Financial Report (CAFR). The CAFR will be prepared in accordance with generally accepted accounting principles and may be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The CAFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing and auditor availability limitations may preclude such timely reporting. In such case, the Chief Financial Officer will inform the City Manager and the City Manager will inform the City Council of the delay and the reasons, therefore.

III. Internal Controls

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

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

B. Internal Audit – The Finance Department may conduct reviews of the departments to determine if the departments are following the written procedures as they apply to the departments.

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

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

IV. Operating Budget

A. Preparation – The city's "operating budget" is the city's annual financial operating plan. It consists of governmental and proprietary funds, including the general obligation debt service fund. The budget is prepared using the same basis of accounting as the audited financial statements. The budget is prepared by the City Manager with the assistance of the Chief Financial Officer and cooperation of all city departments. The City Manager transmits the document to the City Council thirty (30) days prior to the commencement of the fiscal year per the City Charter. The budget should be enacted by the City Council prior to the fiscal year beginning. The operating budget may be submitted to the GFOA annually for evaluation and possible awarding of the Award for

Distinguished Budget Presentation.

The budget document presented to Council will be in compliance with Article VI Section 6.02 of the City Charter.

A copy of the proposed budget shall be filed with the City Secretary, at the Public Library and available on the City's website when it is submitted to the City Council in accordance with the provisions of the City Charter Article VI Section 6.03.

At the Council meeting at which time the budget is submitted, the Council shall, in conformance with the requirements of state law, cause to be published the date, time, and place of a Public Hearing. At this hearing, interested citizens may express their opinions concerning items of expenditure, giving reasons for wishing to increase or decrease any such items. This is in accordance with the provisions of the City Charter Article VI Section 6.04.

After a public hearing, the Council shall analyze the budget, making any additions or deletions considered appropriate, and shall, at least three (3) days prior to the beginning of the fiscal year, adopt the budget by a favorable vote. This in accordance with the provisions of the City Charter Article VI Section 6.05.

On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by City Council shall constitute the official appropriations of proposed expenditures for the year and shall constitute the basis of the official levy of the property tax as the amount of tax to be assessed and collected for that tax year. This in accordance with City Charter Article VI Section 6.06.

B. Balanced Budgets – An operating budget will be balanced, with current revenues, inclusive of beginning resources, greater than or equal to current operating expenditures/expenses.

C. Planning – The budget process will begin with a Staff Budget Retreat followed by a Council Budget Workshop to provide direction to the City Manager on goals of the organization. From Jan. – April, each Department Director will enter their line item budgets into the budget software. Starting in June, meetings are scheduled with the City Manager, Chief Financial Officer and Department Directors, to review their draft budgets. A summary of this draft budget is presented to City Council by the City Manager, at a Budget workshop. There will be several more Council budget workshops as the City Manager and staff work through estimating revenue and making the necessary expense cuts to prepare a balanced budget for final approval.

D. Reporting – Periodic financial reports are available within INCODE to enable the department managers to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Summary monthly financial reports will be presented to the City Council within 45 days after the end of each month, if council meetings do not interfere with reporting requirement. Such reports will include current year revenue and expenditure budgets and year-to-date actual figures for all major funds.

E. Control – Operating Expenditure Control is addressed in another section of the Policies.

F. Performance Measures – Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the final budget document.

V. Capital Budget

A. Preparation – The city’s capital budget will be included in the city’s operating budget. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required city departments.

B. Appropriation – An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned

C. Control – All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.

D. Alternate Resources – Where applicable, assessments, impact fees, or other user- based fees should be used to fund capital projects which have a primary benefit to certain property owners.

E. Debt Financing – Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.

F. Reporting – Financial reports will be available to enable the department managers to manage their capital budgets and to enable the finance department to monitor the capital budget as authorized by the City Manager.

VI. Revenue Management

A. Simplicity – The city will strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay.

B. Certainty – An understanding of the revenue source increases the reliability of the revenue system. The city will understand its revenue sources and enact consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.

C. Equity – The city will strive to maintain equity in the revenue system structure. It is recognized that public policy decisions may lead to subsidies in certain circumstances, e.g., Over 65 property tax exemptions.

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

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

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

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

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

I. Property Tax Revenues – For every annual budget, the City shall levy two property tax rates: Maintenance/Operations and Interest/Sinking (debt service). The debt service levy shall be sufficient for meeting all principle and interest payments associated with the City's outstanding general debt obligations for that budget year. The debt service levy and related debt service expenditures shall be accounted for in the Debt Service Fund. The maintenance and operations levy shall be accounted for in the General Fund. The City will adhere to state law when calculating these tax rates. Property shall be assessed at 100% of the fair market value as appraised by the Bastrop Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 97% collection rate will serve as a minimum goal for tax collection, with the delinquency rate of 4% or less. The 97% rate is calculated by dividing total current year tax collections for a fiscal year by the total tax levy for the fiscal year.

All delinquent taxes will be pursued as part of the collection contract the City has with the Bastrop County Tax Assessor/Collector.

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

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

L. Utility Rates – The city will strive to review utility rates annually and, if necessary, adopt new rates to generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects.

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

N. Revenue Monitoring – Revenues received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the monthly financial report to Council.

VII. Expenditure Control

A. Operating Expenditures - Shall be accounted, reported, and budgeted for in the following categories:

1. Personnel Costs
2. Supplies and Materials
3. Maintenance and Repairs
4. Occupancy
5. Contractual Services
6. Other Charges
7. Contingency

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

C. Vacancy Savings/Contingency Account – The General Fund Contingency Account will be budgeted at a minimal amount (\$35,000). Increases to the contingency account must be approved by City Council.

D. Contingency Account Expenditures – The City Council must approve all contingency account expenditures over \$35,000. The City Manager must approve all other contingency account expenditures and report them to City Council.

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

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

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

VIII. Asset Management

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

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

C. Investment Performance – A quarterly report on investment performance will be provided by the Chief Financial Officer to the City Council in accordance with the City’s Investment Policy.

D. Fixed Assets and Inventory – The City of Bastrop’s Purchasing Policy defines Fixed Assets and “Minor Capital Outlay” items as items with a value over \$1,000 and with a life expectancy of two (2) or more years. Asset control will be conducted in accordance with the City Council approved Purchasing Policy Sec. IV which includes annual inventory count, proper disposal and security measures. The Finance Department has procedures in place to capture these types of purchases, make sure they are added to the Fixed Asset List and be placed on the insurance. All departments should have procedures in place for proper maintenance of all city assets.

IX. Financial Condition and Reserves

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

B. Operating Reserves – Failure to meet these standards will be disclosed to the City Council as soon as the situation is recognized and a plan to replenish the ending resources over a reasonable time frame shall be adopted. This should be followed by a plan to mitigate the re-occurrence of this type of shortfall in the future.

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

C. Risk Management Program – The City Council adopts an Investment Policy annually that outlines the investment strategy guidelines with the first goal being the safety of public funds. These policies mitigate the risk associated with investing these public funds.

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

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

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

X. Debt Management

A. Self-Supporting Debt – When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.

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

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

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

E. IRS Compliance – The City will maintain written procedures for Post Bond Issuance Federal Tax compliance with IRS laws and regulations for tax exempt debt.

XI. Staffing and Training

Adequate Staffing – Staffing levels will be adequate for the fiscal functions of the city to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Workload scheduling alternatives will be explored before adding staff.

Training – The city will support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial issues. Staff will be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences, and related education efforts.

XII. Grants/Funding Requests Financial Management

A. Grant Solicitation – Each department is responsible for researching and applying for grants that support needs within their department. The purpose of this policy is to ensure grant funding is solicited with prior approval of the City Manager. The grant application should only be made with input from pertinent departments. The grants should be cost beneficial and meet the city’s objectives. Communication will be made with City Council to keep them informed on what grants are being solicited.

B. Grant Acceptance – All grants awarded to the City of Bastrop must be accepted by action of the City Council. If the grant opportunity is identified early enough for inclusion in the annual budget, it shall be identified and budgeted in revenue and expenditure accounts. If the grant is accepted but has not been included in the annual budget, a budget amendment shall be requested to reflect the revenues and expenditures associated with the grant.

C. Responsibility – Departments will oversee the day to day operations of grant programs, will monitor performance and compliance, and will also keep the Finance Department informed of significant grant-related plans and activities. Finance Department staff members will serve as liaisons with grantor financial management personnel, will prepare invoices, and will keep the books of account for all grants.

D. Funding Requests from Partner Organizations – These organizations are identified as the Bastrop Economic Development Corporation and Visit Bastrop. The City Council will be informed of a funding request from a Partner Organization through an agenda item at a public meeting.

XIII. Annual Review and Reporting

A. Annual Review - These Policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget.

B. Reporting - The Chief Financial Officer will report annually to the City Manager on compliance with these policies.

Tracy Waldron, Chief Financial Officer

Paul Hofmann, City Manager

History of Financial Policies:

Previously Approved 9/23/14

Previously Approved 10/25/16

Previously Approved 5/9/17

Previously Approved with Budget 9/25/18

Previously Approved 10/22/19



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9F

TITLE:

Consider action to approve the first reading of Resolution No. R-2020-81 of the City Council of the City of Bastrop, Texas, approving the distribution of funds to Bastrop businesses to assist businesses with expansion of their enterprise pre- and post-COVID-19 disaster and/or with the retention and training of employees during the COVID-19 Pandemic and National Disaster, in an amount exceeding TEN THOUSAND DOLLARS (\$10,000.00) per project and per business; providing an effective date; and move to include on the September 22, 2020 City Council agenda for second reading.

STAFF REPRESENTATIVE:

Cameron Cox, Bastrop EDC Chief Executive Officer

BACKGROUND/HISTORY:

The BEDC has thus far issued approximately \$400,000 to 124 businesses within the City of Bastrop through two rounds of Disaster Relief Grants. With recent increases in COVID-19 cases, BEDC felt another round of Relief Grants would be beneficial to our City's businesses.

The BEDC Board approved a third round of grant funding by Resolution R-2020-0017 at the board meeting on July 20, 2020. The Board requested and City Council subsequently approved a budget amendment in the amount of \$320,000, via Bastrop City Ordinance No. 2020-24, with the second reading taking place on August 25, 2020.

A small number of our larger employers in Bastrop require more than the allotted maximum of \$10,000 in Relief Grants due to the fact their operating costs and expenses exceed \$10,000 a month, with lost revenues in excess of 25% for the months of May, June and/or July 2020, and expect to continue to experience losses in the upcoming months, as well. These businesses have been the hardest hit by the COVID-19 pandemic – tourism, restaurant, accommodations and entertainment businesses. The BEDC Board approved these six projects at a special board meeting held on August 26, 2020, as well as additional funding for 41 Bastrop businesses that had received previous grant funding and 13 businesses that had not applied before.

The list of businesses that the BEDC has approved in an amount over \$10,000 is attached as Exhibit "A". Each business has been assigned a project number until such time as Texas law requires the name of the business to become public record.

POLICY EXPLANATION:

Section 505.158(b) of the Local Government Code, a/k/a the Texas Economic Development Act, mandates that prior to the BEDC funding a project involving an expenditure by the BEDC of more than \$10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council on two separate occasions.

FUNDING SOURCE:

City Council approved a BEDC Budget Amendment in the amount of \$320,000, with the final reading taking place on August 25, 2020.

RECOMMENDATION:

Consider action to approve the first reading of Resolution No. R-2020-81 of the City Council of the City of Bastrop, Texas, approving the distribution of funds to Bastrop businesses to assist businesses with expansion of their enterprise pre- and post-COVID-19 disaster and/or with the retention and training of employees during the COVID-19 Pandemic and National Disaster, in an amount exceeding TEN THOUSAND DOLLARS (\$10,000.00) per project and per business; providing an effective date; and move to include on the September 22, 2020 City Council agenda for second reading.

ATTACHMENTS:

- Draft Resolution R-2020-81
- Exhibit "A" - List of Relief Grant Recipients over \$10,000
- EDC Resolution R-2020-0022



RESOLUTION NO. R-2020-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE DISTRIBUTION OF FUNDS TO BASTROP BUSINESSES TO ASSIST BUSINESSES WITH EXPANSION OF THEIR ENTERPRISE PRE- AND POST-COVID-19 DISASTER AND/OR WITH THE RETENTION AND TRAINING OF EMPLOYEES DURING THE COVID-19 PANDEMIC AND NATIONAL DISASTER, IN AN AMOUNT EXCEEDING TEN THOUSAND DOLLARS (\$10,000.00) PER PROJECT AND PER BUSINESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of the Bastrop Economic Development Corporation (“BEDC”) met on August 13, 2020, and took formal action to support and provide funds for various 4B projects; and

WHEREAS, Section 505.158(b) of the Local Government Code, a/k/a the Texas Economic Development Act, mandates that prior to the BEDC funding a project involving an expenditure by the BEDC of more than \$10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions; and

WHEREAS, the City has reviewed the August 13, 2020, actions of the BEDC related to the project noted herein below, has considered and evaluated that project, and has found it meritorious of the Council’s approval; and

WHEREAS, the COVID-19 National Disaster has caused businesses in Bastrop, Texas, to temporarily close and/or experience reductions in sales, workforce, capital development and/or business enterprise retractions for all size businesses located within the City of Bastrop; and

WHEREAS, businesses in the City of Bastrop experienced a retraction brought on by the COVID-19 pandemic; and

WHEREAS, businesses desire to expand to the size, employment, enterprise and/or revenue levels experienced by those businesses prior to the retraction brought on by the National Disaster declaration and COVID-19 pandemic crisis; and

WHEREAS, the City and BEDC desire to offer a third round of “Relief Grants” as an incentive to City of Bastrop businesses to enable them to expand to the size, employment, enterprise and/or revenue levels experienced by those businesses prior to the National Disaster declaration and COVID-19 pandemic crisis, which promotes or develops new or expanded business enterprise that create or retain primary jobs in substantial conformity with the Act; and

WHEREAS, the BEDC provided Bastrop businesses with funds in Resolution-2020-2011 (the first round of Relief Grants approved April 13, 2020); and

WHEREAS, the BEDC provided Bastrop businesses with funds in Resolution-2020-2013 (the second round of Relief Grants approved May 11, 2020); and

WHEREAS, this third round of Relief Grants will contribute to the City of Bastrop by helping businesses expand to the size, employment, enterprise and/or revenue levels experienced by

those businesses prior to the National Disaster declaration, creating a direct overall improvement/stimulus in the local economy; and

WHEREAS, the BEDC considers each business applying for Relief Grants (under all rounds of Relief Grants) a separate Project under the Act and is requiring each Project enter into a Performance Agreement in accordance with Section 501.158 of the Texas Local Government Code; and

WHEREAS, the BEDC considered each factor and metric used to evaluate the amounts to be awarded to each Project the first two rounds and believes these awards are being fairly and objectively decided and distributed; and

WHEREAS, the BEDC is awarding more than \$10,000 per Project and per Business under this Resolution, which requires the City of Bastrop City Council to approve of these Projects at two readings; and

WHEREAS, the BEDC adopted its FY 2019/2020 Annual Budget on August 19, 2019, which was subsequently adopted and authorized by the City of Bastrop City Council in September 2019; and

WHEREAS, the FY 2019/2020 Annual Budget did not include adequate funding for Relief Grants, so the FY 2019/2020 Annual Budget must be amended to allocate this \$320,000.00 in reserve funds to expend for the third round of Relief Grants, which City of Bastrop City Council approved under City Council Ordinance No. 2020-24 on August 11, 2020, and August 25, 2020; and

WHEREAS, the Bastrop EDC Board of Directors took action to approve the distribution of these relief grants in Resolution R-2020-0022 at the Special Board Meeting on August 26, 2020; 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 CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

SECTION 1. The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the BEDC:

a. To fund each Project (the "COVID-19 Relief Grants") as approved by BEDC Board on August 26, 2020, under BEDC Resolution 2020-0022 and with each Project receiving a COVID-19 Relief Grant in an amount exceeding \$10,000.00 per business, as attached in Exhibit "A".

SECTION 2. The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.

SECTION 3. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

READ and ACKNOWLEDGED on First Reading on the 8th day of September 2020.

READ and APPROVED on the Second Reading on the ____ day of _____
2020.

APPROVED:

Connie Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit "A"

List of Relief Grant Recipients over \$10,000

Project #	Round 1	Round 2	Round 3	Total
41	\$ 9,500		\$ 19,000	\$ 28,500
56	\$ 6,500	\$ 3,000	\$ 10,000	\$ 19,500
26	\$ 6,500		\$ 13,000	\$ 19,500
1	\$ 6,500		\$ 13,000	\$ 19,500
60	\$ 5,000	\$ 4,500	\$ 5,000	\$ 14,500
58	\$ 5,000	\$ 2,500	\$ 5,000	\$ 12,500
TOTALS	\$ 39,000	\$ 10,000	\$ 65,000	\$ 114,000

RESOLUTION NO. R-2020-0022

A RESOLUTION OF THE BASTROP ECONOMIC DEVELOPMENT CORPORATION APPROVING THE DISTRIBUTION OF FUNDS TO BASTROP BUSINESSES TO ASSIST WITH THE RETENTION AND TRAINING OF EMPLOYEES DURING THE COVID-19 PANDEMIC AND NATIONAL DISASTER, IN AN AMOUNT EXCEEDING \$10,000 PER PROJECT AND PER BUSINESS; AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE ALL NECESSARY PAPERWORK; AND ESTABLISHING 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 Texas Local Government Code, Chapters 501 and 505, *et seq.*, as amended, known as the Development Corporation Act of 1979 (the “Act”); and

WHEREAS, the COVID-19 National Disaster has caused businesses in Bastrop, Texas, to temporarily close and/or experience reductions in sales, workforce, capital development and/or business enterprise retractions for all size businesses located within the City of Bastrop; and

WHEREAS, businesses in the City of Bastrop experienced a retraction brought on by the COVID-19 pandemic; and

WHEREAS, businesses desire to expand to the size, employment, enterprise and/or revenue levels experienced by those businesses prior to the retraction brought on by the National Disaster declaration and COVID-19 pandemic crisis; and

WHEREAS, the BEDC desires to offer a third round of “Relief Grants” as an incentive to City of Bastrop businesses to enable them to expand to the size, employment, enterprise and/or revenue levels experienced by those businesses prior to the National Disaster declaration and COVID-19 pandemic crisis, which promotes or develops new or expanded business enterprise that create or retain primary jobs in substantial conformity with the Act; and

WHEREAS, the BEDC provided Bastrop businesses with funds in Resolution-2020-0011 (the first round of Relief Grants approved April 13, 2020); and

WHEREAS, the BEDC provided Bastrop businesses with funds in Resolution-2020-0013 (the second round of Relief Grants approved May 11, 2020); and

WHEREAS, this third round of Relief Grants will contribute to the City of Bastrop by helping businesses expand to the size, employment, enterprise and/or revenue levels experienced by those businesses prior to the National Disaster declaration, creating a direct overall improvement/stimulus in the local economy; and

WHEREAS, the Board considers each business applying for Relief Grants (under all rounds of Relief Grants) a separate Project under the Act and is requiring each Project enter into a Performance Agreement (Exhibit “A”) in accordance with Section 501.158 of the Texas Local Government Code; and

RESOLUTION NO. R-2020-0022

WHEREAS, the Board considers each factor and metric used to evaluate the amounts to be awarded to each Project and believes these awards are being fairly and objectively decided and distributed; and

WHEREAS, a small number of local businesses require more than the allotted maximum \$10,000 in COVID-19 grant funds because their operating costs and expenses exceed approximately \$10,000 per month, with revenue losses in excess of 25% for the months of May, June and/or July 2020, and expected continued losses in revenues for the months of August, September and October 2020; and

WHEREAS, these businesses are the larger employers within the City of Bastrop and represent the hardest hit of the industries in our city, which are the restaurant, hotel, tourism and entertainment industries; and

WHEREAS, in order to enable these businesses to survive the pandemic and expand back to the size, employment and revenue levels experienced prior to March 2020, these funds are necessary to expand these businesses back to those levels they experienced before this economic disaster; and

WHEREAS, 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; and

WHEREAS, the BEDC Board of Directors approved a budget amendment in the amount of \$320,000 on July 20, 2020, with Resolution R-2020-0017, which is expected to be approved by the City of Bastrop City Council on August 24, 2020; 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 expenditure to fund COVID-19 Relief Grants in an amount exceeding \$10,000.00 per Project and business.

SECTION 3. The Board approves of the Performance Agreement attached to this Resolution as Exhibit "A" and authorizes BEDC's Chief Executive Officer to execute this Exhibit "A" with each business that is an authorized Project under Exhibit "B".

RESOLUTION NO. R-2020-0022

SECTION 4. The Board approves of each Project listed in Exhibit "B" and the distribution amounts awarded for each Project's allowed COVID-19 Relief Grant under this Resolution.

SECTION 5. The Board authorizes BEDC's Chief Executive Officer to take all necessary actions and to execute all necessary documents to ensure the Relief Grants awarded in Exhibit "B" are distributed in accordance with this Resolution.

SECTION 6. This Resolution is effective upon passage.

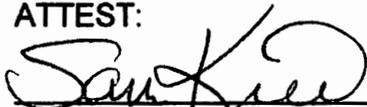
PASSED AND APPROVED on the 27th day of August 2020 by the Board of Directors of the Bastrop Economic Development Corporation.

**BASTROP ECONOMIC
DEVELOPMENT CORPORATION**



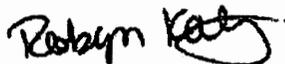
Kathryn Nash, Board Chair

ATTEST:



Sam Kier, Board Secretary

APPROVED AS TO FORM:



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



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9G

TITLE:

Discuss and consider action to approve Resolution No. R-2020-84 of the City Council of the City of Bastrop, Texas, regarding the Texas Municipal League Intergovernmental Risk Pool Board of Trustees election voting for Places 1-4 of the Board of Trustees; establishing a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

BACKGROUND/HISTORY:

Each member of the Texas Municipal League Intergovernmental Risk Pool is entitled to vote for Board of Trustee members. There is only one vote per candidate for each place allowed.

The places and candidates up for election are:

Place 1

Robert T. Herrera

Place 2

Chris Armacost
John W. (Buzz) Fullen

Place 3

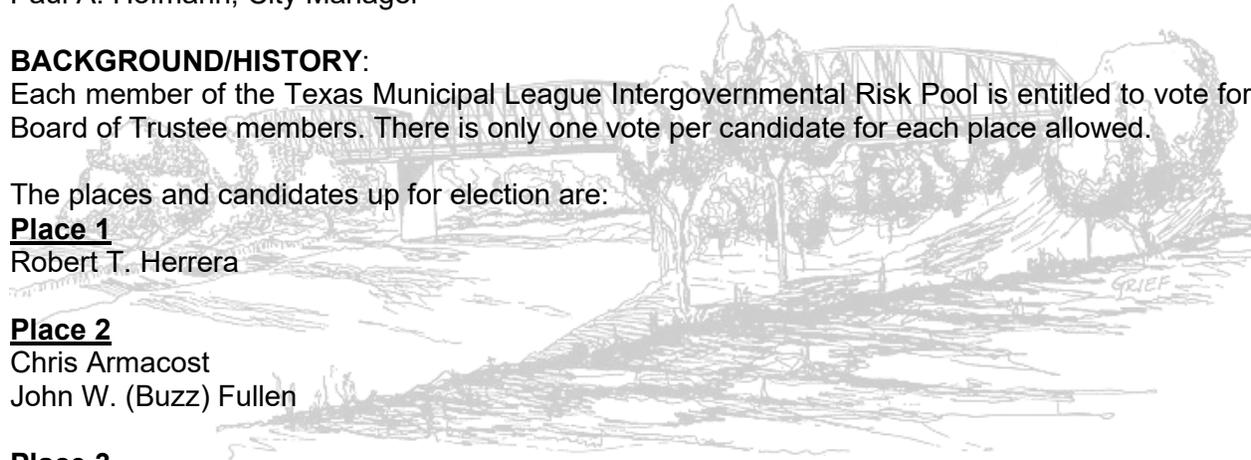
George Hyde
Roy E. Maynor
Jeffrey Snyder

Place 4

Robert S. Hauck
Dave Martin
Kimberly Meismer
Sean Overeynder

ATTACHMENTS:

Resolution
Election Ballot



RESOLUTION NO. R-2020-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS REGARDING THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES ELECTION VOTING FOR PLACES 1-4 OF THE BOARD OF TRUSTEES; ESTABLISHING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop is a member of the Texas Municipal League Intergovernmental Risk Pool; and

WHEREAS, each Member of the Pool is entitled to vote for Board of Trustee members, including one vote for each place on the ballot; and

WHEREAS, the City of Bastrop met in open session to consider the casting of the votes to which they are entitled.

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

Section 1: That the City of Bastrop does hereby cast votes for the following person or persons to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees for a six-year term by placing an "X" in the box beside the chosen candidate's name or writing in the name of an eligible person in the space provided:

Place 1

Robert T. Herrera

WRITE IN CANDIDATE:

Place 2

Chris Armacost

John W. (Buzz) Fullen

WRITE IN CANDIDATE:

Place 3

- George Hyde
- Roy E. Maynor
- Jeffrey Snyder

WRITE IN CANDIDATE:

Place 4

- Robert S. Hauck
- Dave Martin
- Kimberly Meisner
- Sean Overeynder

WRITE IN CANDIDATE:

Section 2: The City Secretary is hereby instructed to submit this resolution to the office of David Reagan, Secretary of the Board, no later than September 30, 2020.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2020. Ballots received after September 30, 2020, cannot be counted. **The ballot must be properly signed, and all pages of the ballot must be mailed to:**

**Trustee Election
David Reagan, Secretary of the Board
P.O. Box 149194
Austin, Texas 78714-9194**

If the ballot is not signed, it will not be counted.

PLACE 1

- Robert T. Herrera** (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City, and Woodway. Mr. Herrera has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board. He also served as Chair of the Finance-Information Technology Committee and the Underwriting-Claims Committee of the TML Intergovernmental Risk Pool.

WRITE IN CANDIDATE:

PLACE 2

- Chris Armacost.** City Commissioner for the City of Hitchcock (Region 14). Mr. Armacost is Director of Technology, Transportation, Facilities, and Operations for the Hitchcock Independent School District. He serves on the Hitchcock Education Foundation and Hitchcock Chamber of Commerce. He is the president of the Hitchcock Little League Baseball Association and coached several teams. Mr. Armacort has been awarded the Hitchcock Chamber President Award and the Above and Beyond Citizen Award from the Hitchcock ISD. He has obtained a Certified Municipal Official certification from TML.

- John W. (Buzz) Fullen** (Incumbent). Mayor of the City of Henderson since 2019 and from 2004 to 2012 (Region 15). Mr. Fullen also served as a Commissioner of the Henderson Housing Authority from 2011 to 2019 and is now ex-officio on same. He currently serves on the Henderson Main Street Board (2004–present), Henderson Civic Center Board (2003–present), and the Henderson ETMC Hospital Diabetes Board (2009–present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010, during which time he served as Chair (2018-2020) and Vice Chair (2016-2018).

WRITE IN CANDIDATE:

PLACE 3

- George Hyde.** City Attorney for the City of Watuaga (Region 8). Mr. Hyde is a partner in the law firm Russell Rodriquez Hyde Bullock, LLP, located in Georgetown. He is a member of and holds Merit Certification in Municipal Law from the Texas City Attorneys Association. He has served as City Attorney for ten other cities across Texas, since 2003. He has also served local governments in various public safety positions within Fire Departments, Parks Departments, and Police Departments. During his tenure as a peace officer, Mr. Hyde received the Texas Commission on Law Enforcement Educational Achievement Award for exceeding normal expectations in job performance.

- Roy E. Maynor.** City Alderman, Position 3, for the City of West Columbia (Region 14). He has been an elected official of West Columbia since 2013. Mr. Maynor is a Life Safety Systems Specialist for Vallen Safety Services and a member of Gulf Coast Christian Church. He is also part-owner of Grit Fitness in West Columbia. He and his wife, Rachel, have two children.

- Jeffrey Snyder (Incumbent).** City Manager for the City of Plainview (Region 2). He previously served as the Assistant City Manager for Plainview and as the City Manager for Idalou. Mr. Snyder graduated from West Texas A&M University and obtained a Master of Public Administration from Texas Tech University. He is a member of the International City Management Association (ICMA) and TCMA. He is a graduate of the Public Executive Institute through the University of Texas and is a credentialed manager through ICMA. He has been a Board member of the TML Intergovernmental Risk Pool since 2018 and served on various committees with TML, TCMA and ICMA and as past president of the Panhandle City Management Association.

WRITE IN CANDIDATE:

PLACE 4

- Robert S. Hauck** (Incumbent). City Manager for the City of Tomball (Region 14), a position he has held since April 2018. He began his full-time career in public service with the Los Angeles Police Department in 1988. In 2008, Mr. Hauck retired from the LAPD and joined the City of Tomball, where he has served as Chief of Police, Assistant City Manager, and now City Manager. Mr. Hauck holds a Bachelor of Arts degree in Business Administration, and a Master of Science degree in Management. He has been a Board member of the TML Intergovernmental Risk Pool since 2019. Mr. Hauck and his wife Kathleen have three children – Lauren, Conner, and Madeline.

- Dave Martin**. City Councilmember and current Mayor Pro Tem for the City of Houston (Region 14). Mr. Martin serves as Chair of the City Council Budget and Fiscal Affairs Committee. He previously served on the Humble ISD Board of Trustees and as Secretary/Treasurer of the Board of Directors for the Harris County Houston Sports Authority. Mr. Martin is a Managing Director of Marsh & McLennan Companies, Inc., the largest Global Risk Management firm. Previously he worked for two “Big Four” accounting firms, PricewaterhouseCoopers, LLP and Ernst & Young, LLP.

- Kimberly Meisner**. Executive Director for General Operations for Kerrville (Region 7), overseeing Human Resources, Municipal Court, Public Library, Public Information, the Senior Services Advisory Committee, and the Kerrville Area Youth Leadership Academy. Ms. Meisner has over 23 years of public service, which includes serving Kerrville and La Porte. She is a member of the TCMA, International Public Management Association for Human Resources (IPMA-HR), Society for Human Resource Management (SHRM), and is a former President of the Bay Area Human Resource Management Association. She has a Master’s degree in Public Administration and is an IPMA-HR Senior Certified Professional and a SHRM Certified Professional.

- Sean Overeynder**. City Manager for the City of Lamesa, Texas (Region 3). Sean Overeynder began his career in local government administration in August 2014 in Economic Development, working for various public and private organizations. He has held the position of City Manager for the City of Lamesa since March 2020. Prior to becoming the City Manager, he was appointed as the Economic Development Director for the City of Lamesa on August 27, 2018.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2020.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity



STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9H

TITLE:

Consider action to approve Resolution No. R-2020-85 of the City Council of the City of Bastrop, Texas confirming board appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

STAFF REPRESENTATIVE:

Paul A. Hofmann, City Manager

BACKGROUND/HIS TORY:

Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

POLICY EXPLANATION:

Mayor Connie Schroeder has reviewed all applications and has made appointments to various City boards and commissions. In an effort to be open and transparent, Mayor Schroeder has prepared a detailed PowerPoint presentation outlining her appointments. The PowerPoint presentation is attached as Exhibit A to the Resolution seeking confirmation of Council as required by the Charter.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Recommend approval of Resolution No. R-2020-85 of the City Council of the City of Bastrop, Texas confirming board appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date.

ATTACHMENTS :

- Resolution
- Exhibit A – PowerPoint Presentation

RESOLUTION NO. R-2020-85

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
CONFIRMING ALL BOARD AND COMMISSION APPOINTMENTS OF THE
MAYOR, AS REQUIRED IN SECTION 3.08 OF THE CITY'S CHARTER, AS
ATTACHED IN EXHIBIT A; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

WHEREAS, Mayor Connie Schroeder has completed her review process of all applications to the City's boards and commissions and has made her appointments to each board and commission as attached in Exhibit A; and

WHEREAS, City Council must confirm these appointments as required by the City Charter.

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

Section 1: That Mayor Connie Schroeder appointed members to each Board and Commission of the City, as attached in Exhibit A.

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointments to all of the City's boards and commissions as outlined in Exhibit A.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September, 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

*Mayor Appointments
Boards and Commissions
September 8, 2020*



Guidelines for application review

- Council Interviews conducted August 26th
- Maximize the number of citizens engaged
- Board composition reflecting our community
- Seek to fill places with needed skills and knowledge
- Solicit input from Executive Directors of Boards regarding skills needed



Overview

- Categorized Boards based on frequency of meetings
 - Meets Regularly (Monthly or Quarterly)
 - Meets “As Needed”

Boards that meet Regularly:

- *Bastrop Art in Public Places*
 - Bastrop Economic Development Corporation
 - Fairview Cemetery
 - Historic Landmark Commission
 - Housing Authority
 - Hunters Crossing Local Government Corporation
 - Library
 - Main Street
 - Parks
 - Planning and Zoning
- Boards that meet “As Needed”:
 - Board of Zoning and Adjustment
 - Construction Standards Board
 - Ethics Commission





Bastrop Art in Public Places

Appointments:

No appointments for BAIPP at this time, CAMP Ad Hoc Working Group will bring implementation plan to council for approval





Bastrop Economic Development Corporation

Appointments: Term ends 2022

Place 2: **William “Bill” Gossett**

Place 4: **Kevin Plunkett**

➤ Reappointment

Place 6: **Charles Washington, Jr.**

➤ Reappointment (appointed July 14, 2020)





Fairview Cemetery Advisory Board

Appointments: Term ends 2023

Place 1: **Anna Schneider**

➤ Reappointment

Place 2: **Mary Williams**

➤ Reappointment





Historic Landmark Commission

Appointments: Term ends 2023

Place 4: **Blake Kaiser**

➤ Reappointment

Place 7: **Cheryl Long**

➤ Reappointment





Bastrop Housing Authority

Appointments: Term ends 2022

Place 4:

- No appointment at this time – must be resident

Place 5: **Phillip L. Woods**

- Reappointment





Hunters Crossing LGC

Appointments: Term ends 2023

Place 2: **Drusilla Rogers** Council Representative

- Reappointment

Place 7: **Michelle Dodson**

- Resident of Hunters Crossing, previously served as HOA Rep





Library Board

Appointments: Terms end 2023

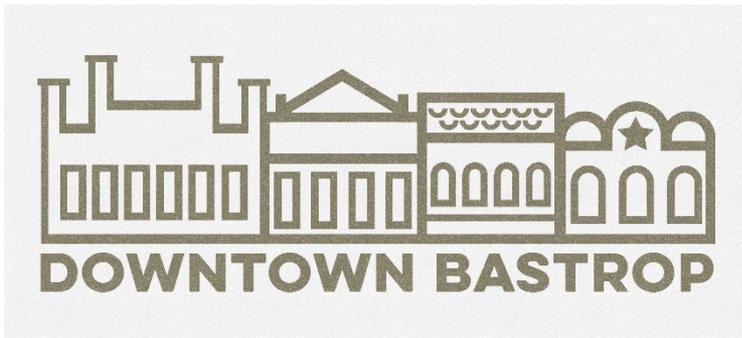
Place 1: **Rebecca Bennett**

➤ Reappointment

Place 4: **Barbara Clemons**

➤ Reappointment





Main Street Advisory Board

Appointments Terms end 2023:

Place 4: **Vacant**

- No appointment at this time, Main Street nomination process underway

Place 5: **Jennifer Long**

- Reappointment

Place 8: **Shawn Pletsch**

- Reappointment





Parks Board

Appointments: Term ends 2023

Place 3: **Kelly Dawson**

➤ Reappointment

Place 5: **Barbara Wolanski**

➤ Reappointment

Place 6: **Margaret Robinson**

➤ Reappointment





Construction Standards Board

Appointments: Term ends 2022

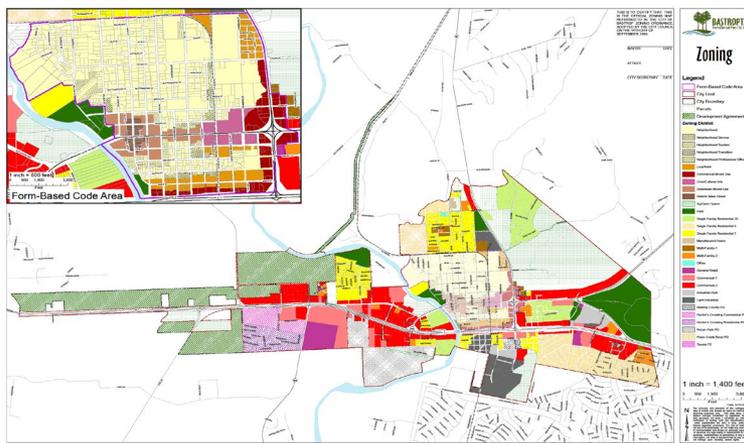
Place 1: **Michael Osborn**

➤ Reappointment

Place 4: **Chase McDonald**

➤ Reappointment





Zoning Board of Adjustments

Appointments Terms end 2022:

Place 2: **Scot Robichard**

➤ Reappointment

Place 4 : **Vacant**



Council Liaisons - 2020/2021

- Mayor Schroeder – BEDC and Library
 - Mayor Pro Tem Nelson – Planning & Zoning and Construction Standards
 - Council Member Ennis – *BAIPP* and Historic Landmark Commission
 - Council Member Jackson – Parks & Recreation
 - Council Member Peterson – Cemetery
 - Council Member Rogers – Main Street
- Boards that are inappropriate for Council Liaison
- Ethics (Thanks to all Board Members – no meetings in last FY)
 - Zoning Board of Adjustments
 - Housing Authority
- Nelson/Rogers serve on Hunters Crossing Board



Confirmation

Appointments to City Boards are among the most consequential responsibilities of the Mayor. I appreciate Council for being a part of the interview process this year. I have spent additional time reviewing applications and visiting with citizens prior to making my appointments.

23 Appointments presented:

9% New to serving on a Board

43% Downtown, 48% Other than Downtown, 9% ETJ

52% Male, 48% Female

I respectfully request City Council confirm these appointments





STAFF REPORT

MEETING DATE: September 8, 2020

AGENDA ITEM: 9I

TITLE:

Consider action to approve Resolution No. R-2020-86 of the City Council of the City of Bastrop, Texas, granting authority to the City Manager to execute an Interlocal Agreement with Bastrop County to allow the construction a new monopole communication tower, with a modified development process approved by the Zoning Board of Adjustment for a Non-conforming Structure, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.

STAFF REPRESENTATIVE:

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

ITEM DETAILS:

Site Address:	2575 Cedar Street (Agreement - Exhibit A)
Total Acreage:	10.223 acres
Legal Description:	Bastrop Town Tract A11, 10.223 acres
Property Owner:	Kent Broussard Tower Rentals, Inc
Applicant:	Paul Pape, County Judge/Bastrop County
Agent Contact:	Steven Long, Wireless Radio System Manager/Bastrop County
Existing Use:	Communication Tower
Existing Place Type Zoning:	P-2 Rural
Character District:	Lost Pines
Future Land Use:	Rural Residential

BACKGROUND/HISTORY:

The applicant requested approval from the Zoning Board of Adjustment (per Section 2.4.001 of the B³ Code) to expand an existing non-conforming site to add a new 100-foot tall monopole communication tower that will be used by Bastrop County for dispatch and emergency communications. They currently have infrastructure on the existing 450-foot tall radio tower on the site, but they need to upgrade their system and the existing tower is already overcapacity (Attachment 1).

The new monopole will be placed beside the existing radio tower and communication buildings on the site, with some infrastructure on the ground to connect to the existing buildings (Agreement Exhibit C).

Any new development triggers compliance with the B³ Code, which would require establishing a Neighborhood Regulating Plan, providing public improvements through the Preliminary and Final Plat process, submitting a Site Development Plan and Building Permits. Additionally, for Place Type 2 – Rural, structures cannot exceed two stories (28 feet) in height.

At the August 5, 2020 meeting of the Zoning Board of Adjustment, Steven Long, Wireless Radio System Manager with Bastrop County provided additional background for the new tower. The County currently leases space for three microwave dishes installed on the existing 450-foot tower for the 911 emergency system. The tower is currently well above the capacity and the County wants to relocate their emergency management communication equipment to the independent tower monopole to ensure continuity of service. Bastrop County has a long-term plan that will take at least three years to build a new tower on a different site, but in the short-term would like to utilize the existing ground equipment by placing the monopole tower and two new Federal Communication Commission regulated dishes.

Two adjacent neighbors, Kristine Dugan and Matt Dugan, 2101 Cedar Street spoke against the expansion, citing concerns about increasing radio & microwave with more equipment and extending the useful life of a communication site that has been in place for over 35 years.

To address the neighbors' concerns, the ZBA discussed setting a five-year time limit for the use of the new tower. Additionally, once Bastrop County moves the 911 service to a new site the new tower and related equipment will be removed.

The Board approved the expansion of the non-conforming site and structure with the requirement to establish an Interlocal Agreement with the following conditions:

- Any future development beyond the scope approved by the Zoning Board of Adjustment will come into compliance with all Bastrop Building Block (B³) Codes in effect at time of development.
- Dedication of half (27.78 feet) of the right-of-way for Cedar Street along the northern property line.
- The development process will be limited to the following with full review fees paid:
 - Minor Plat with the right-of way dedication;
 - Site Development Plan; and
 - Building Permits.
- No more than two dishes with supporting infrastructure on the pole.
- Communication tower must be removed within five years from August 5, 2020 (ZBA approval) or come back to ZBA for an extension to continue the use.
- If Bastrop County relocates their communication equipment, the monopole must be removed from the site.

This Resolution authorizes the City Manager to execute the Interlocal Agreement that memorializes the conditions approved by the Zoning Board of Adjustment.

PUBLIC NOTIFICATION:

Notifications were mailed to 8 adjacent property owners on July 23, 2020. At the time of this report, three responses of No Objection and two responses Opposed have been received.

(Attachment 2). At the Zoning Board of Adjustment meeting, two adjacent property owners spoke in opposition to the expansion of the tower site.

POLICY EXPLANATION:

Chapter 2 – Zoning Procedures

Article 2.4 Administration

Section 2.4.001 Nonconforming Uses and Structures

- (4) No nonconforming use or Structure may be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless authorized by the ZBA.

RECOMMENDATION:

The Assistant Planning Director recommends approving Resolution No. R-2020-86 of the City Council of the City of Bastrop, Texas, granting authority to the City Manager to execute an Interlocal Agreement with Bastrop County to allow the construction a new monopole communication tower, with a modified development process approved by the Zoning Board of Adjustment for a Non-conforming Structure, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Exhibit A: Interlocal Agreement
 - Exhibit A: Description of Property (Location Map)
 - Exhibit B: draft ZBA Minutes (August 5, 2020)
 - Exhibit C: Plans for the Tower Project
- Attachment 1: Letter from Applicant
- Attachment 2: Notice to Property Owners



RESOLUTION NO. R-2020-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH BASTROP COUNTY TO ALLOW THE CONSTRUCTION OF A NEW MONOPOLE COMMUNICATION TOWER, WITH A MODIFIED DEVELOPMENT PROCESS APPROVED BY THE ZONING BOARD OF ADJUSTMENT FOR A NON-CONFORMING STRUCTURE, AS ATTACHED IN EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE AGREEMENT; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Bastrop County ("Developer"), desires to make certain private improvements on a 10.223 acre parcel in Bastrop Town Tract, A11 more particularly described on Exhibit "A" ("Property"), owned by Kent Broussard Tower Rentals, Inc. ("Owner"); and

WHEREAS, the Developer has requested the City of Bastrop, a Home Rule Municipality of Bastrop County, Texas, ("City"), to allow the Expansion of a Non-Conforming Structure; and

WHEREAS, the standard development process would require establishing a Neighborhood Regulating Plan, providing public improvements through the Preliminary and Final Plat process; submitting a Site Development Plan and Building Permits; and

WHEREAS, City staff has recommended certain modifications to the standard development approval process and standards, provided that any future development on any of the site will trigger full compliance with the adopted ordinance at the time of development; and

WHEREAS, this Agreement, which states the purpose, terms, rights, and duties of the contracting parties, is entered into by parties, two of which are local governments, regarding governmental functions and services, for which each contracting party is paying for performance under this Agreement from current revenues available to the paying party, in accordance with Texas Government Code Chapter 791.

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

Section 1: That an Interlocal Agreement has been approved as shown in Exhibit A.

Section 2: That the City Manager is authorized to execute all necessary documents for the agreement.

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

Section 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 8th day of September, 2020.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

INTERLOCAL AGREEMENT
Bastrop Town Tract A11, 10.223 acres

State of Texas §

§

County of Bastrop §

WHEREAS, Bastrop County ("Developer"), desires to make certain private improvements on a 10.223 acre parcel in Bastrop Town Tract, A11 more particularly described on Exhibit "A" ("Property"), owned by Kent Broussard Tower Rentals, Inc. ("Owner"); and

WHEREAS, the Developer has requested the City of Bastrop, a Home Rule Municipality of Bastrop County, Texas, ("City"), to allow the Expansion of a Non-Conforming Structure; and

WHEREAS, the standard development process would require establishing a Neighborhood Regulating Plan, providing public improvements through the Preliminary and Final Plat process; submitting a Site Development Plan and Building Permits; and

WHEREAS, City staff has recommended certain modifications to the standard development approval process and standards, provided that any future development on any of the site will trigger full compliance with the adopted ordinance at the time of development; and

WHEREAS, this Agreement, which states the purpose, terms, rights, and duties of the contracting parties, is entered into by parties, two of which are local governments, regarding governmental functions and services, for which each contracting party is paying for performance under this Agreement from current revenues available to the paying party, in accordance with Texas Government Code Chapter 791.

NOW, THEREFORE, for good and valuable consideration the receipt and sufficiency of which are hereby acknowledged the parties hereto agree as follows:

1. Permitted Scope of Work. Per the approval of the Zoning Board of Adjustment of August 5, 2020, the Developer is allowed to expand the existing communication tower site with a 100-foot-tall monopole with two communication dishes, with limited ground equipment which connects to the existing structures. (See Exhibit "B", Draft Minutes of ZBA Meeting)

1.1. Development Process Requirements. In accordance with this agreement, the Developer and Owner agree to the Development Process and dedications outlined herein.

1.2. Dedication of Cedar Street Right-of-Way. The Developer and Owner agree to submit to the City a Minor Plat that includes the public dedication of 27.78 feet (half)

of the right-of-way along the north property line to the City for the future development of the extension of Cedar Street.

- 1.3. Site Development Plan.** The Developer and Owner agree to submit to the City a Site Development Plan with full review City review fees. The Site Development Plan will be in compliance with all standards of the Bastrop Building Block (B³) Code, except the Public Frontage Plan.
 - 1.4. Building Permits.** The Developer and Owner agree to apply to the City for Building Permits. All plans will be in compliance with the International Building Codes most recently adopted by the City.
 - 1.5. Expiration of Approval.** The Developer agrees that the communication tower must be removed prior to August 5, 2025 or come back to the Zoning Board of Adjustment for extension of the approval.
 - 1.6. Removal Upon Discontinuance.** The Developer agrees to removal the monopole and related equipment upon the discontinued use of the tower by Bastrop County.
- 2. Future Development of any of the Site.** The parties agree that any future development of the Property beyond the plans made the subject to of this Agreement (see Exhibit "C") will be in compliance with all of the then-current City Code of Ordinances at the time of application for permits.
 - 3. Execution in Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute one Agreement. To facilitate execution of this Agreement, the parties may execute and exchange by PDF electronic email counterparts of the signature pages.
 - 4. Governing Law & Venue.** This Agreement shall, in all respects, be governed, construed, applied, and enforced in accordance with the laws of the State of Texas. Venue for any disputes arising under this Agreement shall be exclusively in Bastrop County.
 - 5. Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the, successors, assigns of the parties.
 - 6. Captions.** All captions, headings, paragraph and subparagraph numbers and letters are solely for reference purposes and shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.
 - 7. Severability.** The invalidity or unenforceability of a particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.
 - 8. Entire Agreement.** This Agreement constitutes the sole and entire understanding of the

parties.

9. Effective Date. This Agreement shall become effective upon execution by all parties.

10. Expiration. This Agreement, and all terms and conditions provided herein, shall expire if the project is not completed within one (1) year of the Effective Date.

IN WITNESS WHEREOF, the undersigned have duly executed and delivered this Agreement as of the day and year first set forth above.

BASTROP COUNTY:

by: _____
Paul Pape, County Judge

CITY OF BASTROP:

by: _____
Paul A. Hofmann, City Manager

KENT BROUSSARD TOWER RENTALS, INC:

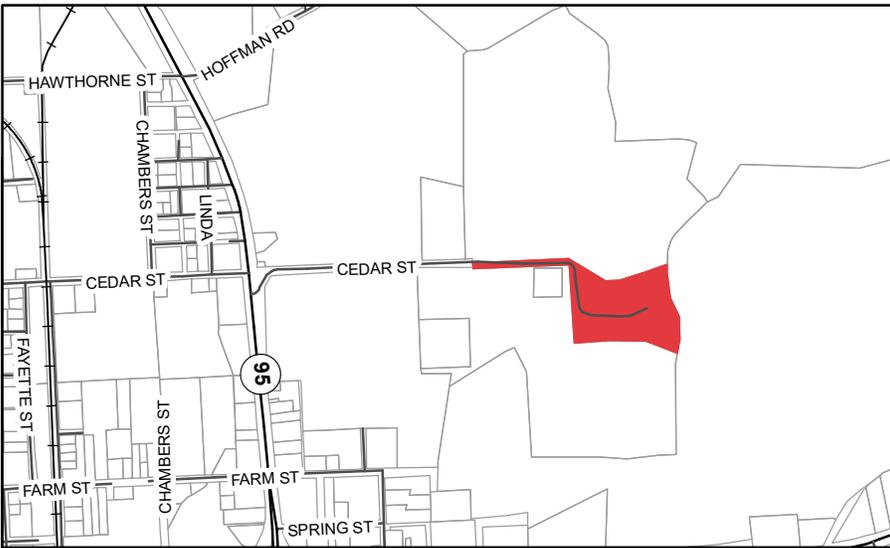
by: _____

Representative

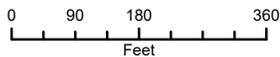
- Exhibits:
- A: Description of Property
 - B: ZBA Minutes (August 5, 2020)
 - C: Plans for the Tower project

Distribution of Originals: Developer
 Owner
 City Secretary
 Planning and Development Department

Attachment 1 Location Map



Bastrop County/Broussard Tower 2575 Cedar Street Expansion of a Non-Conforming Structure



1 inch = 270 feet



Date: 7/23/2020

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

Zoning Board of Adjustments

August 5, 2020 Meeting Minutes

- 3B. Public Hearing and consider action for the expansion of a Non-Conforming Site to add a 100-foot monopole communication tower at the same site of an existing 450-foot radio tower with adjacent equipment buildings, on 10.223 acres of Bastrop Town Tract A11, located at 2575 Cedar Street, within the City Limits of the City of Bastrop, Texas.

Jennifer Bills presented the information distributed in the Zoning Board of Adjustment Agenda Packet. She discussed the history of the site and the previous cell towers at that location.

Jennifer Bills discussed with the Board the notifications City Staff had sent out for the public hearing, and that a letter received from one of the surrounding property owners. Jennifer Bills stated Staff was recommending approval of the tower with the following conditions:

1. Applicant would Execute a Development Agreement with the City for the following:
2. Any future development beyond the scope approved by the Zoning Board of Adjustment will come into compliance with all Bastrop Building Block (B³) in effect at time of development.
3. Dedication of half (27.78 feet) of the right-of-way for Cedar Street along the northern property line.
4. The development process will be limited to the following with full review fees paid: Minor Plat with the right-of way dedication; Site Development Plan; and Building Permits.

The letter from the property owner at 2101 Cedar Street, Kristine Dugan, was read aloud for the record.

The Board discussed the purpose for the tower, which is to improve 911 communications.

Patrick Connell opened the Public Hearing.

The property owner at 2101 Cedar Street, Kristine Dugan, addressed the Board and further discussed her concerns that she listed in her letter. The Board asked if she would be more amenable to the proposed tower if there would be a condition put into place that ensured it would only be used for an emergency tower.

The property owner at 2101 Cedar Street, Matt Dugan, spoke before the Board stating he was not in favor of the cell tower being proposed to be placed on the tower.

Patrick Connell closed the Public Hearing.

Zoning Board of Adjustments

August 5, 2020 Meeting Minutes

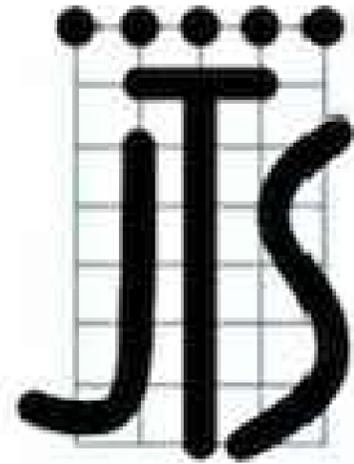
Discussion commenced between the Board and the Applicant (Steven Long). He answered questions for the Board including: the reason for the request is because the current tower is at max capacity, the proposed timeline (2-3 years) to get a new tower site that would be owned by the County so they could permanently move their equipment to their own site, the logistics for the monopole being proposed on the pre-existing tower site, the dedication of Right-Of-Way between the City and the Property Owner, and the removal of the proposed monopole from the property in the future.

Further discussion commenced among the Board.

Scot Robichaud made a motion to recommend approval for the expansion of a Non-Conforming Site to add a 100-foot monopole communication tower at the same site of an existing 450-foot radio tower with adjacent equipment buildings, on 10.223 acres of Bastrop Town Tract A11, located at 2575 Cedar Street, within the City Limits of the City of Bastrop, Texas with the following requirements:

1. Any future development beyond the scope approved by the Zoning Board of Adjustment will come into compliance with all Bastrop Building Block (B³) Code Requirements in effect at time of development,
2. The property owner will be required to dedicate half (27.78 feet) of the right-of-way for Cedar Street along the northern property line,
3. The development process will be limited to the following with full review fees paid: Minor Plat with the right-of way dedication; Site Development Plan; and Building Permits,
4. There will be no more than two dishes with supporting infrastructure allowed to be placed on the monopole,
5. The applicant is allowed to use this location for the monopole for five years starting on August 5, 2020, if the monopole is still operational in five years the applicant will need to come back before the Zoning Board of Adjustments to obtain approval for a continuance of use of the monopole at that location; and
6. The Applicant must have the monopole to completely removed from the site if they relocate their emergency communication to a new site prior to the five-year timeline set forth by the Zoning Board of Adjustments.

Gary Moss seconded the motion and the motion carried unanimously.



JTS NEW SITE BUILD

JTS SITE NAME: BASTROP

SITE ADDRESS:

E911 ADDRESS TO BE PROVIDED
BASTROP, AR 78612
BASTROP COUNTY

DRAWING INDEX

T-1	TITLE SHEET & PROJECT INFORMATION
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
C-1	EXISTING OVERALL SITE PLAN
C-2	PROPOSED OVERALL SITE PLAN
C-3	PROPOSED ENLARGED SITE PLAN
C-4	TOWER ELEVATION
C-5	ICE BRIDGE DETAILS
G-1	PROPOSED COMPOUND GROUNDING PLAN
G-2	GROUNDING DETAILS
G-3	GROUNDING DETAILS



East Tower, Inc.
3537 Gum Springs Road
Longview, TX 75602
Phone: 903-234-9370

SITE COORDINATES:
LATITUDE: 30.116300"
LONGITUDE: -97.298600"
(N 30° 6' 58.6794")
(W 97° 17' 54.9594")

SITE INFORMATION

VICINITY MAP

JTS SITE NAME: BASTROP

SITE ADDRESS: E911 ADDRESS TO BE PROVIDED
BASTROP, AR 78612

LATITUDE (NAD83): 30.116300" (N 30° 6' 58.6794")
LONGITUDE (NAD83): -97.298600" (W 97° 17' 54.9594")

GROUND ELEVATION: 492' (AMSL)

JURISDICTION: UNION COUNTY
JURISDICTION CONTACT: CONTACT NAME:
PHONE: NOT PROVIDED

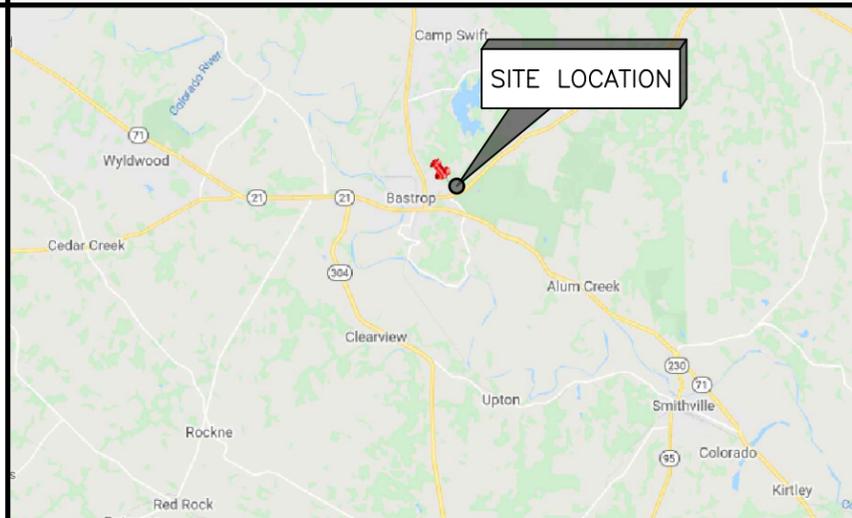
ZONING: NOT PROVIDED

TOWER OWNER: JTS
5310 S. COCKRELL HILL ROAD
DALLAS, TX 75236
CONTACT: NOT PROVIDED
PHONE: (972) 620-1435 EXT. 170

STRUCTURE TYPE: MONOPOLE TOWER
STRUCTURE HEIGHT: 100'-0" (AGL)

POWER SUPPLIER: POWER COMPANY:
ENTERGY
PHONE: NOT PROVIDED

TELCO PROVIDER: TELCO COMPANY:
NOT PROVIDED
PHONE: NOT PROVIDED



DIRECTIONS

FROM AUSTIN, TEXAS:

GET ON I-35 S HEAD EAST ON E 5TH ST TOWARD BRAZOS ST TURN RIGHT ONTO S IH 35 FRONTAGE RD USE THE LEFT LANE TO TAKE THE RAMP ONTO I-35 S TAKE TX-71 E TO CEDAR ST IN BASTROP MERGE ONTO I-35 S USE THE 2ND FROM THE RIGHT LANE TO TAKE EXIT 230 FOR TX-71 TOWARD US 290 W/BASTROP/JOHNSON CITY/AIRPORT MAY BE CLOSED AT CERTAIN TIMES OR DAYS KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR TEXAS 71 E/BASTROP AND MERGE ONTO TX-71 E PARTS OF THIS ROAD MAY BE CLOSED AT CERTAIN TIMES OR DAYS CONTINUE STRAIGHT TO STAY ON TX-71 E KEEP LEFT TO CONTINUE ON TX-71 E/BASTROP FWY CONTINUE TO FOLLOW TX-71 E TOLL ROAD KEEP RIGHT USE THE LEFT 2 LANES TO TURN LEFT ONTO STATE HWY 95 N/JACKSON ST CONTINUE TO FOLLOW STATE HWY 95 N DRIVE TO YOUR DESTINATION TURN RIGHT ONTO CEDAR ST SLIGHT RIGHT BASTROP TEXAS 78602

PROJECT TEAM

APPLICANT: EASTEX TOWER, LLC
3537 GUM SPRINGS ROAD
LONGVIEW, TX 75602
CONTACT: KEITH MATHENY
PHONE: (903) 932-6503

A&E FIRM: SMW ENGINEERING GROUP, INC.
158 BUSINESS CENTER DRIVE
BIRMINGHAM, AL 35244
PHONE: (205) 252-6985

ENGINEER: JEREMY D. SHARIT, PE
158 BUSINESS CENTER DRIVE
BIRMINGHAM, AL 35244
PHONE: (205) 252-6985

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- INTERNATIONAL BUILDING CODE
- INTERNATIONAL RESIDENTIAL CODE
- INTERNATIONAL ENERGY CONSERVATION CODE
- INTERNATIONAL FIRE CODE
- INTERNATIONAL FUEL GAS CODE
- INTERNATIONAL MECHANICAL CODE
- INTERNATIONAL PLUMBING CODE

SCOPE OF WORK

THIS PROJECT CONSISTS OF:

- INSTALLATION OF UTILITIES TO SITE (IF REQUIRED)
- INSTALLATION NEW 100' MONOPOLE TOWER
- INSTALLATION OF NEW ICE BRIDGE
- RE-USE EXISTING EQUIPMENT SHELTER

DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 11"x17" AND HALF SIZE AT 8-1/2"x11". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME.

HANDICAP REQUIREMENTS

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAP ACCESS IS NOT REQUIRED.



ARKANSAS ONE-CALL
STATE WIDE CALL: 811
CALL BEFORE YOU DIG

CA#: AR 1935

**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

DSR	DAJ
DATE	DESCRIPTION:
06/18/20	ISSUED FOR CLIENT REVIEW

BASTROP	
TITLE SHEET & PROJECT INFORMATION	
DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #:	20-10260
SHEET NO.:	REV.
T-1	0

GENERAL NOTES:

1. THE CONTRACTOR MUST VERIFY ALL DIMENSIONS, CONDITIONS AND ELEVATIONS BEFORE STARTING WORK. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER AND SHALL BE RESOLVED BEFORE PROCEEDING WITH THE WORK. ALL WORK SHALL BE PERFORMED IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ACCEPTED CONSTRUCTIONS PRACTICES.
2. IT IS THE INTENTION OF THESE DRAWINGS TO SHOW COMPLETED INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, TIES, FORM WORK, ETC. IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL ORDINANCES, TO SAFELY EXECUTE ALL WORK AND SHALL BE RESPONSIBLE FOR SAME. ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL ORDERS.
3. THE CONTRACTOR SHALL USE ADEQUATE NUMBER OF SKILLED WORKMEN WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND METHOD NEEDED FOR PROPER PERFORMANCE OF THE WORK.
4. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. CONSTRUCTION CONTRACTOR FURTHER AGREES TO INDEMNIFY AND HOLD DESIGN ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH PERFORMANCE OF WORK ON THIS PROJECT.
5. SITE GROUNDING SHALL COMPLY WITH TOWER OWNER GROUNDING STANDARDS, LATEST EDITION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT THEY SHALL GOVERN. GROUNDING SHALL BE COMPLETED BEFORE ERECTION OF THE TOWER
6. ALL WORK SHALL COMPLY WITH OSHA AND STATE SAFETY REQUIREMENTS. PROCEDURES FOR THE PROTECTION OF EXCAVATIONS, EXISTING CONSTRUCTION AND UTILITIES SHALL BE ESTABLISHED PRIOR TO FOUNDATION INSTALLATION. IF TEMPORARY LIGHTING AND MARKING IS REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION (FAA), IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE NECESSARY LIGHTS AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A PROBLEM.
7. ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL CODES AND ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.
8. ANY DAMAGE TO ADJACENT PROPERTIES SHALL BE CORRECTED AT THE CONTRACTORS EXPENSE.
9. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AMPLE NOTICE TO THE BUILDING INSPECTION DEPARTMENT TO SCHEDULE THE REQUIRED INSPECTIONS. A MINIMUM OF 24 HOURS OF NOTICE SHALL BE GIVEN AND THE BUILDING INSPECTION DEPARTMENTS HAVE REQUESTED THAT GROUPS OF TWO OR THREE SITES BE SCHEDULED AT ONE TIME IF POSSIBLE.
10. CONSTRUCTION MANAGER WILL CONFIRM FAA APPROVAL OF TOWER LOCATION BY ISSUING TOWER RELEASE FORM. NO TOWER SHALL BE CONSTRUCTED UNTIL THE TOWER RELEASE FORM IS ISSUED TO THE CONTRACTOR.
11. THE COMPLETE BID PACKAGE INCLUDES THESE CONSTRUCTION DRAWINGS ALONG WITH THE SPECIFICATIONS AND TOWER DRAWINGS. CONTRACTOR IS RESPONSIBLE FOR REVIEW OF TOTAL BID PACKAGE PRIOR TO BID SUBMITTAL.
12. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.
13. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING POSITIVE DRAINAGE ON THE SITE AT ALL TIMES. SILT AND EROSION CONTROL SHALL BE MAINTAINED ON THE DOWNSTREAM SIDE OF THE SITE AT ALL TIMES. ANY DAMAGE TO ADJACENT PROPERTIES SHALL BE CORRECTED AT THE CONTRACTORS EXPENSE.
14. CLEARING OF TREES AND VEGETATION ON THE SITE SHOULD BE HELD TO A MINIMUM. ONLY THE TREES NECESSARY FOR CONSTRUCTION OF THE FACILITIES SHALL BE REMOVED. ANY DAMAGE TO PROPERTY OUTSIDE THE LEASE PROPERTY PROPERTIES SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE.
15. ALL SUITABLE BORROW MATERIAL FOR BACK FILL OF THE SITE SHALL BE INCLUDED IN THE BID. EXCESS TOPSOIL AND UNSUITABLE MATERIAL SHALL BE DISPOSED OF OFF SITE AT LOCATIONS APPROVED BY GOVERNING AGENCIES PRIOR TO DISPOSAL.
16. SEEDING AND MULCHING OF THE SITE SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE SITE DEVELOPMENT. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND MAINTAINING AN ADEQUATE COVER OF VEGETATION OVER THE SITE FOR A ONE YEAR PERIOD.
17. FOR ITEM THAT SHALL BE PROVIDED BY THE OWNER & INSTALLED BY THE CONTRACTOR, REF "OWNER SUPPLIED MATERIAL LIST" INSERTED IN THIS DRAWINGS PACKAGE.
18. OBTAIN AND PAY FOR REQUIRED PERMITS, LICENSES, FEES IN[SECTIONS, ETC.
19. RECORD DRAWINGS: MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED. RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWINGS WHICH SHALL BE TURNED OVER TO THE CONSTRUCTION MANAGER UPON COMPLETIONS OF THE PROJECT.
20. THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED IN THIS DESIGN PACKAGE

EXCAVATION & GRADING NOTES

1. ALL CUT & FILL SLOPES SHALL BE 3:1 MAXIMUM (UNLESS NOTED ON GRADING PLAN)
2. ALL EXCAVATIONS ON WHICH CONCRETE IS TO BE PLACED SHALL BE SUBSTANTIALLY HORIZONTAL ON UNDISTURBED AND UNFROZEN SOIL AND BE FREE FROM LOOSE MATERIAL AND EXCESS GROUND WATER. DEWATERING FOR EXCESS GROUND WATER SHALL BE PROVIDED IF REQUIRED.
3. CONCRETE FOUNDATIONS SHALL NOT BE PLACED ON ORGANIC MATERIAL. IF SOUND SOIL IS NOT REACHED AT THE DESIGNATED EXCAVATION DEPTH, THE UNSATISFACTORY SOIL SHALL BE EXCAVATED TO ITS FULL DEPTH AND EITHER BE REPLACED WITH MECHANICALLY COMPACTED GRANULAR MATERIAL OR THE EXCAVATION BE FILLED WITH CONCRETE OF THE SAME QUALITY SPECIFIED FOR THE FOUNDATION.
4. ANY EXCAVATION OVER THE REQUIRED DEPTH SHALL BE FILLED WITH EITHER MECHANICALLY COMPACTED GRANULAR MATERIAL OF CONCRETE OF THE SAME QUALITY SPECIFIED FOR THE FOUNDATION. CRUSHED STONE MAY BE USED TO STABILIZE THE BOTTOM OF THE EXCAVATION. STONE, IF USED, SHALL NOT BE USED AS COMPILING CONCRETE THICKNESS.
5. AFTER COMPLETION OF THE FOUNDATION AND OTHER CONSTRUCTION BELOW GRADE, AND BEFORE BACK FILLING, ALL EXCAVATIONS SHALL BE CLEAN OF UNSUITABLE MATERIAL SUCH AS VEGETATION, TRASH, DEBRIS AND SO FORTH.
6. BACK FILL SHALL BE:
 - APPROVED MATERIALS CONSISTING OF EARTH, LOAMY, SANDY, CLAY SAND, GRAVEL OR SOFT SHALL;
 - FREE FROM CLODS OR STONES OVER 2½" MAXIMUM DIMENSIONS;
 - IN LAYERS AND COMPACTED
7. SITE FILL MATERIAL AND FOUNDATION BACK FILL SHALL BE PLACED IN LAYERS, MAXIMUM 6" DEEP BEFORE COMPACTION. EACH LAYER SHALL BE SPRINKLED IF REQUIRED AND COMPACTED BY HAND OPERATED OR MACHINE TAMPERS TO 95% OF MAXIMUM DENSITY, AT THE OPTIMUM MOISTURE CONTENT +/-2% AS DETERMINED BY ATM DESIGNATION D-698, UNLESS OTHERWISE APPROVED. SUCH BACK FILL SHALL NOT BE PLACED BEFORE 3 DAYS AFTER PLACEMENT OF CONCRETE.
8. THE FOUNDATION AREA SHALL BE GRADED TO PROVIDE WATER RUNOFF AND PREVENT WATER FROM STANDING. THE FINAL GRADE SHALL SLOPE AWAY IN ALL DIRECTIONS FROM THE FOUNDATION AND SHALL THEN BE COVERED WITH 4" DEEP COMPACTED STONE OR GRAVEL.
9. CONTRACTOR SHALL PROVIDE ALL EROSION AND SEDIMENTATION CONTROL MEASURES AS REQUIRED BY LOCAL CITY, COUNTY AND STATE CODES AND ORDINANCES TO PROTECT EMBANKMENTS FROM SOIL LOSS AND TO PREVENT ACCUMULATION OF SOIL AND SILT IN STREAMS AND DRAINAGE PATHS LEAVING THE CONSTRUCTION AREA. THIS MAY INCLUDE SUCH MEASURES AS SILT FENCES, STRAW BALE SEDIMENT BARRIERS AND CHECK DAMS.
10. FILL PREPARATION: REMOVE ALL VEGETATION, TOPSOIL, DEBRIS, WET AND UNSATISFACTORY SOIL MATERIALS, OBSTRUCTIONS, AND DELETERIOUS MATERIALS FROM GROUND SURFACE PRIOR TO PLACING FILLS. PLOW STRIP OR BREAK UP SLOPED SURFACES STEEPER THAT 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING SURFACE. WHEN SUBGRADE OR EXISTING GROUND SURFACE TO RECEIVE FILL HAS A DENSITY LESS THAN THAT REQUIRED FOR FILL, BREAK UP GROUND SURFACE TO DEPTH REQUIRED, PULVERIZE, MOISTURE-CONDITION OR AERATE SOIL AND RECOMPACT TO REQUIRED DENSITY.
11. REPLACE THE EXISTING WEARING SURFACE ON AREAS WHICH HAVE BEEN DAMAGED OR REMOVED DURING CONSTRUCTION OPERATIONS. SURFACE SHALL BE REPLACE TO MATCH EXISTING ADJACENT SURFACING AND SHALL BE OF THE SAME THICKNESS. NEW SURFACE SHALL BE FREE FROM CORRUGATIONS AND WAVES. EXISTING SURFACING MAY BE EXCAVATED SEPARATELY AND REUSED IF INJURIOUS AMOUNTS OF EARTH, ORGANIC MATERIAL, OF OTHER DELETERIOUS MATERIALS ARE REMOVED PRIOR TO REUSE. FURNISH ALL ADDITIONAL RESURFACING MATERIAL AS REQUIRED. BEFORE SURFACING IS REPLACED, SUBGRADE SHALL BE GRADED TO CONFORM TO REQUIRED SUBGRADE ELEVATIONS, AND LOOSE OR DISTURBED MATERIALS SHALL BE THOROUGHLY COMPACTED. DEPRESSIONS IN THE SUBGRADE SHALL BE FILLED AND COMPACTED WITH APPROVED SELECTED MATERIAL. SURFACING SHALL NOT BE USED FOR FILLING DEPRESSIONS IN THE SUBGRADE.
12. PROTECT EXISTING SURFACING AND SUBGRADE IN AREAS WHERE EQUIPMENT LOADS WILL OPERATE. USE PLANKING OR OTHER SUITABLE MATERIALS DESIGNED TO SPREAD EQUIPMENT LOADS. REPAIR DAMAGE TO EXISTING GRAVEL SURFACING OR SUBGRADE WHERE SUCH DAMAGE IS DUE TO THE CONTRACTOR'S OPERATIONS. DAMAGED GRAVEL SURFACING SHALL BE RESTORED TO MATCH THE ADJACENT UNDAMAGED GRAVEL SURFACING AND SHALL BE OF THE SAME THICKNESS.
13. DAMAGE TO EXISTING STRUCTURES AND UTILITIES RESULTING FROM CONTRACTOR'S NEGLIGENCE SHALL BE REPAIRED / REPLACED TO OWNER'S SATISFACTION AT CONTRACTOR'S EXPENSE.
14. CONTRACTOR SHALL COORDINATE THE CONSTRUCTION SCHEDULE WITH PROPERTY OWNER SO AS TO AVOID INTERRUPTIONS TO PROPERTY OWNER'S OPERATIONS.
15. ENSURE POSITIVE DRAINAGE DURING AND AFTER COMPLETION OF CONSTRUCTION.
16. RIPRAP SHALL BE CLEAN, HARD, SOUND, DURABLE, UNIFORM IN QUALITY, AND FREE OF ANY DETRIMENTAL QUANTITY OF SOFT, FRIABLE, THIN, ELONGATED OR LAMINATED PIECES, DISINTEGRATED MATERIAL, ORGANIC

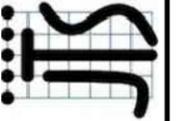
- X — FENCE
- [XX.X] — CONTOUR LINE
- - - - - PROPERTY LINE/ROW
- - - - - LEASE AREA
- - - - - EASEMENT
- DISCONNECT SWITCH
- Ⓜ METER
- Ⓢ CIRCUIT BREAKER
- Ⓧ CODED NOTE NUMBER
- Ⓢ CHEMICAL GROUND ROD
- Ⓧ GROUND ROD
- Ⓧ GROUND ROD W/ INSPECTION SLEEVE
- EXOTHERMIC CONNECTION
- ◆ MECHANICAL CONNECTION
- ▲ COMPRESSION CONNECTION
- — — — GROUND BAR
- — — — GROUND WIRE



East Tower, Inc.
3437 W. 10th Street
Longview, TX 75602
Phone: 903-234-9370



SITE COORDINATES:
NAD 83
LATITUDE: 30.116300°
LONGITUDE: -97.298600°
(N 30° 6' 58.6794")
(W 97° 17' 54.9594")



DATE	DESCRIPTION:	DSR	DAJ
06/18/20	ISSUED FOR CLIENT REVIEW		

BASTROP
GENERAL NOTES

CA#: AR 1935
**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.
GN-1	0

GENERAL NOTES

1. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
4. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
6. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
7. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
8. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES AND NOTIFY UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION AT 811 PRIOR TO EXCAVATION AT SITE.
9. ANY UNDERGROUND UTILITIES OR STRUCTURES THAT EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
10. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
11. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
12. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
13. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
14. THERE ARE NO COMMERCIAL SIGNS PROPOSED FOR THIS INSTALLATION.
15. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
16. THE SUBGRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION.
 MAXIMUM SOIL LIFTS:
 JUMPING JACK - 3"
 CROWS FOOT TRENCH ROLLER - 6"
 HOE OPERATED VIBRATORY PLATE - 8"
 WHEELED VIBRATORY SOIL COMPACTOR - 12"
 *LIFT HEIGHTS MAY NEED TO BE ADJUSTED DEPENDING ON SOIL TYPES AND MOISTURE CONTENT.
17. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY UTILITY OWNER. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES.
18. THE AREAS DISTURBED DUE TO CONSTRUCTION ACTIVITY SHALL BE GRADED AND RESTORED PER CODE/LANDLORD REQUIREMENTS (REFER TO GRADING PLAN).
19. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL, AND COORDINATED WITH THE MUNICIPALITY.
20. UTILITY WARNING TAPE SHALL BE PLACED ABOVE ALL NEW CONDUITS AT MAX 18" DEPTH BELOW GRADE.
21. THE CONTRACTOR RESPONSIBILITIES:
 - a. ALL WORK IN THE JTS LEASED AREA EXCEPT POWER AND TELCO CONDUIT FROM MULTI-GANG METER RACK AND TELCO DEMARC WHICH SHALL BE INSTALLED BY BUILD-TO-SUIT VENDOR.
 - b. INSTALLATION OF WAVEGUIDE SUPPORT FROM JTS LEASED AREA TO TOWER BASE.
 - c. POWER AND FIBER LINES FROM JTS GROUND EQUIPMENT TO ANTENNA MOUNT LOCATION ON TOWER.
 - d. JTS ANTENNAS, RRU_s AND APPURTENANT JTS EQUIPMENT ON ANTENNA MOUNTING PLATFORM AT RAD CENTER IN ACCORDANCE WITH JTS RFDS.
 - e. CONSTRUCTION OF ACCESS ROAD, COMPOUND, TOWER FOUNDATION, TOWER OFFLOAD & SET, FENCING, H-FRAME, MULTI-METER LOAD CENTER, TELCO BOX, POWER/FIBER CONDUIT, GROUNDING AND OTHER ACTIVITIES.

SITE CLARENCE NOTE:

CONTRACTOR SHALL CLEAR LEASE AREA OF ALL TREES, SHRUBS, ROCKS, SURFACE SOIL AND DEBRIS. EXCAVATE INTO SLOPES AND/OR ADD FILL DIRT WITH REQUIRED COMPACTION TO LEVEL THE COMPOUND. SITE SHALL BE GRADED TO ALLOW NATURAL DRAINAGE FROM THE COMPOUND. CONTRACTOR WILL GRADE THE AREA AROUND COMPOUND TO PREVENT SOIL EROSION AND ADHERE TO ALL LOCAL, STATE AND FEDERAL REGULATIONS. RETAINING WALLS AND RIP-RAP ARE OUT OF SCOPE AND WILL REQUIRE A CHANGE ORDER UNLESS INCLUDED IN THE CONSTRUCTION PLANS OR ADDED TO SCOPE DURING BID WALKS.

AS BUILT NOTE:

THE ELECTRICAL CONTRACTOR, UPON COMPLETION OF HIS WORK, SHALL PROVIDE AS-BUILT INFORMATION ON EXACT LOCATIONS OF UNDERGROUND SERVICES. INFORMATION SHOULD BE GIVEN TO THE GENERAL CONTRACTOR FOR INCLUSION IN FINAL AS-BUILT SURVEY DOCUMENTS TO BE GIVEN TO JTS WIRELESS.

GAS NOTES:

1. GAS PRESSURE MUST TEST BETWEEN 4 AND 13.9 INCHES OF H2O WHILE ALL UNDER FULL DEMAND.
2. BLACK IRON PIPE SHALL CONFORM TO ASTM A53.
3. ALL PIPING SHALL BE INSPECTED & TESTED PURSUANT TO SEC 406 INTERNATIONAL FUEL & GAS CODE.
4. DRIP LEGS ARE REQUIRED FOR THIS PROJECT.
5. PRIOR TO CONSTRUCTION, EXISTING PIPING SHALL BE CHECKED TO DETERMINE IF IT HAS PROPER CAPACITY FOR ALL APPLIANCES SERVED. THE EXISTING SYSTEM SHALL BE ENLARGED IF REQUIRED.
6. CHANGES IN DIRECTION SHALL BE MADE BY FACTORY FITTINGS.
7. DESIGN & CONSTRUCTION TO CONFORM TO INTERNATIONAL FUEL & GAS CODE.

CONCRETE PAD NOTES:

1. ALL CONCRETE TO HAVE A COMPRESSIVE STRENGTH OF $f_c' = 3000$ PSI WITH COMMERCIAL GRADE FIBER MESH REINFORCEMENT 1.5# PER CU. YARD
2. CONCRETE PAD IS DESIGNED TO BEAR ON 2000 PSF SOIL BEARING CAPACITY TO BE VERIFIED AT TIME OF EXCAVATION BY A SOILS ENGINEER REGISTERED IN THE STATE OF TEXAS.

CONDUIT NOTE:

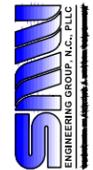
1. ALL CONDUITS SHALL BE SECURED TO THE TOP OF THE CONCRETE SLAB WITH RIGID CLIPS SIZED PER NEED (TYP)

DRAWING SCALE NOTE:

1. THESE DRAWINGS ARE SCALED TO FULL SIZE AT 22"x34" AND HALF SIZE AT 11"x17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

ABBREVIATIONS:

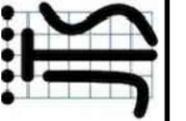
AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GROUND LEVEL
AMSL	ABOVE MEAN SEA LEVEL
APPROX.	APPROXIMATELY
AWG	AMERICAN WIRE GAUGE
BDLG	BUILDING
BTS	BASE TRANSMISSION STATION
BBU	BASE BAND UNIT
CLR	CLARENCE
COL	COLUMN
CONC.	CONCRETE
CND	CONDUIT
CTR	CENTER
DWG	DRAWING
DWN	DOWN
ELEC	ELECTRICAL
EMT	ELECTRICAL METALLIC TUBING
ELE	ELEVATION
EQUIP	EQUIPMENT
(E) OR EXIST	EXISTING
EXT	EXTERIOR
FIB	FIBER
' OR FT.	FOOT
FLR.	FLOOR
(F) OR FUT.	FUTURE
GA	GAUGE
GALV	GALVANIZED
GB	GROUND BAR
GND	GROUND
GPS	GLOBAL POSITIONING SYSTEM
GW	GROUND WIRE
" OR IN	INCH(ES)
INT	INTERIOR
LBS	POUNDS
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MFR	MANUFACTURER
MGB	MASTER GROUND BAR
MIN	MINIMUM
N.T.S	NOT TO SCALE
N/A	NOT APPLICABLE
(N) OR NEW	NEW
O.C.	ON CENTER
OE	OVERHEAD ELECTRIC
OT	OVERHEAD TELCO
PPC	POWER PROTECTION CABINET
PWR	POWER
RBS	RADIO BASE STATION
REF	REFERENCE
RRU	REMOTE RADIO UNIT
RGS	RIGID GALVANIZED STEEL
SF	SQUARE FOOT
STD	STANDARD
STL	STEEL
TYP.	TYPICAL
UE	UNDERGROUND ELECTRIC
UT	UNDERGROUND TELCO
U.N.O	UNLESS OTHERWISE NOTED
V.I.F	VERIFY IN FIELD
XMFR	TRANSFORMER



Facility Tower, Inc.
 3437 W. 5th Street, Suite 101
 Longview, TX 75602
 Phone: 903-234-9370



SITE COORDINATES:
 LATITUDE: 30.116300°
 LONGITUDE: -97.298600°
 (N 30° 6' 58.6794")
 (W 97° 17' 54.9594")



DSR	DAJ			
DESCRIPTION:		ISSUED FOR CLIENT REVIEW		
DATE	06/18/20			

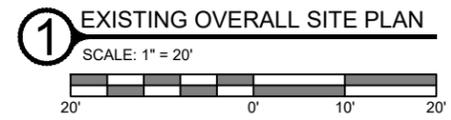
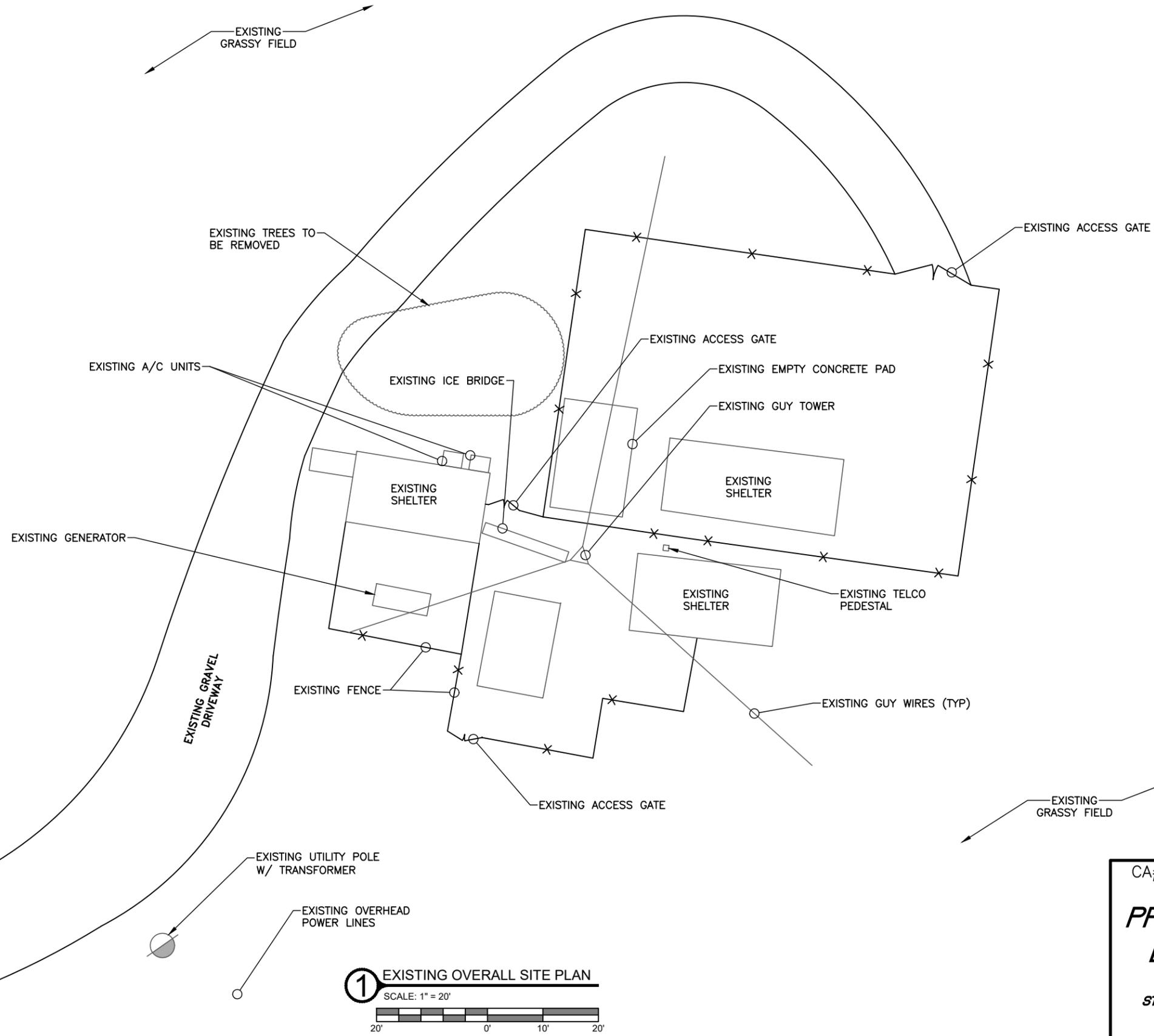
BASTROP
 GENERAL NOTES

CA#: AR 1935
**PRELIMINARY
 DRAWING**
 (NOT VALID UNLESS
 STAMPED AND SIGNED)

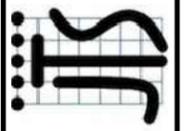
DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.
GN-2	0

SUBJECT PROPERTY IS LOCATED IN PANEL 05139C0625C, DATED 09/28/2007 AND IS IN THE BASE FLOOD ZONE "X" AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

UTILITY NOTE:
THERE ARE NOT ANY EXISTING STORM OR SANITARY SEWER LINES OR BURIED UTILITIES ON THE PARENT TRACK WITHIN THE VICINITY OF THE PROPOSED CONSTRUCTION.



East Tower, Inc.
3837 S. 10th St.
Longview, TX 75602
Phone: 903-234-9370



DATE	DESCRIPTION:	DSR	DAJ
06/18/20	ISSUED FOR CLIENT REVIEW		

BASTROP
EXISTING OVERALL
SITE PLAN

DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.

C-1 0

CA#: AR 1935
**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

SITE COORDINATES:
LATITUDE: 30.116300°
LONGITUDE: -97.298600°
(N 30° 6' 58.6794")
(W 97° 17' 54.9594")

SITE CLARENCE NOTE:
 CONTRACTOR SHALL CLEAR LEASE AREA OF ALL TREES, SHRUBS, ROCKS, SURFACE SOIL AND DEBRIS. EXCAVATE INTO SLOPES AND/OR ADD FILL DIRT WITH REQUIRED COMPACTION TO LEVEL THE COMPOUND. SITE SHALL BE GRADED TO ALLOW NATURAL DRAINAGE FROM THE COMPOUND. CONTRACTOR WILL GRADE THE AREA AROUND COMPOUND TO PREVENT SOIL EROSION AND ADHERE TO ALL LOCAL, STATE AND FEDERAL REGULATIONS. RETAINING WALLS AND RIP-RAP ARE OUT OF SCOPE AND WILL REQUIRE A CHANGE ORDER UNLESS INCLUDED IN THE CONSTRUCTION PLANS OR ADDED TO SCOPE DURING BID WALKS.

SUBJECT PROPERTY IS LOCATED IN PANEL #05139C0625C, DATED 09/05/1984 AND IS IN THE BASE FLOOD ZONE "X" AND IS/NOT IN A SPECIAL FLOOD HAZARD AREA.

UTILITY NOTE:
 THERE ARE NOT ANY EXISTING STORM OR SANITARY SEWER LINES OR BURIED UTILITIES ON THE PARENT TRACK WITHIN THE VICINITY OF THE PROPOSED CONSTRUCTION.

TRENCHING NOTE:
 DIGGING AND/OR TRENCHING INSIDE COMPOUND, MUST BE DONE BY HAND.

EXISTING GRASSY FIELD

PROPOSED TOWER FOOTPRINT SUBJECT TO CHANGES BASED ON TOWER DRAWINGS BY OTHERS

PROPOSED 100' MONOPOLE TOWER (30.116300', -97.298600') (30° 06' 58.68", 97° 17' 54.96") (GENERAL CONTRACTOR TO VERIFY PRIOR TO CONSTRUCTION (REF. 1/C-4)

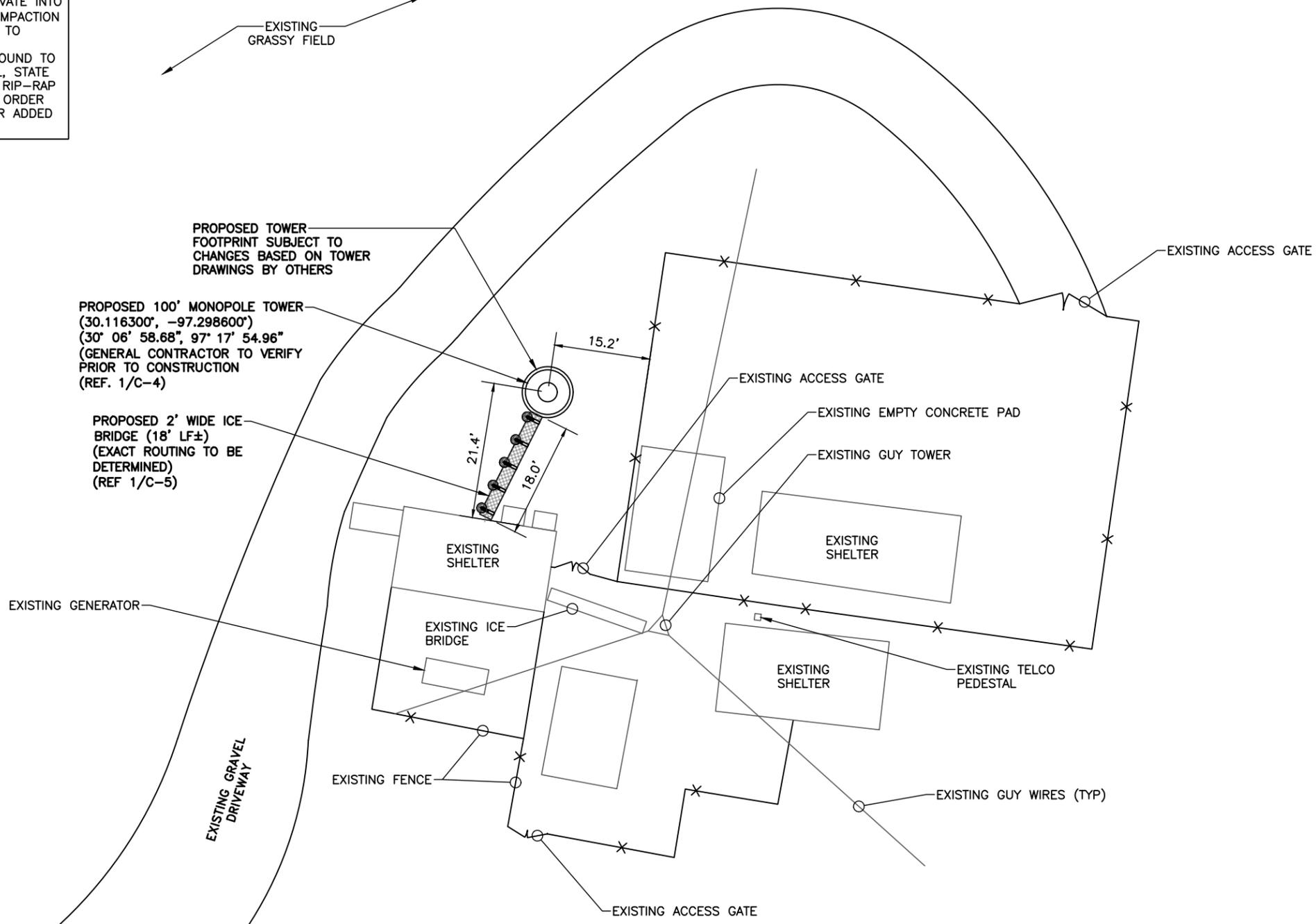
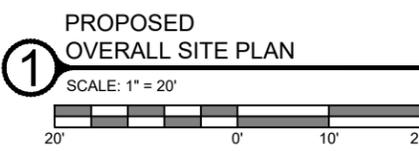
PROPOSED 2' WIDE ICE BRIDGE (18' LF±) (EXACT ROUTING TO BE DETERMINED) (REF 1/C-5)

EXISTING GENERATOR

EXISTING GRAVEL DRIVEWAY

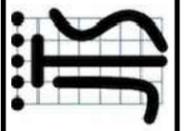
EXISTING UTILITY POLE W/ TRANSFORMER

EXISTING OVERHEAD POWER LINES



East Tower, Inc.
 3637 S. 10th Street
 Longview, TX 75602
 Phone: 903-234-9370

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06/18/20	ISSUED FOR CLIENT REVIEW		

BASTROP
 PROPOSED OVERALL SITE PLAN

CA#: AR 1935
PRELIMINARY DRAWING
 (NOT VALID UNLESS STAMPED AND SIGNED)

DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.

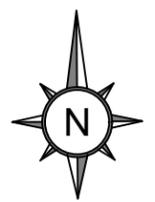
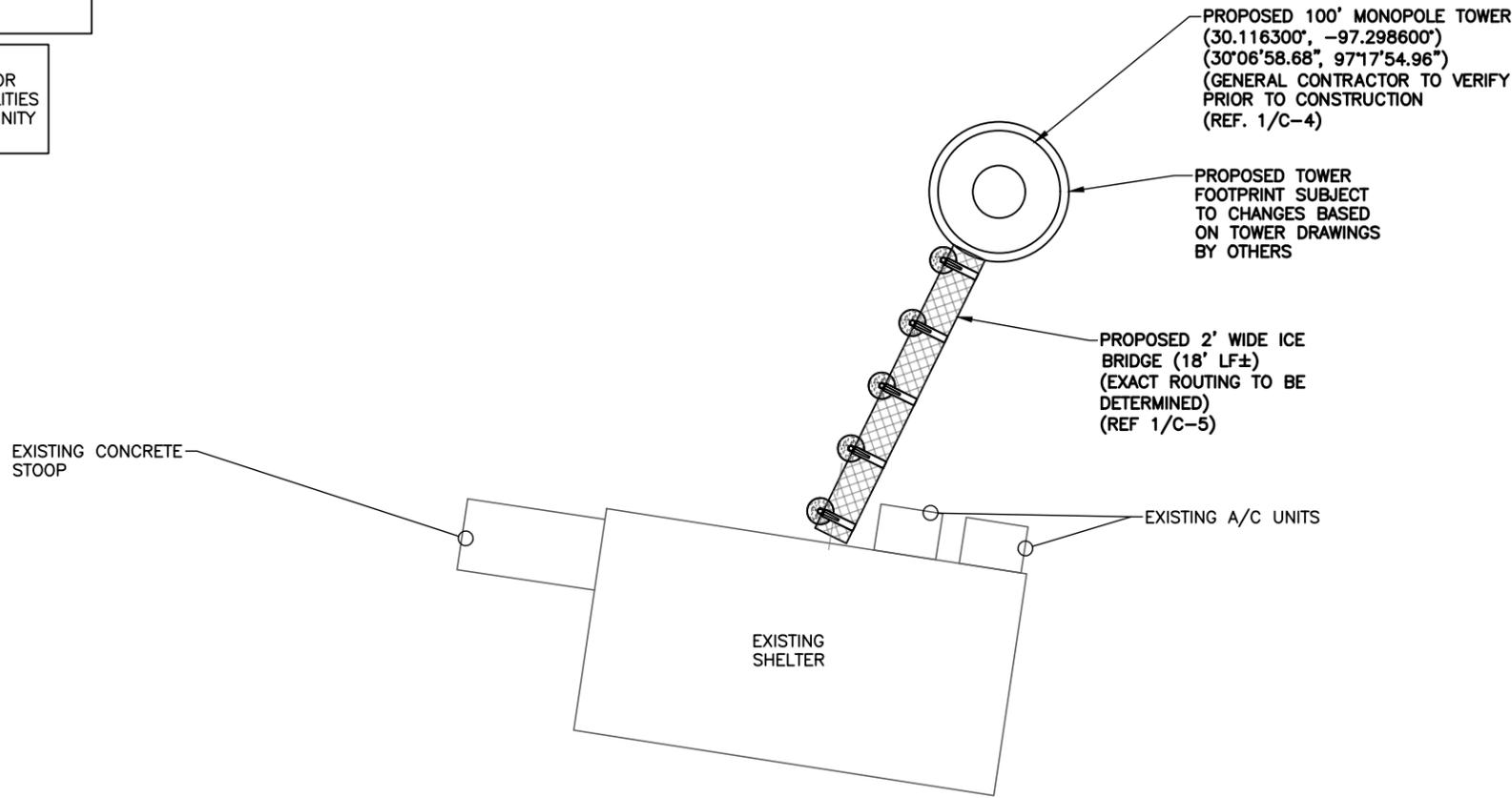
C-2 0

SITE CLARENCE NOTE:
 CONTRACTOR SHALL CLEAR LEASE AREA OF ALL TREES, SHRUBS, ROCKS, SURFACE SOIL AND DEBRIS. EXCAVATE INTO SLOPES AND/OR ADD FILL DIRT WITH REQUIRED COMPACTION TO LEVEL THE COMPOUND. SITE SHALL BE GRADED TO ALLOW NATURAL DRAINAGE FROM THE COMPOUND. CONTRACTOR WILL GRADE THE AREA AROUND COMPOUND TO PREVENT SOIL EROSION AND ADHERE TO ALL LOCAL, STATE AND FEDERAL REGULATIONS. RETAINING WALLS AND RIP-RAP ARE OUT OF SCOPE AND WILL REQUIRE A CHANGE ORDER UNLESS INCLUDED IN THE CONSTRUCTION PLANS OR ADDED TO SCOPE DURING BID WALKS.

SUBJECT PROPERTY IS LOCATED IN PANEL #05139C0625C, DATED 09/05/1984 AND IS IN THE BASE FLOOD ZONE "X" AND IS/NOT IN A SPECIAL FLOOD HAZARD AREA.

UTILITY NOTE:
 THERE ARE NOT ANY EXISTING STORM OR SANITARY SEWER LINES OR BURIED UTILITIES ON THE PARENT TRACK WITHIN THE VICINITY OF THE PROPOSED CONSTRUCTION.

TRENCHING NOTE:
 DIGGING AND/OR TRENCHING INSIDE COMPOUND, MUST BE DONE BY HAND.



CA#: AR 1935

PRELIMINARY DRAWING
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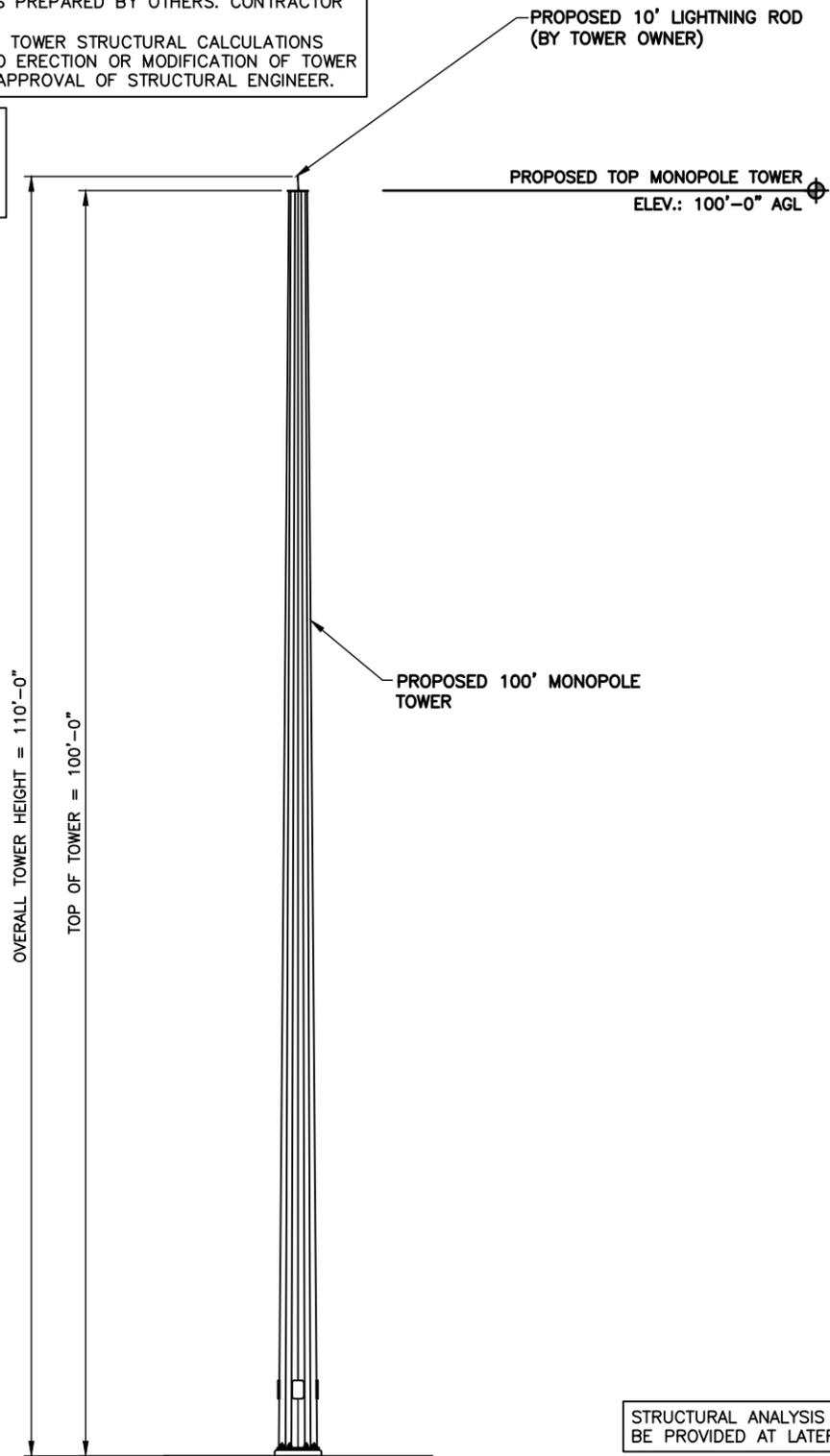
		SITE COORDINATES: LATITUDE: 30.116300° LONGITUDE: -97.298600° (N 30° 6' 58.6794") (W 97° 17' 54.9594")	
EasTec Tower, Inc. 3837 W. 5th St. Longview, TX 75602 Phone: 903-234-9370			
DSR	DAJ	DATE	DESCRIPTION:
		06/18/20	ISSUED FOR CLIENT REVIEW
BASTROP		PROPOSED ENLARGED SITE PLAN	
DESIGNER:	RBII		
CHECKED BY:	JCS		
ENGINEER:	JDS		
SMW #:	20-10260		
SHEET NO.:	REV.		
C-3	0		

TOWER NOTES:

- 1) PROPOSED WAVEGUIDE LADDER FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
- 2) REF RF SHEETS FOR JTS RFDS INFORMATION.
- 3) ALL IMPROVEMENTS NOT SHOWN FOR CLARITY
- 4) STRUCTURAL CALCULATIONS PREPARED BY OTHERS. CONTRACTOR TO OBTAIN LATEST COPY.
- 5) CONTRACTOR TO REFER TO TOWER STRUCTURAL CALCULATIONS FOR ADDITIONAL LOADS. NO ERECTION OR MODIFICATION OF TOWER SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.

TOWER DEPICTION NOTE:
THE TOWER DRAWING IS ONLY A GRAPHIC REPRESENTATION OF THE STRUCTURE. THE ACTUAL TOWER IN THE FIELD MAY VARY

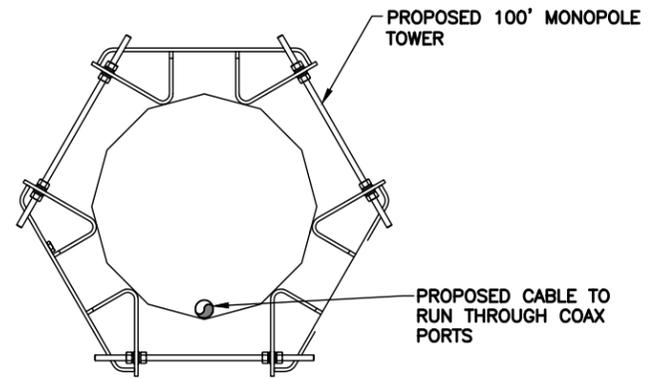
TOWER LIGHTING NOTE:
CONTRACTOR TO COORDINATE WITH TOWER MANUFACTURER AND FAA FOR TOWER LIGHTING REQUIREMENTS



1 TOWER ELEVATION
SCALE: N.T.S.

STRUCTURAL ANALYSIS TO BE PROVIDED AT LATER DATE

NO MAPPING OR ANALYSIS HAS BEEN PERFORMED ON SECTOR MOUNTS, AND STRUCTURAL INTEGRITY OF MOUNTS UNDER NEW LOADING IS UNDETERMINED



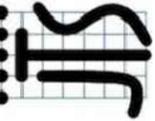
2 COAX CONFIGURATION DETAIL
SCALE: N/A

THIS SECTION WAS INTENTIONALLY LEFT BLANK

3 NOT USED
SCALE: N/A



Site Tower, Inc.
3837 W. 5th St. #104
Longview, TX 75602
Phone: 937-234-9370



ENGINEERING GROUP, N.C., PLLC
SITE COORDINATES:
LATITUDE: 30.116300°
LONGITUDE: -97.298600°
(N 30° 6' 58.6794")
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DATE	DESCRIPTION:	DSR
06/18/20	ISSUED FOR CLIENT REVIEW	DAJ

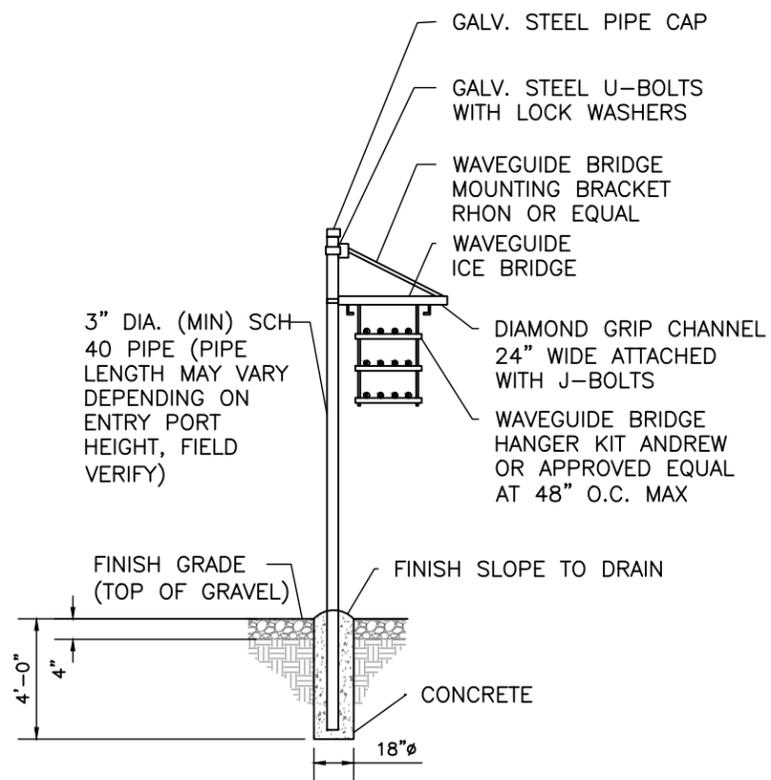
BASTROP
TOWER ELEVATION AND DETAILS

CA#: AR 1935

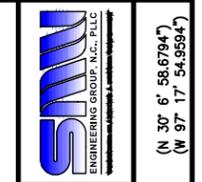
**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
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DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.

C-4 0

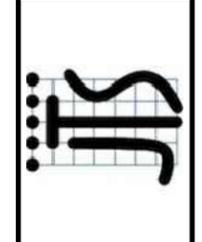


1 SECTION @ WAVEGUIDE BRIDGE
SCALE: N.T.S.



East Tower, Inc.
3337 S. 10th St.
Longview, TX 75602
Phone: 937-234-9370

ENGINEERING GROUP, N.C., PLLC
www.smweng.com



DATE	DESCRIPTION:	DSR
06/18/20	ISSUED FOR CLIENT REVIEW	DAJ

BASTROP

ICE BRIDGE DETAILS

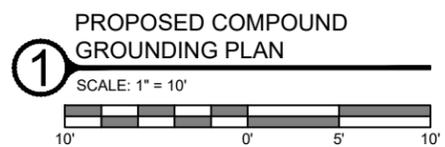
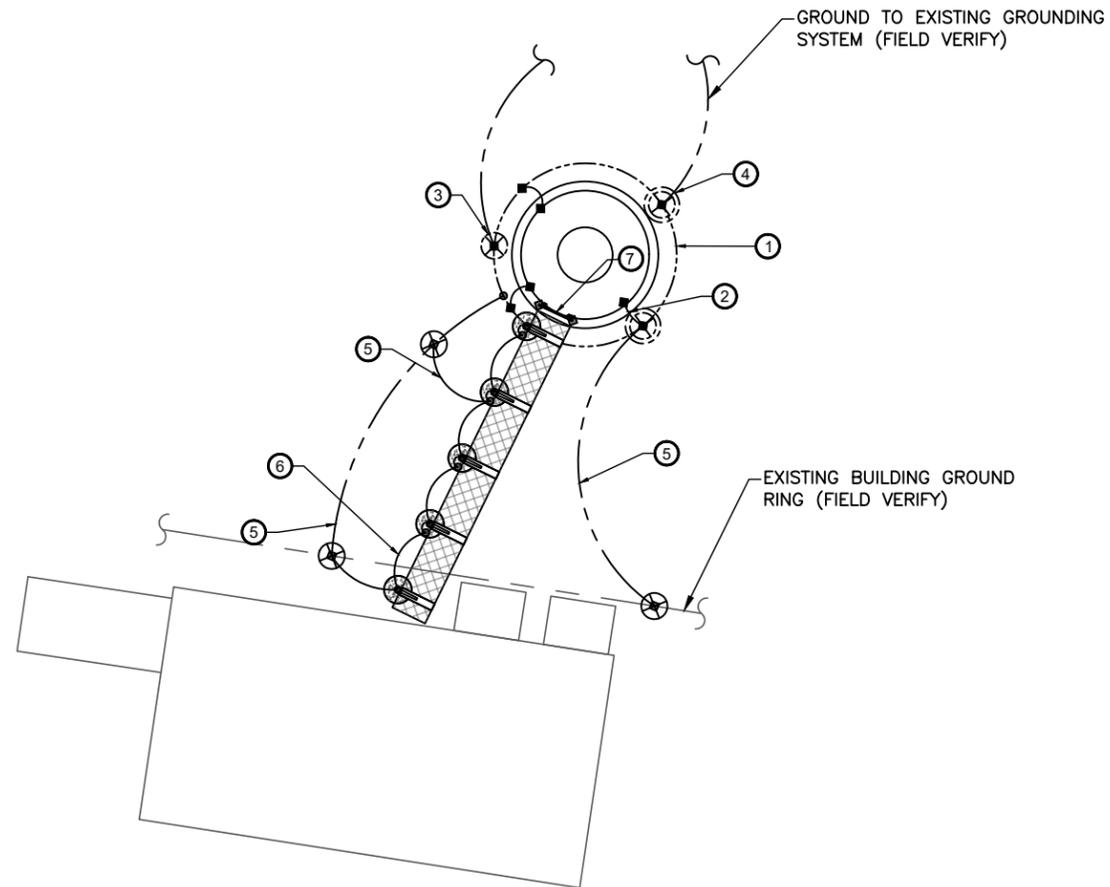
DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.
C-5	0

CA#: AR 1935

**PRELIMINARY
DRAWING**

(NOT VALID UNLESS
STAMPED AND SIGNED)

SITE COORDINATES:
LATITUDE: 30.116300°
LONGITUDE: -97.298600°
(N 30° 6' 58.6794")
(W 97° 17' 54.9594")



GROUNDING KEYED NOTES:

- ① 4/0 19 STRANDED TINNED BARE COPPER GROUND RING BURIED 30" BELOW GRADE (TYP)
- ② BOND TOWER BASE PLATE TO TOWER GROUND RING PER TOWER OWNER SPECIFICATIONS
- ③ PROPOSED GROUND ROD (TYP)
- ④ PROPOSED GROUND ROD WITH INSPECTION WELL
- ⑤ 4/0 COPPER GROUND WIRE TO TOWER GROUND RING (TYP x2)
- ⑥ 4/0 TINNED COPPER WIRE GROUND FROM ICE BRIDGE POST TO CLOSEST GROUND RING (TYP)
- ⑦ PROPOSED TOWER BUSS BAR

GROUNDING SYMBOLS LEGEND

- ⊗ GROUND ROD WITH ACCESS
- ⊗ GROUND ROD
- EXOTHERMIC CONNECTION
- ◆ MECHANICAL CONNECTION
- ▲ COMPRESSION CONNECTION
- GROUND BAR
- - - GROUND WIRE

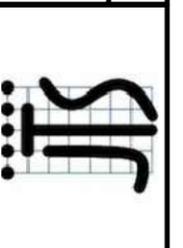
R-56 GROUNDING NOTE:
CONTRACTOR TO VERIFY THAT ALL
PROPOSED EQUIPMENT TO COMPLY
WITH R56 GROUNDING STANDARDS
AND BEST PRACTICES.

CA#: AR 1935

**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)



Site Tower, Inc.
3837 S. 10th St.
Longview, TX 75602
Phone: 903-234-9370



DATE	DESCRIPTION:	DSR
06/18/20	ISSUED FOR CLIENT REVIEW	DAJ

BASTROP
PROPOSED COMPOUND
GROUNDING PLAN

DESIGNER:	RBII
CHECKED BY:	JCS
ENGINEER:	JDS
SMW #: 20-10260	
SHEET NO.:	REV.

G-1 0

SITE COORDINATES:
LATITUDE: 30.116300°
LONGITUDE: -97.298600°
(N 30° 6' 58.6794")
(W 97° 17' 54.9594")

GROUNDING NOTES:

- GROUNDING SHALL COMPLY WITH ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE.
- ALL GROUNDING DEVICES SHALL BE U.L. APPROVED OR LISTED FOR THEIR INTENDED USE.
- ALL WIRES SHALL BE AWG THHN/THWN COPPER UNLESS NOTED OTHERWISE.
- GROUNDING CONNECTIONS TO GROUND RODS, GROUND RING WIRE, TOWER BASE AND FENCE POSTS SHALL BE EXOTHERMIC ("CADWELDS") UNLESS NOTED OTHERWISE. CLEAN SURFACES TO SHINY METAL. WHERE GROUND WIRES ARE CADWELDED TO GALVANIZED SURFACES, SPRAY CADWELD WITH GALVANIZING PAINT.
- GROUNDING CONNECTIONS TO GROUND BARS ARE TO BE TWO-HOLE BRASS MECHANICAL CONNECTORS WITH STAINLESS STEEL HARDWARE (INCLUDING SCREW SET) CLEAN GROUND BAR TO SHINY METAL. AFTER MECHANICAL CONNECTION, TREAT WITH PROTECTIVE ANTIOXIDANT COATING.
- GROUND COAXIAL CABLE SHIELDS AT BOTH ENDS WITH MANUFACTURER'S GROUNDING KITS.
- ROUTE GROUNDING CONDUCTORS THE SHORTEST AND STRAIGHTEST PATH POSSIBLE. BEND GROUNDING LEADS WITH A MINIMUM 12" RADIUS.
- INSTALL #2 AWG GREEN-INSULATED STRANDED WIRE FOR ABOVE GRADE GROUNDING AND #2 BARE TINNED COPPER WIRE FOR BELOW GRADE GROUNDING UNLESS OTHERWISE NOTED.
- REFER TO GROUNDING PLAN FOR GROUND BAR LOCATIONS. GROUNDING CONNECTIONS SHALL BE EXOTHERMIC TYPE ("CADWELDS") TO ANTENNA MOUNTS AND GROUND RING. REMAINING GROUNDING CONNECTIONS SHALL BE COMPRESSION FITTINGS. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO-HOLE LUGS.
- THE GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS POSITION ACCORDING TO GROUNDING PLAN. THE GROUND RODS SHALL BE 5/8"x10'-0" COPPER CLAD STEEL INTERCONNECTED WITH #2 BARE TINNED COPPER WIRE BURIED 36" BELOW GRADE. BURY GROUND RODS A MAXIMUM OF 15' APART, AND A MINIMUM OF 8' APART.
- IF ROCK IS ENCOUNTERED GROUND RODS SHALL BE PLACED AT AN OBLIQUE ANGLE NOT TO EXCEED 45°.
- EXOTHERMIC WELDS SHALL BE MADE IN ACCORDANCE WITH ERICO PRODUCTS BULLETIN A-AT.
- CONSTRUCTION OF GROUND RING AND CONNECTIONS TO EXISTING GROUND RING SYSTEM SHALL BE DOCUMENTED WITH PHOTOGRAPHS PRIOR TO BACKFILLING SITE. PROVIDE PHOTOS TO THE VERIZON WIRELESS CONSTRUCTION MANAGER.
- ALL GROUND LEADS EXCEPT THOSE TO THE EQUIPMENT ARE TO BE #2 BARE TINNED COPPER WIRE. ALL EXTERIOR GROUND BARS TINNED COPPER.
- PRIOR TO INSTALLING LUGS ON GROUND WIRES, APPLY THOMAS & BETTS KOPR-SHIELD (TM OF JET LUBE INC.). PRIOR TO BOLTING GROUND WIRE LUGS TO GROUND BARS, APPLY KOPR-SHIELD OR EQUAL.
- ENGAGE AN INDEPENDENT ELECTRICAL TESTING FIRM TO TEST AND VERIFY THAT IMPEDANCE DOES NOT EXCEED FIVE OHMS TO GROUND BY MEANS OF "FALL OF POTENTIAL TEST". TEST SHALL BE WITNESSED BY A METROPCS REPRESENTATIVE, AND RECORDED ON THE "GROUND RESISTANCE TEST" FORM.
- WHERE BARE COPPER GROUND WIRES ARE ROUTED FROM ANY CONNECTION ABOVE GRADE TO GROUND RING, INSTALL WIRE IN 3/4" PVC SLEEVE, FROM 1' BELOW GRADE AND SEAL TOP WITH SILICONE MATERIAL.
- PREPARE ALL BONDING SURFACES FOR GROUNDING CONNECTIONS BY REMOVING ALL PAINT AND CORROSION DOWN TO SHINY METAL. FOLLOWING CONNECTION, APPLY APPROPRIATE ANTI-OXIDIZATION PAINT.
- ANY SITE WHERE THE EQUIPMENT (BTS, CABLE BRIDGE, PPC, GENERATOR, ETC.) IS LOCATED WITHIN 6 FEET OF METAL FENCING, THE GROUND RING SHALL BE BONDED TO THE NEAREST FENCE POST USING (3) RUNS OF #2 BARE TINNED COPPER WIRE.

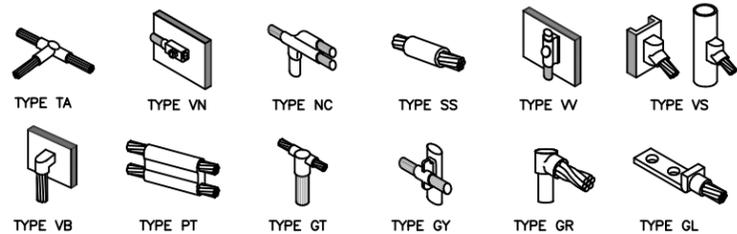
CABLE COLOR CODING NOTES:

- SECTOR ORIENTATION/AZIMUTH WILL VARY FROM REGION AND IS SITE SPECIFIC. REFER TO RF REPORT FOR EACH SITE TO DETERMINE THE ANTENNA LOCATION AND FUNCTION OF EACH TOWER SECTOR FACE.
- THE ANTENNA SYSTEM CABLES SHALL BE LABELED WITH VINYL TAPE EXCEPT IN LOCATIONS WHERE ENVIRONMENTAL CONDITIONS CAUSE PHYSICAL DAMAGE, THEN PHYSICAL TAGS ARE PREFERRED.
- THE STANDARD IS BASED ON EIGHT COLORED TAPES - RED, BLUE, GREEN, YELLOW, ORANGE, BROWN, WHITE & VIOLET. THESE TAPES MUST BE 3/4" WIDE & UV RESISTANT SUCH AS SCOTCH 35 VINYL ELECTRICAL COLOR CODING TAPE AND SHOULD BE READILY AVAILABLE TO THE ELECTRICIAN OR SUBCONTRACTOR ON SITE.
- USING COLOR BANDS ON THE CABLES, MARK ALL RF CABLES BY SECTOR AND NUMBER AS SHOWN ON "CABLE MARKING COLOR CONVENTION TABLE".
- WHEN AN EXISTING COAXIAL LINE THAT IS INTENDED TO BE A SHARED LINE BETWEEN GSM/3G AND IS-136 TDMA IS ENCOUNTERED, THE SUBCONTRACTOR SHALL REMOVE THE EXISTING COLOR CODING SCHEME AND REPLACE IT WITH THE COLOR CODING AND TAGGING STANDARD THAT IS OUTLINED IN THE CURRENT VERSION OF ND-00027. IN THE ABSENCE OF AN EXISTING COLOR CODING TAGGING SCHEME, OR WHEN INSTALLING PROPOSED COAXIAL CABLES, THIS GUIDELINE SHALL BE IMPLEMENTED AT THAT SITE REGARDLESS OF TECHNOLOGY.
- ALL COLOR CODE TAPE SHALL BE 3M-35 AND SHALL BE A MINIMUM OF (3) WRAPS OF TAPE AND SHALL BE NEATLY TRIMMED AND SMOOTHED OUT SO AS TO AVOID UNRAVELING.
- ALL COLOR BANDS INSTALLED AT THE TOP OF TOWER SHALL BE A MINIMUM OF 3" WIDE AND SHALL HAVE A MINIMUM OF 3/4" OF SPACE IN BETWEEN EACH COLOR.
- ALL COLOR CODES SHALL BE INSTALLED AS TO ALIGN NEATLY WITH ONE ANOTHER FROM SIDE TO SIDE.
- IF EXISTING CABLES AT THE SITE ALREADY HAVE A COLOR CODING SCHEME AND THEY ARE NOT INTENDED TO BE REUSED OR SHARED WITH THE GSM TECHNOLOGY, THE EXISTING COLOR CODING SCHEME SHALL REMAIN UNTOUCHED.

CABLE MARKING TAGS:

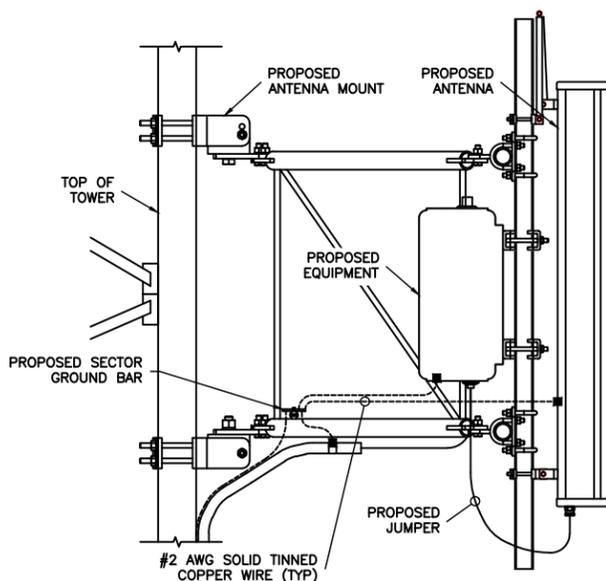
WHEN USING THE ALTERNATIVE LABELING METHOD, EACH RF CABLE SHALL BE IDENTIFIED WITH A METAL ID TAG MADE OF STAINLESS STEEL OR BRASS. THE TAG SHALL BE 1-1/2" IN DIAMETER WITH 1/4" STAMPED LETTERS AND NUMBERS INDICATING THE SECTOR, ANTENNA POSITION AND CABLE NUMBER. ID MARKING LOCATIONS SHOULD BE AS PER "CABLE MARKING LOCATIONS TABLE". THE TAG SHOULD BE ATTACHED WITH CORROSION PROOF WIRE AROUND THE CABLE AT THE SAME LOCATION AS DEFINED ABOVE. THE TAG SHOULD BE LABELED AS SHOWN ON THE "GSM AND UMTS LINE TAG" DETAIL.

CABLE MARKING LOCATIONS TABLE	
NO.	LOCATIONS
1	EACH JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS.
2	EACH MAIN COAX SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS AT THE TOP JUMPER CONNECTION AND WITH (1) SET OF 3/4" WIDE COLOR BANDS PRIOR TO ENTERING THE BTS OR SHELTER.
3	CABLE ENTRY PORT ON THE INTERIOR OF SHELTER.
4	ALL BOTTOM JUMPERS SHALL BE COLOR CODED WITH (1) SET OF 3/4" WIDE BANDS ON EACH END OF THE BOTTOM JUMPER.
5	ALL BOTTOM JUMPERS SHALL BE COLOR CODED WITH (1) SET OF 3/4" WIDE BANDS ON EACH END OF THE BOTTOM JUMPER.



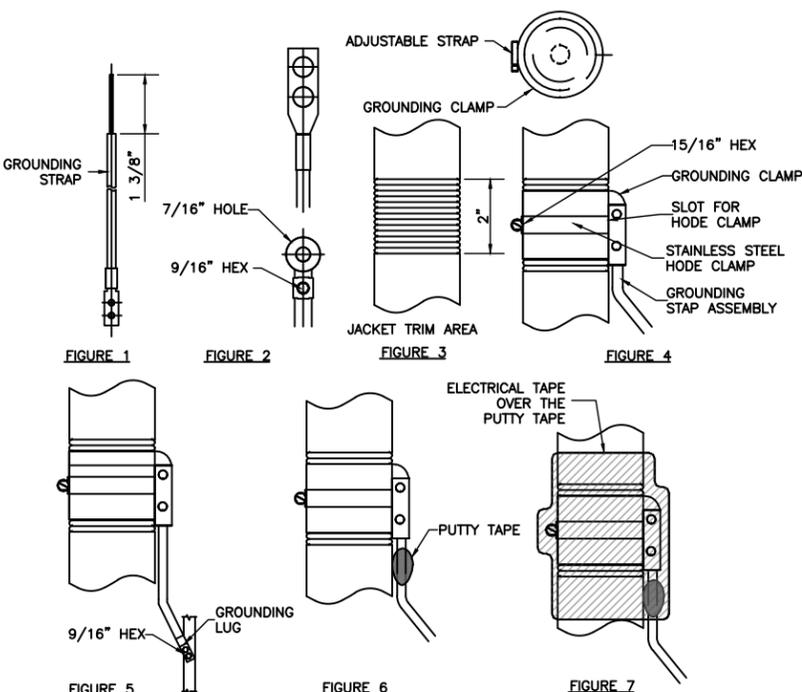
1 CADWELD GROUNDING CONNECTION DETAILS

SCALE: N.T.S.



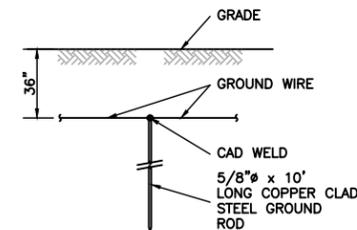
2 ANTENNA & CABLE GROUNDING

SCALE: N.T.S.



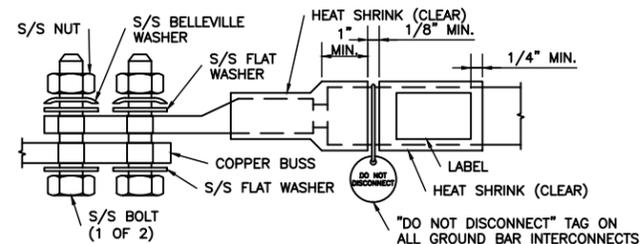
5 GROUNDING STRAP WEATHERPROOFING DETAIL

SCALE: N.T.S.



3 GROUNDING ROD DETAIL

SCALE: N.T.S.

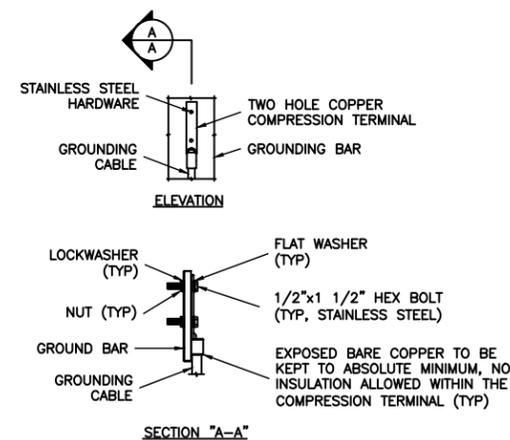


NOTES:

- ALL HARDWARE 18-8 STAINLESS STEEL INCLUDING BELLEVILLES. COAT ALL SURFACES WITH ANTI-OXIDATION COMPOUND BEFORE MATING.
- FOR GROUND BOND TO STEEL ONLY: INSERT A DRAGON TOOTH WASHER BETWEEN LUG AND STEEL, COAT ALL SURFACES WITH ANTI-OXIDATION COMPOUND.
- COAT ALL BARRELS WITH ANTI-OXIDATION COMPOUND BEFORE CRIMPING.

4 GENERAL LUG DETAIL

SCALE: N.T.S.



- NOTE:**
- "DOUBLING UP" OR "STACKING" OF CONNECTIONS IS NOT PERMITTED.
 - OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS.

6 TYPICAL GROUND BAR CONNECTION DETAIL

SCALE: N.T.S.

CA#: AR 1935

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Site Coordinates: N 30° 6' 58.6794" W 97° 17' 54.9594"

Latitude: 30.116300° Longitude: -97.298600°

Designer: RBII

Checked By: JCS

Engineer: JDS

SMW #: 20-10260

Sheet No.: REV.

BASTROP

GROUNDING DETAILS

DATE: 06/18/20

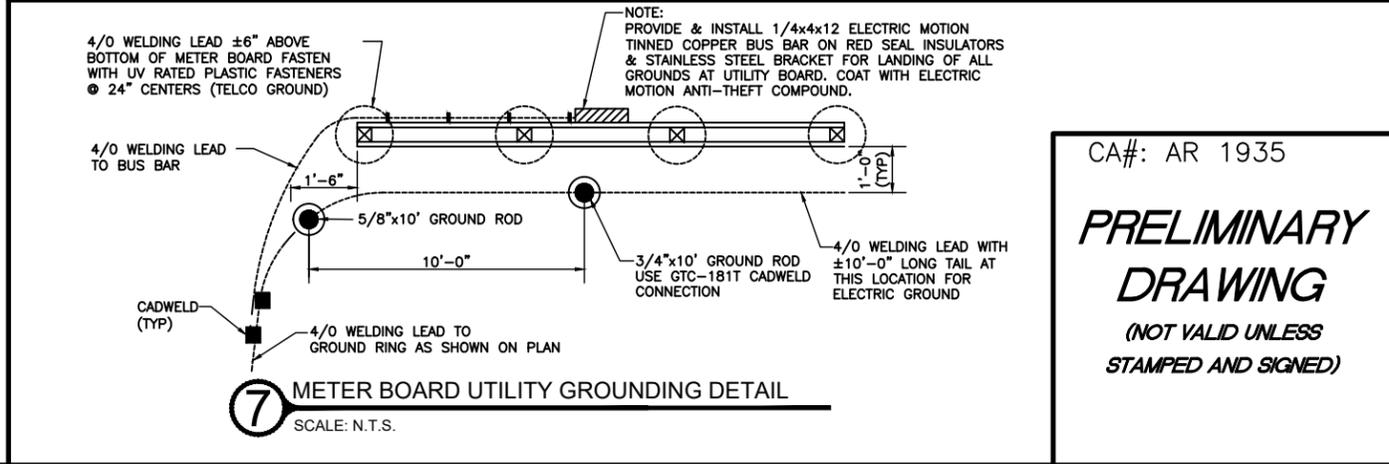
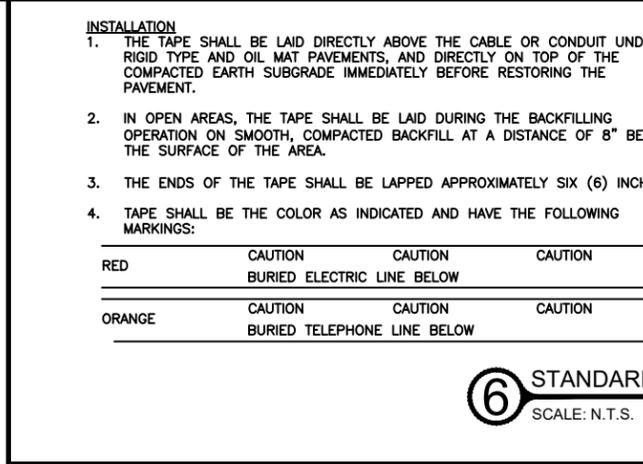
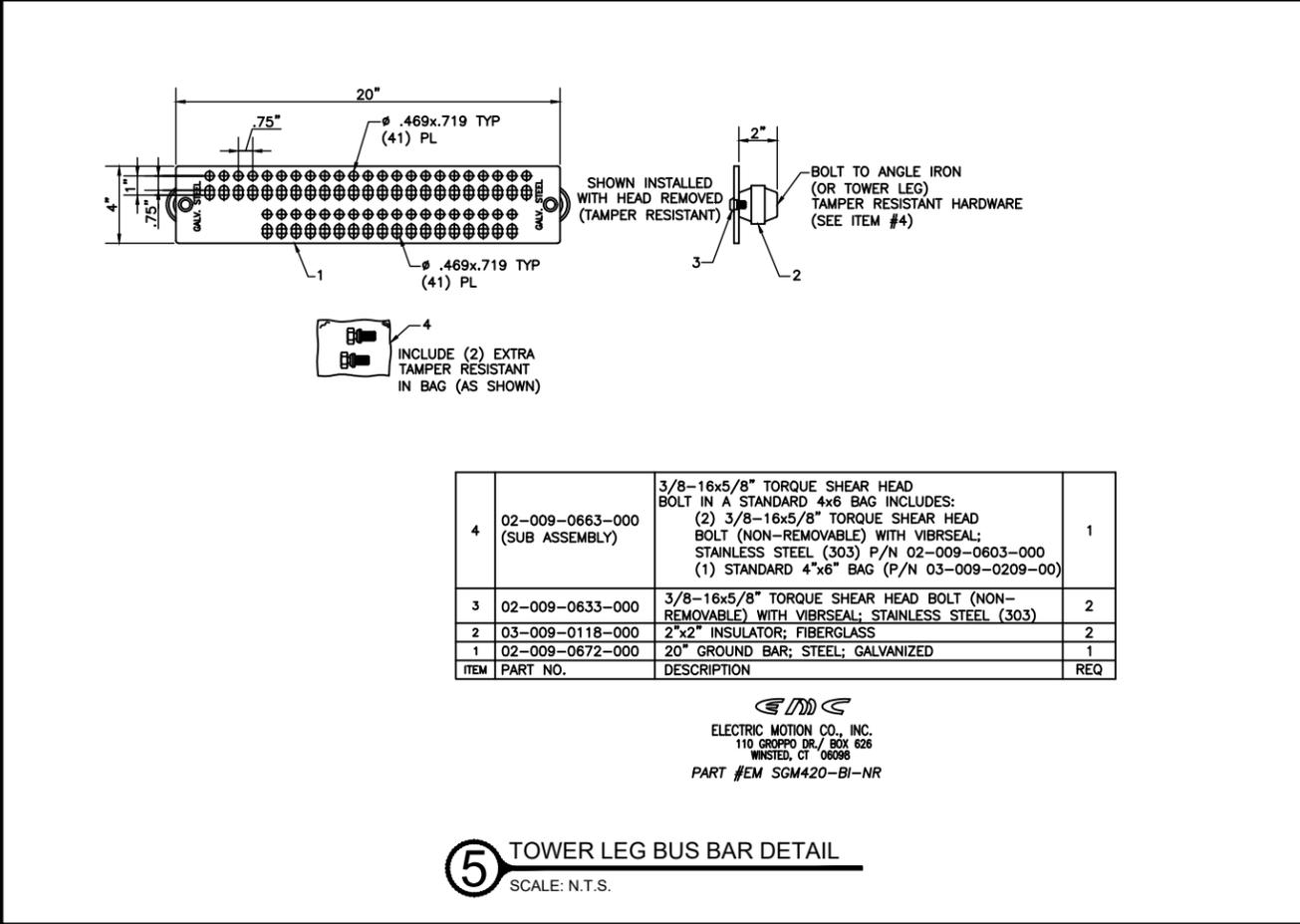
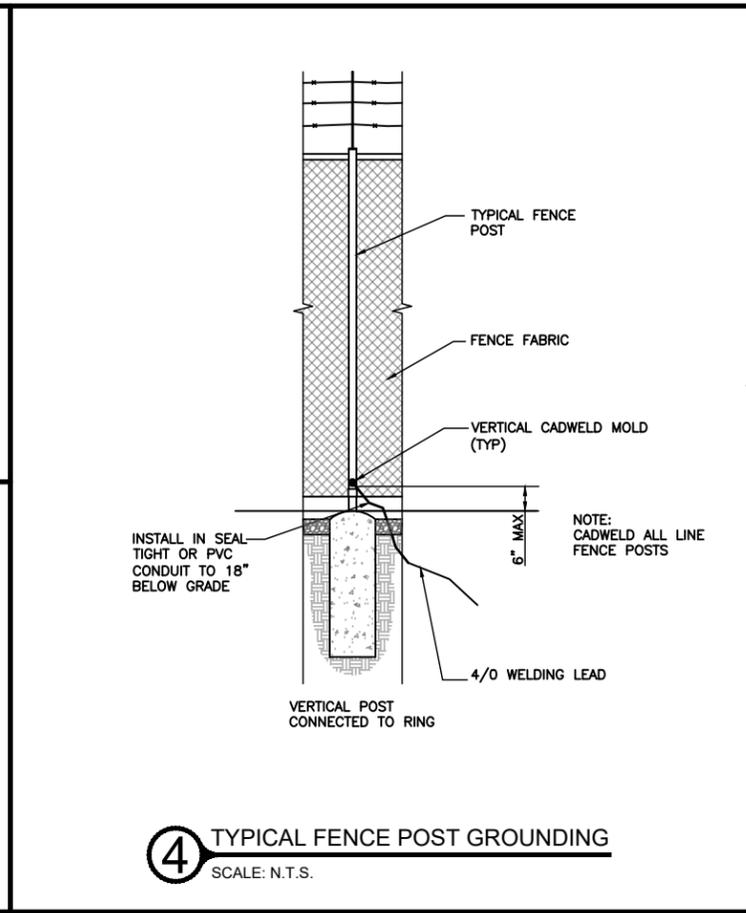
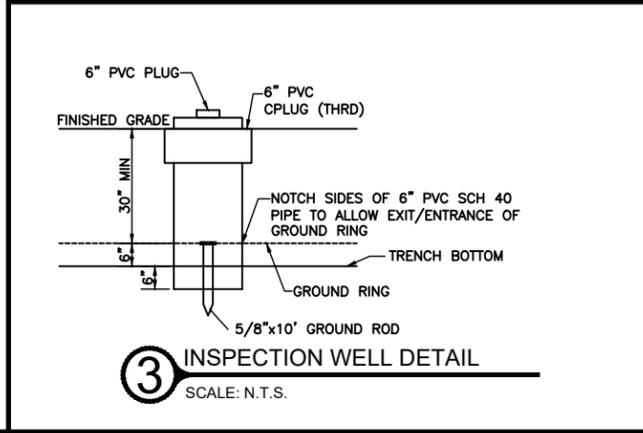
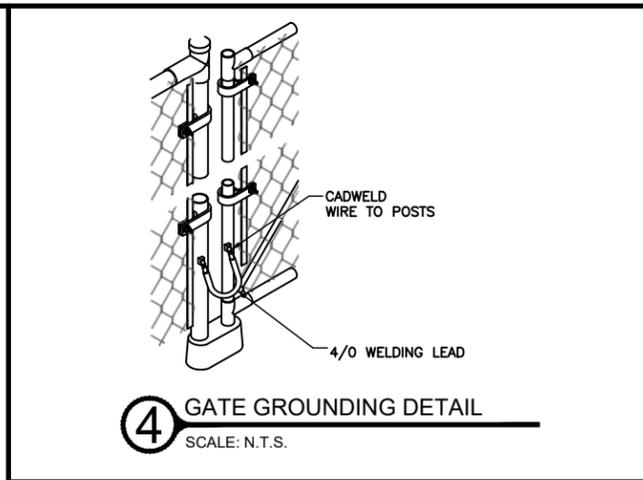
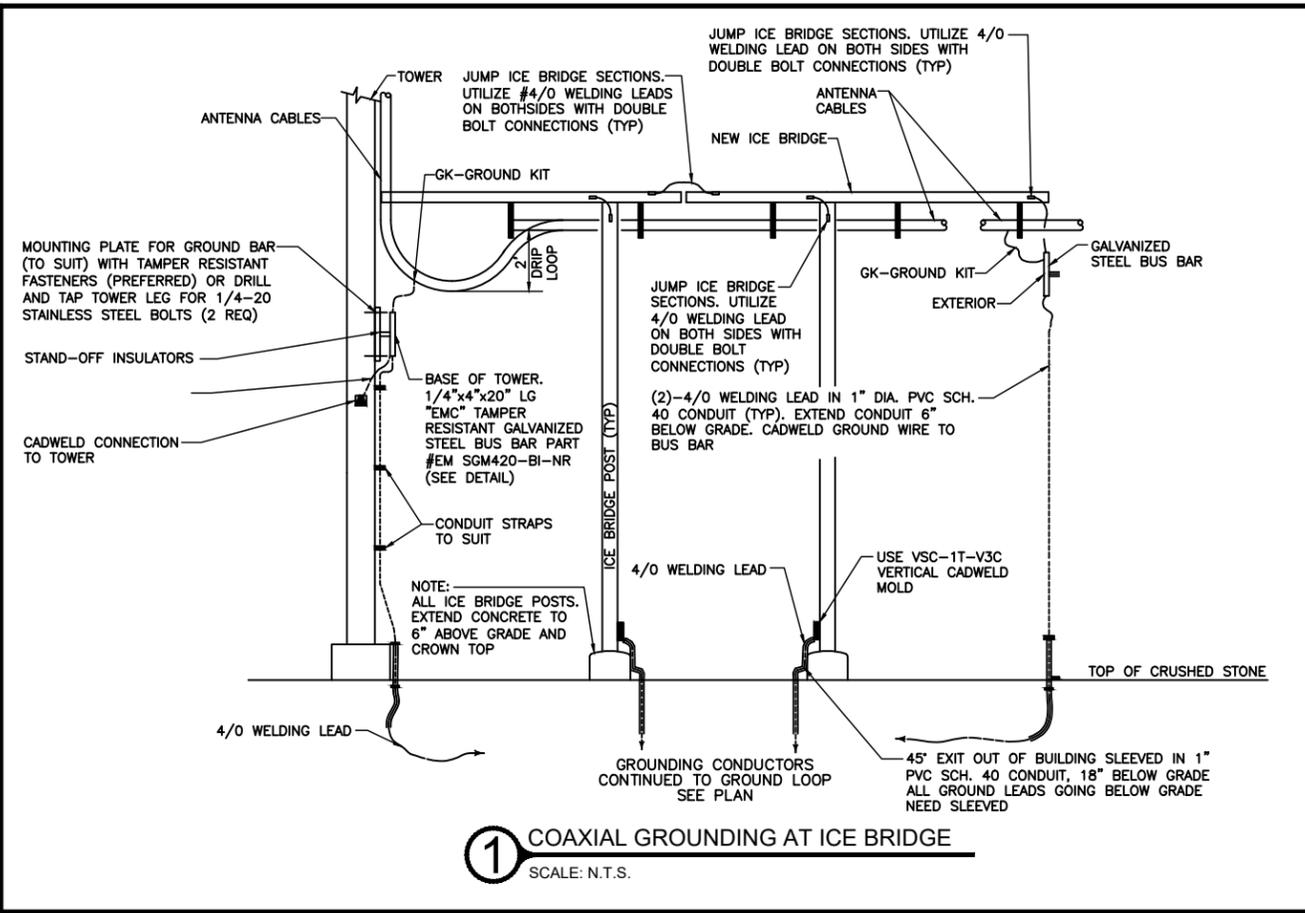
DESCRIPTION: ISSUED FOR CLIENT REVIEW

DSR

DAJ

G-2

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ITEM	PART NO.	DESCRIPTION	REQ
4	02-009-0663-000 (SUB ASSEMBLY)	3/8-16x5/8" TORQUE SHEAR HEAD BOLT IN A STANDARD 4x6 BAG INCLUDES: (2) 3/8-16x5/8" TORQUE SHEAR HEAD BOLT (NON-REMOVABLE) WITH VIBRSEAL; STAINLESS STEEL (303) P/N 02-009-0603-000 (1) STANDARD 4"x6" BAG (P/N 03-009-0209-00)	1
3	02-009-0633-000	3/8-16x5/8" TORQUE SHEAR HEAD BOLT (NON-REMOVABLE) WITH VIBRSEAL; STAINLESS STEEL (303)	2
2	03-009-0118-000	2"x2" INSULATOR; FIBERGLASS	2
1	02-009-0672-000	20" GROUND BAR; STEEL; GALVANIZED	1

ELECTRIC MOTION CO., INC.
110 GROPPO DR., BOX 526
WINSTED, CT 06098
PART #EM SGM420-BI-NR

SMW ENGINEERING GROUP, N.C., PLLC
3337 W. 50th Street
Longview, TX 75602
Phone: 903-234-9370

Site Coordinates:
LATITUDE: 30.116300°
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DESCRIPTION:
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DATE:
06/18/20

BASTROP

GROUNDING DETAILS

DESIGNER: RBII
CHECKED BY: JCS
ENGINEER: JDS
SMW #: 20-10260
SHEET NO.: REV.

G-3 **0**

CA#: AR 1935
PRELIMINARY DRAWING
(NOT VALID UNLESS STAMPED AND SIGNED)



July 2, 2020

Allison Land
Planner II and GIS Coordinator
City of Bastrop
P.O. Box 427
Bastrop, Texas 786302

RE: Expansion of Non-Conforming Use

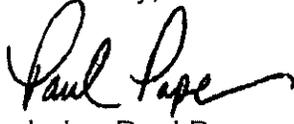
Dear Allison:

Bastrop County requests the allowed Expansion of Non-Conforming Use at 2575 Cedar Street in Bastrop BCAD ID - 78346. The location is currently the site of a 450 foot Guyed Radio Tower. The existing tower is used for County-wide emergency communications and is at rated capacity. Bastrop County is in need of placing a 100 Foot monopole (similar to a metal utility pole) tower adjacent to our communications shelter.

Both the existing tower and the proposed new tower exceed the height restrictions of the zoning district. The proposed monopole will be adjacent to the existing structure and hold two microwave transmitter dishes. The addition of this much shorter monopole tower with no guy wires will not significantly change the non-conformity and will be hardly visible above the tree line from the surrounding area.

Please let me know if you have any questions before the Zoning Board of Adjustments meeting on August 5th.

Sincerely,


Judge Paul Pape

To Whom It May Concern,

I am writing regarding the request for a variance for the height limitation for a tower being proposed at 2575 Cedar Street. My family owns the property directly adjacent to the tower at 2101 Cedar Street. We are adamantly opposed to the construction of this tower because of the visibility of it from our property, the effect on our property value and for the potential health effects that microwave and radio waves present.

In the documentation that we received, it was stated that the tower would be barely above the tree line so should not be visible from adjacent properties. I am sending photos taken from our property. The first photo is taken from our kitchen table. As you can see, this property is fully visible from our house. No part of the tower to include the building at the base and the adjacent porta potty is obstructed from view. During the winter months when the leaves of the trees are absent, it is even more visible. In fact, I do not believe that there is a spot on our property where this tower is not visible.

The other consideration to take into account regarding the visibility of the tower is the fact that the tower is on a hill. Therefore, the tree line means little as this tower is on a pedestal to be seen from our entire property. The second photo shows the tower from our backyard. Again, it is very prominent from our property.



In addition, we do not feel safe with the traffic that the tower generates. The road to the tower runs right by our property line. My sister and I have been up late at night talking during a girl's night to be alarmed and frightened by a vehicle stopped right by our property line. The vehicle stayed there for awhile while the occupants were looking directly at us and then made its way up to the tower. My family consists of many young and elderly members who are defenseless from any harm that comes from the traffic that the tower generates.

As you can imagine, having a tower practically in your backyard that is viewable from every spot on your property and has traffic coming to and from at all hours is very detrimental to the property value. When my grandparents died, there was no inheritance. They were hardworking people who had no retirement pensions or large savings. However, they left us this property that has been the glue to keep our family together and has provided so many happy memories for us. I encourage you to not allow this tower to go in because of the effect that it has on the value of the land of adjacent properties. This area is zoned for agricultural use and should stay so.

My last concern has to do with the health effects from communication towers. My sister and I both had breast cancer in our early forties. We were tested for 15 genetic mutations and did not test positive for one. They said that it was probably due to something in our environment. Since then, we have made every effort to remove anything that could be capable of causing cancer. We remove plastic and Teflon coated pans. Yet, when we go to Bastrop, we have to look at those blinking lights on that tower and wonder if. Our greatest mutual wish is that our children can grow up and not have to battle cancer and the remaining health effects that it leaves.

It is a burden that my family has born in the 35 to 40 years that the tower has been there without profiting one cent. In fact, when this tower was put in, my grandparents were in the very elderly years and would not have had a chance to argue against this disgrace being installed next door. I hope that my plea will prevent another tower being put in that will last the remainder of our lifetimes.

Respectfully,

Kristine Dugan

**Notice of Pending Non-Conforming Structure Request
City of Bastrop
Zoning Board of Adjustment**



Dear Property Owner:

The **Zoning Board of Adjustment** will conduct a public hearing **Wednesday, August 5, 2020 at 6:00 pm** via online videoconference. Meeting details will available on the posted agenda found on our website 72 hours before the meeting at: https://www.cityofbastrop.org/page/cs.board_agendas on the following request:

Public Hearing and consider action to grant a variance to expand a Non-Conforming Structure to add a 100-foot monopole communication tower at the same site of an existing 450-foot radio tower with adjacent equipment buildings, on 10.223 acres of Bastrop Town Tract A11, located at 2575 Cedar Street, within the City Limits of the City of Bastrop, Texas.

Applicant(s)/Owner(s): Bastrop County/Kent Broussard Tower Rentals Inc

Address(es): 2575 Cedar Street, Bastrop TX, 78602

Legal Description: Bastrop Town Tract, A11, 10.223 Acres

The site location map and a letter from the property owner is attached for reference.

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances. For more information or to provide comments on this project, you may contact the Planning & Development Department at (512) 332-8840, plan@cityofbastrop.org, or mail the response card below to PO Box 427, Bastrop, Texas 78602.



PROPERTY OWNER'S RESPONSE

As a property owner within 200 feet: (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: Kenny Dayden

Property Address: 120 Highway 21 East

Mailing Address (if different than property address: 4311 Bunny Run AUSTIN TX 78746

Phone (optional): _____ Email (optional): _____

Property Owner's Signature: [Signature]

Additional Comments (Optional):

Re: 2575 Cedar Street, Bastrop County Monopole Non-Conforming

PLANNING & DEVELOPMENT

1311 Chestnut Street • PO Box 427 • Bastrop, Texas 78602 • 512.332.8840 •
www.cityofbastrop.org

PROPERTY OWNER'S RESPONSE

As a property owner within 200 feet: (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: KENT BROUSSARD Tower Rentals, Inc.

Property Address: 2575 CEDAR STREET

Mailing Address (if different than property address): P.O. Box 1883 Bay City, Tx 77404

Phone (optional): 979-241-5070 Email (optional): KENTPAUL@SBCGLOBAL.net

Property Owner's Signature: Kent Broussard

Additional Comments (Optional):

Re: 2575 Cedar Street, Bastrop County Monopole Non-Conforming

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PROPERTY OWNER'S RESPONSE

As a property owner within 200 feet: (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

What is the size of the microwave transmitter dishes? Will more structures be built to support this project?

Property Owner Name: MARY H. LAMB

Property Address: 3101 Cedar Street, Bastrop
216 Alcaide Moreno St.

Mailing Address (if different than property address): 216 Alcaide Moreno
San Antonio, TX 78232

Phone (optional): 210.494-5649 Email (optional): ---

Property Owner's Signature: Mary E. Lamb

Additional Comments (Optional):

We wear pacemakers - next time
give us a little more time to
research the subject!!
(others on back)

Re: 2575 Cedar Street, Bastrop County Monopole Non-Conforming

PLANNING & DEVELOPMENT

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The sad part is that Brunsdon will get
Raced & del magnet is an ugly ~~view~~
view to look at!

1. This is our vacation house, we have no tall trees on our fence line to hid the dishes - the dish will be our view from the kitchen & den - a very ugly thing to look at.
2. There is the concern that if you keep adding towers, poles, etc before you know it there will not be anything left of the 10 acres but poles & more poles
3. We already have strangers driving up & down the tower road picking up dust - also there is a big mud hole in front of the tower ^{road} gate.
4. Why did you pick this site for your pole? There are other places which are probably more suited for this -

Bastrop County Monopole Agreement Authorization



Request – Expand a Non-Conforming Structure

- Approved by the Zoning Board of Adjustment on August 5, 2020.
- Existing site has a 450-foot communication tower with associated equipment buildings
- Proposed – 100-foot monopole communication tower with ice-bridge connecting to an existing equipment building
 - Will be used to expand Bastrop County Emergency Management Communications



Location



Location

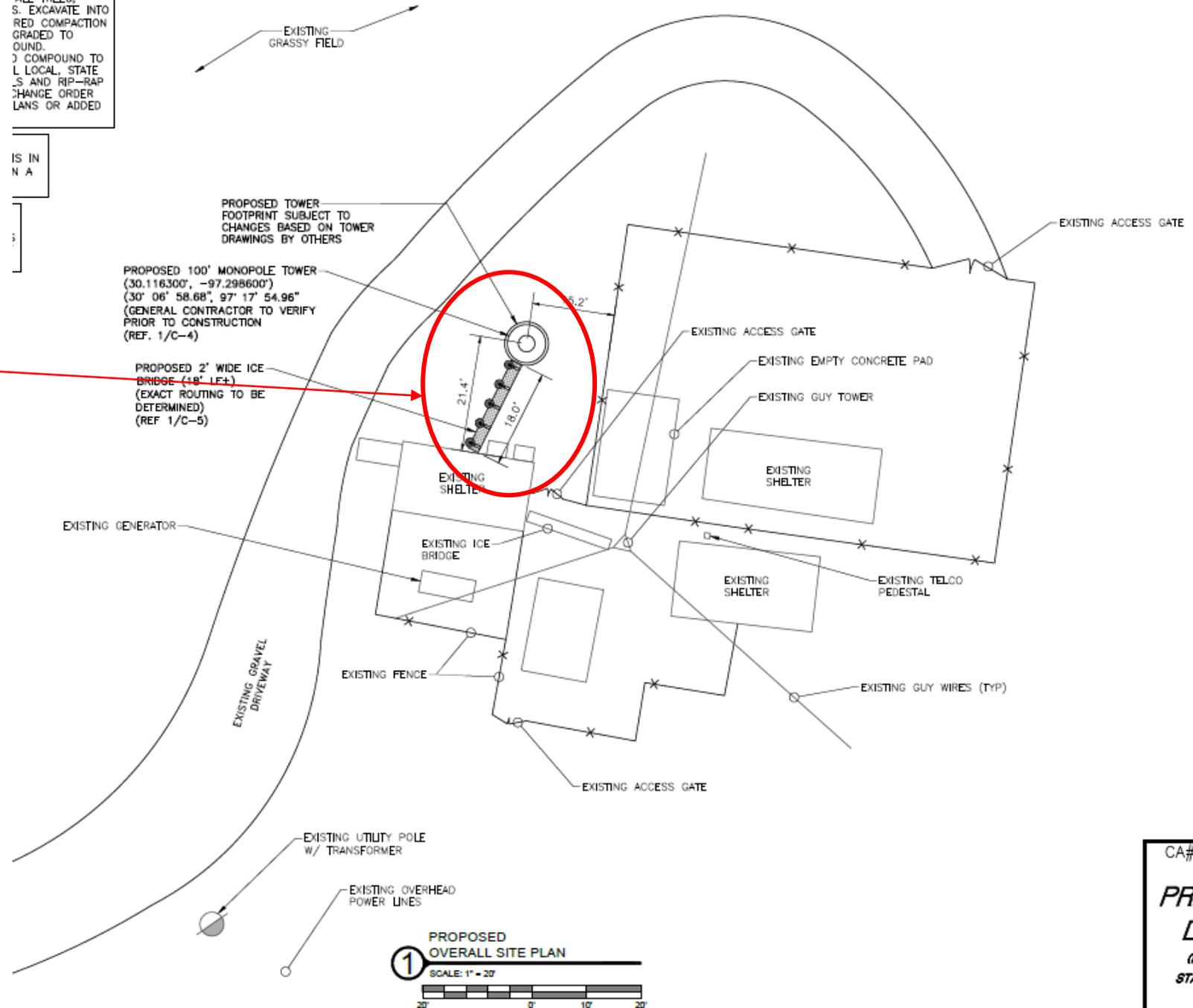


Site Layout

ALL TREES
S. EXCAVATE INTO
RED COMPACTION
GRADED TO
OUND.
COMPOUND TO
LOCAL STATE
S AND RIP-RAP
CHANGE ORDER
LANS OR ADDED

IS IN
N A

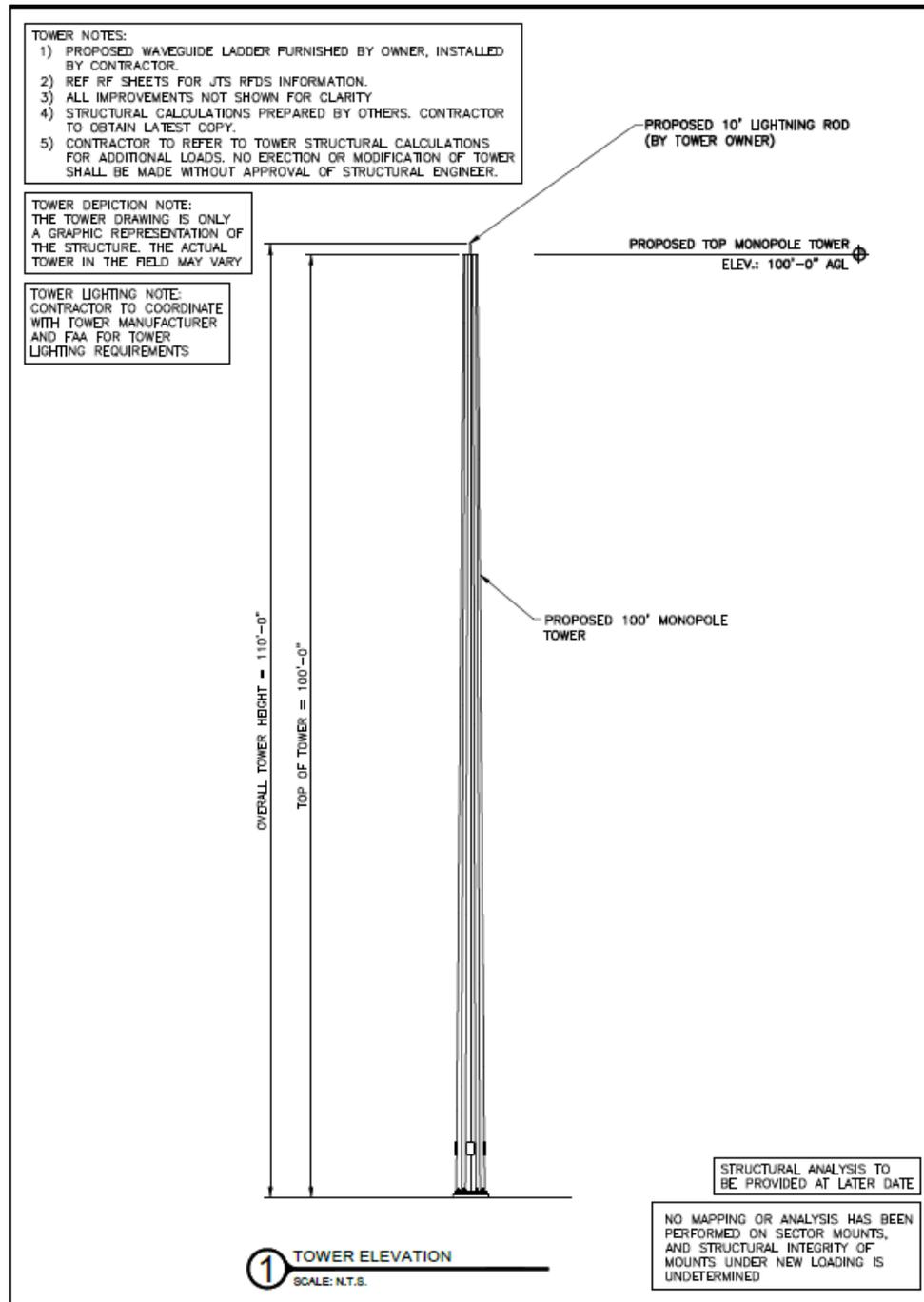
Tower and Ice Bridge



CA#: AR 1935

**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)

Tower Profile



Notifications

- Newspaper Advertisement on July 18, 2020
- Mailed notice to 8 adjacent property owners on July 23, 2020.
 - At the time of this presentation:
 - Three No Objections
 - Two Opposed
- Two adjacent property owners spoke against the expansion.



ZBA Approved Conditions

- Any future development beyond the scope approved by the Zoning Board of Adjustment will come into compliance with all Bastrop Building Block (B³) in effect at time of development.
- Dedication of half (27.78 feet) of the right-of-way for Cedar Street along the northern property line.
- The development process will be limited to the following with full review fees paid:
 - Minor Plat with the right-of way dedication;
 - Site Development Plan; and
 - Building Permits.
- No more than two dishes with supporting infrastructure on the pole.
- Communication tower must be removed within five years from August 5, 2020 (ZBA approval) or come back to ZBA for an extension to continue the use.
- If Bastrop County relocates their communication equipment, the monopole must be removed from the site.



Recommendation

- Approve Resolution R-2020-86 authorizing the City Manager to execute the Interlocal Agreement with conditions approved by the Zoning Board of Adjustment.

